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THE IMPACT OF DISPUTANTS' EXPECTATIONS

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TESTING A MODEL OF MEDIATION:

THE IMPACT OF DISPUTANTS' EXPECTATIONS

By

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ABSTRACT

TESTING A MODEL OF MEDIATION:
THE IMPACT OF DISPUTANTS' EXPECTATIONS

By

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This study extends previous work by developing and testing a
control-based model for mediation. Based on several studies that
discriminate between successful (agreement reached) and unsuccessful (no
agreement reached) divorce mediators, the model for mediation is one
emphasizing control. This control-based model for mediation presumes
that a key function of a mediator is to orchestrate the interaction by
developing and extending the information resources, enforcing the rules
for the session, and encouraging disputants to make constructive
proposals to collaboratively reach an agreement.

Ninety-one mediations of roommate conflcits were video taped. The extent
of mediator training (trained, untrained) and the level of participants'
expectations (high, moderate, low) for a settlement were examined in
terms of perceived compliance, control, competence, effectiveness, and
satisfaction. Trained mediators were perceived as obtaining more
compliance from disputants, as more controlling in the mediation
sessions, as more competent in their roles as mediators, and as more
effective than untrained mediators. Expectations for resolving a dispute
did not significantly differentiate the disputants' perceptions of
compliance, control, competence, effectiveness, and satisfaction. An
important feature of the results centered on the predicted interaction

between extent of mediator training and expectations for settling a dispute on the degree of successfully resolving issues. The five hypotheses were confirmed using an effects-coded model.

A causal model of mediation was proposed and subjected to three tests using both the mediators' and disputants' assessments of their mediation sesssions. The data were not inconsistent with the hypothesized model. The level of participants' expectations added little predictive power to the model. This suggests that disputants' expectations contribute little to the effectiveness of the mediator and the satisfaction of the disputants.

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Next, in this small army of help are the graduate students, my

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CHAPTER I

REVIEW OF LITERATURE

Introduction

Conflict is a critical element of all interpersonal relationships:
neighbors anger each other, family members lash out at one another,
co-workers give each other a piece of their minds, and restaurant
patrons confront a waiter for giving extremely poor service. Social
scientists have looked at interpersonal conflicts between spouses
(Fitzpatrick, 1977; 1983; Gottman, 1979), family members (Bochner,
1976; Bavelas, Rogers, & Millar, 1985), roommates (Burrell, 1987;
Sillars, 1980), and co-workers (Bell, Chafetz & Horn, 1982; Renwick,
1977; Rubin & Brown, 1975; Shockley-Zalabak, 1981). While almost all
relationships experience some degree of conflict, it is paradoxical
that as relationships become more intimate, the probability of
conflicts also increases (Knapp, 1984).

Conflict is seen (at least sometimes) as <u>necessary</u> for relational
development, growth, and maintenance. As relationships develop,
interactants experience competing goals (i.e., conflict) and in
recognizing and ultimately dealing with these competing goals,
interactants experience both personal and interpersonal growth. Even
in the closest of relationships, negative affect is meshed with
positive affect. That is, while relational partners care a great deal
about each other, each participant finds faults with the other. Since
no relationship is totally gratifying, conflict is an important if not
necessary component of interpersonal relationships (Raush, Barry,

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Hertel, & Swain, 1974).

Relational conflict is viewed as both productive (i.e. healthy) and unproductive (unhealthy). For example, children are taught to be cooperative in school, yet at the same time, children are encouraged to protect their possessions (i.e., remain firm, or not to be taken advantage of). Sometimes conflict is viewed as good or having positive outcomes, yet at other times, conflict is characterized as bad and should be avoided at all costs. Conflict is evaluated as either positive (i.e., healthy) or negative (i.e., unhealthy) depending on how the conflict affects the participants and ultimately their relationship. For example, two roommates may decide to sit down and discuss their scheduling differences to work toward a mutually acceptable living arrangement or they may choose to say nothing and move out. In the first scenario, the two roommates have taken responsibility for their differences and are constructively seeking alternatives to their living problems. These two roommates place a value on their relationship and are working toward a positive outcome. In contrast, in choosing not to deal with the conflict, the roommates may experience a negative outcome.

Healthy approaches to conflict can (a) clarify relational partners' similarities and dissimilarities, (b) create a better understanding of each other and the relationship, (c) increase skills for coping with future conflicts, and (d) reveal weak or useless communication strategies (DeVito, 1985; Hocker & Wilmot, 1985; Knapp, 1984). On the other hand, unhealthy conflicts can (a) impact on relational partners' self esteem, (b) utilize disproportionate amounts

of communicative energy, and (c) render relational partners both emotionally and communicatively dysfunctional in other relationships (Miller & Steinberg, 1975; Emmert & Emmert, 1980). For example, the two roommates who could not resolve their living arrangements, may blame themselves for not being a good roommate which, in turn, may impact on relationships with future roommates. The roommates could also both decide that sharing a room is an impossible situation to deal with and may choose to always live alone. While the potential outcomes of conflict are limitless, both healthy and unhealthy approaches to conflicts impact on relational partners in important ways.

A critical determinant of assessing conflict as healthy is the approach relational partners utilize in resolving their conflicts (Emmert & Emmert, 1980). For example, both spouses and college roommates experience greater satisfaction with each other when they find a solution to their conflict that achieves the goals of both participants in a mutually acceptable way (Gottman, 1979; Sillars, 1980). By contrast, dissatisfied spouses are more likely to argue about how they are arguing (Gottman, 1979), while dissatisfied roommates tend to avoid conflict altogether (Sillars, 1980). While conflict is a part of almost all relationships, it is critical to learn how to handle and manage conflict in ways that are productive for healthy relationships.

The ability to resolve conflicts affects one's interpersonal relationships. Individuals who are most effective in interpersonal conflict are those who anticipate conflict by simultaneoulsy assessing

their relational partner and the nature of the conflict, prior to its occurance (Knapp, 1984). For example, Jerry recognizes that his roommate, Jim, becomes increasingly argumentative during finals week. Jerry views Jim's argumentativeness as trivial and inconsequential to their close friendship. Prior to finals week, Jerry suggests that the two roommates talk about previous finals weeks in order to reduce any potential conflict during this finals week. Jim agrees that there is too much fighting during finals week and that it is important that the two roommates find a mutually acceptable solution to their problem. Both roommates decide to study in the library rather than in their room, and both agree to keep reasonable hours so that each roommate gets an acceptable amount of sleep.

The above example illustrates that an anticipatory approach to conflict resolution can promote both relational growth and maintenance. Both Jerry and Jim will feel better if they can reduce the potential conflict during finals week. Both roommates will probably feel closer to each other because the tension between them will be reduced, and they are subsequently working cooperatively to maintain their friendship. If Jim and Jerry had not been able to anticipate the ocurrence of conflicts during finals week, over time, the resulting conflict frequency and intensity could spiral into irreconcilable differences (Hocking & Wilmott, 1984). Thus, lack of conflict resolution can promote relational decay or create "stresses" toward relational decay.

To summarize, interpersonal conflict is pervasive. Conflicts occur between spouses, family members, roommates, and even co-workers. While

the possible outcomes of interpersonal conflicts are limitless, both productive and unproductive approaches to conflict impact not only on relationships but on relational partners in important ways. Because the negative consequences could be devastating to relationships and partners, conflict resolution is an important area of inquiry.

Methods for Resolving Conflicts

Numerous methods for resolving conflicts exist; labor groups elect representatives to bargain/negotiate with management, a student and a teacher could solve a grading dispute, or a wife could choose to overlook or ignore a bothersome issue with her husband. Methods for resolving conflicts range from total avoidance to third party intervention. Going back to the roommates (Jim and Jerry) suppose each objects to the music the other plays. The roommates could both decide to just learn to live with the differences, thereby ignoring the conflict. Avoidance typically fails as a method of conflict resolution because the conflict (i.e., differing musical tastes) is never addressed. Another potential method for conflict resolution is a collaborative effort in which Jim and Jerry identify the source of the conflict, suggest potential solutions, and agree that the chosen solution is an equitable resolution. However, when avoidance and collaborative methods fail to resolve the conflict, obtaining help from a third party provides another means of resolution (Moore, 1986). For example, Jim and Jerry could seek help from their residence hall assistant, who could arbitrarily settle the dispute, or could help Jim and Jerry find their own mutually acceptable solution to the problem.

When methods internal to the relationship fail, outside methods

then provide the only means of resolution. For example, couples who can not resolve their marital conflicts are advised to seek professional help (i.e., counselors, family therapists). When labor and management groups can not resolve their differences an arbitrator is sought. Thus, a third party many times is a last resort for relational partners (Rubin, 1980).

Mediation is one of the most popular external means (of late) for aiding resolution of conflicts that disputants have been unable to internally resolve (Wall, 1980; Pruitt, 1981). Mediation is conceptualized as the intervention into a dispute by an impartial, acceptable, and neutral third party who has no authoritative decision-making power but assists disputants in reaching voluntarily their own mutually acceptable resolution of issues (Moore, 1986).

Mediation can take many forms. Informally, relational partners may ask their friends to mediate a dispute, parents will mediate family disputes among siblings, or distressed spouses may utilize their social networks in resolving their differences. Informal mediation is best described as a poorly structured interaction with vague procedures conducted by untrained individuals (Folberg & Taylor, 1984). By contrast, formal mediation is characterized as a highly structured interaction with concrete procedures for participants to follow conducted by a trained professional (Folberg & Taylor, 1984). Formal mediations occur between landlords and tennants, environmental groups and industry, parents of handicapped students and school districts, and/or minority groups and the government (Folberg & Taylor, 1984; Moore, 1986).

Because mediation is perceived as an effective means of conflict management, formal types of mediation are replacing informal types. Rather than burden friends or social networks, professional mediators are sought. Most people possess minimal skills for handling difficult conflicts they experience during the course of a lifetime (Folberg & Taylor, 1984). Disputes regarding business mergers, natural resources, or divorce and custody should involve trained mediators rather than well-intentioned but untrained volunteers or friends because the outcomes have important social, relational, and/or financial consequences (Folberg & Taylor, 1984). Formal mediation is, therefore, an important means of dispute resolution.

This study extends the previous work of Burrell (1987) that develops and tests a control-based model for mediation. Based on the results of several studies that discriminate between successful (agreement reached) and unsuccessful (no agreement reached) divorce mediators, the model for mediation is one emphasizing control (Donohue, Allen, & Burrell, 1985; 1986a; Donohue, Allen, Burrell, Stahle, & Stewart, 1986b; Koper, Donohue, Stahle, 1985). In the pages that follow four sections will be developed. A theory of mediator competence will be described that focuses on control as a critical strategy for mediators to utilize. Furthermore, expectations of disputants will be examined for their potential to provide an alternative explanation for "successful" mediation. In addition, the influence of mediators (trained versus untrained) will be explored in terms of how they affect outcomes expected by disputants. Finally, a rationale for a causal model of mediation will be provided.

Control and Mediator Competence

The potential of mediation is argued to hinge on the notion of control (Donohue et al., 1985, 1986a, 1986b, Koper et al., 1985). A mediator's greatest influence stems from the utilization of techniques designed to <u>control</u> the ongoing relationship between disputants (Wall, 1981). Control, from a mediator's perspective, is managing the interaction. A "controlling" mediator, then, is one who structures the interaction by closely monitoring the turn-taking mechanism, allocating floor time, and maintaining topic control (expansion and/or change). This conceptualization of control closely parallels what Addler and Towne (1987) reference as "conversational control" which is the ability to determine who talks about what. These researchers view common indices of conversational control as (a) who talks most, (b) who interrupts whom, and (c) who changes the topic most often.

Theories of mediation are based on the control a mediator can exert so as to orchestrate behavior toward resolution of a conflict. Mediators realize that disputants' difficulties result partly from the escalation of perceptual and communication problems, making control of these processes essential (Wall, 1981). Control of the interaction is demonstrated by a mediator in each stage of the process. For example, in the first stage of mediation, a controlling mediator ensures: (a) initial structuring (i.e., what is mediation, these are the rules to follow), (b) a cooperative climate for the interaction, and (c) active and equal participation. In the middle phase of the process, a mediator orchestrates the interaction by (a) identifying key issues, (b) clarifying disputants' positions, and (c) amplifying potential

solutions that disputants offer. In the final stages of mediation, a mediator guides the interaction by (a) requesting that disputants prioritize various proposals, (2) focusing disputants on how acceptable/unacceptable various proposals or solutions are to the specific conflict and to each other, and (3) finalizing their resolutions (e.g., through written agreement) (Folberg & Taylor, 1984). In all of the phases of mediation, a mediator assumes an active, participatory, and controlling role as the interaction unfolds.

Control is the basis for assessing the competence of a mediator. Because disputants have openly admitted that they can not reach an agreement by themselves, they anticipate that the third party (i.e., mediator) has the competence to guide (i.e., control) them toward finding an equitable solution to their conflict. A competent mediator has "the knowledge of appropriate communication patterns in a given situation and the ability to use the knowledge," (Cooley & Roach, 1984, p.25). In other words, a competent mediator has a knowledge base of potential strategies and tactics that promotes or inhibits the interaction at appropriate times and transfers this knowledge into appropriate and productive contributions during the interaction.

A communicatively competent mediator utilizes several key strategies, one of which includes gaining control of the interaction through structuring (Donohue & Weider-Hatfield, 1984). The major objective of the structuring strategy is to empower the mediator to direct the course of the mediation as opposed to either of the disputants so doing. If either of the disputants controls the

interaction, the interaction would regress rather than progress communicatively, because if the disputants could negotiate productively, a mediator would not be necessary. By imposing structure during an interaction, the appearance of progess is created, more clarity to the interaction is provided, and disputants are oriented toward fewer unproductive communicative exchanges (Wall, 1981).

The competence of a mediator (gained through control) is seen to determine the effectiveness of mediation for resolving conflicts. Research on divorce mediation defines successful (i.e., competent) mediators as those mediators who aid disputants in reaching an agreement while unsuccessful (i.e., incompetent/unskilled) mediators are unable to assist disputants in reaching an agreement (Donohue, et al., 1985, 1986a, 1986b, Koper, et al., 1985). Several behaviors discriminate between successful and unsuccessful mediators. Successful or competent mediators interrupt after sequences of moderate length (4 or 5 turns) while unsuccessful (i.e., unskilled) mediators interrupt after short sequences (3 or less turns) or after long sequences (6 or more turns (Donohue, et al., 1986b). Successful or competent mediators intervene more frequently after disputants' turns are increasing in intensity (i.e., disputants are attacking each other) rather than at times when the interaction is at decreased levels of conflict intensity (i.e., when disputants are furthering their positions or agreeing) (Donohue, et al., 1986a).

The success (or lack thereof) for mediation as a dispute resolution technique is attributed to the mediator's competence in controlling disputants' behavior. Skilled or competent mediators

immediately take charge of sessions through their opening remarks that educate disputants about the mediation process and what are acceptable modes of behavior. Competent mediators intervene when the conflict escalates or disputants' verbage is destructive to themselves and the process. By contrast, unskilled mediators either wait too long to control disputants' behavior or simply do not monitor the conflict intensity closely enough, thus the session (and disputants) are out of control. Much of the scholarship in mediation centers on which strategies and tactics produce optimal conditions for facilitating a settlement (Wall, 1981). Based on the number of self-help books for mediators, competent mediators are prescribed to take charge of the session, guiding (i.e., controlling) disputants' behavior through the various stages of the process (Haynes, 1981; Bienefeld, 1983; Coulson, 1983; Saposnek, 1983; Folberg & Taylor, 1984; Kressel, 1985; Weitzman, 1985).

Researchers in divorce mediation have _interpreted_ past results as "successful outcomes due to a mediator's behavior" (Donohue, et al., 1985, 1986a, 1986b, Koper, et al., 1985). That is, a "successful" or competent mediator interprets disputants' strategies and then selects the appropriate intervention or tactic in the on-going interaction. These researchers report that "successful" mediators are significantly more capable of decreasing the conflict intensity of the interaction and obtaining more integrative (agreement) moves from disputants. Thus, a "successful" mediator is more competent at interpreting what the disputants are doing and then making a judgment about what needs to be done to move them closer to an agreement.

Theories have been built around a mediator's competence (Donohue, Diez, & Weider-Hatfield, 1984,). Donohue and his associates propose a valence theory of mediator competence in which mediators, who are successful in faciliating an agreement among disputants, accumulate more valence or influence in controlling the interaction than unsuccessful mediators. A critical assumption of this mediator competence theory centers on the role of the mediator which is to provide whatever assistance is necessary to create a workable agreement between disputants. In search for a workable agreement, mediators help disputants to redefine relational parameters of control, trust, and intimacy. Communicatively competent mediators select the appropriate intervention tactics at the appropriate time to successfully negotiate these relational parameters. Competent mediators communicatively control the interaction by selecting appropriately timed interventions that guide disputants through the process. The valence theory of mediator competence posits that success is contingent on the mediator using interventions that accumulate positive valence. Positive valence would indicate that disputants are more interested in using cooperative code choices to reach an agreement while negative valence would signal that more competitive language is emerging in the interaction. Thus, a communicatively competent mediator utilizes the appropriate set of linguistic choices that can create positive valence to build productive role relationships, and ultimately a final agreement.

