**Mediator Information**

**Shauna/Sean &**

**Nicola/Nick**

Shauna/Sean and Nicola/Nick are siblings whose elderly mother passed away three months ago.

Both siblings live in the family home. Shauna/Sean returned a year ago from living in the UK for 15 years after the breakdown of her/his marriage. Nicola/Nick had always lived at home, worked locally and spent a lot of time with her/his mother.

The problem arose when their mother died and after the Will was read, Shauna/Sean found out that Nicola/Nick had been left the house, all the contents – which contained many valuable antiques and 75% of the mother’s money. Shauna/Sean had been left 25% of the cash funds. Nicola/Nick has not asked Shauna/Sean to leave the house.

Shauna/Sean felt deeply aggrieved at this especially in light of the fact that s/he had come home at the mother’s request. At this stage Shauna/Sean wants to go to court to contest the Will. A friend of Shauna/Sean’s suggested they try mediation to resolve the issues and maybe save some money

**Disputant A Information - Shauna / Sean**

You were living in the UK until a year ago when you came home to live with your elderly mother. Life has been difficult for a number of years, your marriage broke down and the divorce was finalised last year. Your ex-partner was living in your old home and you were renting a flat – not sure what you were going to do. For a long time your mother had been asking for you to come home, even though you had been out of the country for 15 years. Finally, you thought “why not?” You decided to start afresh.

You didn’t realise the job situation was so bad, even after 6 months back living with your mother and sibling, Nicola/Nick, you still hadn’t found full time employment. You had sporadic contract work, but not enough to live independently. You were almost a full time carer for your mother – as Nicola/Nick had let the home-help go as you were in the house so much of the time.

With the sudden death of your mother 3 months ago, life was in an upheaval. Nicola/Nick grieved as though s/he was the only person to have lost a mother. Then to make it all worse, you found out that in your mother’s Will she had left nearly everything to Nicola/Nick the house, all the contents – which includes lots of valuable antiques – and 75% of the cash from various bank accounts. You were left the remaining 25% of the cash. The shock of this was nearly as large as the death of your mother.

Now almost financially dependent on Nicola/Nick, you are feeling very bitter - with your mother for not changing her Will, especially after you moved home at her request and with Nicola/Nick for not recognising the injustice or offering to share more of what s/he received. You and Nicola/Nick are barely talking at this stage. S/he doesn’t realise what you’re feeling.

You want to contest the Will, but a friend suggested mediation to save time and money. You suggested to Nicola/Nick that you try mediation to sort out the relationship.

***Note to Disputants:***

*Ensure that you are eventually reasonable, although angry and upset at first, and respond to the mediator’s skills.*

**Disputant B Information - Nicola / Nick**

You had always been very close to your mother and feel that you shared a particularly strong and special bond. You never moved away from home as you were lucky enough to have a good job locally. Both you and your mother enjoyed each other’s company and similar things in life such as the opera and old black & white movies.

About 9 months ago your sister/brother, Shauna/Sean moved back to the family home from the UK. S/he had lived there for about 15 years and then when her/his marriage broke up, s/he arrived back in the country and moved in. S/he was having problems finding full time work and spent a lot of time at home.

You were devastated when your mother suddenly died from a heart attack. You took 2 weeks’ leave from work and could barely move from the house. Shauna/Sean was upset, but not as upset as you. It wouldn’t be possible; you were so close to your mother.

You were executor of your mother’s Will and shortly after her death you found out that most of her estate had been left to you – the house, all the contents and 75% of her cash. Shauna/Sean was left the remaining 25% of the cash, which was still a sizeable amount. You weren’t surprised at the Will, as you had always stayed at home with your mother, while Shauna/Sean had taken flight to the UK for years and years. Plus you are allowing Shauna/Sean to remain in the house for free.

Ever since the reading of the Will, Shauna/Sean has hardly spoken to you and when s/he does it is always in curt, abrupt manner. You don’t know what her/his problem is. Recently s/he suggested that you both attend mediation to sort out some of the issues. Somewhat surprised at the request, you agreed.

***Note to Disputants:***

*Ensure that you are eventually reasonable, although angry and upset at first, and respond to the mediator’s skills.*