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Eldercaring coordination: an effective response to family conflict

By **Linda Fieldstone** and **Sue Bronson**

John and his young adult children used to visit his mother in her nursing home about once a week. She looked forward to their visits, as well as to those from her neighbors. Then Rob, John's brother, came back to town. Rob began telling his mother that John and his kids were only after her money. Rob stayed around constantly, and soon their mother refused to see John and her grandchildren. Meanwhile, John told the neighbors his mother was too sick to see them anymore and that the neighbors' visits upset her.

As old memories resurfaced and new incidents occurred, it had become impossible for John and Rob to focus on their mother's needs and care, concentrating only on their anger toward one another. Their conflict jeopardized their mother's well-being, isolated her and made her mistrustful of the nursing home's caregivers. The sons' conflict left her in unsafe situations, with delays in medical care. One facility asked her to leave and a second currently is forcing her out because of familial conflict. The grandchildren and great grandchildren miss the regular contact with their loving grandmother.

Solutions to Lighten Court Conflict Cases

The number of probate and guardianship court cases involving older adults is expected to increase exponentially, as 10,000 aging baby boomers reach age 65 per day. What kind of care and resolution can families expect with such full court dockets? High-conflict cases, driven by old resentments or mental illness, take even more time in court. In those highly litigious cases, families depend upon judges, rather than trusting each other, to decide the non-legal issues surrounding their parents, like how to help them stay in their own home or which long-term-care facility is best.

Imagine how many older adult lives could be improved and how much their families would gain if they had access to a method for managing family dynamics and eliminating the need for the court to micromanage family decision-making.

The Association for Conflict Resolution and the Florida Chapter of the Association for Family and Conciliation Courts created task forces that join to address situations when personal agendas of family members interfere with the care and safety of their aging parents. Twenty U.S. and Canadian organizations collaborated with 20 statewide organizations and developed Guidelines for Eldercaring Coordination, a dispute-resolution process that respects elders' need for autonomy and safety, and is targeted to reduce or resolve disputes in high-conflict families (<http://acrelldersection.weebly.com> and www.eldercaringcoordinationfl.org).

Court-appointed Eldercaring Coordinators must meet qualifications described in the Guidelines, and are experienced licensed or certified professionals in their relevant fields of origin, with

extensive training in high-conflict dispute resolution pertinent to families and aging adults. They also have training in eldercaring coordination to support those families the court has ordered to engage in the process. These Coordinators enable more effective communication, negotiation and problem-solving skills; offer education about eldercare resources; facilitate the creation and implementation of an eldercare plan; make recommendations for resolutions; and make decisions within the scope of a court order, or with the parties' prior approval.

Because ElderCaring Coordinators are focused on how to reduce conflict and maintain family equilibrium, they build a support system for each family, engaging the older adult to the extent of his or her capacity, ensuring the safety of the elder by addressing conflict as it arises and reducing risks of abuse or neglect. To do this, ElderCaring Coordinators form a team that may include legal and financial advisors, individual or family therapists, medical, psychological or psychiatric evaluation providers, care managers, care professionals and mediators.

Pilot Sites Up and Running

Five states participate as ElderCaring Coordination pilot sites: Florida, Idaho, Indiana, Ohio and Minnesota, with more than 30 cases to date. Pilot sites are those with a judge who will refer a minimum of six cases to eldercaring coordination. For consistency between sites, the judge will use the recommended forms, procedures and processes outlined in the Guidelines. Thirty-six ElderCaring Coordinators were trained in July 2015. The Ohio Supreme Court hosted its second training for ElderCaring Coordinators in late October 2016.

Lead researcher Pamela Teaster and her team from the Center for Gerontology at Virginia Tech are collecting data from the pilot sites, the ElderCaring Coordinators and participants to measure the impacts and enhance the process as it progresses. Pilot site administrators and ElderCaring Coordinators meet regularly to help move the project forward, develop best practices and learn from one another.

The development of eldercaring coordination now depends upon educating the public, the court and professionals about this high-conflict dispute resolution option, and its availability for expansion into other court systems.

Program outcomes so far have been positive. Families better recognize safety issues (e.g., abuse, neglect, exploitation). Communication between family members, and their communication with professionals, is improved. Family members are resolving non-legal issues, multiple parties' decisions are being affirmed in court and attorneys are requesting to use the eldercaring coordination process. Also, families are making cognitive shifts that demonstrate their focus on the elder rather than on their personal agendas.

Many elders' last wishes center on their children "just getting along." The benefits of eldercaring coordination are evident in a system process that engages the family in honor of the older adult, which reduces rather than intensifies pain and encourages strong collaborations that affect future generations. ■

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