

Collaborating with the Age in Mind

By Anita Dorczak

It is a beautiful Sunday morning, the sun rays are basking in the calm water of Lake Las Vegas. I am delighted to be away from Canadian cold winds. Is it possible that he would not forget either my name (definitely with no Anglo-Saxon root) or the room (there are so many rooms in this big hotel). I am pacing nervously outside of the room where I am to present on “Great Myths on Aging and Unconscious Bias: How to Keep Collaborative Conversations Alive”. A small group of people inside are probably taking pity on me. Then, a few minutes after 9 AM, I see him walking briskly, like a man on a mission, towards me. I open the door for him and say “Mr. Webb, thank you so much for coming” and he responds “You know I’ll have to leave half way through your presentation” to which I whisper “Thank you for letting me know.” He sits down in the first row (my anxieties are making themselves more palpable) as I hit many high notes in my opening comments.

We are all getting older. By 2050, 33% of the developed world’s population will be over 60 years old. In Canada, for the first time in history, we have more seniors (aged 65 and older) than 0-14 year old. In fact, Canadians 65+ now constitute 15.6% of the Canadian population. In the USA, about 14 – 15% of Americans are over 65 years old. The World Health Organization tells us that the world’s population is “rapidly ageing” and that “ageism” may now be more pervasive than sexism or racism. You might wonder what all of these statements may have to do with the collaborative practice? We will likely have more “older” clients and I do not think that the time will stop for us, the practitioners, either. I remember a client in his seventies who came to see me about his divorce. He and his wife have been married for longer than I was alive! When I asked him for his reasons he simply said that he “could no longer take her nagging.” A lot of assumptions about aging became vividly alive in my mind upon hearing his response. The key is that all of these assumptions, or biases, about age really impact our decision-making processes and our relationship with clients.

Most of us are well aware of physical marks of old age, e.g. 48% of men and 37% of women aged over 75 will have some hearing impairment. Vision declines. Over 50% of Americans will have had a cataract surgery by 80. Older adults suffer from chronic diseases such as arthritis and heart disease. In terms of cognitive changes the good news is that vocabulary improves with age but memory, mental flexibility and word- finding all decline. In addition, there are psychological problems and 30% of those over age 85 suffer from some form of dementia. We must not assume, however, that our older clients are somehow incapable of making decisions just because of their age. We should always ask in a kind way whether our tone of voice is appropriate or our notes on the flip chart or font on electronic board is big enough. Inquire, respectfully.

Never make assumptions. Easier said than done. Biases about aging are a lot of times unconscious. We come from different backgrounds, we have different family experiences and different cultural values all of which influence our own beliefs about aging. We may have heard growing up that older people are set in their ways, that they are grouchy, inferior as workers, and that most of them live in nursing homes. You may entertain such beliefs but recent social psychology research holds otherwise.

A lot of time we may believe that it is best to speak to an older person as you would to a small child: loudly, slowly and with exaggerated emphasis. However, research says that increasing the volume

of speech can distort the spoken message. What is more helpful is to rephrase instead and face the older adult listeners so they can see the speaker's lips and observe the body language. Older adults hear men better than women so ladies drop your voice to a lower pitch rather than increase the volume.

I am glancing at Stu Webb. His blue eyes are on my slides, he has not yawned, but has reached to his hearing aid a couple of times. So I am lowering my voice, begin to sound almost "manly" and notice a relaxed movement of Stu Webb's body. It is working! So I continue debunking some of the prevalent myths about aging...

Have you heard of the "gray divorce revolution"? A lot of people believe that older people do not divorce as often as younger adults. It is yet another myth. Research says that the divorce rate in the U.S. is declining but it has doubled in the last two decades for older adults. In 2010, 25% of divorced people in the United States were 50 or older. Have you noticed more older clients inquiring about divorce? If not, it is bound to come.

Relatively few lawyers, I believe, have received any formal training in gerontology or a similar field. According to the American Psychological Association (APA) fewer than 30% of their members report having had any graduate coursework in geropsychology and fewer than 20% report any internship experience with older adults. In a survey conducted by the APA 58% reported that they needed further training to work with older adults and 70% said that they were interested in attending specialized education programs in clinical geropsychology. The APA Ethics Code urges psychologists to recognize how their attitudes and beliefs about aging and about older individuals may be relevant to their assessment and treatment of older adults, and to seek consultation or further education about these issues when indicated. Similarly, lawyers should be encouraged to recognize more realistically the vulnerabilities and capabilities of older clients (and colleagues) and be taught to eliminate biases that can impact their collaboration with older adults.

In addition to realizing that "We're All a Little Biased, Even if We Don't Know It" (New York Times, October 5, 2016) and attempting to become aware of our ageist tendencies, the researchers from Cambridge University point out that it is necessary to understand the impact of aging on the facilitation of decision-making skills. Decision-making skills evolve with age. While we are working with older adults we must be cognizant of the subtle interaction between age related declines in information processing versus accumulated experience. On the one hand, the speed of information processing, memory and comprehension of numeric data all decline with age but, on the other hand, the older adults use their prior life experience and expertise and make faster decisions. Fine balance indeed.

Thus, collaborating with the age in mind requires that we utilize the following research based findings, to suggest just a few:

1. Do not raise your voice, rather rephrase.
2. Inquire whether your tone is easily heard and position yourself in a way that the older adult can see your lips.
3. Adjust the size of your handwriting (or font size for all you tech savvy ones) so the older adult could read at ease.
4. Female colleagues speak in a lower pitch.
5. Before speaking, question in your mind any inclination to entertain any form of bias.

6. Seek consultation with others who have more experience in working with older adults.
7. Do the math for older adults.
8. Reduce the cognitive effort needed to process information in a decision: highlight, interpret and organize information.

I am looking around, smiling back at people in my audience. I see Stu Webb's hands- they are clapping! I have finished and he is still sitting in the first row. He did not leave in the middle of my presentation. Then, what I was most fearful of happened. His hand went up in response to my "Are there any questions?" So, in a voice definitely too high pitched for the older members of my audience, I said "Yes, Mr. Webb?", and he proceeded leaning forward "What do you think is the nature of consciousness?" I felt relieved having attended Buddhist retreats, I gave him my answer and he smiled saying "That's what I think", turned around and left the room. I felt so honoured by his presence and will always cherish the ninety minutes on a sunny Nevada morning as my collaborative journey unfolds.

While collaborating with the age in mind be prepared for any question and welcome the novelty it brings into your practice.

Anita Dorczak is a graduate of the University of Alberta (Ph.D. and LL. B in 1990) having earlier obtained her MA in English Philology from Europe. She is a Collaborative Law attorney, Certified Elder Mediator (by Family Mediation Canada), Certified Listening Professional and Parenting Coordinator. She is a past co-chair of the Association of Collaborative Family Professionals in Edmonton, Canada. She has presented on the issues of age, neuroscience, implicit bias and negotiation for ABA, IACP, CBA and APFM. She was a founding member of the Elder Decision Making & Conflict Resolution Section of the ACR in 2009 in Atlanta, moderated the very first teleseminar of the section and sat on the program committee from 2009 to 2014. She has presented for Elder Mediation International Network (EMIN) at the World Summits in the US, Scotland, Australia, Canada and Austria and will be presenting for the International Academy of Law and Mental Health in Prague in July of 2017 on the issues of ethics, bias and conflict resolution. She currently sits on the Elder Mediation Committee of Family Mediation Canada.

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