

First World Summit & Symposium on Elder Mediation
Wednesday, May 7, 2008

1:30 PM Welcome and Introductions

Address by Governor General Michaëlle Jean (to be confirmed)
Greetings from Rotary International President Wilf Wilkinson – Delivered by Past District Governor Linda Bradley
Judy McCann-Beranger, Chairperson, World Summit & Symposium

2:00 P.M. - How Mediation Saved My Family...And My Life!

When Richard was 28 years old his 55 year old father, Howie, was diagnosed with Alzheimer Disease. By the time he was in his late 50's Howie seldom recognized Richard, his Mom or any of the other family members. They learned to help Howie do everything from preparing his meals to tying his shoes, all the while dealing with their own lives and the tremendous grief over the daily losses they were experiencing. This placed overwhelming stress on the family and although “we all loved Dad, we didn't always agree on what was best for him. Decisions were being dragged out for years as Dad slipped further and further away. We were emotionally exhausted and on the brink of collapse and I knew my personal health was in serious jeopardy.”

Richard, his Mom, and his family realized they were too close to the pain to find solutions where everyone felt counted. They agreed to see a mediator. Richard says that “today, Dad is getting the care he needs but not at the expense of our health and well-being. The mediation placed us in a neutral setting where we opened up, shared feelings, agreed to disagree, respected each other's views and helped us make decisions that allowed us to finally move forward with our lives. If for just a moment Dad could break free from this disease that holds him so tight, this is what he would want to see...that we are happy and living our lives and doing the best we can with his care.”

Richard Jamieson, Charlottetown, Prince Edward Island

Richard is a 33 year old husband and father of 3 living in Stratford, Prince Edward Island. Richard works as a consultant and uses his business development skills to help launch and manage new businesses and projects. He has negotiated various agreements and contracts with organizations that include Air Canada, Harvard University, The Smithsonian Institute, Disney International, The British Broadcasting Corporation (BBC) and Warner Brothers Entertainment.

Richard is a strong advocate for Elder Mediation and has been a dedicated volunteer throughout his life so far. Richard has committed himself to supporting the Alzheimer Societies and Elder Mediation by promoting services that can assist families in their fight against the disease which took his father from him, his mother, and their family.

2:30 P.M. - Mediation – An Integral Part of Comprehensive Care

Bill Acorn has been living with a progressive dementia for more than 7 years. He and his wife, Mary have been married for almost 60 years. Bill will present a personal testimonial as to the value of families having awareness and access to the many programs and services that can promote quality of life.

3:15 P.M. Understanding Person Centered Standards – A Primer for Mediators

The Commission on Accreditation of Rehabilitation Facilities (CARF) internationally promotes the quality, value and optimal outcomes of services through a consultative accreditation process that centers on enhancing the lives of the people served. CARF uses its person centered standards to determine how well an organization is serving its consumers and how it can improve. The standards address many age related issues and may be applied in many settings, including adult day services, assisted/retirement living residences, long term/nursing care organizations, and continuing care retirement communities. The standards are an asset for mediators. In this session participants will be encouraged to focus on ways in which a person-centered mediation program can foster a dynamic culture that supports a partnership between the persons served, families and other support systems, and providers to enrich the function, strengths, and quality of life of people participating in mediation.

Christine MacDonell, Managing Director of the Commission on Accreditation of Rehabilitation Facilities, Washington, DC. Chris began her varied career in the health care industry as an occupational therapist after graduating from the University of Southern California. She has served in various administrative roles encompassing the full continuum of care. Coming to CARF in 1991, Chris served as the Managing Director of Medical Rehabilitation and Aging Services. She represents CARF at international, national, regional and local meetings to promote and interpret standards and the use of accreditation as a quality business strategy throughout the continuum of care.

Thursday, May 8 (9:00 A.M. – 12:00 noon)

Panel One – New Initiatives in Elder Mediation

Developing and Maintaining an Elder Care Network is an important component of mediation practice. This and other ideas about what works in helping families and agencies dealing with age-related issues will be discussed. The PEI Alzheimer Society is a world leader in promoting mediation as a core service to reduce conflict in health issues and other issues of aging. This workshop will share this ground breaking perspective with ideas of how to partner with interested advocates who provide the necessary financial resources.

Dr. Kent Taylor has mediated approximately 5,000 mediations over the past 25 yrs and taught ADR in the law faculty at the University of Alberta. Kent has received the John Haynes award, FAMMA award, two Premier's Awards and the Alberta Centennial Medal. Kent is a past president of The Alberta Family Mediation and co-founder of the Edmonton Mediation Centre.

Frank Bulger is a social worker, mediator, past president of Mediation PEI Inc, and a Family Mediation Canada Board Member. Frank has recently retired from the Family Court of Prince Edward Island. He now works part-time with a Family Service Agency.

Lynn Loftus is the president of the Alzheimer Society of PEI and Board Member for the Alzheimer Society of Canada. Lynn has recently retired from CRA and has been instrumental in promoting the field of Elder Mediation since 1992.

King Lion George Vail and Lion Steve MacDonald are with the Parkdale-Sherwood Lions Club in Prince Edward Island. This club has been instrumental in supporting core services of the Alzheimer Society and in creating awareness with issues of aging. Steve and George have been instrumental in raising the much needed financial resources that support core programs like the Elder Mediation program in PEI. Steve is a retired Bank Manager and a council member for the Town of Stratford. George is the King Lion for the club.

Corrine Hendricken-Eldershaw is CEO of the Alzheimer Society of PEI and is a certified counsellor. Corrine was recognized for her Professional Contribution to the Canadian Counselling field in 2007. She is a lecturer for the University of Prince Edward Island. Corrine promotes mediation as a core service to health organizations.

Panel Two – Age Related Legal Issues

This panel will discuss what mediators need to be aware of with regard to age related legal issues including wills, estate planning, powers of attorney, enduring powers of attorney, health care directives and proxies. What is necessary for estate planning will be explored with its diversity and differing terminologies. Some commonalities and differences will be reviewed.

Elizabeth Reagh Q.C., Colleen Currie LL.B, Judith Wahl LL.B, Linda Ochsenfeld JD

All four lawyers/attorney's practise mediation and are knowledgeable in age related issues. They also have experience in the training/education field. Colleen Currie has a Masters in Conflict Resolution, is an OAFM accredited mediator, on the training faculty of the Ontario Collaborative Law Federation and an adjunct professor with the University of Ottawa Law School. Elizabeth Reagh holds certificates in conflict resolution and is a Nationally Comprehensive certified Mediator. Linda Ochsenfeld an attorney and certified mediator from Chicago, concentrates her mediation practice in the areas of elder care and workplace disputes. Judith Wahl is a lawyer, author, teacher, and founder of the Advocacy Centre for the Elderly in Ontario, Canada. Judith consults with numerous government bodies involved in policy development and sits on many boards that serve the interests of the elderly.

Thursday, May 8 – Afternoon

Elder Care Mediation: Which Model to Use?

Elder Mediation, with its focus on the many issues of aging involves multi relationships. Preserving and strengthening those relationships often is just as important, to the

parties as reaching a solution. Linda Ochsenfeld will discuss how Transformative mediation is well-suited to the context of elder mediations since transformative mediators believe all conflict is relational and presents a crisis in the human interaction of the parties. Transformative mediation brings together parties who wish their relationships be respected and preserved with a mediator who is guided by a deep respect for those relationships. The presentation will discuss the principles of several models of mediation, as well as the use, benefits and modifications necessary for use of the models in mediations with older adults. It will also interactively demonstrate the interventions most used by elder mediators and give participants a chance to compare those interventions with those used in other mediation models.

Dr. Picard will discuss how mediators think about conflict shapes how they practice. She will talk about interest-based and relational approaches to mediation, as well as the value of thinking of mediation as a learning process that can help families and health care professionals better understand the cares and threats that lie beneath differing answers for how to plan for and manage the needs of aging adults.

Linda Ochsenfeld, J.D., attorney and certified mediator from Chicago, concentrates her mediation practice in the areas of elder care and workplace disputes. She has mediated numerous Medicare beneficiary claims and elder care disputes, represented parties in mediations before the U.S. Equal Employment Opportunity Commission, served as coordinator for a Chicago program that provided legal services for hospice patients and homebound senior clients and continues to serve as a volunteer. Linda is also an arbitrator for the Cook County Mandatory Arbitration Program. Linda received her J.D. from Loyola University of Chicago School of Law, and she has a secondary school teaching certificate.

Dr. Cheryl Picard, Carleton University, has been involved in conflict work for over 30 years. Her books include *Mediating Interpersonal and Small Group Conflict* (2002), *the Art and Science of Mediation* (2004), and *Transforming Conflict through Insight* (2008). Her recent work, which uses insight theory to understand and approach conflict, is drawing international recognition and use.

What Mediators Need to Know About Progressive Dementias

Dr. Stultz will give an overview of the dementias and explore the knowledge base necessary for mediators. He will discuss the challenges faced by people diagnosed with a progressive dementia, their caregivers, and healthcare providers when moving through the continuum of care and the importance of mediators bringing all relevant family members to the table.

