

What is Eldercare Mediation?

Eldercare Mediation is a new way to make decisions regarding aging parents.

"Mother should live in a retirement home where she can get help if she needs it."

"No way! Mother wants to stay in her house, and if you'd just help her more, she could."

"Why can't you kids get along? I didn't raise you to argue with family like that."

This is a common scenario that may estrange family members. Adult brothers and sisters often disagree on the provision of care for their parents. One may see Mom as less capable while the other believes Mom can still manage on her own. Certainly there is an objective or middle approach; however few families even consider advanced planning with regard to the care needed by their parents.

When hasty decisions are made in times of an emergency, lifelong sibling animosity may result due to deeply hurt feelings or financial dispute. A study found that "nearly 40 percent of adult children providing parent care reported serious conflict with a sibling, usually related to lack of sufficient help from that sibling." The study is cited by Deborah B. Gentry in her article "Resolving Middle-Age Sibling Conflict Regarding Parent Care," *Conflict Resolution Quarterly*, Vol. 19:1, Fall 2001, p. 35. And families are changing more and more--they are smaller, more urban, and are more widespread geographically. In addition, gender roles have changed and there have been numerous

technological improvements, with better health care resulting in longer lives. Gentry, p. 31.

In many instances, better health care may be achieved through a third party caregiver. Unfortunately, even this contribution may produce problems requiring family mediation. Since children value personal affection from their parents and detest favoritism, the perception of favoritism to a caregiver may lead to hostility and alienation among siblings. This, in turn, adversely affects the caregiver's health and sense of well being, resulting in suffering by the parent. In addition, if the parent deeds the family home or changes his or her Will in gratitude to the caretaker, additional animosity arises.

Eldercare Mediation provides the basis for Preserving Family Relationships?

Treating your parents and siblings as you want to be treated, returning their caring love, and finding a strategy that works for all family members is a worthy goal. Good solutions begin with healthy conversations, which may not have always been possible in the family to begin with. Family mediation is a new, more effective way for families to make decisions.

What Is Family Mediation?

Mediation is a new way to find the best possible answers to these important quality-of-life questions. In mediation, all family members including the parents agree to the process, and agree to the inclusion of any other participants such as the children's spouses, grandchildren, other relatives,

parents' friends, caregivers, medical providers, pastors and lawyers. Mediation is time-limited and goal-focused. The mediation process itself tends to provide a safe place for respectful, civilized conversation. In this atmosphere, differences can be discussed, information can be gathered, and agreements can be reached.

What Kinds of Decisions Can Be Discussed? □□

Topics are chosen by the family and may include parental living arrangements, health and personal care (such as driving ability), provisions in the case of terminal illness, home upkeep and repair, financial concerns, nursing home care, trust and estate issues, guardianship, power of attorney, as well as relationships between parents, grandparents and grandchildren. Families can use mediation to avoid guardianship proceedings at which a parent's incompetency must be proven in court. Children and parents may work to develop an agreement as to which child should hold the parent's power of attorney and which should serve as the parent's health care representative. □

What Does A Family Mediator Do? □

A family mediator is a neutral third party who helps the family with appropriate processes in order to reach a true consensus on decisions regarding eldercare. The mediator involves the parents in the process focusing on their capabilities rather than their perceived incapacities. In addition, the mediator keeps family members focused and helps them consider as many options as possible. Agreements are often reduced to writing for clarity and responsibility. A family mediator does not make any of the decisions for the family, but may instead reflect on the outcome in the absence of decisions. Family members are entitled to legal advice from their attorneys at every step of

the process before signing any agreements.

What Are the Advantages of Family Mediation?

Through mediation, parents can maintain their dignity and autonomy by being involved as much as possible in decision-making. Finances and tasks can be divided up, rather than falling on one child's shoulders. Since each family is indeed unique, participants can build a "custom-made" plan that works well for them. In a private, informal setting, the mediator will help family members overcome obstacles that block problem solving, improve their relationships and show loving care for their parents.

"I am so pleased that you agreed to take care of Mom three weeks a year so I can go on vacation. It helps me just to know you'll be there for me, and I appreciate your financial contributions as well." □

"Well, it only seems fair to share the responsibility. Just because you live near Mom doesn't mean you should be the only child caring for her."

"I'm so glad you kids worked this out with me in a respectful and dignified manner. Now I know you can still count on each other after I'm gone."

By Mary J. Hoeller, based on article by Janet E. Mitchell, J.D., co-founder of www.EldercareMediators.com. Attorney-Mediator since 1986, she is the director of the Midwest Mediation Center in Ft. Wayne, IN. Janet has mediated over 800 disputes since 1986, and teaches basic, advanced and eldercare mediation skills