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The New Old Age

Caring and Coping

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When the Family Needs an Umpire

By *JOSHUA TAPPER*

The home care aide didn't expect her new charge to be particularly cantankerous. After all, she had worked for the elderly woman's sister for four years, and they'd gotten along well.

But the new relationship was rocky from the start. More than once the aide — Yuri Arcurs/Getty Images — received confusing calls from the 88-year-old woman late at night. She traveled to the woman's apartment on the Upper West Side, only to be met with a curt "What's going on? Why are you here?" The older woman, bedridden and recovering from a broken hip, repeatedly told the caregiver to leave because she didn't need help.

Frustrated and angry, the aide threatened to quit. That's when the patient's family called in Joy Rosenthal, an elder mediator.

Ms. Rosenthal and a co-mediator umpired the conflict at the older woman's bedside. "She was just frustrated with her condition, angry about being so debilitated," Ms. Rosenthal said. "She felt locked in and was taking it out on the caregiver."

Over the course of a daylong session, Ms. Rosenthal encouraged the two women to listen to each other.

"We talked to them, each in front of the other, about what they felt the problem was, what they felt would make it better," Ms. Rosenthal said. Then the mediators helped brainstorm solutions, like installing a big glow-in-the-dark clock in front of the client's bed so she would know not to call too late.

While lawyers and mediators have practiced elder mediation for years, only recently has the practice garnered recognition as a specialty separate from, say, family mediation. The mediator acts as a neutral third party, helping families and caregivers — and sometimes even medical providers and estate lawyers — make unified decisions about elder care.

"There's a phenomenal need," Ms. Rosenthal said. "These are central problems in people's lives."

It is no surprise to caregivers that as parents age, longstanding tensions can erupt into family discord. A 2001 study published in *Conflict Resolution Quarterly* found that close to 40 percent of adult children caring for a parent described "serious conflict" with a sibling, frequently the result of one sibling shouldering the bulk of caregiving responsibility.

Despite mutual concern for a parent's well-being, adult children often have lived apart for decades and have little experience working together. Visits, end-of-life decisions and estate planning all become sources of sibling strife when old rivalries begin to play out, said Penny Hommel, co-director of the Center for Social Gerontology in Ann Arbor, Mich.

It's not just adult children, of course. Caregiving can strain relationships inside the family and out. The

mediator steps in to temper the situation, hash out misunderstandings and, perhaps most importantly, help head off estrangements, said Janet Mitchell, a co-founder of Elder Care Mediators in Fort Wayne, Ind., which has trained 80 elder mediators nationwide.

“A good mediator can delve right to the bottom of things, parse out the important issues and help the family deal with them,” said Ms. Rosenthal. “It’s different from therapy because it’s really about decision-making, not feelings and emotions.”

While there are no national statistics, elder mediators now practice in every state, charging clients \$150 to \$500 an hour. And with no national standards, the practice differs from one mediator to the next.

Ms. Rosenthal, for example, chats privately with each side before bringing everyone together. This helps her understand each viewpoint, she said, and ensures each party will be given equal consideration during the mediation. Ms. Mitchell, on the other hand, first brings family members together, coaching them on how to communicate without hurting one another’s feelings. She uses Web cams in the mediation if one party can’t be present.

Elder care mediation can be tricky, as mediators must balance the opinions of many parties, not only adult children but in-laws, home aides and sometimes grandchildren. “You’re trying to maintain neutrality and a little distance,” Ms. Rosenthal said, “but in this kind of mediation, you tend to favor the voice of the elderly person.”

A mediator generally should be trained in such subjects as the physical and mental effects of aging and how to communicate effectively with the elderly. But in a field with no national credential program and no standard approach, potential clients should be wary before asking an outsider to sit in on a dispute.

Start with the [National Eldercare Mediation Network](#), founded by Ms. Mitchell, which posts profiles of elder mediators in all 50 states. Another Web site, [Mediate.com](#), also allows prospective clients to search elder mediators by state.