Dr. Tim Stultz is the Provincial Geriatrician for the province of Prince Edward Island in Canada. Dr. Stultz is a pioneer in his field in understanding the need for families to have mediation as a service on the continuum of care. Dr. Stultz has been involved in the training of mediators for several years in the province of Prince Edward Island. Dr Stultz, a popular and sought after speaker, is an enthusiastic advocate for the frail elderly and their caregivers.

Elder Mediation Certification (Thursday 6:30 – 8:00 P.M.)

This workshop is for mediators who are presently registered in the pilot project for the Elder Mediation certification program and for those who wish to register with this inaugural group.

Dr. Pat Donihee has over 35 years of experience as a counsellor and mediator and custody evaluator. She founded her consulting company 20 years ago following a career in the public sector. An author and speaker, Dr. Donihee has volunteered in the non-profit sector serving on a multitude of local, provincial and national boards. Dr. Donihee is an executive member of Family Mediation Canada, a board member of Elder Mediation Canada and the Elder Mediation Certification Project.

Linda Ochsenfeld is an attorney and certified mediator from Chicago. Linda concentrates her mediation practice in the areas of elder care and workplace disputes. Linda has mediated Medicare beneficiary claims and elder care disputes and served as the coordinator for a Chicago program that provided legal services for hospice patients and homebound senior clients. She continues to volunteer her services to this program. Linda is a member of the Elder Mediation International Network (EMIN) and the Elder Mediation Certification Project.

Judy McCann-Beranger is a nationally certified comprehensive mediator, counsellor, educator, author and chair of the elder mediation code of ethics committee. Judy has provided elder mediation services since 1991 and is presently leading a research study in this industry. Judy and her colleague Lynn Loftus recently presented their work in South America, promoting mediation as an important component of comprehensive care. Judy is chair of EMIN and Certification Chair for the Elder Mediation Certification Project.

Friday, May 9 (9:00 A.M. – 12:00 Noon)

Issues of Aging Across the World – India, Kuwait, Canada, Northern Ireland, China, Scotland, United States, Thailand, Switzerland.

More and more, countries are recognizing that mediation is an important component in the continuum of care and realize the value of utilizing the service of trained mediators to assist with age related issues. This panel will discuss issues of aging from their countries perspective, give examples of where mediation is or might be valuable and suggest ideas for policies or frameworks that will ensure mediation is promoted as a viable and helpful option for people dealing with the many issues of aging.

Sophia Pais (India & Kuwait) speaks six languages: Hindi, Kannada, Konkani, Tulu, and Tamil and has a Masters Degree in Social Work. She has worked in several hospitals and medical colleges throughout India and is studying age related issues in both India and Kuwait. Sophia has done mediation with families going through the conflict arising in the long term care placement of HIV/AIDS victims. She has overseen several mass media campaigns

Linda Johnston (Northern Ireland) is a practising lawyer in the private sector for 25 years. Her practice is predominately property and asset related and increasingly Linda is focused on property issues affecting incapacitated adults, and those organizing their

affairs in anticipation of incapacity. Linda is an accredited mediator with the Centre for Effective Dispute Resolution and sits on an advisory committee for Help the Aged.

Cyril Malherbe, LL.M., MPA, (Switzerland) is legal advisor for social security questions. Cyril has recently graduated from the HYPERLINK "<http://www.mediations.ch/>" [Pro Mediation School](#) in Geneva and is specializing in dispute resolution on health and social issues. His diploma thesis was devoted to elder mediation across Switzerland.

Glenda Compton (Canada) is Director of a Long Term Care setting in Canada and is responsible for care delivery and strategic planning for six long term care residential facilities and one veterans' facility, coordination of access to 1000 beds in the nursing home sector and 700 beds in personal care homes. Glenda is an RN and has a Masters Degree in Nursing.

Karen L. Rice, LNHA, (United States) is a Gerontologist and Mediator in private practice in Scottsdale, Arizona specializing in Alzheimer's issues. Karen is contracted with The Centers for Medicare and Medicaid Services Quality of Care Mediation Initiative and is heading the OhioKePro mediation initiative. She has held teaching appointments at Kent State University and Northeastern Ohio Universities College of Medicine. Karen has a Master's Degree in Sociology of Health and Family and a Master's Certificate in Gerontology and long-term care administration.

TBA (China)

TBA (Thailand)

Building Global Solidarity – Trinidad & Tobago and Canada

A model for elder mediators who are interested in learning from other countries exists with the partnership between the Alzheimer Association of Trinidad & Tobago and the Alzheimer Society of Canada. They have been formally "twinned" through the Alzheimer's Disease International (ADI) Twinning Program, launched in 2005.