An <u>implication</u> of this theory is that training mediators to be controlling will increase successful resolution of conflicts. Based on

the work of Donohue et al. in the context of divorce mediation, those mediators that reached successful resolutions are more in control of the interactions than those mediators who were unsuccessful in reaching agreements. Without control, it does not appear likely that trust or productive sense of intimacy will develop between disputants. Progress in the disputes and cooperativeness are sacrificed when the mediator does not gain control of the interaction and allows disputants to fight for control throughout the mediation. Control of the interaction, however, is more than simply enforcing rules or providing orientation information to the participants. Mediator control focuses on sorting out issues, reframing or clarifying issues/ positions,and eliciting and creating proposals. In sum, these researchers create a successful mediator communicative profile and make recommendations for mediator training.

Training recommendations focus on encouraging mediators to track what the disputants are doing during the course of the interaction (e.g., disputants' strategies and tactics). Critical behaviors for mediators to focus on include recognizing when disputants are attacking each other, bolstering their own positions, or agreeing with the mediator or each other. These researchers suggest that successful mediators recognize when disputants agree and capitalize on this recognition by developing proposals and encouraging disputants to evaluate these proposals. In addition, mediators should be trained to identify and process key issues so that the session can progess expediently toward resolution. A final recommendation suggests that mediators should be creative in developing proposals and helping

disputants evaluate their proposals. An implication of the research by Donohue and his associates suggests that training mediators to be controlling will increase successful resolution of conflicts.

Expectations of Disputants

The expectations of disputants provide an alternative explanation for the "success" of mediation. Just because an agreement is reached does not mean that the driving force of the interaction can be attributed solely to the mediator. It may be that the disputants are tired of fighting or that a resolution is a financial necessity. Another possibility may be that either or both disputants are in a cooperative rather than a competitive mode of interaction. Because mediation is an interactive and transactional process in which the participants have mutual influence on each other, attributing the success of an interaction to one participant (i.e., the mediator) may be an inaccurate attribution.

Source of expectations. Disputants enter mediation sessions with expectations for the likelihood of resolution of the dispute. That is, disputants anticipate the probability of reaching an agreement based on their experiential repertoires. Expectations are generated by many sources. One potential source may be an individual's own conflict management history across relationships. For example, going back to the roommates referenced earlier, it may be that Jim has always dealt with relational conflict, directly and collaboratively. Because of Jim's integrative approach to conflict, he has resolved conflicts with not only roommates, but peers, professors, co-workers, and his immediate family. It would seem that Jim's expectations for reaching

an agreement are rooted in his collective success across relationships.

Another potential source for expectations may be an individual's conflict history <u>within</u> a given relationship. For example, John and Mary have been married for ten years. These ten years have been extremely combative and frustrating for both relational partners. Both John and Mary report that neither are willing to compromise and that the conflicts seem to have recurring themes and patterns day to day. Both John and Mary claim minimal success at conflict resolution with their neighbors, peers, and co-workers. These relational partners seem to base their expectations for settling disputes based on their conflict history within a given relationship (i.e., their marriage).

A third potential source for expectations may be the nature of the dispute. That is, the dispute may center on an inconsequential or a trivial issue and may be easy to resolve. On the other hand, a dispute may be extremely important to relational partners, or involve high stakes (e.g., have important relational or financial consequences) and may be difficult to resolve. For example, in child custody disputes, many times spouses are extremely angry and emotionally distraught because they do not want a divorce. Spouses enter the custody battle with the expectation that this dispute entails an all or nothing effort. On the other hand, two spouses who are fighting over the color of a new car anticipate a resolution to their conflict. Thus the nature of the dispute can be an additional source of disputants' expectations.

Regardless of the source, disputants hold expectations about the

likely outcome for the dispute. Individuals have acquired histories of both successful and unsuccessful attempts to manage conflict. That is, over time disputants catalogue those situations in which they were able or unable to resolve various conflicts with others and based on these histories make predictions about potential outcomes of ongoing interactions. In addition, individuals acquire histories vis a vis their relational partner. Going back to the married couple, John and Mary, their expectations regarding potential outcomes of conflict are deeply rooted in their inability to resolve conflicts for the past ten years. An interesting phenomenon regarding expectations is the belief that expectations will continue on into the future. For example, both John and Mary may anticipate that future conflicts will never be resolved. In all probability both John's and Mary's negative expectations regarding coflict are based on the belief that the past repeats itself.

Expectations range over a "probability for success" continuum. Based on an individual's experiences _within_ and _across_ relationships, an individual will calculate his or her potential for conflict resolution based on the previous rate of success or failure. A high expectation for success occurs when disputants' believe the conflict _can_ be resolved somehow. For example, because Jim has experienced a high success rate at resolving conflicts with others, his expectation for successfully resolving any roommate conflict would be quite high, in all probability. On the other hand, a low expectation for success occurs when a disputant believes conflict is unlikely to be resolved in any way. Moderate expectations for success occur when disputants'

believe that resolution is possible, but they are uncertain. Tenants may have experienced both successful and unsuccessful dispute resolution with landlords and may be subsequently unsure about the outcome of the latest landlord dispute. Expectations regarding the potential success or failure of resolving a dispute range along a continuum.

Impact of expectations. Expectations can affect one's interpretative framework. In other words, what an individual anticipates, influences how events or details are perceived. For example, male undergraduates participated in what they believed were two separate experiments; but were actually two parts of a single experiment. In part one of the study, half of the subjects read a sexually arousing seduction scene while the second half of the subjects read a passage about sea gulls and herring gulls. In part two of the study, subjects were asked to rate a female student based on a self-description and a photograph. Those subjects who read the arousing scene rated the woman as significantly more attractive and more receptive sexually than those subjects who had read the sea gull passage (Rubin, 1973). Hence expectations can influence individuals' interpretative frameworks.

Numerous point of view studies have been conducted that illustrate how expectations influence our judgments about other people, situations, and various situational outcomes. For example, subjects were asked to observe a videotape of two people poking around an apartment. Part of the subjects were told that the people in the video tape were looking for their dope. Another group of subjects were

told that the people in the videotape intended to burgle the apartment; while a third group was told that the two people were waiting for a friend and had subsequently become restless. Results showed that subjects remembered features of the episode appropriate to the particular scene they had been given. That is, subjects given the burglar-theft intention schema before viewing the videotape recalled more theft related objects and conversation than subjects in the other two conditions (Zadny & Gerard, 1974). In a similar experiment, subject-witnesses were shown a film of a multiple-car accident and asked to complete a series of ten questions. On half of the questionnaires a stop sign was mentioned in an earlier question. Results indicate that by simply mentioning an existing object, it is possible to increase the probability that it will be recalled later on (Loftus, 1975; Yarmey, 1979). These point of view studies exemplify how expectations influence our judgements regarding people, situations, and situational outcomes.

Expectations not only influence our interpretative frameworks, and our judgements of others, similarly, expectations affect inferences that individuals make. For example, nursery school children judged by adults as unattractive physically are thought to misbehave more than the other children (Middlebrook, 1974). Similarly, teachers anticipate attractive children as having higher intelligence, being more popular, and more likely to attend college than less physically attractive children (Middlebrook, 1974). Although college students claim they look for friendliness, sincerity, and intelligence in their dates, the critical expectation for a date centers on physical attractiveness

(Middlebrook, 1974). These examples and many more illustrate that an individual's interpretative mechanism is influenced by his or her expectations that are person and/or situation specific.

Expectations will influence individuals' perceptions of events and actions around them. Conceptions of events affect behaviors individuals exhibit. What follows is a discussion of several theories (e.g., self-fulfilling prophecy, schema theory, expectancy theory) used to account for the influence of expectations on our behavior. The point is that across theories, expectations have been found to guide behavior. If individuals expect others to act in a certain manner or if individuals make predictions regarding the characteristics of a situation, these predictions frequently come true because of the self-fulfilling prophecy phenomenon. The paradox of self-fulfilling prophecies is that when individuals are caught in one, they do not know it (Wilmot, 1975). For example, in a triadic situation, when two individuals form a coalition and reject person C, C's response to the rejection typically validates person A's and person B's actions. That is, A and B form a coalition because C is hostile. Thus, the effect of the action becomes a justification for it (Wilmot, 1975).

Examples of self-fulfilling prophecies are numerous. A mother for the first time is full of anxiety, which in turn affects her behavior such that the infant in response to her anxiety becomes difficult and troublesome to care for (Sullivan, 1953). The infant's behavior becomes the cause as well as the effect of the mother's anxiety. Gergen (1968) reports that once an individual is classified as mentally ill, others will respond to that definition by reinforcing

the sick behavior.   Similarly, parents who classified their children as stutterers tended to react to their children in terms of the implications of the label (Johnson & Moeller, 1972). Finally, persons who view themselves as socially adept are those who act skillfully and elicit positive responses from others. By contrast, those individuals who believe themselves socially inept produce behaviors such as nervousness, small amounts of eye contact, and overall, an inability to bond relationally with another person. This person reacts to the socially inept individual, giving the inept individual negative responses, which confirms the initial definition (Coombs, 1969).

Self-fulfilling prophecies have been observed in educational contexts, also. Rosenthal's research (1973; 1968) illustrates that teachers' expectations of students as "intellectual bloomers" led to their own fulfillment. That is, those students that teachers had been led to believe were going to "bloom intellectually" did improve in that they gained an additional 4 IQ points over children not labelled "intellectual bloomers." In a similar experiment using counselors rather than teachers, the counselors were more willing to work with the child who was labelled "more important" and "worthier of attention" than the youngster who came from a lower class (Garfield, Weiss, & Pollack, 1973). These researchers suggest that by accepting passively the expectancy of unfavorable or negative outcomes, counselors frequently contribute to the inevitability of various labels, events, or situational outcomes.

Another plausible line of research that accounts for expectations guiding behavior is schema theory. The critical features of the

concept schema are: (a) that it is an abstract, general structure that establishes relations between specific events, and (b) that any specific event or entity can be evaluated as congruent or irrelevant with reference to the schema (Hastie, 1981). An individual's general schema has been compared to a potential hypothesis or theory in science and a specific event has been equated as data or evidence that has been related or connected to the hypothesis. The relationships of (a) the social perceiver (e.g., naive scientist), (b) schema (e.g., hypothesis or theory), and (c) specific event (e.g., data or evidence) are defined as ranges of values along the probability continuum relating the hypothesis to the data. When there is a high probability of occurrence, the data are "congruent with" or "fitting" the hypothesis; when the probability is low the data are "incongruent" with the hypothesis; and when the data are in the middle range, the data are classified as "irrelevant" or "undiagnostic" to the hypothesis (Hastie, 1981). For example, a newly married couple, Bob and Robin, both have in their repertoires of experiences, a history of conflict outcomes based on relationships with others. During the honeymoon, the newlyweds' conflict schemas are triggered because they disagree on where to travel next. Because their relationship is relatively new, some ambiguity exists about how to proceed; thus both relational partners will make predictions about various strategies and outcomes based on relational histories outside their current relationship. To summarize, schemas enable individuals (e.g., social perceivers) to predict the future by specifying what events, abilities, or behaviors have a high probability of occurrence when

activated or triggered. In addition, schemas prompt an individual to use schema-relevant events, attributes or behaviors as more likely to occur, regardless of discredited schema. When schema are strongly embedded and schema-relevant behaviors are triggered, the implications of those schemas may be strong enough to create the reality that has been implied (Hastie, 1981).

In addition to self-fulfilling prophecies, labeling and schema theories, expectancy theory is another interpretative mechanism to account for expectations guiding individuals' behavior. The central tenet of this theory is that people develop norms and expectations regarding appropriate language usage in specific situations because language is a rule-based system (Burgoon & Miller, 1984). In many social interactions the language utilized confirms participants' norms and expectations. For example, an individual meeting a complete stranger avoids using expletives because the norm operating is to present one's best side. A violation of this linguistic norm (e.g., use of expletives) is illustrated in the film, "An Officer and a Gentleman," when the drill sergeant uses an excessive amount of expletives as a form of intimidation and as a status or power differential while addressing the new recruits. Over time, frequent confirmation may account for the maintenance of various norms and expectations. By following linguistic rules or norms, individuals maintain and reinforce expectations that these lingusitic rules and norms will be followed.

To summarize, several theories have been discussed to illustrate that <u>across</u> theories expectations have been found to guide behavior.

It would follow that in a conflict situation, disputants' expectations affect their behaviors. Individuals develop expectations about the nature, cause, and outcomes of the conflict. Individuals anticipate how others will behave or the likelihood of situational outcomes, and, when an interaction becomes routinized, they act accordingly. High expectations of a successful resolution lead to cooperative behaviors. Going back to the newlywed example, suppose both Bob and Robin expect to resolve their dispute. Based on previous conflicts with individuals outside their relationship, the couple recognizes that conciliatory, cooperative behavior yields an equitable resolution. By contrast, low expectations of successful resolution lead to uncooperative or avoidance behaviors. For example, if Bob and Robin had rarely experienced successful resolutions with others, neither spouse would recognize that their behavioral routines of confrontation and lack of compromise would ever produce a positive outcome to their dispute.

Disputants' expectations can affect their behavior during a mediation session. For example, two roommates, Jim and Jerry, ask their resident assistant to mediate their conflict regarding Jerry's poor financial management. Jerry has neglected to pay his share of the phone bill, while Jim has covered the bill for the past three months. Because the roommates have resolved previous conflicts, their behavior toward each other and their resident assistant is cooperative during the mediation session. The likelihood for the roommates in reaching a resolution is high due to their conciliatory and cooperative behavior. On the other hand, suppose John and Mary decide to end their marriage of ten years. Because John and Mary can not

agree on the division of property, they have sought mediation. Since John and Mary have experienced only negative, destructive conflicts, their behavior during the mediation is defensive, accusative, and highly emotive. The probability of resolving their dispute through mediation is low. These examples illustrate how expectations can influence disputants' behavior during mediation.

Disputants' expectations can determine the success of the mediation. In other words, individuals, who choose mediation as a means of resolving conflict, can influence the outcome of the session based on whether or not they anticipate a settlement to their dispute. Based on the work of Donohue and his associates, it may be that "competent" mediators may simply be those lucky enough to have disputants with high expectations for success (Donohue et al., 1985; 1986a; 1986b). Couples with high expectations may be propelling the successful outcomes rather than the mediator. In addition, "incompetent" mediators may be those with disputants having low expectations of success. That is, couples who could not resolve their child-custody disputes may be driving the session rather than the "incompetent" mediator.

The studies conducted by Donohue et al. indicate only that the outcomes are successful or unsuccessful; these studies do <u>not</u> indicate <u>why</u> these outcomes occur. Successful outcomes may be due to (a) competent mediators and/or (b) disputants' expectations. These researchers have interpreted successful resolution of child-custody disputes as being due to competent mediators; though no <u>test</u> for competency was given independent of the outcome. In other words,

mediators were not rated by disputants or outside judges as being skilled (e.g., competent) or unskilled (e.g., incompetent). Because mediators were present at a session where couples were able to reach an agreement they were characterized as "competent," while those mediators who were present at a session in which couples could not reach an agreement were catalogued as "incompetent."

Certainly, a range of outcomes adheres to each mediator. For example, a mediator could schedule three child-custody sessions on the same day. The mediator may achieve three agreements, three nonagreements, two agreements and one nonagreement, or one agreement and two nonagreements. Donohue and his associates (1986b) report that unsuccessful mediation attempts were distributed fairly equally across the group of mediators. That is, the unsuccessful sessions were not clustered around a few mediators. These researchers suggest that mediators may not be consistently "competent" or "incompetent." The critical difference for successful resolution may be in the expectations of the disputants rather than the "competence" of the mediator orchestrating the dispute.

Mediation as an Interactive Event

The interactive nature of mediation permits the possibility of multiple and joint influences on outcomes. For example, in a divorce mediation both the husband and the wife engage in persuasive accounts to influence the mediator toward their individual positions. At the same time, the mediator is sorting out past and present issues, educating the couple about mediation, and guiding them toward a resolution. Mediation is an interactive method of dispute resolution

(Slaikeu, Pearson, Luckett, & Meyers, 1985). Both disputants and the mediator are exchanging viewpoints, maneuvering for various positions, and making proposals toward a resolution.

Logically, participants in mediation can influence each other. For example, mediators may influence disputants. It has been suggested that a critical role of mediators is to structure (e.g., influence) the session (Donohue & Weider-Hatfield, 1985; Barsky, 1983; Saposnek, 1983). Mediators influence disputants by maintaining order, focusing disputants on present rather than past events or issues, and enforcing the rules for the interaction. A critical role of a mediator is to persuade disputants to behave in a cooperative rather than a confrontive manner. Similarly, disputants may influence mediators by presenting their positions persuasively and/or by creating alternative viewpoints and proposals. Consequently, a mediation session is a mutually influential process in which participants are actively involved.

Mediator influence might affect outcomes expected by disputants. Because disputants frequently are unfamilar with mediation, and how to proceed, a mediator's responsibility is to take charge (Schwieger, 1981). Mediators can vary, however, in the degree to which they are controlling. A trained mediator will orient disputants to how the process works and how each disputant should behave as the session progresses, closely monitoring the interactional sequences (e.g., equal turn-taking, topic changes, adherence to the ground rules). By contrast, an untrained mediator will not successfully orient disputants regarding interaction procedures, nor successfully monitor

the progression of the session, and overall, fail to control
disputants' behavior (Burrell, 1987).

