

***Picture a
compassionate court-
alternative response
to family conflict
related to the care and
safety of an ageing
loved one . . .***



ELDERCARING COORDINATION

. . . a dispute resolution option for **high conflict families** that turn to the courts for decisions regarding the care and safety of ageing persons

The court may refer a case for eldercaring coordination when there are:

- Multiple court motions raising non-legal issues
- Concerns about an ageing person's care and safety
- Imbalances of power where only some parties have legal representation
- Frequent disputes about unmeasurable or unsubstantiated issues
- Possessive or controlling behaviors toward the ageing person

**FOR YOU AND
YOUR FAMILY**

ELDERCARINGCOORDINATIONFL.ORG

Eldercaring coordination reduces conflict among family members so they can work together more productively and focus on the ageing person's care.

Eldercaring Coordinators:

- Manage high conflict family dynamics
- Support the ageing person's self-determination for as long as possible
- Promote safety by monitoring at-risk situations
- Develop a support system for the ageing person and family



“Eldercaring Coordination maintains the focus of the family on the ageing person rather than their disputes.”

– Florida Attorney

Eldercaring Coordination can help you avoid a court battle when your ageing loved one and your family most need peace!

Referrals to eldercaring coordination come from the court, although they also may be identified by Adult Protective Services or a similar government office; requested by parties, guardians and attorneys; or recommended by other professionals working with the family.



FOR MORE INFORMATION CONTACT THE ELDERCARE COORDINATION INITIATIVE CO-CHAIRS:

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Association for Conflict Resolution (ACR) Elder Justice Initiative on Eldercaring Coordination

FREQUENTLY ASKED QUESTIONS

What is Eldercaring Coordination?

Eldercaring coordination is a court-ordered process for ageing persons and their families, legally authorized decision-makers, and others who are court-ordered or invited to participate, that helps resolve disputes regarding ageing persons' autonomy and safety.

What does an Eldercaring Coordinator (EC) do?

An EC:

- Enables more effective communication, negotiation and problem-solving skills;
- Offers education about care resources;
- Facilitates the creation and implementation of an ageing person's care plan;
- Recommends how to resolve non-legal conflict; and
- Makes decisions within the scope of a court order or with the parties' prior approval.

Who is an Eldercaring Coordinator (EC)?

An EC is a highly qualified conflict resolution specialist, licensed or certified by a regulatory body of a jurisdiction, state or province, who has completed:

- A master's degree;
- Three years of post-licensure or post-certification practice;
- A family mediation training program certified by the circuit, state or province;
- An elder mediation training program that meets the standards approved and adopted by the Association for Conflict Resolution; and
- An Eldercaring Coordination training program that meets the criteria within the ACR Guidelines for Eldercaring Coordination.

Why is all that training necessary?

Family conflicts about the care of an ageing person delays needed decision-making, impedes medical treatment and increases safety risks for the ageing person. An EC must be well-prepared to help resolve high conflict family situations, which may include family members who escalate disputes, frequently file complaints and initiate adversarial actions. The EC is a conflict resolution specialist who helps participants focus on the ageing person rather than their resentments toward each other so the family can work with appropriate experts to meet the needs of the ageing person.

"This was the best Father's Day we'd had in a long time!"

– Adult children appreciative of the eldercaring coordination process

Who pays for the work of the EC?

The family shares the cost of the EC, reducing time and money spent compared to frequent litigation. The court determines how the EC's fees are split among the family members and participants, decreasing the overall court-related costs that might be borne by each person in paying for lawyers and experts to litigate the same conflicts. Attorneys continue to represent their respective clients to help with legal issues as needed. Participants are informed if there are grants or scholarships available to defray costs.

How often do participants in the eldercaring coordination process meet with the EC?

Eldercaring coordination may continue for up to two years to assist with the transitions that families may experience in caring for an ageing person. Sessions are scheduled according to the unique needs of each family to help resolve non-legal issues, without the delays and lack of privacy experienced in court. Session frequency decreases when family members can productively communicate to develop and implement an ageing person's care plan. The EC remains available so that the family can address non-legal issues as needed without returning to court.

Who developed the Guidelines for Eldercaring Coordination?

The Guidelines for Eldercaring Coordination were developed by the Association for Conflict Resolution Task Force and the twenty organizations that composed the Florida Chapter of the Association of Family and Conciliation Courts Task Force. This was a ground-breaking collaboration of national and international organizations to improve the lives of ageing persons and families involved in high conflict litigation.

ACR TASK FORCE MEMBERS



Alternative Dispute Resolution Institute of Canada
American Association for Marriage and Family Therapy
American Bar Association Commission on Law and Aging
American Bar Association Dispute Resolution Section
American Psychological Association
Association of American Retired Persons
Association of Conflict Resolution
Association of Family and Conciliation Courts
Elder Justice Coalition
National Academy of Elder Law Attorneys
National Adult Protective Services Association
National Aging Life Care Association
National Association of Area Agencies on Aging
National Association of Social Workers
National Center for State Courts
National Committee on the Prevention of Elder Abuse
National College of Probate Judges
National Council of Juvenile and Family Court Judges
National Guardianship Association
National Guardianship Network

I heard that this project is being researched. Why is research important?

Ongoing research by an independent team at Virginia Tech University ensures that appropriate eldercaring coordination practices are being developed and implemented to meet the needs of ageing persons, their families and the court. Eldercaring coordination participants are asked to complete a survey when entering the eldercaring coordination process and again at the end of the process. These anonymous surveys are shared with the research team to help improve eldercaring coordination. Participants' confidential feedback can make a positive impact for other families who will participate in the process.



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**FREQUENTLY ASKED QUESTIONS
FOR ATTORNEYS, GUARDIANS AND OTHER PROFESSIONALS**

Why shouldn't these families just go to mediation?

While many families can resolve their issues through mediation, high conflict families are unable to concentrate on the issues at hand. These are the cases appropriate for eldercaring coordination, where specially trained Eldercaring Coordinators (ECs) help families manage conflict, reduce tension, and overcome entrenched hostilities. Families may use mediation after participating in eldercaring coordination when they are better able to focus on the issues impacting their ageing loved one.

Should everyone be represented by counsel during the eldercaring coordination process?

The EC's role is to remove the adversarial perspective from the process of making decisions for the care and safety of an ageing loved one. While participants in eldercaring coordination may have an attorney, attorneys are not required. Eldercaring coordination is intended to be a confidential process, meaning that what is discussed during sessions is not to be offered as evidence at any court proceeding. Attorneys may be invited by the EC to attend sessions, with the understanding that their approach will be collaborative.



How is eldercaring coordination initiated?

Eldercaring coordination begins with a Court Order of Referral to an Eldercaring Coordinator, after which an Administrator will assign the EC. Once the EC and family members make contact, the EC conducts an intake to plan for the process and help the participants feel safe and comfortable.

Then what happens?

After the intake, the EC helps family members reduce conflict and focus on the needs, wishes, care, and safety of the ageing person. The EC helps the family develop and implement a care plan that is flexible enough to change with the needs of the ageing person and family members. Solutions focus on family strengths to provide for the ageing person's needs. Once family members begin to collaborate, they are better able to work with other resources to care for their ageing loved one. Through the process of eldercaring coordination, families can save time and money, preserve their privacy, elevate the ageing person's dignity, and pass on a legacy of peace to future generations.



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