

Eldercare Mediation – What it is (and What it isn't)

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Eldercare Mediation is a method of finding the best possible solutions to quality of life issues that our aging population faces. As individuals and families deal with decisions of how to best care for themselves and/or loved ones when the aging process dictates increased dependency on others, family relationships are tested. Increased family conflict is common and mediation can be a tool to help put a process for care levels and responsibilities in place in order to help resolve issues at their lowest level.

Statistics show that nearly 40% of adult children are providing parent care. Along with that stress, those same care providers are in a serious conflict with a sibling, usually related to lack of sufficient help from that sibling. Problems based on social trends, that affect caregivers are: the growing number of elderly people, physical health issues, divorce and remarriage rates, geographic location, smaller families, children born later in life, grandparents raising grandchildren and more women in the workplace. (Women represent the largest area of caregivers – around 72%.)

The aging person should participate to the fullest extent possible with session length determined by their ability to be involved. When elders participate in developing their own life plans, they maintain control over the decisions that are made regarding their care plans. Individuals feel more validated because they are empowered to make decisions in their own best interest. Mediation allows relationships, behaviors and family traditions to be considered. In other words, the outcome fits the needs and interests of involved individuals, but reflects the choices and priorities of those most affected.

Mediators can sort through complex issues around money (where will it come from, who will control it and/or how will it be divided) while remaining impartial. They can help families with responsibility issues, such as who will be responsible for what tasks (when and how often) with a sense of perspective that doesn't involve their personal feelings. Dynamics around personal will and trust disputes are appropriate for mediation because these discussions are emotionally charged even though the ultimate exchange is monetary. Mediation explores needs and how to meet them, working past emotions and clearly defining the issues.

Who are the Parties in Eldercare mediation?

- Family and Elder person
- Family member to Family member
- Professional Caregivers and family member
- Profession Caregivers and Elder
- Attorneys on behalf of clients

What are the benefits of Eldercare Mediation?

- High success rate
- Allows elderly to be involved to the greatest extent possible
- Gives power to the elderly who often think that they have no choices
- Defines family relationships
- Future focused with specific goals
- Provides alternatives to litigation
- Keeps channels of communication open
- Provides options
- Helps people involved feel heard

What types of issues can be mediated?

- Guardianships
- Estate matters
- Living Arrangements
- Medical preferences
- Personal Privileges (driving)
- Assets
- Define end-of-life care
- How to share family care-giving
- Care-giving schedules and expenses
- Property maintenance
- Family member roles in decisions
- Probate matters
- Overall Assessment of situation
- Advocacy for win/win outcomes for all involved
- Mediation of Disputes for resolution at the lowest level
- Planning for now and the future before a crisis

Who initiates mediation?

Sometimes the elder adults initiate mediation as a way to get things settled before matters get too difficult. They want their wishes about estate matters and end of life decisions to be fully understood. Mediators can provide the support and structure to help that happen in a constructive manner.

Sometimes family members initiate mediation as a way to sort through tension between siblings, elder parents and adult children. Finances, efficient economics and joint responsibility and decision making are all major concerns.

Another area of mediation initiation comes from staff members of hospitals, nursing homes or assisted living facilities need mediation for issues that come from within the institution. They may also call for mediation when problems escalate beyond the point that a case manager or patient liaison can manage.

Attorneys can also initiate mediation as a way to present problems to the parties on behalf of the affected person.

Sessions are confidential and options are explored without anything being set in place without the signed consent and agreement of the parties involved. Eldercare mediation is a viable choice for families who want support, clarity and help from a trained professional mediator who is familiar with the issues surrounding aging and is ready to help families talk things through. The goal is to put a plan in place that deals with issues before they become “the elephant in the corner” and will preserve trust and respect around the most important relationships of all.

Credits:

Deborah Gentry – Conflict Resolution Quarterly, Vol. 19:1, Fall 2001, p. 35

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ABC News Internet Ventures

Eldercare.com

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