Trained mediators might be able to influence the realizations of
disputants' expectations. In other words, trained mediators might be
able to alter the enactment of behavioral routines guided by
disputants' expectations by cueing to specific behaviors, ignoring
other behaviors, changing the topic, and/or interrupting the
interaction pattern. What is suggested is that trained mediators
could capitalize on opportunities presented in behaviors by disputants
with moderate expectations for successful resolution. Disputants with
moderate expectations regarding a settlement are more likely to
experience positive outcomes with a trained mediator because the
trained mediator can function as a facilitator, guiding disputants
through various stages of the session, closely monitoring the
interaction.

In addition, trained mediators could "assure" successful
realization of the conflict for disputants with high expectations
regarding a settlement. Disputants with high expectations for a
settlement are likely to be extremely cooperative during a session
because they have learned to resolve past conflicts, which has
probably required cooperative and conciliatory behavior. A trained
mediator will cue to these cooperative behaviors (e.g., following the
ground rules, listening to each other's positions, making concessions,
creating proposals) to empower disputants toward finding an acceptable
resolution to their conflict. .

Certainly untrained mediators might also influence the realization

of disputants' expectations. Most mediators, regardless of their competence level, recognize that disputants anticipate a mediator to guide them through a session. An untrained mediator, however, could inhibit disputants with <u>moderate expectations</u> for success from realizing their potential by failing to regulate disputants' behavior to inhibit or promote a seemingly routinized interaction pattern. In other words, the potential for resolution (i.e., found in moderate expectations) is not realized due to the mediator not capitalizing on opportunities when presented these opportunities as the interaction progresses.

An untrained mediator could potentially harm those disputants with <u>high expectations</u> for settlement by prohibiting the realization of that success. That is, disputants may leave the session feeling angry and frustrated that they could not resolve their differences. These same disputants at a later date, may question their ability to find solutions (i.e., is this the appropriate behavioral routine—or not) to other problems/conflicts. Based on the preceding discussion the following general hypothesis is forwarded:

> General Hypothesis: The extent of mediator training will interact with disputants' expectations (high, moderate, low) of successful resolution.

The hypotheses that follow describe the nature of this two-way interaction.

> Hypothesis 1: Disputants entering mediation with moderate expectations of successful resolution are more likely to achieve such resolutions with trained

versus untrained mediators.

Hypothesis 2: Disputants entering mediation with high expectations of successful resolution are more likely to achieve such resolutions with trained than untrained mediators.

Training of mediators may have no effect on resolution of conflicts for disputants with <u>low expectations</u> of successful resolution. No opportunities may be presented trained mediators to allow successful resolution and trained mediators may be unable to create such opportunities. Furthermore, the training of mediators may not have any effect on persons entering with low expectations of success because persons are unlikely to have the necessary behavioral routine to achieve success (and they expect no success). Finally, untrained mediators cannot decrease nonexistent possibilities for a resolution. That is, disputants with low expectations for a settlement could be extremely uncooperative during a session, regardless of the amount of training demonstrated by the mediator because disputants have not learned to resolve past conflicts. Therefore a third hypothesis is posited:

Hypothesis 3: Disputants with low expectations of successful resolution are equally likely to achieve such resolutions with either trained or untrained mediators.

Overall, trained mediators might aid disputants' in recognizing their expectations by cueing to specific behaviors and ignoring other behaviors through reframing and requesting information. Trained

mediators, however, may find those disputants with high expectations more open to their suggestions than disputants with moderate expectations for resolution. Similarly, trained mediators may find disputants with moderate expectations more open to their suggestions about how the interaction should proceed than disputants with low expectations for a settlement. By contrast, untrained mediators might not help disputants' in recognizing their expectations for successful resolution by failing to clarify or request critical information from disputants. However, untrained mediators may find that disputants with high expectations more cooperative and, consequently, more conciliating than disputants with moderate or low expectations for resolving a dispute. Thus the following hypotheses are forwarded:

Hypothesis 4: Disputants entering mediation with high or moderate expectations and a trained mediator are more likely to achieve resolutions than disputants entering mediation with low expectations with a trained mediator.

Hypothesis 5: Disputants entering mediation with high expectations and an untrained mediator are more likely to achieve resolutions than disputants entering mediation with moderate or low expectations.

In summary, these five hypotheses suggest an interactive effect on successful conflict resolution, based on both disputants' expectations and the mediator's competence (see Figure 1). These interactions indicate training effects at the moderate expectation level, likely no difference in training effects at the low expectation level, and a

potential for active harm at the high expectation level (or possibly

no difference in training effects). The rationale for these

hypotheses stem from a control-based model guiding mediation.

Trained   Untrained

High

(1) →	(2)
↮	∨
(1) →	(3)
∨	↮
(3) ≠	(3)

Moderate

Low

Figure 1

Predicted Relationships Between

Extent of Training and Expectation for Resolution

A Causal Model of the Mediation Process

The interactive influences as determinants of dispute resolution

stem from a causal model of the mediation process. Mediation is an

interactive process where mediators and disputants have a joint

influence on each other in their active exchange of discourse to

accomplish various goals. Disputants' goals center on resolving the

conflict in a manner that is favorable to their own interests in

mediation. On the other hand, the mediator's goal is to generate a mutually acceptable agreement. In order to accomplish this goal, a mediator must regulate (i.e., control) the interaction between the disputants by selecting and implementing appropriate intervention strategies (Donohue & Weider-Hatfield, 1985; Fisher, 1983; Wall, 1981).

Important compontents of the model include: (a) expectations (disputants' probabilities of successful resolution), (b) compliance (degree of cooperative behavior), (c) control (degree of control demonstrated by a mediator), (d) competence (a judgment of the mediator's performance), (e) effectiveness (of mediation as a method of dispute resolution), (f) satisfaction (of disputants with the outcome). The following discussion clarifies the components conceptually and discusses the relationships between the components.

Initially, disputants have developed expectations for resolving a conflict based on their interactions within and across relationships. An expectation is conceptualized as a mental attitude reflecting the probability or the likelihood of an occurrence (e.g., the probability that the dispute will be successfully resolved). In general, individuals develop a cognitive expectancy of what behaviors lead to what outcomes (Vogel, 1986). For example, most people anticipate that continuously hostile and aggressive behavior will be reciprocated from others and that the outcomes from such interactions should be negative. On the other hand, individuals might expect that cooperative, conciliatory behavior should lead to positive outcomes. Certainly, social interactions are guided by a complex set of

expectations regarding how individuals act and react. Disputants who choose mediation recognize that they are unable to resolve their dispute and typically attribute much of their problem to each other (Beck and Beck, 1985).

When disputants enter a mediation session, these expectations will influence the compliance disputants will exhibit to guidance attempts by the mediator. When entering a mediation session, disputants anticipate or look to the mediator for help in resolving their conflict. Some disputants will be more cooperative than other disputants and consequently, will follow the mediator's directives more readily. Compliance is typically defined by numerous researchers as "the performance by one person, the target, of specific behaviors desired of the target by another person, the agent," (Wheeless, Barraclough, & Stewart, 1983, p. 110). These researchers point out that the agent seeks to secure a change in the target's behavior or even elicit a new behavior from the target. In the context of mediation, a mediator (e.g., the agent) attempts to direct disputants' (e.g., the targets') confrontive behavior toward more cooperative, conciliatory behavior. Thus, the goal in these influence situations (e.g., mediation) is to communicatively induce change in the target (e.g., the disputants) so that the actions are different from what they would have been without the influence attempt and align with the source's (e.g., the mediator's) regulative wishes (Seibold, Cantrill, & Meyers, 1986). Compliance is then conceptualized as the act or disposition to yield, accommodate, or cooperate with the mediator's directives.

The degree of compliance affects the amount of control demonstrated by the mediator. If participants abide by the mediator's attempts to structure the session, important issues and concerns of each side of the dispute should surface. The degree of compliance (i.e., cooperation) influences the amount of resources a mediator expends in controlling the course of the interaction. For example, disputants may choose to disregard the mediator's directive to not interrupt each other. Consequently, the mediator may repeatedly intervene in an attempt to enforce the interaction "rules." On the other hand, disputants may be extremely compliant to a mediator's directives and/or suggestions regarding the course of the interaction. A critical role of a mediator is to control the interaction among the disputants (Fisher, 1983; Wall, 1981). In order to obtain a mutually acceptable agreement (i.e., a mediator's optimal goal), a mediator should control the frequency and direction of talk, in addition to managing the amount of interruptions and talkovers (Donohue & Weider-Hatfield, 1985). Since mediation is a mutually influential, dynamic event, disputants, also, "control" the interaction. A major purpose behind mediation is to empower disputants to creatively resolve their dispute (Moore, 1986; Folberg & Taylor, 1985). Experienced mediators believe that when parties want to make an agreement, one can be made; and when parties do not want to make an agreement, they will frustrate the efforts of the mediator (Kelly, 1980). Control is defined as the degree to which disputants permit a mediator to regulate or direct a mediation session.

Control, however, is the determinant of a mediator's competence

according to most mediation models (Donohue et al., 1985; Saposnek, 1983; Wall, 1981). It has been suggested that those mediators who are trained should utilize control strategies to guide disputants through the mediation process. Control, therefore, affects the perceived competence of a mediator (Burrell, 1987). Competence is an attribute of a mediator and is conceptualized as a judgment regarding the adequacy with which a mediator performs his or her role to guide disputants through this method of conflict resolution. Control is a behavior demonstrated by a mediator while competence is an assessment of a mediator's role-performance. A mediator who is judged communicatively competent: (a) manages the level of conflict intensity, (b) reconstructs the role relationships of interactants, (c) structures the interaction, and (d) clarifies and makes sense of the interaction (Donohue, Diez, & Weider-Hatfield, 1984).

According to control-based theories of mediation, the competence of a mediator determines both effectiveness of the session as well as the satisfaction of disputants. If a mediator is perceived as competent, disputants will view their experience in the session as positive and will in turn feel satisfied/pleased with the session. According to Sprenkle and Storm (1983), impressive evidence exists that mediation is superior to the traditional adversarial process for resolving child-custody disputes. The goal of mediation is to bring disputants to effective negotiation with each other by focusing on specific issues to move them toward a balanced relationship (Lawrence, 1982). Effectiveness is conceptualized as the ability to produce or to bring about the intended result. A goal of mediation is to develop

productive communication exchanges between disputants for their mutual benefit in resolving their problems (Beck & Beck, 1985).

Effectiveness of the mediation session (e.g., focusing on critical rather than trivial issues, reaching an agreement in a reasonable amount of time, etc.) will lead to increased satisfaction with the session. Disputants will be pleased with the outcome of the mediation and may ultimately integrate this means of conflict resolution into day to day living (e.g., settling arguments between neighbors, family members, and co-workers) (Fisher & Ury, 1983). Research in the area of divorce mediation indicates that a year after the divorce, over 90% of the disputants are still satisfied with their settlements, and that over 93% are satisfied with their custody and visitation agreements (Neville, 1985). Satisfaction is defined as an emotional response reflecting pleasure with an outcome.

The predicted relationships between the components (expectations, compliance, control, competence, effectiveness, and satisfaction) are all positive relationships (see Figure 2). That is, as disputants' expectations for successful resolution increase, compliance increases. Disputants who enter a mediation anticipating a positive outcome (i.e., reaching a settlement) should be increasingly more cooperative (i.e., compliant) than disputants who do not expect to reach an agreement and are subsequently, less compliant. As compliance increases, control granted a mediator increases. Logically, the more cooperative disputants are, the more open disputants are to a mediator's directives (i.e., control). A mediator can then focus disputants on creative problem-solving and proposal-making. Thus, the

controlling behavior demonstrated by the mediator increases the mediator's perceived competence.

Expectation—>Compliance—>Control—>Competence—>Effectiveness

Satisfaction
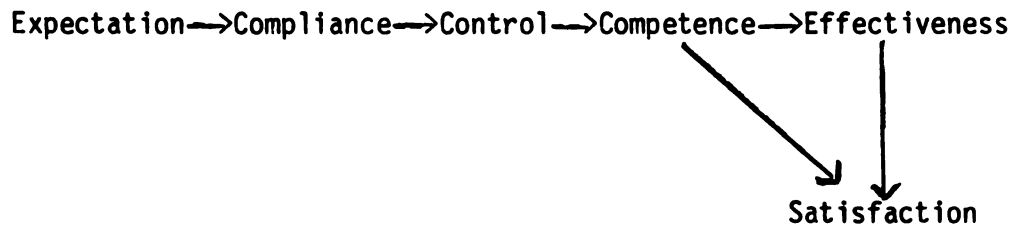
Figure 2

Causal Model of Mediation

Disputants who permit the mediator to guide or orchestrate them through the process, will impact on a mediator's ability to utilize the the skills and techniques that demonstrate his or her competence as a professional. As a mediator's perceived competence increases, so does the effectiveness of mediation as a dispute resolution method. That is, if a mediator can perform his or her job competently then, logically, disputants have been educated about the process of mediation and will perceive mediation as an effective vehicle for resolving conflict, in general. As effectiveness of mediation as a means of dispute resolution increases, disputants' satisfaction with the session increases. It would seem that if disputants gain an appreciation of the utility of mediation the greater pleasure they would feel toward finally reaching an agreement that initially could not be resolved without the aid of a third party. Finally, as a mediator's competence increases,

satisfaction with the session increases. Certainly, disputants would appreciate a successful outcome and would probably attribute the successful outcome to the mediator's skill (i.e., competence) at managing the interaction.

An implication of this model is that all of the correlations between components (expectations, compliance, control, competence, effectiveness and satisfaction) should be positive. A second implication for this model is that all partial correlations should equal zero. If two variables are related in a causal chain with an intervening variable present, partialling out (i.e., removing) the influence of the intervening variable should reduce the correlation between the two variables to zero. Say for example, the zero-order correlation between expectation and control is .74, $p=.01$. After partialling out the hypothesized mediating effects of compliance ($r=.08$, $p=.23$), the partial correlation is nonsignificant. Thus, the association between expectation and control is indirect.

To summarize, this causal model of mediation suggests that disputants' expectations will impact on the degree of cooperation disputants exhibit in the session (i.e., compliance), which, in turn, influences the amount of control that is granted to the mediator. The degree of mediator control observed by disputants impacts on his or her perceived competence, which is linked ultimately to disputants' perceptions of how effective and satisfied they find the mediation.

CHAPTER II

METHOD

The purpose of this study is to put persons in conflict situations where the degree of mediator training and level of participants' expectations for settlement are manipulated. A conflict situation was identified that participants could role play easily. A training program was developed in which persons learned to mediate roommate conflicts. Because the role of varying expectations in reaching a settlement is the focus of the study, a method for inducing expectations is important. Consequently, developing a stimulus for expectations and pilot testing must occur prior to the actual conduct of the study.

Creation of Conflict Situation

The goal of the pilot test was to identify a conflict situation with which individuals are familiar and have experience. The need for a familiar conflict occurs given the study asked individuals to role play a conflict situation. Role playing has been found to be valid as a technique if persons have experience with the role (Kelly, Osborne, & Hendrick, 1974). Given the housing situation among undergraduates (the sample), roommate conflicts were considered a primary area for experience with conflict. The pilot test sought to identify which particular issue(s) were most frequently experienced in roommate conflicts. An introductory class was asked to generate a list of roommate conflicts they had observed or experienced, while another introductory class was asked to rate the frequency of occurrence of these conflicts on a scale of 1 (not at all) to 7 (very frequent). The

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pilot test identified one conflict that all subjects could role play with ease. The conflict rated as occurring most frequently centered on how the room should be kept and overall cleanliness of the room (M=5.53, SD=1.21, N=24). Thus, orderliness/cleanliness of the room was chosen to be the conflict situation in this investigation.

Development of Training Program

To test the control model of mediation (Donohue et al., 1985, 1986a, 1986b; Koper et al., 1985), a training program was developed (Burrell, 1987). The mediator training program centered on eliciting three specific behaviors: (a) structuring the interaction through rule enforcement, and monitoring turn-taking, (b) reframing disputants' positions through active listening techniques such as paraphrasing, and (c) developing the information resources through various question-asking procedures.

A set of activities was designed to reinforce the importance of maintaining control during a mediation session. Prior to viewing a video tape of a simulated divorce mediation, participants were informed about the process of mediation verses negotiation, the role(s) of a mediator, and effective intervention strategies based on the work of Donohue and his associates (1985, 1986a, 1986b, see Appendix for a description of the training program). While viewing the first video, trainees were asked to note the strengths and weaknesses of the divorce mediator as the session progressed. A discussion followed that emphasized the need to maintain order and ways a mediator could go about "controlling" the interaction.

In addition, possible intervention strategies such as structuring,

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reframing, and requesting were discussed. Participants then viewed a second video tape that focused on a roommate conflict mediation. To reinforce the utility of these intervention strategies, trainees were asked to write down examples of the three types of intervention strategies demonstrated by the mediator. A discussion followed that illustrated the importance of keeping disputants focused on issues in the present rather than the past, a comparison of mediator styles (e.g., divorce mediator versus roommate mediator) and the need to take charge as the interaction unfolds. Participants read scripts to identify when disputants were attacking each other, furthering their own positions, or agreeing with the mediator.

