

ELDERCARE MEDIATOR QUESTIONNAIRE

A. BASIC INFORMATION:

LOCATION(S):

**"I WILL MEDIATE IN THE FOLLOWING LOCATION(S)":
LIST AT LEAST ONE STATE, THE STATE WHERE YOUR OFFICE IS LOCATED,
AND ANY ADDITIONAL STATES OR METROPOLITAN AREAS OUTSIDE OF
THE FIRST STATE LISTED. NOTE YOUR TRAVEL COSTS.**

I will mediate in New England, and anywhere in the United States if the parties pay reasonable travel costs.

YOUR NAME: Connie L. Rakowsky
BUSINESS NAME: Connie L. Rakowsky
ADDRESS: 11 Ireland Road
Henniker, NH 03242
PHONES: 603-428-8571
FAX: 603-428-8135
EMAIL: Connie.Rakowsky@gmail.com
WEBSITE:

LANGUAGES SPOKEN FLUENTLY: English

FEES PER HOUR & OTHER FEES (EG. TRAVEL):

\$250. per hour; \$1500. per day, plus travel expenses. No hourly fee charged while traveling. Preparation fees not charged unless excessive.

DO YOU HAVE MEDIATOR MALPRACTICE INSURANCE? Yes

B. BACKGROUND:

OVERVIEW OF BACKGROUND

(PRIMARY PROFESSION, ETC. MAXIMUM 50 WORDS):

I have a facilitative style and extensive training and experience in mediation with more than 26 years' experience solving problems for clients in business, commercial and non-profit areas. Peers awarded an "AV" rating, the highest in Martindale Hubbell. The process experience, combined with the strong transactional track record, provide the broad perspective which is key to successfully resolving complex disputes. In the late 1980's and 1990's I handled multi-party bankruptcy reorganization cases which helped prepare me for the more personal family cases as well.

GENERAL MEDIATION EXPERIENCE (MAX 30 WORDS):

I mediated for the general trial court in New Hampshire since the late 1990's and

appointed to the more limited Probate Court panel since 2002. My private mediation experience consists mostly of commercial cases. I stopped the full time practice of law last year and believe that my focus has improved in the mediation area since that time. The evaluations of my skills are uniformly positive. My mediations are client-centered.

NUMBER OF MEDIATED DISPUTES (ANY KIND--MINIMUM 5 TO BE LISTED):

over 100

NUMBER OF MEDIATED DISPUTES INVOLVING HIGH-CONFLICT FAMILY MEDIATION:

Over 51

ELDERCARE MEDIATION EXPERIENCE: NUMBER OF EM DISPUTES MEDIATED:

Over 5

NUMBER OF YEARS YOU HAVE MEDIATED: 7

10

GERIATRIC EXPERIENCE (MAX 30 WORDS):

I have been mediating probate disputes since 2002, including guardianships, fiduciary disputes, and partitions. Since 2008 I have been mediating family elder care disputes before litigation is filed and the families are very happy to resolve these issues earlier in the cycle of the conflict.

OTHER:

Both my family (4 siblings) and my husband's family (7 siblings) experienced family traumas regarding the senior generation's care and disposition of their assets. The issues include: inequality of treatment of siblings in one will with attempts to "correct" in the subsequent will, disagreements on care, payments favoring one sibling, theft/undue influence of funds from the senior, financial control/power of attorney removed from competent parents on opposite coast, end of life decision, and disagreements on house sale and personal effects distribution.

C.

EDUCATION, ASSOCIATIONS, AND LICENSES/MEDIATOR REGISTRIES:

EDUCATIONAL DEGREE(S), MAJOR(S), & INSTITUTION(S):

J.D., Chicago-Kent College of Law, Chicago, Illinois, 1981

B.A., Northwestern University, Evanston, Illinois, 1974

PROFESSIONAL ASSOCIATIONS:

Financial Institution Regulatory Authority (FINRA) Panel Member,
Appointed
American Arbitration Association, Commercial Panel Member, Appointed
State of New Hampshire Probate Court Mediator Panel Member, Appointed
State of New Hampshire Superior Court Mediator Panel Member
United States District Court Mediator Panel Member, Appointed
New Hampshire Bar

MEDIATOR REGISTRIES/CERTIFICATION/LICENSES:

No disciplinary actions
See above for registries and certifications

CERTIFICATION AND TRAINING:

**D.
TYPES OF ELDERCARE MEDIATION DISPUTES THAT YOU WILL
MEDIATE:**

**CHECK ALL THAT APPLY & CHECK TYPES OF EM DISPUTES THAT YOU
HAVE ALREADY MEDIATED:**

WILL	HAVE
Quality of Life	Quality of Life
Housing	Housing
Car Keys, Driving & Transportation (limitations on driving, testing, transportation to medical appointments, friends, social events & church)	
Caregiving (division of duties, relief for caregivers, level of care needed, planning vacations for parents & caregivers)	Caregiving (division of duties, relief for caregivers, level of care needed, planning vacations for parents & caregivers)
Financial Decisions	Financial Decisions
Working through Family Fights (improving sibling relationships, learning communication skills, & working as a team)	Working through Family Fights (improving sibling relationships, learning communication skills, & working as a team)
Wills, Trusts & Estates (planning, distribution of assets, & resolution of family disputes)	Wills, Trusts & Estates (planning, distribution of assets, & resolution of family disputes)
Division or Sale of Farms, Businesses & Property	
Powers of Attorney & Avoiding Guardianship	

Health Care Decisions	
Planning Ahead for End of Life Decisions (funeral planning & Advanced Directives (Living Wills/Life Prolongation, organ donation preference, appointment of health care representatives)	
WILL_MEDIATE_OTHER:	
"Will" means that there are types of cases that I have scheduled but not yet handled.	
HAVE_MEDIATED_OTHER:	
The step parent/step child situation is common in the cases I have mediated as well as the gay relationship of one of the siblings that arise with the senior homophobic and reacting badly. Because people really want to solve their own issues I find that we as mediators just need to help them clear away the debris so that they can do that.	

**E.
MEDIATION TRAINING:**

**TRAINING IN BASIC MEDIATION
(MINIMUM 40 HOURS OF GENERAL MEDIATION TRAINING):
NOTE TYPE (FAMILY, CIVIL, COMMUNITY MEDIATION OR OTHER,
TITLE(S), TOTAL NUMBER OF HOURS, TRAINERS)**

Advanced Mediator Training, US District and NH State Court, October 2008 (3)
 Tools of Awareness in Conflict: A Workshop on Mindfulness for Conflict Resolvers, Riskin, NH Conflict Resolution Assn October 2008
 Permanency Mediation Training, NH Probate Court, 2006 (5.5)
 Negotiation Skills, Mediation Works Incorporated, Boston, 2006 (13)
 Mediation of Legal Disputes: Basic Skills Training, Endispute, Boston, 1995 (40)
 Mediation Skills for Intellectual Property & Commercial Disputes, John Paul Jones Group, FPLC IP Summer Institute,(40)
 Advocacy in Mediation, American Arbitration Association, Boston, 2001 (2.5)

Participant, Probate Mediator Training, NH Probate Court, November 2008
 Participant, Probate Mediator Training, NH Probate Court, 2007
 Participant, Probate Mediation Training, NH Probate Court, 2004

**TRAINING RECEIVED IN ELDERCARE MEDIATION:
NOTE TITLES, TOTAL NUMBER OF HOURS & TRAINERS (MAX 30 WORDS):**

TRAINING IN DOMESTIC VIOLENCE: NOTE TITLE(S), TOTAL NUMBER OF HOURS & TRAINERS (MAX 30 WORDS):

nothing specific

**SUMMARY OF OTHER ADVANCED MEDIATION TRAINING:
NOTE TITLE(S), TOTAL NUMBER OF HOURS & TRAINERS (MAX 30 WORDS):**

I have a word document with a complete list of all my trainings I would be happy to provide if requested.

**WERE YOU A TRAINER FOR ANY NOTED ABOVE?
IF SO, LIST HOURS:**

Negotiations Strategies and Techniques for Corporate Lawyers, January 2009 (2)

Mediation Skills Training for Rule 170 Neutrals, Breakout Sessions Critiques,

NH Superior Court, various years

Mediation Skills Training, Belknap County Clerks, 2004

Negotiation Seminar for State Government Lawyers, organized by the NH Attorney General's Office, 1997 (2)

Guest Presenter, Fundamentals and ADR Clauses, Franklin Pierce Law School classes on ADR, 1996 & 1997 (1 each)

F.

MODELS AND PROCEDURES USED AS A MEDIATOR:

MODEL(S) OF MEDIATION USED PRIMARILY:

FACILITATIVE

TYPE(S) OF MEDIATION SESSION USED (NOTE ALL YOU USE, THEN FOR EACH CATEGORY, LIST YOUR LEVEL OF EXPERIENCE: LOW, MEDIUM, HIGH):

EXPERIENCE	
HIGH	IN-PERSON ONLY
MEDIUM	WITH SOME PARTICIPATION BY CONFERENCE CALL
NONE	MEDIATION BY CONFERENCE CALL
NONE	ONLINE DISPUTE RESOLUTION (MEDIATION WITH VIDEO COMPONENT)