ADI's Twinning Program aims to harness the expertise that exists about caring for and supporting people with dementia and their caregivers, and disseminating it throughout the world. Through this unique program, Trinidad & Tobago and Canada have had an opportunity to collaborate, share expertise and learn from each other. This model has proved to be both exciting and challenging, as well as providing real potential for learning and growth. Debbie and Norma believe that their experiences over the last few years have fostered a mutually supportive, long-distance relationship that could be replicated by elder mediators.

Deborah L. Benczkowski is the Chief Operating Officer for the Alzheimer Society of Canada and has responsibility for the Society's Programs & Services, including research & education, member services, human resources and corporate secretariat.

Debbie is also the lead in providing support and mentorship to the Alzheimer's Association of Trinidad & Tobago.

Mrs. Norma Inniss is President of the Alzheimer's Association of Trinidad and Tobago and has been the pioneer in awareness of the disease and improvement in the lives of all affected. As a registered pharmacist and former President of the Soroptimist International Club of Port of Spain, Norma initiated a project on Alzheimer's disease for the Club in 1996. This project and the people involved became the core of the Alzheimer's Association of Trinidad and Tobago, which became registered in T&T as a non-profit organization in June 2000.

Luncheon Plenary - The Future of Elder Mediation

A caregiver and three mediators will share their vision of where the profession of Elder Mediation is heading. They will discuss the importance of continuing to build partnerships with other countries and ways to create an ongoing exchange of knowledge.

Patricia Mutch has been married for fifty-four years. Her 77 year old husband, Don, has been living with Alzheimer Disease for approximately ten years. As a caregiver, Pat will share her experience of mediation and the significant turning point it presented for her and her family.

Dr. Pat Donihee is a highly qualified coach, mediator and counselor with more than 35 years of extensive experience related to training, counselling, communication, community development and association management.

Linda Ochsenfeld, J.D., attorney and certified mediator from Chicago, concentrates her mediation practice in the areas of elder care and workplace disputes. She has mediated numerous Medicare beneficiary claims and elder care disputes, represented parties in mediations before the U.S. Equal Employment Opportunity Commission, served as coordinator for a Chicago program that provided legal services for hospice patients and homebound senior clients and continues to serve as a volunteer. Linda is also an arbitrator for the Cook County Mandatory Arbitration Program.

Judy McCann-Beranger is a comprehensive certified Mediator, counsellor, educator, author and Chair of this World Summit & Symposium on Mediation with Issues of Aging. Judy has been instrumental in bringing the field of eldercare mediation to the international agenda. Judy is the recipient of several National Leadership Awards and is a past president of both Family Mediation Canada and Family Service Canada. Judy is a guest lecturer for several Universities and is the chair of the Elder Mediation International Network.

Friday Afternoon

Ageism

The pervasiveness of ageism in society will be addressed as well as how it can negatively impact on older persons in mediation, including limiting the voice of older persons in mediation. The myths and realities of aging will be discussed. Penny will

focus on sensory changes that come with normal aging and look at how that affects what mediators should do when working with older persons. Arlene will discuss ageism in Canada and highlight behaviors that will reduce and prevent ageism.

Penelope A. Hommel, M.Sc., Co-Director of The Center for Social Gerontology, Michigan: Active in Gerontology since 1966, she was one of the first gerontologists to specialize in legal rights of older persons. Penny appears frequently before Congress and the legislature. Penny hosted a mini-Summit in 2006 to address concerns around the rights of elders in mediation.

Arlene Groh RN BA, is the Elder Abuse/Restorative Justice Resource Consultant for the Elder Abuse Response Team. Arlene is an international speaker who has pioneered the development of *Restorative Justice Approaches to Elder Abuse* (2000- 2004), is an author, and advocate for people affected by the mistreatment of older adults by someone they should be able to rely on.

Elder Abuse: Building Frameworks to Secure the Future of Older People.

There is a need to promote dignity and respect of older people and to address and reduce cases of elder abuse. Elder abuse will be defined and ageism will be discussed. Dr. Niles will sensitize attendees to these issues as well as discuss how retirement fits within this framework. There is a need for an intervention to secure wellness among the elderly and to expose the subtlety of abuse. The capacity and ability of the older person will be explored as well as the more common abuse issues. Mediation and/or any other ADR method are processes used to ratify issues and empower older people.

Dr. Kenneth Anthony Niles is a certified mediator and is a lecturer in Social Gerontology at the University of West Indies. He is a Conflict Management Consultant who has trained at the Haggai Institute in Singapore and has a Postgraduate degree in Mediation Studies from the University of West Indies. He has lectured extensively throughout the Caribbean.