Another activity that trainees participated in centered on an active listening exercise in which trainees viewed a live roommate conflict that was interrupted periodically. Participants were then asked to paraphrase the disputing roommates' positions or to identify critical issues of the dispute. Finally, trainees role played several different roommate disputes to practice mediation skills. The mediator training sessions lasted approximately 4 hours.

The effectiveness of the training program was demonstrated in a study that trained 23 of 48 participants to mediate roommate conflicts (Burrell, 1987). Results showed a main effect for training ($\underline{F}$=36.87, $\underline{df}$=1/46, $\underline{p}$=.001) on role-performance. Trained mediators (M=86.71, SD=9.45, N=23) performed their roles more competently than untrained mediators (M=64.30, SD=15.73, N=23).

In addition to disputants rating a mediator's competency, six independent judges rated the mediator's performance based on the

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following behaviors: (a) maintaining control of the interaction, (b) establishing rules, (c) enforcing the rules, (d) clarifying the disputants' positions, and (e) guiding the disputants toward a solution. On a scale of 1 (untrained) to 7 (trained) significant behavioral differences between the untrained group (M=2.97, SD=1.29, N=11) and the trained group (M=4.98, SD=.93, N=11) were found (t=4.21, df=20, p<.05). These results indicate that easily identifiable behavioral differences exist in how competently the mediators performed when rated not only by disputants but also by outside observers.

At this point, then, a conflict situation has been identified that can be role played easily, and the mediator training program yields higher competency ratings for those who received training versus those who did not participate in the training program. The following section focuses on developing a stimulus for expectations.

Manipulation for Expectations

It has been suggested that expectations of disputants may influence the outcome of a mediation session (i.e., agreement/nonagreement). Of interest in this study is the effect of mediator training on conflict resolution given varying levels of disputant expectations. An experiential approach was employed for manipulating expectations. This approach was selected after conducting an informal survey to determine if sujects could be selected based on previously established expectations. Of the twenty participants surveyed, 16 reported high expectations for resolving roommate conflicts and 4 reported moderate expectations. Based on the results of this informal survey, it was concluded that finding participants with low expectations would be

difficult, and the decision to "induce" expectations was made.

Through a series of role plays with trained confederates, expectations for settling a dispute were induced. A list of typical roommate conflicts (e.g., 4) was generated and 16 confederates were trained to argue either side of the dispute(s). These disputes centered on (a) having opposite schedules (the nightowl versus the earlybird), (b) borrowing possessions without permission (the constant borrower versus nonborrower), (c) having opposite study habits (the bookworm versus the socialite), and (d) being irresponsible about the phone (Ms./Mr. Manners versus Ms./Mr. Clod). These disputes were chosen based on the ease with which both male and female confederates could argue either side of these conflicts. By having confederates agree or disagree with another person over these disputes can set an expectation for dispute resolution of roommate conflicts.

To pretest the manipulation, 18 participants were assigned to one of three conditions (high, medium, or low expectation for resolution) and were told to resolve a series of conflicts (10 minutes per dispute). Those subjects assigned the high expectation condition were able to resolve 4 out of 4 conflicts because the confederates would ultimately agree; while those assigned the medium expectation condition resolved 2 of 4 disputes because 2 of the confederates would never agree and the other 2 confederates would ultimately agree. Finally, participants in the low expectation condition resolved zero of the 4 disputes because 4 confederates would assure failure to agree. After completing a series of role plays (4) with the confederates, subjects were asked to fill out a short questionnaire that asked: (a) what percentage chance do you

believe you have in resolving the next roommate conflict (0 to 100%),
(b) to what degree were you able to reach an agreement after considering
the previous "roommate" conflict role plays (using a scale of 1 (not at
all) to 7 (always), (c) how successful do you believe you will be in the
next role play (using a scale of 1 (not at all) to 7 (very successful),
and (d) how many role plays were you able to resolve successfully (0 to
4).

Those 6 subjects assigned to the high expectation condition ranged
between 80 to 100% chance for resolving the next conflict, that they
would almost always reach an agreement (6 or 7), that they would be very
successful in resolving the next role play (6 or 7), and that they
resolved 4 out of 4 role plays successfully. By contrast, those 6
participants assigned to the low expectation condition reported that
they anticipated between 0 and 25% chance in resolving the next
conflict, that they were not able to reach an agreement (1 or 2) that
they would be unsuccessful in resolving the next role play (1 or 2), and
that they had resolved 0 role plays successfully. Finally, subjects
assigned to the moderate expectation condition reported a 40 to 60%
probability of resolving the next conflict, that sometimes they were
able to reach an agreement (4 or 5), that for the next role play, they
anticipated a moderate success rate (4 or 5) and that they had resolved
2 out of 4 role plays successfully.

To summarize, the pretest of the manipulation to induce various
levels of expectations (high, medium, and low) was successful. For any
given subject, however, the manipulation may fail and that subject will
be deleted from the study.

Experimental Design

The goal of this study was to put individuals in a conflict situation and to examine the interaction between extent of mediator training and disputants' expectations for a resolution. The design is a 2 (trained or untrained mediator) X 3 (high, medium, low expectation) design with dependent variables of compliance, control, competence, effectiveness, and satisfaction. Each dependent variable was measured using a 10 item scale.

Measurement of Dependent Variables

For each measure, 10 items were constructed assessing the mediator's performance, degree of disputants' cooperation, and disputants' attitudes toward mediation and outcomes of the session, itself. Using video tapes of roommate conflicts from a previous study (Burrell, 1987), 98 subjects completed a 50-item questionnaire to determine whether the anticipated dimensions of compliance, control, competence, effectiveness, and satisfaction emerged. Five exploratory factor analyses on the 50-item questionnaire were conducted. Using a varimax rotation, the 50 items loaded on 5 factors.

Compliance. This dependent variable was conceptualized as the degree of cooperative behavior demonstrated by disputants. The 10 items loading on this factor, for example, asked subjects to what degree did they obey the mediator's rules and instruction about how to act during the session. This factor accounted for 88% of the variance and has an eigenvalue of 5.22. This dimension is a highly reliable index (Cronbach's alpha for compliance = .91). See Table 1 for item loadings.

Control. The degree to which disputants permit a mediator to regulate or direct a mediation session was the conceptualization of this dependent variable. Of the 10 items loading on this factor, subjects were asked to what degree did the mediator guide, direct, or regulate the session. This second factor has an eigenvalue of 5.41 and accounted for 87.5% of the variance. Cronbach's alpha for contol = .91, which indicates a highly reliable scale for this dimension (see Table 2 for item loadings).

Competence. This dependent variable was defined as an attribute of the mediator that illustrates the adequacy with which a mediator performs his or her role to guide disputants through this method of conflict resolution. The 10 items loading on this factor centered on the degree of fairness, ability to clarify disputants' positions, and degree of preparedness demonstrated by the mediator. This factor accounted for 100% of the variance and has an eigenvalue of 4.49. This dimension is also a highly reliable scale (Cronbach's alpha for competence = .89). See Table 3 for item loadings.

Effectiveness. The ability to produce or to bring about the intended result (e.g., viewing mediation an an appropriate method of dispute resolution) was the conceptualization of this dependent variable. The 10 items loading on this factor focused on assessing how well mediation worked as a method for resolving conflict(s) presently and in the future. This fourth factor has an eigenvalue of 5.87 and accounts for 100% of the variance. Cronbach's alpha for effectiveness is .94 indicating a highly reliable scale for this dimension (see Table 4 for item loadings).

Satisfaction. This dependent variable was defined as an emotional response reflecting pleasure with an outcome (e.g., the disputants' pleasure with the session's outcome). Of the 10 items loading on this factor, subjects were asked to what degree did they like the session or to what degree would they have preferred a different solution or outcome. This fifth factor accounted for 86.9% of the variance with an eigenvalue of 5.26. This dimesion is a highly reliable index (Cronbach's alpha for satisfaction = .89). See Table 5 for item loadings.

Table 1

Exploratory Factor Loadings for Compliance

Factor Loading	Item #	
.83	1.	To what degree did you obey the mediator's rules?
.33	4.	To what degree did you refuse to follow the mediator's instructions?
.66	9.	To what degree did you comply to the mediator's requests?
.84	12.	To what degree did you follow your mediator's instructions about how to act during the session?
.35	32.	To what degree did you concede your position when the mediator was critical?
.19	34.	To what degree did you resist the mediator's recommendations?
.73	38.	To what degree did you abide by the mediator's directives about not interrupting?
.58	39.	To what degree did you give in to the mediator's rules?
.28	43.	To what degree did you conform to the mediator's suggestions?
.37	49.	To what degree did you follow the mediator's advice?

Table 2

Exploratory Factor Loadings for Control

Factor Loading	Item #	
.48	6.	To what degree did the mediator establish rules at the beginning, that you as disputants were told you should follow?
.17	10.	To what degree did the mediator impose his/her solutions of the conflict?
.27	13.	To what degree did the mediator tell you what you should do to solve your conflict?
.87	16.	To what degree did the mediator direct the session?
.85	22.	To what degree did the mediator regulate the session?
.54	23.	To what degree did the mediator press you toward a solution?
.86	27.	To what degree did the mediator control the session?
.66	37.	To what degree did the mediator insert him/herself into the session?
.67	40.	To what degree did the mediator dominate the session?
.75	42.	To what degree was the mediator assertive during the session?

Table 3

Exploratory Factor Loadings for Competence

Factor Loading	Item #	
.75	7.	To what degree did the mediator clarify the other person's position?
.60	17.	To what degree was the mediator fair to you?
.66	18.	To what degree was the mediator fair to the other person?
.81	24.	To what degree did the mediator clarify your position during the session?
.77	26.	To what degree did the mediator keep you on track (i.e., on the topic) during the session?
.79	29.	To what degree did the mediator seem to know what s/he was doing?
.34	31.	To what degree did the mediator interrupt your negotiations at appropriate times?
.55	33.	To what degree did the mediator encourage you to make suggestions about how to solve the problem?
.78	45.	To what degree was the mediator prepared for the session?
.82	47.	To what degree did the mediator summarize each person's solution to the conflict?

Table 4

Exploratory Factor Loadings for Effectiveness

Factor Loading	Item #	
.83	2.	How well did the session work?
.59	3.	To what degree did participation in mediation prepare you to better deal with future roommate conflicts?
.88	11	How effective was the mediation session?
.88	22.	How useful was the mediation for resolving the conflict?
.82	25.	To what degree were important issues resolved?
.88	36.	How effectively did mediation deal with the dispute?
.86	41.	To what degree would you describe your session as "successful"?
.65	46.	To what degree would you say mediation has helped you to understand the other person's point of view?
.82	48.	To what degree would you characterize the mediation session as a "productive" means of handling conflict?
.79	50.	To what degree did mediation facilitate resolution of the conflict?

Table 5

Exploratory Factor Loadings for Satisfaction

Factor Loading	Item #	
.74	5.	How happy were you with the mediation session?
.26	8.	To what degree would you recommend mediation to your friends for resolution of their problems?
.64	14.	To what degree would you have preferred a different solution or outcome?
.79	15.	To what degree are you satisfied with the outcome of the session?
.10	19.	To what degree would you have preferred settling this conflict privately, without a mediator?
.30	21.	To what degree would you suggest/promote mediation to your friends as a means of solving their problems?
.60	28.	To what degree would you complain about the session to others?
.60	30.	To what degree did you like the mediation session?
.41	35.	To what degree would you utilize mediation to solve other conflicts with your roommates?
.71	44.	To what degree did the mediation session displease you?

To summarize, the pretest data indicate after five exploratory factor analyses on a 50-item questionnaire that these items loaded on the anticipated 5 dimensions of compliance, control, competence, effectiveness, and satidfaction. The scales for these dimensions are highly reliable and unidimensional. The sections that follow discuss the procedures for the actual conduct of the study.

Subjects

Ninety-one subjects were selected from several upper level communication courses at a large midwestern university to enact the role of a mediator. In addition, 91 same sex dyads who were previously unacquainted were selected from several introductory communication classes to be used as disputants and were randomly assigned to 1 of the 91 mediators.

Procedures

One hundred and eighty-two subjects (paired into 91 dyads) served as disputants in role plays of roommate conflicts. Subjects were randomly assigned to one of the three expectation conditions (high, medium, low). Participants were told that they have to resolve a series of conflicts and would have a maximum of 10 minutes per dispute to settle each of the 4 (induction of expectations) disputes. These disputes with confederates centered on (a) having opposite study habits, (b) borrowing possessions of each other without having permission, (c) having opposite study habits, and (d) being irresponsible about the phone. Confederates received the same instruction sets and rotated from room to room every ten minutes. Participants completed a roommate roleplay inventory to check the manipulation for inducing expectations.

Those subjects for whom the induction of expectations failed were taken to a separate room and asked to complete a survey, while those participants for whom the manipulation was successful were paired into dyads, asked to role play one more dispute about the orderliness/cleanliness of the room and randomly assigned to a "neat" or a "slobby" role for which they were given the following background information. Neat role disputants were instructed: (a) to prefer a room that is extremely neat and orderly to the point where disarray makes them nervous; (b) that conditions in the room had become so bad that studying in the room was impossible due to the extreme mess created by their slobby roommates; (c) that the roommate had been reminded nicely about how they felt but the reminders had no impact; (d) that they were tired of being taken advantage of, ignored, talking to a wall, and, in general, "living like a pig!"; and (e) that such messiness must stop. By contrast, the slobby role disputants were instructed: (a) that they were extremely slobby to the point where neatness makes them nervous; (b) that conditions in the room had become so bad that spending time in the room was distasteful because the roommate kept cleaning up after them; (c) that they had asked the roommate not to clean up after them; (d) that they were extremely tired of being yelled at, treated like a child, and feeling guilty because they did not hang up their clothes; and (e) that such behavior must stop.

The mediators were assigned to one of two conditions: trained or untrained. The untrained mediators were employed as a control group to assess the effectiveness of training. Mediators in the control group received the following instructions: a mediator is a neutral third party

who helps people resolve their problems. Your role is to mediate (intervene) in a roommate conflict. Before the mediation session, think about possible strategies that you will use to get these two roommates to deal with their problems. Trained mediators all completed the mediator training program.

Subjects role playing roommates reported to a different room to receive their instruction set than those subjects role playing mediators. After reading the instructions, disputants were given 10 minutes to generate possible arguments that would further their positions during the role playing, after which they were taken to an experimental room where the dispute and its mediation occurred. All roommate conflicts were videotaped. After the videotaping, subjects who were role playing the roommates completed a 50-item questionnaire that focused on perceived skills of the mediator, degree of disputants' compliance, mediation effectiveness and satisfaction with the mediation session. Items were designed to tap disputants' compliance, control given the mediator, competence demonstrated by the mediator, effectiveness of mediation, and satisfaction with the session's outcomes. Subjects were asked to assess the various items using a scale of 1 (not at all) to 7 (a great deal).

Finally, those subjects that had participated in the mediator training program and those subjects that were a part of the control group, completed a similar 50 item questionnaire, written from a mediator's perspective, that centered on perceived competence of the mediator, degree of disputants' compliance, mediation effectiveness and satisfaction with the session's outcomes. Items were designed to tap

disputants' compliance, control given the mediator, effectiveness of mediation, and satisfaction with the session's outcomes. Participants were asked to assess the various items using a scale of 1 (not at all) to 7 (a great deal).

Coding

Two naive coders viewed the video tapes of the roommate conflicts and made holistic judgments for each mediation. The holistic judgments centered on whether or not the person mediating the dispute demonstrated the following behaviors: (a) introducing the interaction (e.g., defining mediation, clarifying the goals of this process), (b) establishing the ground rules for the interaction, (c) asking disputants for their positions, (d) summarizing or clarifying disputants' positions, (e) asking disputants for proposals or possible solutions, (f) maintaining control of the interaction, (g) providing closure for the interaction. Coders were asked to rate "mediators" on a scale of 1 (behaviors not demonstrated to 7 (behaviors are demonstrated). Also, coders were directed to try to use the full range of the scale. Each coder viewed 10% of the video tapes a second time so that the intracoder reliabilities could be computed. The purpose of the coding was to obtain a manipulation check on the training of mediators (i.e., trained mediators did or did not "act" trained). Intracoder reliabilities for the mediator behavioral holistic judgments (e.g., competence) were highly correlated ($r=1.00$, $p<.001$, for coder 1; $r=.99$, $p<.001$, for coder 2). Similarly, intercoder reliabilities were highly correlated ($r=.91$, $p<.001$).

In addition, the video tapes were coded using holistic judgments,

for the following behaviors: (a) structuring the content and process of mediation, (b) clarifying and reframing information, and (c) requesting or developing the information resource. During the training sessions, coders were instructed that the <u>structuring intervention</u> centered on the mediator's attempts to gain control of the interaction. The structuring intervention includes such verbal tactics as (a) changing the topic, (b) monitoring disputants' turn-taking, and (c) enforcing the ground rules. Coders were instructed, also, that the <u>clarifying and reframing strategy</u> is used when the mediator attempts to restructure disputants' proposals or utterances. This strategy is really an active listening technique because the mediator is clarifying or paraphrasing disputants' positions. The third behavior that coders were trained to identify was <u>requesting or developing information.</u> Using this type of intervention strategy, the mediator requests information or clarification of prior information. Examples of the requesting strategy include: (a) What do you mean by that statement?, (b) What do you have in mind to solve the issue of noise?, or (c) What do you think of his or her proposal?

Procedures for coding these three mediator behaviors directed coders to make holistic judgments regarding whether or not the person mediating the dispute used (a) the structuring intervention, (b) the reframing/clarifying intervention, and (c) the requesting intervention (i.e., demonstrated these specific behaviors). Coders viewed the video tapes on three separate occasions. That is, judgments of the 3 mediator behaviors were made independent of each other. Coders were asked to rate mediators on a scale of 1 (behavior not demonstrated) to 7 (behaviors are demonstrated) and to try to utilize the full range of the scale.

Intercoder reliabilities were computed on 10% of the roommate conflict interactions. Intercoding reliabilities for these three mediator intervention strategies were highly correlated (r=.99, p<.001, for structuring; r=.99, p<.001, for reframing/clarifying; and r=.99, p<.001 for requesting).

Finally, the video tapes were coded according to the extent to which issues were resolved. Coders were asked to view the video tapes of the roommate conflicts and make a holistic judgment for each mediator regarding whether or not the issues raised were resolved in the mediations. Coders were instructed to list the issues that disputants brought up and to then make a determination to what degree these issues were resolved during the course of the interaction using a scale of 1 (very little agreement) to 7 (very much agreement). Coders were directed to try and use the full range of the scale. Intercoder reliabilities were computed on 10% of the interactions. Intercoder reliabilities for the holistic judgments regarding extent of agreement were highly correlated (r=.99, p<.001).

To summarize, the purpose of this study is to place persons in conflict situations where the degree of mediator training and level of participants' expectation for settlement are manipulated. A conflict situation was identified that participants could role play easily. A training program was developed in which participants gained skills in mediating roommate conflicts. A stimulus for inducing high, moderate, and low expectations for dispute settlements was developed and pilot tested. Five scales measuring compliance, control, competence, effectiveness, and satisfaction were developed and pretested. Results of

the pretest indicate that the five scales are highly reliable. Procedures for the actual conduct of the study were discussed. Finally, a discussion for coding the roommate conflict interactions was included. Coding procedures include holistic judgments that focus on (a) mediator competence, (b) use of structuring interventions, (c) use of clarifying/reframing strategies, (d) the utilization of requesting/developing information, and (e) the extent to which issues were resolved. Following is Chapter III which centers on the statistical analyses of this study.

CHAPTER III

RESULTS

Overview

The following chapter contains the statistical analyses for this study. First is a general discussion justifying the mediator as the unit of analysis and some procedural changes in the manipulation of disputants' expectations. Then results of the two manipulation checks are reported. A verification of the dependent variables follows, in addition to the results of five 2 X 3 ANOVAS that report the influence of the extent of mediator training and disputants' expectations for dispute resolution on the perceptual indices. Results of the five hypotheses that were tested simultaneously are given. Finally, results of testing a causal model for mediation are presented.

Mediation has been characterized as an interactive event. That is, the mediator and disputants mutually influence each other. Each mediation involves three participants, a mediator and two disputants. This study examines the mediator's perceived competence, hence the unit of analysis should be the mediator. Since there were 91 mediators with 2 people interacting with each mediator, of interest was whether P1's evaluation of the mediator's performance (the person in the neat role) agreed with P2's assessment of the mediator (the person in the slobby role). If P1 and P2 are found to agree with one another, the data can be reduced from 182 non-independent ratings to 91 independent ratings of the mediator's performance. A Pearson correlation was performed comparing the perceptions of the person in the neat role (P1) with the

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perceptions of the person in the slobby role (P2) for each of the 50 items. On 31 of the 50 measures, correlations were above .29, with 8 of these correlations above .42 ($\underline{p}<.05$). These correlations are reported in Table 6. As the ratings of the mediator's performance of P1 and P2 were highly correlated, combined scores for mediators were constructed by averaging P1 and P2 ratings prior to further statistical analyses.

Because the induction of high and low expectations for dispute resolution during pilot testing were well within acceptable ranges (high=80 to 100%, low=0 to 25% respectively), in addition to scheduling problems arising from the need to use 16 confederates, the number of disputes used to induce high and low expectation conditions was changed from 4 disputes to 3 disputes. Those participants assigned to the moderate expectation condition were asked to resolve 4 conflicts with confederates (the same as the pilot test).

Since the role of varying expectations on the mediator's ability to aid disputants was the focus of this study, a continuous variable was formed to represent participants' expectations for resolving a dispute by combining the first 3 items from the manipulation check to induce expectations (percent, amount of agreement, and future success). This continuous variable was used as an exogenous variable in testing the causal model of mediation.

Manipulation Checks

Two manipulation checks were performed in this study. The first manipulation check focused on whether or not participants' expectations were altered regarding the likelihood of resolving disputes successfully. Four separate one-way ANOVAS were performed using level of

Table 6 <u>Correlations of P1 with P2</u>

Item #	r	Item #	r	Item #	r
1	.45*	2	.32*	3	.10
4	.26*	5	.25*	6	.46*
7	.39*	8	.10	9	.34*
10	.46*	11	.30*	12	.30*
13	.37*	14	.03	15	.20*
16	.36*	17	.15	18	.22*
19	.07	20	.30*	21	.06
22	-.04	23	.12	24	.46*
25	.42	26	.23*	27	.43*
28	.37*	29	.00	30	.49*
31	.18*	32	.10	33	.28*
34	.23*	35	-.07	38	.23*
37	.33*	38	.23*	39	.13
40	.38*	41	.30*	42	.40*
43	.25*	44	.02	45	.33*
46	.17*	47	.52*	48	.11
49	.21*	50	.18*		

N=91

*= $p < .05$

expectation (low, moderate, and high) for resolving a dispute as the independent variable with dependent variables related to the likelihood of resolution (percent of success in resolving the next role plays, degree of reaching an agreement, degree of success in future role plays, and number of successful roleplays).

Percentage chance that parties believed they could resolve in the next (mediated) conflict varied significantly across expectation inductions (F=1103.51, df=2, p<.05). Persons receiving the low induction (M=14.08, SD=9.56, N=62) reported a very low percentage chance of resolving the next dispute, while persons receiving the moderate induction (M=49.52, SD=9.57, N=62) reported a medium percentage chance of resolving the next conflict, followed by persons receiving the high induction (M=90.48, SD=7.29, N=58) reported a high percentage chance of resolving the next dispute. These results indicate clear differences in percentage ratings for successful resolutions between the three groups.

Degree of reaching an agreement that individuals believed they had resolved in previous disputes varied significantly across expectation inductions (F=818.08, df=2, p<.o5). Persons receiving the low induction reported a low success rate in resolving previous disputes (M=1.27, SD=.45, N=62), while persons receiving the moderate induction (M=3.91, SD=.96, N=62) reported a medium degree of prior successes when resolving conflicts, followed by persons receiving the high induction (M=6.64, SD=.67, N=58) reported the greatest degree of success in solving previous conflicts. These results indicate clear differences between the three groups in the perceived ability to reach agreement in the past.

Degree of reaching future agreements that parties believed they

would resolve varied significantly across expectation inductions ($\underline{F}$=569.69, $\underline{df}$=2, $\underline{p}$<.05). Individuals receiving the low induction (M=1.82. SD=.50, N=62) reported a low success rate in resolving future disputes, while persons receiving the moderate induction (M=4.21, SD=.83, N=62) rated a medium degree of future successes, followed by persons receiving the high induction (M=6.17, SD=.75, N=58) reported the greatest degree of success in resolving future conflicts. These results indicate clear differences between participants assigned to high, moderate, and low conditions in predicting their ability to resolve disputes.

Finally, the total number of disputes that individuals believed they had resolved successfully varied significantly ($\underline{F}$=1190.45, $\underline{df}$=2, $\underline{p}$<.005). Persons receiving the low induction (M=0, SD=0, N=62) reported zero conflicts had been resolved, while persons in the moderate induction (M=1.83, SD=.55, N=62) reported a medium number of conflicts had been resolved, followed by persons receiving the high induction (M=2.97, SD=.18, N=58) reported the greatest number of resolved disputes. These results indicate clear differences in the number of successfully resolved conflicts reported by participants in the low, moderate, and high level of expectation groups. Thus, anticipated differences in the likelihood of successfully resolving disputes between the three groups did occur as desired (i.e., the manipulation for inducing levels of expectations was successful).

The second manipulation check asked two independent judges to assess whether or not those persons mediating the dispute demonstrated the following behaviors: (a) introducing the mediation, (b) establishing

the ground rules, (c) asking disputants for their positions, (d) clarifying/summarizing disputants' positions, (e) asking disputants for proposals/solutions, (f) maintaining control, (g) providing closure for the interaction. This judgment was made in order to determine the success of the training program on inducing trained mediators to act as instructed. After viewing each interaction, judges made holistic ratings of each mediator. Using a scale of 1 (behaviors not demonstrated) to 7 (behaviors are demonstrated), trained mediators performed the prescribed behaviors (M=6.20, SD=.69, N=43) while these same behaviors were not demonstrated by untrained mediators (M= 2.18, SD=1.09, N=48). Thus, observed behaviors between the two groups (trained/untrained) were rated as significantly different in that trained mediators demonstrated specific behaviors induced from the training sessions (t=20.80, df=89, p<.05). These results indicate easily identifiable differences exist in how competently the mediators performed when rated by judges outside the interaction.

To summarize, the first manipulation to induce high, moderate, and low expectations to settle a dispute was successful. Based on this manipulation, a continuous variable was formed using the first three items that represents participants' expectations. See Table 1. In addition, the training program was successful in that outside judges could reliably identify trained from untrained mediators based on holistic judgments of behavior(s) observed/not observed.

Verification of Dependent Measures

Because there are many dependent variables, each a multi-item measure developed in previous research, the purpose of the following

section is to check the reliability of each measure. These checks were performed separately for disputants and mediators.

Measures for disputants. A separate confirmatory factor analysis was performed on each of the 5 scales (compliance, control, competence, effectiveness, and satisfaction) that participants completed who were role playing disputants (i.e., neat versus slobby roommates). The criterion for item deletion was low factor loadings and low communalities.

Compliance was conceptualized as the degree of cooperative behavior demonstrated by disputants. Two items were deleted from the compliance scale (4, 32). The remaining eight items loaded highly on the factor and had high communalities, reflecting that all items were related to the factor. See Table 7. Cronbach's alpha for compliance was .88 indicating a highly reliable scale for this dimension.

Control was defined as the degree to which a mediator regulates or directs a mediation session. One item was deleted from the control scale (6). The remaining nine items loaded highly on the factor and had high communalities indicating that the items were related to the factor. The correlation matrix showed that the items in the factor were internally consistent because the correlations were approximately equal between all of the items as indicated in Table 8. Cronbach's alpha for control was .93 indicating a highly reliable scale for this dimension.

Competence was defined as a judgment about the mediator that illustrates the adequacy with which a mediator performs his or her role to aid disputants in reaching an agreement. All ten items loaded highly on the factor and had high communalities. In addition, all items in the

factor were internally consistent as seen in Table 9. This dimension is also a highly reliable scale (Cronbach's alpha = .92).

Effectiveness was conceptualized as the ability to produce or to bring about the intended result which was viewing mediation as an appropriate method of dispute resolution. All ten items on the effectiveness scale loaded highly on the factor and had high communalities, indicating that all items were related to the factor. Because the correlations were approximately equal between all of the items, the correlation matrix showed that the items were internally consistent as demonstrated in Table 10. This dimension is a highly reliable index (Cronbach's alpha for effectiveness = .92).

Satisfaction was conceptualized as the disputants' pleasure with the session's outcome. High factor loadings and high communalities were present for all ten items showing that all items were related to this factor. The correlation matrix shows approximately equal correlations between the items indicating internal consistency as seen in Table 11. Cronbach's alpha for satisfaction is .85 indicating a highly reliable scale for this dimension.

To summarize, five separate confirmatory analyses were performed on the scales for compliance, control, competence, effectiveness, and satisfaction that participants completed who were role playing disputants. The scales for these dimensions were highly reliable and unidimensional. Items were deleted from the scales if they had low factor loadings and low communalities. Of the fifty items total, only 3 items were deleted, indicating the scales developed in prior research are reliable measures.

Measures for mediators. Five separate confirmatory factor analyses

were also performed on compliance, control, competence, efectiveness,

and satisfaction scales that participants completed who were assigned

the role of a mediator. These dependent variables (compliance, control,

competence, effectiveness, and satisfaction) were conceptualized the

same as the disputants' measures but reflected the mediator's

perspective (i.e., items were written according to the mediator's point

of view). As with prior analyses for disputants, items from the five

scales were deleted because of low factor loadings and low

communalities.

Two items were deleted from the compliance scale (32,34) due to low

factor loadings and low communalities. The correlation matrix showed

that the remaining eight items in the factor were internally consistent

because of the approximately equal correlations between the items as

seen in Table 12. Cronbach's alpha for compliance was .80 indicating a

reliable scale for this dimension.

In addition, one item was deleted from the control scale (6) due to

a low factor loading and low communality. The remaining nine items

loaded highly on the factor and had high communalities indicating that

the items were related to the factor. The items in the factor were

internally consistent because of the approximately equal correlations

reflected in the correlation matrix as seen in Table 13. Cronbach's

alpha for control equals .89 indicating a highly reliable measure.

All ten items loaded highly on the competence factor and had high

communalities. Furthermore, all items in the factor were internally

consistent as indicated in Table 14. The dimension is also a highly

reliable index (Cronbach's alpha = .80).

The effectiveness scale contained ten items that loaded highly on the factor and had high communalities indicating that all items were related to the factor as viewed in Table 15. This dimension is a highly reliable scale (Cronbach's alpha for effectiveness = .90).

Finally, one item was deleted from the satisfaction scale (14) because of a low factor loading and low communality. The correlation matrix shows approximately equal correlations between the remaining nine items indicating internal consistency as shown in Table 16. Cronbach's alpha for satisfaction is .82 indicating a highly reliable scale for this dimension.

In summary, a separate confirmatory factor analysis was performed on the five scales (compliance, control, competence, effectiveness, and satisfaction) that participants completed assigned to mediate the roommate disputes. The scales for these dimensions were highly reliable and unidimensional. Of the fifty items only 4 items were deleted due to low factor loadings and low communalities.

Expectation measure. An additional confirmatory factor analysis was performed on the expectation variable. An expectation is conceptualized as a mental attitude reflecting the probability or the likelihood that a dispute will be successfully resolved. The factor combined three items from the induction of expectations that participants completed prior to their mediation session. All three items loaded highly on the factor and had high communalities. In addition, all items in the factor were internally consistent as seen in Table 17. This dimension is also a highly reliable scale (Cronbach's alpha = .82).

Influence of extent of training/expectation for dispute resolution

on perceptual indices. It was predicted that the extent of mediator

training would interact with disputants' expectations (high, moderate,

low) of successful resolution. Five 2 X 3 ANOVAS were conducted with

independent variables of extent of mediator training (trained,

untrained) and expectation for dispute resolution (high, moderate, and

low) and dependent variables of perceived compliance, control,

competence, effectiveness, and satisfaction. In general, interaction

effects did not occur; rather mediator training consistently accounted

for variations in the dependent variables while disputant expectations

had little impact. For perceived compliance, a main effect for training

occurred ($\underline{F}$=14.5, $\underline{df}$=1/85, $\underline{p}$=.001, eta^2=.14), while no significant

effect was found for expectation ($\underline{F}$=1.8, $\underline{df}$=2/85, $\underline{p}$=.17). Disputants

were more compliant with trained (M= 45.3, SD=6.8, N=43) mediators than

untrained mediators (M=39.9, SD=6.7, N=48). For perceived control a

main effect for training occurred ($\underline{F}$=8.5, $\underline{df}$=1/85, $\underline{p}$=.005, eta^2=.09),

while no significant effect was found for expectation ($\underline{F}$=1.0, $\underline{df}$=2/85,

$\underline{p}$=.37). Trained mediators (M=44.6, SD=7.1, N=43) were perceived to exert

more control than untrained mediators (M=38.3, SD=10.4, N=48). For

competence, a main effect for training occurred ($\underline{F}$=16.9, $\underline{df}$=1/85,

$\underline{p}$=.001, eta^2=.16), while no significant effect was found for expectation

($\underline{F}$=1.2, $\underline{df}$=2/85, $\underline{p}$=.30). Trained mediators performed their roles more

competently (M=54.1, SD=6.1, N=43) than untrained mediators (M=46.3,

SD=7.9, N=48). For perceived effectiveness a main effect for training

occurred ($\underline{F}$=5.8, $\underline{df}$=1/85, $\underline{p}$=.02, eta^2=.06), while no significant effect

was found for expectation ($\underline{F}$=2.9, $\underline{df}$=2/85, $\underline{p}$=.06). Trained mediators

(M=55.4, SD=6.3, N=43) created stronger perceptions regarding the effectiveness of mediation as a method of dispute resolution than untrained mediators (M=51.9, SD=7.2, N=48). For <u>perceived satisfaction</u> no significant effects for training ($\underline{F}$=.50, $\underline{df}$=1/85, $\underline{p}$=.48) or expectation ($\underline{F}$=.59, $\underline{df}$=2/85, $\underline{p}$=.56) occurred. Neither trained mediators (M=48.0, SD=5.3, N=43) nor untrained mediators (M=47.2, SD=5.6, N=48) influenced disputants' perceived satisfaction with outcomes of their mediation sessions.

To summarize, on four of the 5 perceptual indices (compliance, control, competence, and effectiveness) a main effect for training occurred, while no significant effect was found for expectation (high, moderate, low) to resolve a dispute. Neither extent of mediator training nor expectations for resolving a dispute influenced disputants' perceived satisfaction.

<u>Test of Hypotheses.</u>

A two-way interaction was predicted between extent of mediator training and level of expectation for resolving a dispute (see Figure 1) on extent of agreement. The five hypotheses can be summarized in the following manner: (a) disputants having trained mediators and high or moderate expectations should have the greatest extent of agreement (i.e., reach the greatest level of resolution), (b) disputants having an untrained mediator and high expectations should have a moderate extent of agreement (i.e., reach the next highest level of resolution), and (c) disputants having a trained mediator and low expectations and disputants having an untrained mediator and moderate or low expectations should should have the least extent of agreement (i.e., reach the lowest level

of resolution). The five hypotheses were tested simultaneously, using an effects-coded model. The reason for this decision was that these five hypotheses predict a set of specific relationships among the six cells.

Due to this set of specific relationships, the six cells were collapsed into 3 groups. The first group (Group 1) contained disputants with high or moderate expectations assigned a trained mediator, while the second group (Group 2) consisted of disputants with high expectations assigned an untrained mediator. Finally, the third group (Group 3) contained disputants with low expectations assigned a trained mediator and disputants with moderate or low expectations assigned an untrained mediator. In addition, Group 1 was coded higher than Group 2, and Group 2 was coded higher than Group 3.

A one-way ANOVA was conducted with the independent variable of Group (1, 2, or 3) and the dependent variable of extent of agreement to determine if the predicted relationships did occur. The results indicate that the set of relationships were as predicted ($\underline{F}$=13.4, $\underline{df}$=2, $\underline{p}$<.01, eta^2=.46). That is, Group 1 had the greatest extent of agreement (M=6.2, SD=1.1, N=27), while Group 2 had a moderate extent of agreement (M=4.9, SD=1.8, N=16) and Group 3 had the lowest extent of agreement (M=3.8, SD=1.5, N=48). Thus, the five hypotheses that were tested simultaneously can not be rejected.

Tests of the Model

The causal model looked at the mediation process from two perspectives (disputants and the mediator). This causal model of mediation suggests that disputants' expectations will impact on the degree of cooperation disputants exhibit in the session (i.e.,

compliance), which, in turn, influences the amount of control that is granted to the mediator. The degree of mediator control observed by disputants impacts on the mediator's perceived competence, which is linked ultimately to disputants' perceptions of how effective and satisfied they find the mediation (see Figure 2). It was hoped that the model from both disputants' and mediators' perspectives fit the data to illustrate the interactive nature of mediation.

The model was subjected to three different tests: (a) Hunter's Q-statistic (Hunter, Hunter, & Lopis 1979), (b) Land's test, and (c) by comparing zero-order and partial correlations (Blalock, 1971). All computations were based on a least squares solution and the results are diagramed in Figures 3 and 4. These Figures contain the beta weights for the relationships predicted in the model. In addition, the correlation matrices used to compute the beta weights are found in Tables 18 and 19.

Hunter's Q-statistic. This statistic predicts a correlation matrix that ideally would fit the data, using the constrained relationships. Then, the predicted correlations for the unconstrained relationships are compared to the observed correlations for the unconstrained relationships. The differences between the observed and the predicted correlations are squared and then summed. This number is the sum of squared deviations. Next, the sum of squared deviations is divided by 2 times the variance of the average unconstrained correlation. This number then forms the Q value (Hunter, Hunter, & Lopis, 1979). The results indicate that both disputants' (Q=9.33, df=9, p>.20) and mediators' (Q=13.88, df=9, p>.10) models could not be rejected. An examination of the sum of squared errors used to compute the value of Q shows the

deviations to be small for both the disputants' (.14) and the mediators' (.25) models.

Land's Test. This test is a comparison of the amount of error generated by the actual model versus the amount of error found in a completely connected model. The error for each variable is summed and then weighted by the number of subjects to get a Chi-Square statistic. A significant Chi-Square indicates there is a significant amount of error and the predicted model does not fit. The Land's test results for these models show that the disputants' ($\underline{x}^2$=9.64, $\underline{df}$=9, $\underline{p}$>.20) and the mediators' ($\underline{x}^2$=9.83, $\underline{df}$=9, $\underline{p}$>.20) models could not be rejected.

Comparison of Zero-Order and Partial Correlations. Theoretically, if two variables are related in a causal chain with an intervening variable present, partialling out (i.e., removing) the influence of the intervening variable should reduce the correlation between the two variables (Blalock, 1971). The reason is that the zero-order correlation includes the indirect relationship between the two variables. Partialling out or removing the indirect path between the two variables should reduce the correlation between them. Partial correlations were compared with zero-order correlations between all variables having indirect paths. Where there was more than one variable in the indirect path, the partial correlation was the correlation that removed all variables in the indirect path.

Disputants' Model. Ten comparisons of zero-order and partial correlations were made. See Table 20. To summarize, of the ten comparisons (zero-order correlations with partial correlations), 4 of the comparisons remained the same, while 6 of the comparisons decreased

significantly. Of the four comparisons that did not change (i.e., decrease), the correlations were small initially, and consequently, no change is consistent with the model. This pattern of partial and zero-order correlations was fairly consistent with the theoretic model (with the exception of the predicted relationship between competence and satisfaction). The results indicate that expectations contribute little in predicting the success of a mediation based on small initial correlations and insignificant regression coefficients. In addition, results of Hunter's Q statistic and Land's test indicate that the causal model of mediation from the disputants' perspective cannot be rejected. While these results tend to support the causal sequence hypothesized, there are still alternative models that could fit the data. Following are the results of the zero-order and partial correlation comparisons of the same causal model of mediation taking into account the mediator's perspective.

Mediators' Model. Ten comparisons of zero-order and partial correlations were performed that are also summarized in Table 20. Briefly, of the ten comparisons (zero-order correlations with partial correlations), 5 of the comparisons remained the same, while 5 of the comparisons decreased significantly. Of the five comparisons that did not change (i.e., decrease), 4 of the correlations were small initially, and consequently, no change is consistent with the model. Similar to the disputants' model, this pattern of partial and zero-order correlations was fairly consistent with the theoretic model (with the exception of the predicted relationship between competence and satisfaction). In addition, the results indicate that expectations contribute little in

predicting the success of a mediation session. Also, results of Hunter's Q statistic and Land's test indicate that the causal model of mediation from the mediators' point of view cannot be rejected. While these results tend to support the causal sequence hypothesized, there are still alternative models that could fit the data. What is encouraging, however, is that the theoretic model fits the data fairly well from both perspectives (i.e., disputants' and mediators') indicating that mediation is an interactive event.

The results of the effects-coded model show an interaction between disputants' expectations (high, moderate, low) and mediator training (trained, untrained). Since this interaction may have affected the process that mediators use, another path analysis was conducted taking this interaction into account. After recoding the data, the correlation matrix used for the path analysis was virtually indentical with the prior matrix. The results indicate no difference between path models with or without the interaction term. This illustrates that the process used by the mediators does not vary based on disputants' expectations or the level of mediator training. In other words, the effects-coded model demonstates that the level of disputants' expectations interacts with mediator training to predict the probability of success not the process the mediator will use.

<u>Summary</u>

Overall, the two manipulation checks (a) to induce disputants' expectations for a settlement, and (b) to detect trained mediators from untrained mediators, were successful. Eleven separate confirmatory factor analyses were performed. All scales were highly reliable and

unidimensional indices. Results of four 2 X 3 ANOVAS indicate a main effect for extent of mediator training on disputants' perceptions of compliance, control, competence, and effectiveness, while no significant effect was found for disputants' expectations to resolve a conflict (high, moderate, low). A two-way interaction was predicted between mediator training and extent of agreement reached. Using an effects coded model, five hypotheses were tested simultaneously. Results of a one-way ANOVA indicate that the set of relationships were as predicted and the 5 hypotheses could not be rejected. Finally, results of 3 tests of a causal model of mediation (Hunter's Q-statistic, Land's test, and comparisons of zero-order and partial correlations) from two perspectives (disputants' and mediators') indicate that the theoretic model fits the data fairly well. The following chapter discusses the implications of these results and directions for future research.

Table 7

Confirmatory Factor Analysis

of Compliance Scale for Disputants

Mean	sd	Loading	Item #	
5.6	1.10	.77	1.	To what degree did you obey the mediator's rules?
5.4	1.61	.38	4.	To what degree did you refuse to follow the mediator's instructions?
5.5	.98	.84	9.	To what degree did you comply to the mediator's requests?
5.0	1.30	.80	12.	To what degree did you follow your mediator's instructions about how to act during the session?
4.0	1.40	.40	32.	To what degree did you concede your position when the mediator was critical?
2.7	1.10	.49	34.	To what degree did you resist the mediator's recommendations?
4.8	1.20	.54	38.	To what degree did you abide by the mediator's directives about not interrupting?
4.8	1.10	.76	39.	To what degree did you give in to the mediator's rules?
5.0	1.10	.87	43.	To what degree did you conform to the mediator's suggestions?
5.3	1.10	.81	49.	To what degree did you follow the mediator's advice?

Correlation matrix between items

	1	4	9	12	32	34	38	39	43	49
1	.59	.21	.22	.67	.28	.69	.29	.47	.63	.65
4	.21	.10	.26	.21	-.04	.26	.21	.16	.29	.20
9	.22	.26	.71	.60	.28	.49	.37	.58	.68	.74
12	.67	.21	.60	.64	.27	.35	.55	.57	.65	.63
32	.28	-.04	.28	.35	.14	.03	.04	.27	.33	.28
34	.69	.26	.49	.35	.24	.28	.32	.32	.36	.29
38	.29	.21	.36	.55	.04	.28	.29	.49	.47	.42
39	.47	.16	.58	.57	.27	.32	.28	.32	.70	.61
43	.63	.29	.68	.65	.33	.36	.47	.70	.75	.74
49	.65	.20	.74	.63	.28	.29	.42	.61	.74	.66

The diagonals contain communalities.

Table 8

Confirmatory Factor Analysis

of Control Scale for Disputants

Mean	sd	Loading	Item #	
4.3	2.09	.45	6.	To what degree did the mediator establish rules at the beginning, that you as disputants were told you should follow?
4.5	1.60	.61	10.	To what degree did the mediator impose his/her solutions on the conflict?
4.7	1.40	.63	13.	To what degree did the mediator tell you what you should do to solve your conflict?
4.8	1.20	.86	16.	To what degree did the mediator direct the session?
2.7	1.10	.49	20.	To what degree did the mediator regulate the session?
4.8	1.20	.54	23.	To what degree did the mediator press you toward a solution?
4.8	1.10	.76	27.	To what degree did the mediator control the session?
5.0	1.10	.87	37.	To what degree did the mediator insert him/herself into the session?
5.3	1.10	.81	40.	To what degree did the mediator dominate the session?
4.3	1.30	.86	42.	To what degree was the mediator assertive during the session?

Correlation matrix between items

	6	10	13	16	20	23	27	37	40	42
6	.19	.00	.05	.60	.57	.15	.53	.41	.37	.41
10	.00	.37	.75	.46	.39	.73	.42	.59	.65	.46
13	.05	.75	.40	.45	.47	.72	.46	.54	.47	.51
16	.60	.46	.45	.74	.83	.60	.77	.68	.67	.75
20	.57	.39	.47	.83	.76	.59	.82	.72	.70	.78
23	.15	.73	.72	.60	.59	.63	.65	.69	.65	.62
27	.53	.42	.46	.77	.82	.65	.79	.73	.76	.82
37	.41	.59	.54	.68	.72	.69	.73	.72	.63	.73
40	.37	.65	.47	.67	.70	.65	.76	.63	.64	.72
42	.41	.46	.51	.75	.78	.62	.82	.73	.72	.74

The diagonals contain communalities.

Table 9

Confirmatory Factor Analysis

of Competence Scale for Disputants

Mean	sd	Loading	Item #	
5.0	1.30	.82	7.	To what degree did the mediator clarify the other person's position?
5.5	1.00	.65	17.	To what degree was the mediator fair to you?
5.5	1.10	.64	18.	To what degree was the mediator fair to the other person?
4.9	1.20	.85	24.	To what degree did the mediator clarify your position during the session?
5.1	1.40	.77	26.	To what degree did the mediator keep you on track (i.e., on the topic) during the session?
5.3	1.30	.89	29.	To what degree did the mediator seem to know what s/he was doing?
4.2	1.30	.46	31.	To what degree did the mediator interrupt your negotiations at appropriate times?
4.8	1.20	.64	33.	To what degree did the mediator encourage you to make suggestions about how to solve the problem?
4.8	1.40	.80	45.	To what degree was the mediator prepared for the session?
4.9	1.40	.84	47.	To what degree did the mediator summarize each person's solution to the conflict?

Correlation matrix between items

	7	17	18	24	26	29	31	33	45	47
7	.67	.37	.41	.74	.60	.77	.44	.61	.69	.72
17	.37	.43	.84	.51	.45	.55	.25	.36	.48	.57
18	.41	.84	.41	.51	.43	.51	.21	.37	.46	.58
24	.74	.51	.51	.72	.67	.70	.43	.58	.67	.73
26	.60	.45	.43	.67	.60	.74	.43	.51	.63	.63
29	.77	.55	.51	.70	.74	.80	.39	.60	.81	.72
31	.44	.25	.21	.43	.43	.39	.22	.31	.39	.35
33	.61	.36	.37	.58	.51	.60	.31	.41	.45	.51
45	.69	.48	.46	.67	.63	.81	.39	.45	.64	.66
47	.72	.57	.58	.73	.63	.72	.35	.51	.66	.70

The diagonals contain communalities.

Table 10

Confirmatory Factor Analysis

of Effectiveness Scale for Disputants

Mean	sd	Loading	Item #	
5.9	.81	.73	2.	How well did the session work?
4.8	.90	.65	3.	To what degree did participation in mediation prepare you to better deal with future roommate conflicts?
5.7	.92	.82	11.	How effective was the mediation session?
5.1	.99	.84	22.	How useful was the mediation for resolving the conflict?
5.6	.83	.68	25.	To what degree were important issues resolved?
5.2	.98	.85	36.	How effectively did mediation deal with the dispute?
5.9	.87	.68	41.	To what degree would you describe your session as "successful"?
4.9	1.10	.68	46.	To what degree would you say mediation has helped you to understand the other person's point of view?
5.2	1.00	.76	48.	To what degree would you characterize the mediation session as a "productive" means of handling conflict?
5.1	1.00	.73	50.	To what degree did mediation facilitate resolution of the conflict?

Correlation matrix between items

	2	3	11	22	25	36	41	46	48	50
2	.53	.47	.70	.53	.56	.58	.69	.40	.49	.51
3	.47	.42	.47	.61	.37	.59	.39	.54	.51	.43
11	.70	.47	.68	.66	.64	.65	.69	.51	.52	.59
22	.53	.61	.66	.70	.47	.79	.42	.62	.73	.68
25	.56	.37	.64	.47	.46	.57	.68	.38	.46	.44
36	.52	.59	.65	.79	.57	.72	.47	.59	.68	.72
41	.69	.39	.69	.42	.68	.47	.46	.38	.43	.41
46	.40	.54	.51	.62	.38	.59	.38	.46	.62	.51
48	.49	.51	.52	.73	.46	.68	.43	.62	.58	.61
50	.51	.43	.59	.68	.44	.72	.41	.51	.61	.54

The diagonals contain communalities.

Table 11

Confirmatory Factor Analysis

of Satisfaction Scale for Disputants

Mean	sd	Loading	Item #	
5.4	.94	.66	5.	How happy were you with the mediation session?
5.2	.91	.65	8.	To what degree would you recommend mediation to your friends for resolution of their problems?
2.8	1.10	.40	14.	To what degree would you have preferred a different solution or outcome?
5.7	.90	.65	15.	To what degree are you satisfied with the outcome of the session?
4.1	1.20	.47	19.	To what degree would you have preferred settling this conflict privately, without a mediator?
4.9	.99	.78	21.	To what degree would you suggest/promote mediation to your friends as a means of solving their problems?
2.5	.94	.55	28.	To what degree would you complain about the session to others?
5.2	.90	.77	30.	To what degree did you like the mediation session?
4.6	1.10	.56	35.	To what degree would you utilize mediation to solve other conflicts with your roommates?
2.4	.95	.53	44.	To what degree did the mediation session displease you?

Correlation matrix between items

	5	3	14	15	19	21	28	30	35	44
5	.43	.41	.40	.56	.06	.40	.44	.44	.27	.54
8	.41	.42	.24	.39	.47	.81	.25	.55	.67	-.30
14	.40	.24	.16	.61	.14	.24	.29	.25	-.30	.39
15	.56	.39	.61	.42	.10	.42	.30	.41	.30	.40
19	.06	.47	.14	.10	.22	.41	.25	.49	.43	.26
21	.40	.81	.24	.42	.41	.61	.26	.57	.72	.27
28	.44	.25	.29	.30	.25	.26	.30	.38	.21	.63
30	.44	.55	.25	.41	.49	.57	.38	.60	.50	.47
35	.27	.67	-.30	.30	.43	.72	.21	.50	.31	.25
44	.54	-.30	.39	.40	.26	.27	.63	.47	.25	.28

The diagonals contain communalities.

Table 12

Confirmatory Factor Analysis

of Compliance Scale for Mediators

Mean	sd	Loading	Item #	
5.8	1.20	.69	1.	To what degree did the disputants obey your rules?
5.9	1.50	.42	4.	To what degree did the disputants refuse to follow your instructions about how to act during the session?
6.0	1.10	.77	9.	To what degree did the disputants comply to your requests?
5.1	1.70	.63	12.	To what degree did the disputants follow your instructions about how to act during the session?
4.6	1.27	.01	32.	To what degree did the disputants concede their positions when your were critical?
5.8	1.21	.33	34.	To what degree did the disputants resist your recommendations?
5.2	1.60	.64	38.	To what degree did the disputants abide by your directives about not interrupting?
5.5	1.30	.65	39.	To what degree the disputants give in to your rules?
5.7	1.00	.63	43.	To what degree did the disputants conform to your suggestions?
5.7	1.00	.79	49.	To what degree did the disputants follow your advice?

Correlation matrix between items

	1	4	9	12	32	34	38	39	43	49
1	.47	.32	.50	.49	.00	.18	.58	.42	.36	.50
4	.32	.17	.46	.15	-.21	.38	.25	.15	.26	.39
9	.50	.46	.59	.37	.01	.41	.41	.38	.50	.65
12	.49	.15	.37	.40	.11	.15	.63	.61	.27	.33
32	.00	-.21	.01	.11	.00	-.22	-.03	.26	.03	.11
34	.18	.38	.41	.15	-.22	.11	.23	.06	.27	.25
38	.58	.25	.41	.63	-.03	.23	.42	.39	.32	.39
39	.42	.15	.38	.61	.26	.06	.39	.42	.42	.50
43	.36	.26	.50	.27	.03	.27	.32	.42	.40	.67
49	.50	.39	.65	.33	.11	.25	.39	.50	.67	.63

The diagonals contain communalities.

Table 13

Confirmatory Factor Analysis

of Control Scale for Mediators

Mean	sd	Loading	Item #	
4.0	1.97	.24	6.	To what degree did you establish rules at the beginning, that the disputants were told you should follow?
4.9	1.60	.52	10.	To what degree did you impose your solutions on the conflict?
4.8	1.50	.49	13.	To what degree did you tell the disputants what they should do to solve their conflict?
5.0	1.30	.84	16.	To what degree did the you direct the session?
4.8	1.40	.72	20.	To what degree did you regulate the session?
5.0	1.30	.65	23.	To what degree did you press the disputants toward a solution?
5.0	1.30	.83	27.	To what degree did you control the session?
5.0	1.30	.57	37.	To what degree did you insert yourself into the session?
4.3	1.50	.90	40.	To what degree did you dominate the session?
5.0	1.30	.88	42.	To what degree were you assertive during the session?

Correlation matrix between items

	6	10	13	16	20	23	27	37	40	42
6	.06	-.09	-.03	.36	.26	.09	.31	.17	.24	.21
10	-.09	.27	.40	.40	.36	.43	.36	.39	.48	.45
13	-.03	.40	.24	.34	.33	.48	.41	.22	.46	.41
16	.36	.40	.34	.71	.61	.46	.72	.53	.76	.72
20	.26	.36	.33	.61	.52	.54	.59	.35	.63	.62
23	.09	.43	.48	.46	.54	.43	.53	.30	.56	.53
27	.31	.36	.41	.72	.59	.53	.69	.42	.72	.78
37	.17	.39	.22	.53	.35	.30	.42	.33	.54	.57
40	.24	.48	.46	.76	.63	.56	.72	.54	.82	.81
42	.21	.45	.41	.72	.62	.53	.78	.57	.81	.78

The diagonals contain communalities.

Table 14

Confirmatory Factor Analysis

of Competence Scale for Mediators

Mean	sd	Loading	Item #	
4.9	1.30	.64	7.	To what degree did you clarify the neat person's position?
5.5	1.20	.49	17.	To what degree were you fair to the other roommate?
5.2	1.30	.46	18.	To what degree were you fair to the slobby roommate?
4.8	1.40	.77	24.	To what degree did you clarify the slobby person's position during the session?
5.4	1.50	.55	26.	To what degree did you keep the disputants on track (i.e., on the topic) during the session?
5.2	1.40	.56	29.	To what degree did you seem to know what you were doing?
4.3	1.50	.52	31.	To what degree did you interrupt the disputants' negotiations at the appropriate time?
4.8	1.60	.46	33.	To what degree did you encourage disputants to make suggestions about how to solve the problem?
4.1	1.70	.39	45.	To what degree were you prepared for the session?
5.1	1.90	.51	47.	To what degree did you summarize each person's solution to the conflict?

Correlation matrix between items

	7	17	18	24	26	29	31	33	45	47
7	.41	.32	.23	.50	.41	.35	.40	.23	.20	.37
17	.32	.24	.80	.29	.19	.17	.39	.09	.06	.08
18	.23	.80	.21	.33	.20	.20	.29	.06	.07	.08
24	.50	.29	.33	.60	.47	.41	.38	.39	.36	.42
26	.41	.19	.20	.47	.30	.25	.22	.37	.13	.41
29	.35	.17	.20	.41	.25	.31	.28	.15	.54	.34
31	.40	.39	.29	.38	.22	.28	.27	.34	.05	.17
33	.23	.09	.06	.39	.37	.15	.34	.21	.25	.36
45	.20	.06	.07	.36	.13	.54	.05	.25	.15	.26
47	.37	.08	.08	.42	.41	.34	.17	.36	.26	.26

The diagonals contain communalities.

Table 15

Confirmatory Factor Analysis

of Effectiveness Scale for Mediators

Mean	sd	Loading	Item #	
6.0	.95	.75	2.	How well did the mediation session work?
5.0	1.30	.54	3.	To what degree did participation in mediation prepare you to better deal with future roommate conflicts?
5.8	1.10	.77	11.	How effective was the mediation session?
5.4	1.30	.86	22.	How useful was the mediation for resolving the conflict?
5.6	1.10	.62	25.	To what degree were important issues resolved?
5.4	1.40	.72	36.	How effectively did mediation deal with the dispute?
5.9	1.20	.60	41.	To what degree would you describe your session as "successful"?
5.1	1.10	.51	46.	To what degree would you say mediation has helped you to understand the other person's point of view?
5.5	1.20	.67	48.	To what degree would you characterize the mediation session as a "productive" means of handling conflict?
5.4	1.10	.77	50.	To what degree did mediation facilitate resolution of the conflict?

Correlation matrix between items

	2	3	11	22	25	36	41	46	48	50
2	.57	.33	.65	.66	.51	.51	.59	.30	.50	.52
3	.33	.30	.36	.48	.33	.41	.25	.50	.36	.39
11	.65	.36	.60	.71	.50	.58	.62	.24	.45	.56
22	.66	.48	.71	.73	.49	.73	.47	.34	.57	.65
25	.51	.33	.50	.49	.38	.44	.48	.34	.34	.41
36	.51	.41	.58	.73	.44	.51	.31	.29	.54	.56
41	.59	.25	.62	.47	.48	.31	.36	.25	.27	.50
46	.30	.50	.24	.34	.34	.29	.25	.26	.50	.45
48	.50	.36	.45	.57	.34	.54	.27	.50	.45	.59
50	.52	.39	.56	.65	.41	.56	.50	.45	.59	.59

The diagonals contain communalities.

Table 16

Confirmatory Factor Analysis

of Satisfaction Scale for Mediators

Mean	sd	Loading	Item #	
5.6	1.30	.81	5.	How happy were you with the mediation session?
5.6	1.20	.43	8.	To what degree would you recommend mediation to your friends for resolution of their problems?
5.6	1.65	.32	14.	To what degree would you have preferred a different solution or outcome?
6.0	1.10	.70	15.	To what degree are you satisfied with the outcome of the session?
4.3	1.40	.47	19.	To what degree would you have preferred settling this conflict privately, without a mediator?
5.2	1.30	.47	21.	To what degree would you suggest/promote mediation to your friends as a means of solving their problems?
5.9	1.30	.43	28.	To what degree would you complain about the session to others?
5.5	1.20	.77	30.	To what degree did you like the mediation session?
5.0	1.40	.62	35.	To what degree would you utilize mediation to solve other conflicts with your roommates?
5.8	1.20	.57	44.	To what degree did the mediation session displease you?

Correlation matrix between items

	5	3	14	15	19	21	28	30	35	44
5	.65	.27	.30	.70	.36	.26	.50	.63	.32	.53
8	.27	.19	-.09	.11	.31	.57	-.01	.47	.64	-.05
14	.30	-.09	.11	.52	.04	.04	.22	.16	.07	.45
15	.70	.11	.52	.49	.19	.26	.27	.49	.28	.60
19	.36	.31	.04	.19	.22	.19	.27	.48	.34	.21
21	.26	.57	.04	.26	.19	.22	.05	.28	.63	.13
28	.50	-.01	.22	.27	.27	.05	.19	.34	.18	.42
30	.63	.47	.16	.49	.48	.28	.34	.59	.45	.40
35	.32	.64	.07	.28	.34	.63	.18	.45	.38	.17
44	.53	-.05	.45	.60	.21	.13	.42	.40	.17	.32

The diagonals contain communalities.

Table 17

Confirmatory Factor Analysis

of Expectation Scale for Interactants

Item	Mean	sd	loading	PERC	AGREE	FUTSUC
PERC	.51	.32	.96	.91	.94	.93
AGREE	3.90	2.30	.94	.94	.91	.93
FUTSUC	4.00	1.90	.94	.93	.93	.89

The diagonals contain communalities.

PERC=   Percentage rating for resolving the next conflict

AGREE=   Assessments of agreements reached in previous conflicts

FUTSUC= Predictions of successful resolutions in the future

Table 18

Correlations Between Disputant Scales

	Effect	Satis	Comply	Compet	Control	Expect
	1	2	3	4	5	6
1		.67	.74	.73	.63	.10
2	.75		.49	.50	.44	.11
3	.87	.55		.73	.61	.02
4	.85	.56	.85		.82	.03
5	.72	.66	.69	.91		.03
6	.11	.02	.03	.03	.03	

Uncorrected correlations are above the diagonal while corrected correlations are below the diagonal.
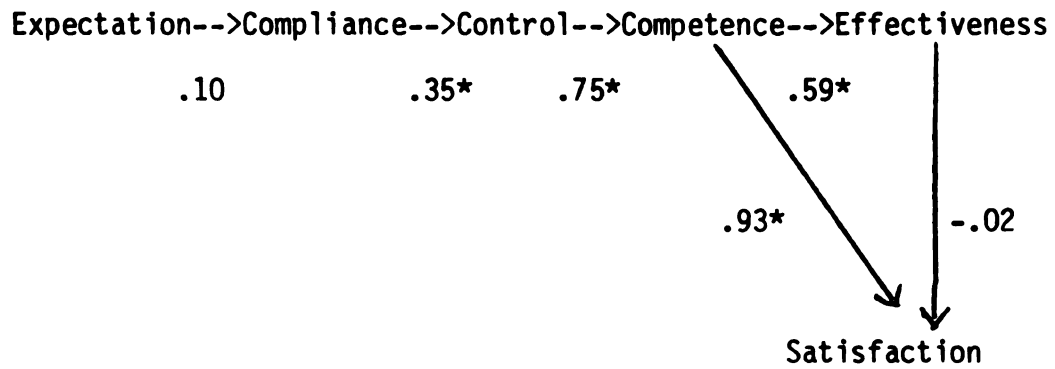
Table 19

Correlations Between Mediator Scales

	Effect	Satis	Comply	Compet	Control	Expect
	1	2	3	4	5	6
1		.84	.58	.54	.50	.04
2	.99		.56	.48	.37	.04
3	.74	.72		.28	.32	.09
4	.70	.56	.35		.68	.08
5	.65	.48	.40	.85		-.05
6	.05	.05	.08	.10	-.06	

Uncorrected correlations are above the diagonal while corrected correlations are below the diagonal.

Expectation-->Compliance-->Control-->Competence-->Effectiveness

    .03   .67*   .82*   .80*

                                   .83*   -.12

                                            Satisfaction
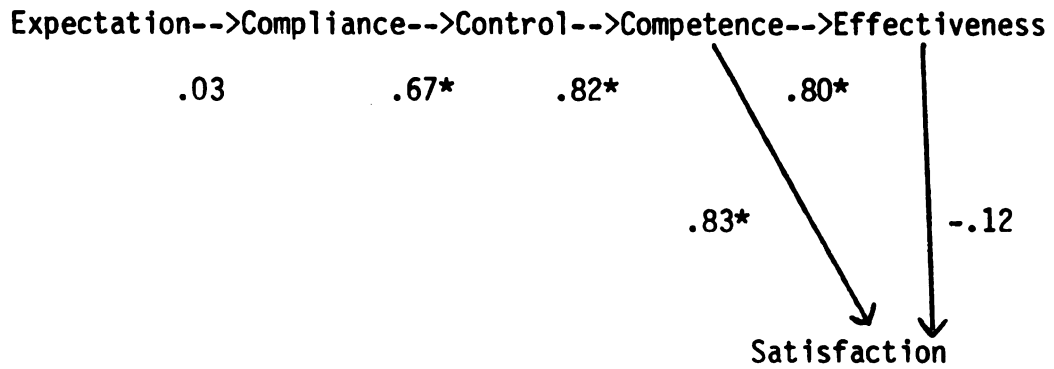
*=p<.05

Figure 3

Causal Model of Mediation

from Disputants' Perspective

Expectation-->Compliance-->Control-->Competence-->Effectiveness

.10   .35* .75*   .59*

.93*   -.02

Satisfaction

*=p<.05

Figure 4

Causal Model of Mediation

from Mediators' Perspective

Table 20

Comparison of Zero-Order and Partial Correlations

Variables Correlated	Variables Partialed	Disputants' Model			Mediators' Model		
		r	partial	z	r	partial	z
control expectation	compliance	.03	.03	.00	-.06	-.09	.03
competence expectation	control compliance	.03	.00	.03	.08	.15	.07
competence compliance	control	.73*	.50*	.38*	.32*	.09	.24*
expectation effectiveness	compliance competence control	.10	.13	.03	.04	-.03	.07
effectiveness compliance	control competence	.74*	.44*	.48*	.58*	.51*	.10*
effectiveness control	competence	.64*	.08	.68*	.50*	.22*	.33*
satisfaction expectation	control compliance effectiveness competence	.11	.06	.05	.04	-.03	.07
satisfaction compliance	control competence effectiveness	.49*	-.02	.56*	.56*	.18	.45*
satisfaction control	competence effectiveness	.44	.02	.45*	.37*	-.16	.55*
satisfaction competence	effectiveness	.50*	.02	.53*	.48	.06	.46

* means significant at the .05 level, df = 90

CHAPTER IV

DISCUSSION

The overall results of this study point to clear differences in those mediators that received training and those that did not receive training as indicated through interactants' perceptual judgments of compliance, control, competence, effectiveness, and outside judges' competency ratings. Trained mediators were judged as receiving more compliance from disputants, as exerting more control during the mediation, as performing their roles more competently, and as more effective than those mediators who were untrained. Second, the results indicate that expectations for resolving a dispute did not significantly differentiate the disputants' perceptions of compliance, control, competence, and effectiveness. While the manipulation to induce disputants' expectations clearly worked, reasons why this independent variable had no effect require an explanation.

Several reasons may account for the lack of influence that expectations had on interactants' perceptions of compliance, control, competence, and effectiveness. First, and foremost, perhaps such expectations truly are irrelevant. That is, while developing expectations narrows various modes of action, another important function of expectancy is that it leads individuals to endure situations--to stretch out interactions formulating new strategies to accomplish goals. Furthermore, while disputants have developed expectations regarding their successes and failures to resolve conflicts, these expectations are tied to the past. Constant trial-and-checks occur between individuals' expectancies

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and what is perceived at the moment (Solley & Murphy, 1960). Critical to the interaction is feedback. In an interactive situation (e.g., mediation) disputants are: (a) tied to the present, ongoing action, (b) monitoring the feedback closely, and (c) considering their range of behavioral possibilities. Thus, expectancies regarding the probability of successful resolution for disputants may be irrelevant based on the feedback they are receiving as the interaction unfolds.

