

Craine Mediation
31874 Northwestern Highway
Farmington Hills, MI 48334

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**MARCH IS MEDIATION
AWARENESS MONTH**

In this issue . . .

MEDIATION TO HELP THE NEEDS
OF ELDERS AND FAMILY
CAREGIVERS THROUGH SHARED
DECISION MAKING

REFERRAL LIST

A SNAPSHOT OF MEDIATION:

Michelle and Judy are concerned that their sister, Sue, and father Steven are not giving their mother, Leigh the care she needs and are choosing the wrong kind of caregiver for her. They are also concerned about her driving and how she manages money. The family members do not agree as to how these things should be handled and Leigh does not see why she can't continue to do the things she always has.

Scenario #1 (without Mediation or Shared Decision Making): Michelle and Judy are frustrated with how Sue and their father view Leigh and the care she needs. She is suffering with Alzheimer's but is very aware of the increasing tension within her family. She just wants the fighting to stop. Unfortunately, they are at an impasse, are unable to communicate, and relationships are worsening.

Scenario #2 (with Mediation or Shared Decision Making): The parties meet with a mediator who helps them identify needs and issues. They recognize that they all have strengths and that Leigh needs all of them in her life. With the mediator's help, they agree on the criteria for hiring a caregiver, a communication system is put in place to facilitate discussion over how decisions are made. They agree to meet again in 3 months to review the situation. The parties set up understanding and respecting each other's concerns.



What choice will your family make?

WHAT IS MEDIATION?

Mediation is a process in which people meet in a private setting (the mediator's office, your home, an attorney's office, the court, or other) to facilitate a discussion between participants that results in a fair and equitable solution to the problem presented. The process can also be called facilitating "shared decision making".

At the end of the process, the agreement(s) that the participants reach is put in writing and signed by everyone. The agreement may or may not be filed with the court depending on if there is a pending court case.

The mediator does not decide who is right or wrong and does not force the Disputing parties to reach agreement or to accept particular terms in an agreement. Instead, the mediator listens to the participants explain the problem and their concerns as they see them and present their ideas on how the matter might be resolved.

Mediation may take the form of a family meeting to share information on a family member's care, develop options, and reach consensus on difficult decisions. The mediation may also be helpful in resolving a dispute that is impacting family members, caregivers, and the care recipient.

Whether the agreement(s) reached is filed with the court, or not, the participants are responsible to follow through with the agreement. This follow through is more likely when the participants come to agreement through mediation instead of by order of a Judge.

WHAT KINDS OF ISSUES CAN BE MEDIATED?

1. Health/Medical Care Decisions. *Who should provide the care? What care is needed? Who should make medical decisions?*
2. Financial decisions. *How should money be spent? How should investments be handled? Concerns over "unwise spending", etc.*
3. Living arrangements. *Where? With whom? Who decides? How much independence/supervision?*
4. Communication issues. *What information is needed or missing? How to share information with those who need it?*
5. Family relationship issues. *(new or long standing) How should the family deal with sibling rivalries, new spouse or companion, death of a spouse or caregiver, other changes in relationships?*
6. Decision making. *Who should have authority to make decisions? What input if any should others have?*
7. Respite care and support for caregivers.
8. Personal, household care and maintenance. *Identify caregiver/service provider. What type of care/service is needed?*
9. Safety/risk-taking/autonomy. *What safety issues are identified? Is the level of risk understood and acceptable? Should autonomy be limited?*

10. Needs of other family members/caregivers. Dependent children. Grandparents caring for grandchildren. Career demands. Reimbursement for services. Visitation issues.

*Mediation may **NOT** be appropriate in cases where there are allegations of physical, financial, sexual, emotional abuse.

BENEFITS OF MEDIATION

- Mediation empowers participants giving them responsibility and control over the issues and outcome.
- Mediation is confidential and private.
- Mediation allows participants to move beyond surface issues in disputes and address underlying issues and problems.
- Mediation allows participants to hear and discuss one another's side of the story.
- Mediation is highly effective because the participants design their own agreement.
- Mediation allows participants to explore mutually acceptable solutions to difficult problems utilizing creative problem solving within the family.
- Mediation, in family caregiver cases, can help assure maximum possible control over basic life decisions for older persons and care recipients, while also addressing their need for assistance.

CRAINE MEDIATION provides the following mediation services:

- ❖ Mediation at all stages of the divorce process, including after the divorce is final.
- ❖ Mediation of grandparent visitation issues.
- ❖ Mediation of pre-nuptial agreements
- ❖ Mediation of elder care issues including making recommendations of resources, etc.
- ❖ Mediation of family business disputes.
- ❖ Mediation of civil matters including employer-employee disputes, insurance claims, etc. These services are provided by Ellen's associate, Martin S. Rostker, MSA and trained civil mediator.

CRAINE MEDIATION can be reached at 248-539-3850. Also, please visit our website at www.crainemediation.com.

All of our mediators are professionals with degrees in law, business, mental health, etc. or some combination.

Other services provided by **CRAINE MEDIATION** include:

- ❖ Human Resource Consulting
- ❖ SCAO approved Domestic Violence Screening Protocol Training for Mediators and Advanced Domestic Violence Training for Mediators
- ❖ Co-Parenting Effectiveness Education for Parents
- ❖ Parenting Coordination
- ❖ Adult Guardianship/Family Caregiver Mediation

*More information about each of these areas will be coming in upcoming issues of the **CRAINE MEDIATION** newsletter.*

RESOURCE LIST

Need to update your mediation agreement?

Contact **Ellen Craine**, JD, LMSW,
ACSW for divorce and family mediation
at **CRAINE MEDIATION**
248-539-3850

Contact **Martin Rostker**, MSA for civil
mediation at **CRAINE MEDITION**
248-539-3850

Need to do estate planning?

Contact **Kathryn Sussman**,
Attorney at Law at Couzens, Lansky
248-489-8600

Contact **Joseph Daddich**,
Attorney at Daddich and Associates
248-358-6900

Other Elder Law Attorneys can be found
through the National Association of Elder
Law Attorneys on-line.

Need financial advice?

Contact **Robin Sessel** at Merrill Lynch
248-737-6817

Contact **Lyle Wohlberg** at Telemus
Capital
248-827-1800

Contact **Paul Stenborg** at Ameriprise
248-377-4144

Other Resources (this list is not exhaustive
of all the organizations out there that can be
of assistance to you and your family):

The Alzheimer's Association

www.alz.org

National Family Caregivers Association

www.nfca.org

AARP

www.aarp.org

The Center for Social Gerontology

www.tcsq.org

******Upcoming Trainings or Workshops******

For Professionals:

March 1, 2007: SCAO Approved Domestic
Violence Screening Protocol Training for
mediators. For more information contact
Shirley Robertson at 248-698-7921

April 11, 2007: High Conflict Parenting Time
and Drafting the Agreement for mediators.
For more information contact Oakland
Mediation Center at 248-338-4820.

For Families:

March 22, 2007: What does loss and grief
have to do with divorce and effective co-
parenting? For more information call Craine
Mediation at 248-539-3850.

April 19, 2007: How can mediation help your
family? For more information call Craine
Mediation at 248-539-3850.

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