

## **Mediation in Civil Case**

### **INHERITANCE DISPUTE BETWEEN TWO SISTERS**

Valerie (23 years) and Ramona (29 years) are sisters. The mother of Valerie and Ramona died when girls were small. Now 3 months ago also their father Arnold (65) passed away. His last 10 years Arnold lived together with Zelma (65), who keeps living in his house also after his death. Arnold was not married to Zelma.

Valerie always has had bad relationship with Ramona. Valerie lives in a countryside town and works in a town municipality as a head of department of culture. Ramona lives and works in the capital, in a governmental institution. By now Ramona visited her father once in two months, driving to his countryside town house. Though Ramona kept nice and close contact with her father in daily phone conversations. Valerie lived nearby from her father and visited him frequently.

After the death of the father both sisters are in dramatic conflict about division of the inheritance. At the moment of his death the father owned 15 years old Audi and a hunting gun, as well as 4 real estates: 1) a countryside house in a town where the father lived, 2) 5ha of forest nearby swamp, 3) apartment in a capital and 4) an apartment in a seaside resort city. When father was still alive, the father's brother Yuri was in financial difficulties and was afraid of possible insolvency process and demands from his business creditors. Therefore Yuri and Arnold as brothers agreed that Yuri registers both of his apartments – in the capital and in the seaside resort – to the name of now deceased Arnold. In that way Arnold helped his brother to overcome financial risks of that moment. Now Yuri's problems are resolved, and even one week before death of Arnold both brothers agreed to register back to Yuri's name both apartments. They didn't manage to re-register back both apartments, because Arnold died.

Ramona wants that both apartments in the capital and in the seaside resort shall be returned back to her uncle Yuri, because this is an issue of family honour. Valerie thinks that Yuri shall blame himself that he had agreed to such risky scheme, and now the apartments shall be only legally divided between sisters, because only sisters are legal and only heirs of Arnold.

Zelma keeps living in the countryside town house, but Valerie has plugged off electricity supply to the house, hoping that Zelma will faster move out of the house. Legally Zelma has no rights to stay in the house. Also Valerie has written an application to the police blaming that Zenta has stolen precious stones and jewellery which was property of her father. Zelma has not taken anything, but Valerie realizes such emotional terror to force Zelma to leave the house.

Valerie offers to divide inheritance in the following way: Valerie gets the countryside town house, 5 ha forest and the Audi car, but Ramona can take apartments in the capital and in the seaside resort. Ramona opposes such offer, because she could never keep both apartments knowing that they shall be honestly given back to her uncle Yuri. Nether Ramona needs the hunting gun, because she does not have shooting licence and has no interest in that. Instead Ramona would like to receive monetary compensation for ½ from the countryside town house, ½ from the value

#### **PARTNERS:**



of forest and  $\frac{1}{2}$  from the value of the case, but regarding both apartments – to give them back charge free to their uncle Yuri.

Valerie has agreed to mediate, because she does not want to spend any more money for lawyer consultations and litigation about division of inheritance. Valerie thinks that Ramona, by running to live in the capital, has abandoned the father and only Valerie was the one who really took care of the dad. Therefore Valerie deserves all or at least the greatest share of the property. Valerie hates father's lady Zelma, because Valerie still misses her deceased mother and Zelma was only her stepmother. Regarding uncle Yuri, Valerie is principal and does not want to give away anything which she hasn't expressly promised. Her father had a deal with his brother, but legally Valerie even does not have any connection with that. That is only Yuri's problem, not hers. Moreover Valerie wants to show to Ramona that she is not any more her little sister, but independent, important and strong person who must be respected.

Ramona feels completely helpless. She has obtained excellent education in the capital by support of her father, works in a prestigious place, but now she can't do anything effective to win her sister. Ramona only fights with consequences – plugged off electricity in father's house, sad stories from poor Zelma who has nowhere to go and live, etc. Ramona feels a pity for Zelma who has helped so many years to her father in his household. Ramona also feels responsible in front of her uncle Yuri – she feels obliged to fulfil the wish of her father to give back to Yuri his apartments. Valerie keeps her aggressive behaviour, and Ramona can't stop her sister. The only thing Ramona wants is to get the value of her share in money. She doesn't need a property, because her future plans are not connected with countryside.

Ramona and Valerie voluntarily goes to the mediator for solution of their dispute. There is no case submitted yet to the court.

Organize mediation session in a civil case with the following persons:

1. A mediator;
2. Valerie – 23 years old mother
3. Ramona – 29 years old daughter

PARTNERS:

