

Solutions for High Conflict Families: Eldercares Coordination Research Results

Association for Conflict Resolution conference Oct 11-14, 2017
Sue Bronson and Linda Fieldstone
sbronson@wi.rr.com
LindaFieldstone@outlook.com

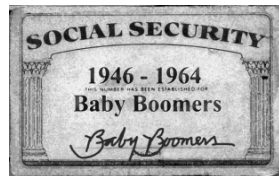
Learning Objectives

- Describe how cases are identified for referral to Eldercares Coordination
- Explain how ECs help to manage high conflict dynamics
- Predict how eldercares coordination promotes safety of elders
- Describe how your area can become a Pilot Site

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Eldercares Coordination

New area for experienced mediators and parenting coordinators



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ACR Task Force on Eldercaring Coordination

(2013-2014)

Twenty US/Canadian organizations and Florida Sate organization developed a dispute resolution option for **high conflict** cases involving issues related to the care and **needs of elders**.

High conflict cases:

Dispute is **conflict driven** rather than content/issue driven



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ACR TASK FORCE NATIONAL Organizations/Entities & CANADIAN Interests

- Alternative Dispute Resolution Institute of Canada
- American Association for Marriage and Family Therapy
- American Bar Association Commission on Law & 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
- Hamlin University School of Law
- National Council of Juvenile and Family Court Judges
- National Guardianship Network
- National Adult Protective Services Association
- National Academy of Elder Law Attorneys
- National Association of Area Agencies on Aging
- National Association Aging Life Care Professionals
- National Association of Social Workers
- National Center for State Courts
- Elder Justice Coalition
- National College of Probate Judges
- National Comm on the Prevention of Elder Abuse
- National Guardianship Association

- FLAFCC - Florida Statewide Organizations/Entities
- Advisory Committee offers support by recognized experts in related fields

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FLAFCC Task Force Florida Statewide Organizations/Entities

- Department of Children and Families Adult Protective Services
- Elder Justice Center
- Florida Association for Marriage and Family Therapy
- Florida Attorney General's Office
- Florida Bar Elder Section
- Florida Chapter of the Association of Family and Conciliation Courts
- Florida Chapter of the National Association of Social Workers
- Florida Coalition Against Domestic Violence
- Florida Dispute Resolution Center
- Florida Health Care Association
- Florida Legal Aid
- Florida Psychological Association
- Florida State Guardianship Association
- Florida State Ombudsman
- Florida Assoc Aging Life Care Managers
- National Patient Advocate, Inc.
- Mediation Training Group
- Office of the Public Guardian
- Stetson University College of Law Center for Excellence in Elder Law
- University of South Florida Conflict Resolution Collaborative

- Advisory Committee offers support by recognized experts in related fields

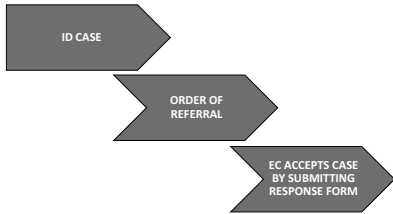
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Definition of Eldercaring Coordination

“Eldercaring coordination is a dispute resolution process during which an Eldercaring Coordinator assists elders, legally authorized decision-makers, and others who participate by court order or invitation, to resolve disputes with high conflict levels that impact the elder’s autonomy and safety.”

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Referral Process



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Case Identification

- Multiple motions
- An abundance of non-legal issues
- Family dynamics - Cross allegations, inconsistencies, entrenchment
- APS or Office on Aging referral – needs court order



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EC Role via court order

- Enabling communication, negotiation and problem-solving skills;
- Offering education about elder care resources;
- Facilitating the elder care plan;
- Making recommendations for resolutions; and
- Making decisions within the scope of a court order

Transforming Intractable Conflict

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Two Year Term

The Eldercaring Coordinator is more active in the beginning.
Less at the end.

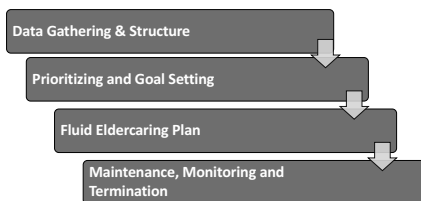
Focuses on the elder's needs being met.
Able to intervene quickly when new concerns or disputes arise.

Trust is built over time.



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Eldercaring Coordination Journey



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EC Manages High Conflict Dynamics

- Engage reluctant participants
- Contain emotional expression and acting out behaviors
- Set goals and priorities
- Action oriented:
 - "What will make it better?"
 - "Who will take that (small) task?"
- Coach on dispute resolution skills
- Make process decisions when necessary



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Teaming with other professionals

Elder Law Attorney	Probate Attorneys
Guardian ad Litem	Registered Nurse
Aging Life Care Manager	Psychologist
Psychiatrist	Financial Advisor
Social Worker	Mediator

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Prevent Maltreatment of Elders

- Partner with Adult Protective Services
 - APS referrals to eldercaring coordination process for follow up care
 - APS assists with educational materials and presentations
 - ECs request consultation and report case for investigation
- ECs trained to recognize abuse, neglect, and exploitation
 - Prevention
 - Detection
 - Intervention



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Research Informed

- Promote safety through the prevention, detection, and intervention of maltreatment.
- Trauma informed care
 - Understand prevalence of trauma,
 - recognize affect on individuals, and
 - integrate into procedures and compassionate responses.
- Person centered care
 - self-determination – choice and autonomy
 - respect diversity
- Strength Based

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EC QUALIFICATIONS

- Minimum of a Master's degree
- Licensure or Certification
- Extensive practical experience in a profession related to families with high conflict

REQUIRED TRAINING meeting ACR standards

- Family mediation
- Elder mediation
- Eldercaring coordination



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Pilot Sites

•One judge, or a group of judges, in a specific county, circuit or province, who refers at least six families that participate in eldercaring coordination.



•...Or a group of attorneys who refer at least 6 cases through agreed orders...

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Pilot Sites

- Florida
- Idaho
- Indiana
- Minnesota
- Ohio



Please contact us if you are interested becoming a new Pilot Site.

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New Pilot Sites – Please contact us

- Judge
- Pilot Site Administrator
- Three ECs chosen by Judge
- Training offered in Eldercaring Coordination
- Court forms are available
- Monthly calls: Identify progress. Jointly address challenges

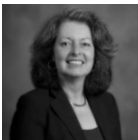


LOTS of SUPPORT offered

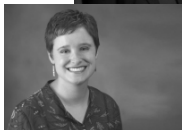
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RESEARCH TEAM

Pamela B. Teaster, Ph.D.
Director, Center for Gerontology at Virginia Tech



Megan L. Dolbin-MacNab, Ph.D.
Family Therapy Center of Virginia Tech



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ELDERS

- Average age 82, female
- Most want better family relationships, resolution of family issues, including
 - Where they live
 - Family visits
 - Who makes decisions
 - Caregiving
 - Finances



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Safety issues identified

- Neglect
- Vulnerability
- Unsafe environment
- Coercion
- Physical challenges
- Isolation
- Caregiver capacity
- Preventing visits with elder/moving elder
- Substance abuse/mis-medication



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Benefits identified

- Cost savings
- Fewer motions
- Fewer delays
- Focus on safety
- Person-centered care planning
- Expanded elder and family options
- Developing support system
- Heightened awareness and use of mediation
- Requesting the intervention of ECs
- Elder's cognitive shifts



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Guidelines for Eldercaring Coordination

ACR Task Force Guidelines:

<http://acreldection.weebly.com/>

FLAFCC Task Force

<http://www.flafcc.org>

www.EldercaringCoordinationFL.ORG

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