

Elder Mediation Helps Solve Disagreements in Caregiving

“My daughter is insisting I move in with her,” complains Martha. *“She just wants to control my life and take away my freedom,”* she continues.

Jenny, Martha’s daughter worries that her mother keeps falling, and fears one day she will break her hip or hit her head.

“I’ll take my sister to court before I will let her get control of mom and my inheritance,” exclaims Jim about Jenny’s desire to move her mother in with her.

It is amazing how quickly formerly cordial relationships between family members will sour when the family has to deal with care of elderly parents or inheritance at their death. Sometimes the consequence of dealing with the final years of elderly parents can break families apart and create long-lasting animosity.

The National Care Planning Council has seen an increase in requests from caregiving children for help in solving disputes with siblings. In one case, the caregiver was being sued by her sister for abusing their parent and stealing the Social Security checks. In another, the caregiving child would not allow siblings to see their mother, claiming they would take advantage of her.

A lot of times it is a “she said,” “he said” situation with neither party really understanding what the elder person needs or wants.

Some families find it hard to communicate with each other when their parent is in need of care. Perhaps when they grew up together they were not accustomed to come together as parents and children to work out problems. And now those children are older and taking care of parents and they don’t have this family council strategy to rely on. It may seem unnatural to them. But that is often exactly what is needed, especially in situations where perhaps one child is caring for the parents and the others are left out of the loop.

Children all have a common bond to their parents and as a result a common obligation or responsibility to each other. When disagreements arise, suspicions begin to grow. Suspicions or distrust often lead to anger and the anger often leads to severing the channels of communication between family members. This can occur between parent and child or between siblings or between all of them.

It is often at this point that a neutral third party can come in and repair the damage that has been done and help correct the problems that have come about because of the disagreement.

A practitioner experienced in elder mediation is a perfect choice for solving disagreements due to issues with the elderly.

WHAT IS ELDER MEDIATION?

Mediation is a non-adversarial approach to solving disputes. Mediation is a process of bringing two or more disputing parties together and having them mutually negotiate a solution to their disagreement. The mediator is not a judge and does not render a decision but is there to make sure that communication flows freely between the disputing parties. Elder Mediators are trained in the art of negotiating resolutions between elderly parents and family members.

Mediation can achieve results that the family by itself may not be capable of realizing or have the expertise of achieving. Here are some reasons that make Elder Mediation so valuable.

- A trained expert on communication gives the family a perspective it could not gain by meeting together on its own;
- All family members involved meet and prevent problems from arising by anticipating situations that may cause disputes;
- Allows for the mediator to invite experts such as care managers or other care providers into the meeting to educate the family and give them a new perspective;
- Allows parents to focus on their abilities rather than their limitations;
- Allows children to come up with and consider options not thought of previously;
- Encourages uninvolved family members to become involved;
- Allows parents to express wishes and desires that had previously gone unuttered;
- Allows for a neutral third party to challenge family members and make them take responsibility for their actions;
- Promotes consensus of all involved which in turn creates a much higher rate of compliance with the plan than with any other process; (the success rate for compliance with elder mediation is estimated to be about 80% to 85%)
- Requires a written plan with specific responsibilities which makes compliance feasible.

There are many organizations and companies throughout the country providing expertise in “Elder Mediation” to help seniors and their families. You will also find that mediators often have many coincident professional accreditations such as, Professional or Geriatric Care Manager, Elder Attorney, Clinical Social Worker or Certified Mediator.

In choosing a mediator, consider your needs. Is there a need for a medical assessment to determine the type of care? Are legal concerns with inheritance or family business or power of attorney, the main need? Perhaps, just bringing the family together to communicate on what needs to be done and who will do it is the agenda for now.

In one case, after months of dispute with her parents over their health and safety issues, Connie enlisted the service of a professional care manager mediator.

“Bringing a neutral person with a professional and compassionate attitude into our disputes was the best thing for all involved,” Connie recalled. “My parents shared their concerns and listened with acceptance to mine. All of a sudden we could communicate and work out a plan that they could live with and I could relax knowing they were safe.”

Where to Find an Elder Mediator

- In your local phone book, on the internet or with your community senior services.
- References from friends and neighbors
- Contact the local area agency on aging
- Contact your state bar association
- Contact a local university or college and asked to speak to the department that provides mediation training and ask for a referral.
- On the internet look up mediation in your area
- Yellow pages in local phone books

In the National Care Planning Council's book, *“The 4 Steps of Long Term Care Planning,”* the process of creating your own “Care Plan” before you need it is introduced. Quoting from the book:

“If the current or future caregiver wants the other persons attending the meeting to give support with respite care, transportation to doctors, etc., everyone needs to be aware of this and in total agreement to do it. All must also be willing to work with the member of the family, friend or professional who is designated as the Personal Care Coordinator.

If you feel the communication will be strained, consider having a professional mediator present. The mediator will be able to keep things calm and running smoothly and help work out each person's concerns.”

“**The 4 Steps of Long Term Care Planning**” book can be found at http://www.longtermcarelink.net/a16four_steps_book.htm

The National Care Planning Council lists Professional Mediators throughout the United States on its website at <http://www.longtermcarelink.net/a7mediation.htm>

For a list of local resources in the Charlottesville VA and surrounding areas, please visit www.AgingYourWay.org . There you will also find non-area specific advice for Caregivers.

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