

Association for Conflict Resolution (ACR) Task Force on Eldercaring Coordination

ACR is a professional organization enhancing the practice and public understanding of conflict resolution.

ELDERCARING JUSTICE INITIATIVE ON ELDERCARING COORDINATION

In a ground, breaking effort to improve the lives of elders and families involved in high conflict litigation, the ACR Task Force, composed of twenty US/Canadian organizations, collaborated the twenty statewide organizations in the Florida Chapter of the Association of Family and Conciliation Courts to develop **ELDERCARING COORDINATION**: "...a dispute resolution option specifically for those high conflict cases involving issues related to the care and needs of elders. Eldercaring Coordination is to compliment, not replace, other services such as provision of legal information or legal representation, individual/family therapy, medical, psychological or psychiatric evaluation or mediation."

Five States are NOW participating as a Pilot Project in Eldercaring Coordination including Florida, Indiana, Idaho, Ohio and Minnesota, and are leading this effort to:

- help manage high conflict family dynamics so that the elder, family and stakeholders can address their non-legal issues independently from the court, eliminating the need for the court to micromanage their family decision-making;
- ready the elder and family to work with collaterals to address medical and financial issues, avoiding delays and resulting in better decisions for the elder;
- promote as fully as possible the self-determination of the elder to the extent of his or her ability;
- promote safety by monitoring situations at high risk for abuse or neglect;
- provide a support system for the elder and family during times of transition;
- free precious judicial time by addressing matters for which dispute resolution processes have been unavailable or have been ineffective;
- promote interdivisional court collaborations to conserve court and community resources
- enhance the definition and perception of "family" within the court to include older families with aging parents;
- expand the use of "coordination" as a dispute resolution method to address high conflict cases involving various situations and issues.
- Bring healing to families as they adjust to their loved one's changing needs and enable family members to remain available to one another for comfort and support when the elder is gone

The Task Forces envision that eldercaring coordination will reduce the level of conflict in these cases so that family members are able to focus more productively on the issues at hand and work with others in their support system to provide personal care, health treatment, legal advice, advance directives, guidance and planning. An independent research team lead by Pamela Teaster, Ph.D. Center for Gerontology of Virginia Tech University will be studying the process to enhance eldercaring coordination as it progresses.

The ACR Guidelines for Eldercaring Coordinators can be found at:

<http://acrelldersection.weebly.com/resources.html>

See www.EldercaringCoordinationFL.org for more information!

Additional Pilot Project Sites Invited! The ACR Task Force on Eldercaring Coordination invites others who are interested in participating as a Project Site: one judge, or judges, in a specific circuit or county with the goal of referring at least 6 families who participate in eldercaring coordination OR a group of attorneys who will refer at least six cases to eldercaring coordination through agreed order. Please contact the Co-Chairs:

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The ACR Guidelines for Eldercaring Coordination include:

Definition of Eldercaring Coordination: 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 by:

- Enabling more effective communication, negotiation and problem-solving skills;
- Offering education about elder care resources;
- Facilitating the creation and implementation of an elder care plan;
- Making recommendations for resolutions; and
- Making decisions within the scope of a court order or with the parties’ prior approval.

Qualifications of Eldercaring Coordinators (“ECs”). The ACR Task Force on Eldercaring Coordination held the Inaugural Training for Eldercaring Coordinators, hosted by the Ohio Supreme Court, based upon the consensus that professional credentials, experience and training were paramount to the success of this project. The esteemed ECs attending the training met the qualifications developed by the Task Forces:

1. An Eldercaring Coordinator shall be licensed or certified by a regulatory body of a jurisdiction, state or province, with at least a master’s degree and all of the following:
 - a. Completion of family mediation training certified or approved by the circuit, state or province or commensurate with the objectives established by the Association for Conflict Resolution; and
 - b. Completion of elder mediation training certified or approved by the circuit, state or province or commensurate with the objectives established by the Association for Conflict Resolution; and
 - c. Completion of eldercaring coordination training certified or approved by the circuit, state or province or commensurate with the objectives established by the Association for Conflict Resolution; and
 - d. Extensive practical experience in a profession relating to high conflict within families.
2. An Eldercaring Coordinator shall be psychologically and cognitively able to perform the requirements of the Eldercaring Coordinator role; and have no situation, condition, impairment, or disorder that prevents the ethical, responsible and effective exercise of the Eldercaring Coordinator role.
3. An Eldercaring Coordinator must decline a case, discontinue service and immediately report to the court and the parties if any disqualifying circumstances as noted above occur, or if he or she no longer meets the minimum qualifications.

The following organizations/entities composed the ACR Task Force instrumental in the development of eldercaring coordination, the support for the initial Pilot Sites and the Inaugural Training for Eldercaring Coordination:

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

* Statewide experts participated in Advisory Capacity as needed.

The concept of Eldercaring Coordination has been endorsed by the Association of Family and Conciliation Courts as well as the Association for Conflict Resolution.