

## Local Rule 80.1-Eldercaring Coordination

A. Eldercaring Coordination is a dispute resolution process during which an Eldercaring Coordinator assists elders, legally authorized decision makers and others who participate by court order or by invitation to resolve disputes with high conflict levels that impact the elder's autonomy or safety.

B. The Stark County Eldercaring Coordination Program has been developed through the Elder Justice Innovation Grant and is guided by the Association for Conflict Resolution Elder Justice Initiative on Eldercaring Coordination through the Association for Conflict Resolution Guidelines for Eldercaring Coordination.

C. The Probate Judge of Stark County Ohio will appoint a Pilot Site Administrator who will supervise the Eldercaring Coordination and collaborate with the Association for Conflict Resolution and others in connection with authorized research projects.

## 80.2. Eldercaring Coordinator Qualifications

A. The Eldercaring Coordinator shall be a licensed or certified professional with qualifications as set forth in the Association for Conflict Resolution Guidelines for Eldercaring Coordination.

B. The Court, with the approval of the elder/family, may appoint an Eldercaring Coordinator to serve who does not meet the minimum standards set forth above.

## 80.3 Order of Referral

A. The Court upon referral to it of an elder whose needs are appropriate for the Eldercaring Coordination Program, shall issue an Order of Referral specifying the role, responsibility and authority of the Eldercaring Coordinator.

B. The Eldercaring Coordinator shall file a response within 30 days of the Order of Referral either accepting or rejecting the appointment. The response will be served upon the Pilot Site Administrator as well as the Court.

## 80.4 Removal of the Eldercaring Coordinator

The Court shall remove the Eldercaring Coordinator upon the Eldercaring Coordinator's resignation or upon a finding of good cause shown.

## 80.5 Limitation of Authority of Eldercaring Coordinator

A. The Eldercaring Coordinator may have authority to assist the parties upon their written consent. If there is a history of elder abuse or domestic violence, the Court must find that consent was freely and voluntarily given.

B. An Eldercaring Coordinator shall not have authority to resolve substantive disputes.

C. With the written consent of the parties, an Eldercaring Coordinator may exercise temporary authority to resolve non-substantive disputes until such time as such matters are brought to the attention of the Court.

## 80.6 Eldercare Plan

The parties are encouraged to enter into a mutual agreed eldercare plan, either on their own or with the assistance of the Eldercaring Coordinator. The Court may consider whether or not the

parties would be assisted by creating an eldercare plan prior to referral to an Eldercaring Coordinator.

#### 80.7 Records Release

Subject to Ohio law, with the written consent of the elder or a party who has decision making power, the Eldercaring Coordinator may have access to confidential and privileged records.

#### 80.8 Emergency Order

Upon the filing of an affidavit of the Eldercaring Coordinator, an emergency order may be entered ex parte and without notice if the Court finds that there is an immediate danger to the safety of the elder. A hearing on the emergency order shall be scheduled as soon as practicable following the entry of the order.

#### 80.9 Testimony of the EC

The Eldercaring Coordinator shall not be compelled to testify on any matter regarding the Eldercaring Coordination Program.