While the minimal impact of expectations reported in this study contradicts much of the research in psychology, there is an explanation. This explanation centers on the fact that much of the psychological research is not interactional. A typical study in psychology will ask subjects to estimate the probability that an event will or will not occur (e.g., whether subjects would hit a dart target, or pull a correct switch on a four-choice electric light panel) (Jessur & Readio, 1957). The point is that the primacy of the interaction (e.g., the mediation) may indeed have overcome disputants' "expectations." That is, disputants may have discarded previous expectations based on the feedback they received from each other and the mediator. In other words, regardless of our situational expectancies, we adapt, adjusting to the current communicative context.

It is important to note, however, that disputants' expectations did influence in conjunction with mediator training. An important feature of the results centered on the predicted interaction between extent of mediator training and expectations for settling a dispute on the degree of successfully resolving issues. The combination of the five hypotheses forwarded in Chapter I were confirmed using an effects-coded model. What

the results suggest is that training provides the mediator with procedures to handle conflict. When the disputants' expectations about resolving the conflict are high or moderate, a trained mediator experiences a high degree of success in resolving issues. An untrained mediator, encountering disputants with high expectations of agreement, does moderately well in resolving issues. A trained mediator with disputants having low expectations about settlement and an untrained mediator having disputants with low or moderate expectations regarding a settlement experience relatively low success in resolving issues.

It should be noted that there is a difference between successfully reaching an agreement between disputants and resolving issues. For example, a mediator could have a pair of disputants that reach an agreement yet resolve very few issues. By contrast, a mediator could fail to aid disputants in reaching an agreement yet resolve all but one issue (i.e., the critical issue). This dependent measure (extent of agreement) is a quantitative assessment of the relative number of issues resolved in a dispute. This is different from the five perceptual judgments (i.e., compliance, control, competence, effectiveness, and satisfaction) regarding the mediator's performance made by the disputants. The perceptual measures address how the disputants perceive the mediator fulfilling the role of mediator. The extent of agreement measure is a behavioral index addressing the actual content of the dispute, whether or not an issue brought up during the session was resolved.

Based on the results of the effects coded model, disputants' expectations in resolving a dispute impact on the mediator's abilility to resolve issues. A mediator may still successfully negotiate an agreement

between the two parties without resolving all the issues. Persons with low expectations can reach agreements, but fail to resolve all the issues in a dispute. Conversely, persons with high expectations make it extremely easy for a mediator to successfully reach an agreement and to resolve large numbers of issues. An overall assessment of the training program is that it creates procedures for mediators to follow in identifying issues and then guiding disputants toward their resolution. The point is that trained mediators recognize certain behavioral patterns and capitalize on the situation through the timing of various intervention strategies. While most of the variance is explained by the training of mediators, expectations do play a role in the process.

A second reason that may explain the minimal influence that expectations had on interactants' perceptions of compliance, control, competence and effectiveness is that interactants who were role playing disputatious roommates had never met prior to their mediation session. The relationship between interactants was actually in its initial stages. Several researchers have concluded that individuals tend to present their "best" selves in initial stages of a relationship and tend to perceive others more positively (Altman & Taylor, 1973; Duck, 1986; Goffman, 1967). Interactants may have discounted their expectations based on their lack of knowledge about each other. In other words, this manipulation did not override the influence of expectations to resolve a dispute for participants with no relational history. A topic for future research might examine the impact that relational histories have on the mediation process and disputants' expectations for reaching a settlement.

A third reason that may explain why expectations had no real impact

on disputants' perceptual judgments may be attributed to the introduction of a third party. One new element (e.g., the mediator) added to the interaction, may have created a positive effect. That is, as soon as disputants recognized the presence of a mediator, their "induced" expectations may have changed. This is not inconsistent with the mediation literature that reports in Los Angeles County (where mediation is mandatory) 68% of the 5,083 child-custody cases referred to mediation were settled (Emmerman, 1987). Perhaps the introduction of a third party altered the expectations of disputants in that the "role" or function of a mediator should be a positive rather than a negative force in the interaction. This would mean that the "mere presence" of a person in the mediator role can alter expectations, which would be extremely good.The Denver Mediation Project, where mediation is mandatory, reports a settlement rate of 80% (Emmerman, 1987). It should be noted, however, that the hypotheses dicussed earlier predicted that the training of mediators matters on the extent of agreement reached in conjunction with disputants' expectations. The results indicate that <u>some</u> mediators (trained) can capitalize on situations better than other mediators (untrained).

A fourth reason that may account for the minimal impact of expectations on the disputants' perceptions of compliance, control, competence, and effectiveness may be in the manipulation. Those participants assigned to the low condition may have experienced extreme frustration resulting from their inability to resolve previous disputes with confederates. In the actual mediation, the disputants would be quite satisfied and surprised if their partner was reasonably cooperative and

conciliatory. Those disputants assigned to the high expectation condition may have extensive experience resolving previous disputes with confederates and may have felt mildly frustrated at compromising with another, while those disputants assigned to the moderate condition felt less committed to either winning or losing. The point here is that all three conditions may have lead to neutral expectations for resolving a dispute. Hence, the experimental manipulation of expectations may have had no significant impact on disputants' perceptual judgments during a mediation. This explanation, however, is unlikely because the manipulation check was immediately before the new conflict where "chance of settling the next question" was a specific question asked and the responses varied as desired.

One potential criticism of this study relating to generalizability involves the use of role plays to simulate conflict. As this mediation model is in its initial stages of being tested in the laboratory, the use of role playing is a logical place to begin these tests. Furthermore, since a control group was used as a means of comparison to those mediators who were trained, there is a question of ethically using "real" conflicts versus role plays. In the control group, using real conflicts is potentially scarring to both disputants and the untrained mediator. Another reason for using role playing is that one focal point of this study centers on the perceptions of mediator performance (e.g., all of the dependent variables, compliance, control, competence, effectiveness, and extent of agreement are all tied into how well the mediator performs his or her role in aiding disputants to resolve their conflict). The impact of the various mediator intervention strategies is an important

point of this study rather than the language generated from the role playing. The conflict that was role played was pretested so that the conflict generated was not beyond the experiential domain of subjects participating in the study. Boster and Stiff (1984) point out that if the task is outside participants' experience (lack of mundane realism), they have difficulty imagining, for example, how hypothetical listeners would react to various messages, and consequently would have extreme difficulty assessing the impact of these messages. Those participants asked to evaluate messages or even role play a scenario beyond their experiential set contribute to random response error, making the dependent variable less predictable. Participants were not asked to role play outside of their experiential domain. When the situation is all in one's experiential domain, however, role playing yields similar behavior to actual live interaction (Kelly, Osborne, & Hendrick, 1974).

A second generalizability problem lies with the induction of expectations in the laboratory versus selecting participants with previously established expectations (high, moderate, low) for resolving disputes. Prior to the actual conduct of this study, an informal survey was performed to determine if the three cells (high, moderate, low) could be filled by selecting participants with previously established expectations. Of the twenty participants surveyed, 16 reported high expectations for resolving roommate conflicts and 4 reported moderate expectations. Based on the results of this informal survey, it was concluded that finding participants with low expectations would be, at best, difficult, and the decision to "induce" expectations was made.

Another way to tap disputants' expectations more realistically may

be in a field-study setting where interactants have relational histories and strong commitments to a position. Participants in the field study could be surveyed prior to their mediation session and later assigned to high, moderate, and low conditions. Again, it is anticipated that the high and moderate expectation conditions will be easier to find than the low expectation group based on individuals' tendencies to report the positive over the negative (Boucher & Osgood, 1969). Another potential way of approaching expectations in a field study might be to manipulate the mediator's expectations vis-a-vis reports on the number of times disputants have been in for mediation and not reached an agreement. While results of this study point to the lack of influence that expectations have on initial interactions, further exploration of expectations for resolving conflicts is needed in a field-study setting to examine the impact of expectations on disputants with relational histories.

A third problem in generalizing from this experiment is that the control model for mediation was derived from practicing divorce mediators and then applied to students who were trained approximately four hours to mediate roommate conflicts. Obvious questions center on: (a) what do experienced divorce mediators and minimally trained student mediators have in common?, and (b) can one generalize from child-custody disputes to roommate conflicts? While the control model of mediation employed in this research (i.e., the basis of the mediator training program) was primarily derived from studies concerning child-custody disputes, the model seems to apply beyond this domain. Behavior that is successful in child-custody disputes also had significant effects in the domain of roommate conflicts (Burrell, 1987). The training improved perceptions of

mediators' control, competence, and effectiveness indicating mediator strategies such as structuring, reframing, and requesting information may not be domain specific. In other words, managing the interaction (i.e., the control model of mediation) that centers on specific mediator intervention strategies might be generalizable across various mediation contexts. While the above speculations need further testing, the results thus far are promising.

Since few studies are void of criticism, certainly the importance and impact of mediator training has been demonstrated here. Trained mediators were rated overwhelmingly as more competent by not only interactants but by outside judges. Theoretically, the training program stressed the importance of being communicatively competent by actively managing the interaction. To manage the interaction, mediators <u>structure</u> the opening of a session by establishing the ground rules and by educating disputants about the process of mediation. Another critical strategy in managing the interaction centers on the mediator's ability to <u>reframe or to clarify</u> disputants' positions. Thus "a mediator's role is to get an agreement on what the issues are and, in effect, limit the issues, explain mediation, and the role of the mediator," (Goldberg, 1981, p. 138). In addition to structuring and reframing, a mediator must <u>request information</u> from disputants. It has been suggested that a mediator becomes almost a total sponge in terms of accepting what disputants perceive or at least express as being the issues that need to be resolved. "I ask disputants to explain, to repeat, to redefine," (Noonan, 1981, p.144). The training program stressed the activist role of a mediator to take charge of the interaction and created an awareness for

mediator communicative competence.

Mediator competence has consistently been perceived to be a function of the extent to which a mediator can control the interaction (Burrell, 1987; Donohue et al., 1985, 1986a, 1986b; Wall, 1981). It may be that all of these studies have confounded control with the extent of mediator activity. What is referred to as mediator activity is the actual turn-taking demonstrated by the mediator. A problem exists in the tests thus far of the control model for mediation because turn-taking has varied with mediator training. Subjects were not trained such that the number of turns would remain constant. While one would suspect turn-taking to be more frequent with training, since the training program centered on practicing intervention tactics and strategies (i.e., structuring, reframing, requesting), it is unclear whether turn-taking improves perceived mediator competence or using a control strategy determines perceived competence of the the mediator.

The quantity of turns taken by a mediator, then, is a reasonable alternative explanation for perceived competency. The small group literature has found that the quantity of talk is more important than the quality of talk in determining leadership (Shaw, 1980). Dominance in conversations is found to be function of turn-taking (Haynes & Meltzer, 1972). Also, in the social cognition literature, causal attributions are made to the person who talks the most (Fiske & Taylor, 1983). A mediator may be perceived as responsible for the outcome when indeed he or she may have only talked a great deal. In other words, a mediator may be "incompetent" but if he or she talked a great deal, the mediator would be held responsible for the outcome. In fact, Hewes (1984) has argued that

88% of the variance in the quality of outcomes of small group decisions can be explained simply by turn-taking behavior.

An important direction for further testing of the control model would be to determine whether turn-taking improves perceived mediator competence or the nature of the turn itself (i.e., using a control strategy) determines the perceived competence of a mediator. An important implication of this research centers on the issue of quantity versus quality of mediator interventions. Believing that mediators should use controlling tactics presumes that the quality of mediator interventions is more important than the quantity of mediator interventions during a mediation session. The training of mediators could be expedited, in addition to the conservation of financial resources, if perceived mediator competence is determined by the quantity rather than the quality of mediator interventions.

In addition to the five hypotheses, a causal model of mediation was proposed and subjected to three tests. The model based on Donohue and his associates' work in divorce mediation centers on the mediator's ability to manage the interaction. The model was tested using both the mediators' and disputants' assessments of their mediation sessions. The data were not inconsistent with the hypothesized model. The level of participants' expectations, however, added little predictive power to the model. This suggests that disputant's expectations in initial interactions do not contribute to the effectivenss of the mediator. This finding begins to address the question of who is propelling the mediation--, the disputants or the mediator. The previous research of Donohue and his associates (1985, 1986a, 1986b) examined the discriminating features between those

divorce mediations that were successfully concluded and those that were not. Critics (Cupach, 1985; Motley, 1985; Poole, 1986) contended that perhaps those mediations successfully reaching an agreement had disputants with high expectations in reaching an agreement, while those mediations that were unsuccessful may have had disputants with low expectations regarding a settlement. If this were true, it would have been the expectations of disputants rather than the competence of the mediator that would discriminate successful from unsuccessful mediations. The extremely low beta weights for expectations in the model suggest that expectations contribute little to the effectiveness of the mediator and the satisfaction of the disputants. It should also be noted that almost all conflicts in this study reached agreement. This suggests that the expectation level may have little to do with whether or not an agreement is reached. While the above speculations need further testing, results thus far are promising.

One other modification to the causal model hypothesized may be necessary. The path from competence to satisfaction shows a low beta coefficient. It may be necessary to remove that link to better represent the data. In addition, it is recognized that with this small sample size (N=91), a large number of possible models will fit the data. At this time, however, there are few theories to use in formulating models for mediation. Until more research/writing takes place, there is no other theoretically driven model to test against this control-based model for mediation.

To summarize, the results of four 2 X 3 ANOVAS indicate a main effect for extent of mediator training on disputants' perceptions of

compliance, control, competence, and effectiveness. No significant effect was found for disputants' expectations to resolve a conflict. A two-way interaction was predicted between mediator training and extent of agreement reached. Using an effects coded model, five hypotheses were tested simultaneously. Results of a one-way ANOVA indicate that the set of relationships were as predicted and the 5 hypotheses could not be rejected. Also, results of three tests of a causal model for mediation indicate that the theoretic model fits the data from both the mediators' and disputants' perspectives.

The prognosis for research into mediation is a good one. Mediation as a method for resolving disputes grows in popularity and utility. Mediation is now used both formally and informally for resolving legal, business, personal, and professional disputes. A need exists for training programs that are founded on a solid understanding of the mediation process based on empirical research. The current set of writings (e.g., self-help books for mediators) are based almost entirely on case studies with little consideration given to generalizability or systematic investigation. This dissertation is the beginning of a line of research into developing a theory of mediation. Mediation depends upon mediators utilizing communication skills to aid in the process of dispute resolution. This appears an extremely appropriate context to study communication and human interaction.

APPENDIX

APPENDIX

MEDIATOR TRAINING PROGRAM (Part I)

Today is the first part of your training program. We will be addressing several questions that center on: (a) what is negotiation versus mediation, (b) what can mediation do (e.g., goals), (c) when is mediation used (e.g., contexts), and (d) what are the critical issues in mediation research. Following this discussion, you will view a video tape developed by John Haynes which is a simulated divorce mediation. You will be asked to identify the mediator's strengths and weaknesses based on our discussion. We will discuss your assessments of how the mediator conducted the session and move on to the second half of the training program.

Negotiation is defined as a process in which at least two parties with divergent aims or interests attempt to settle their differences (e.g., contract, labor, land settlement, car deal) in various transactions. Individuals involved in this negotiation process become interdependent as they utilize proposals, counterproposals, and compromises to reach a mutually acceptable outcome. Negotiation is typically characterized as a process including information exchange, arguments, and strategic maneuvering. While bargaining (negotiation) is usually associated with labor-management disputes, there are a number of contexts (settings) that negotiation occurs. These include: (a) customers bargaining with sales personnel, (b) companies bickering with suppliers, (c) lawyers making case appeals with clients or judges, and so on.

A tremendous amount of research exists in this context (negotiation) for conflict management. An important finding of numerous researchers is that in order to be a successful negotiator, it is critical that the negotiator create the perception that he or she is tough but fair in the negotiation process. Researchers have focused on negotiation as winning and losing. However, compromise has become an important component to most negotiation models. Rather than focusing on win/lose models, researchers have shifted their efforts and are looking at win/win or integrative models for negotiation.

One way that negotiators can "save face" is to introduce a third party. Mediation is defined as a form of third party intervention in which the mediator or intervenor works with disputants to aid them in reaching their own agreements instead of imposing agreements. Quite often mediation is described as an art. That is, this method of conflict resolution is perceived as a highly individualistic means by which a mediator brings disputants to an agreement. The critical point is that mediators develop a style or a level of competence as intervenors. Finally, mediation has become extremely popular. There are labor mediations, school-board mediations, family mediations, and divorce mediations.

An obvious question comes to mind. What can mediation do or what are the goals of mediation? Mediation can: (a) improve communication between participants, (b) empower disputants to find a solution to their conflict, (c) resolve a dispute in a collaborative manner, and (d) rebuild trust in a deteriorating relationship.

In addition, mediation is used is a variety of contexts. Mediators

are brought in to help settle labor contracts. Mediators are used in consumer disputes. Mediation is used to settle landlord and tenant disputes, conflicts between friends, and to resolve child-custody disputes. Thus, mediation is both formal and informal. Mediation that occurs in organizations tends to be more formal while mediation with friends is usually more informal.

Research in mediation tends to focus on two issues. The first issue centers on what are the various roles a mediator should assume. In other words, how active or passive should a mediator be during the conduct of a mediation session. Fisher and Ury (1981) suggest that a mediator's roles are: (a) facilitative, (b) noncoercive, (c) diagnostic, (d) nondirective, and (e) nonevaluative. On the other hand, Gulliver (1979) proposes a continuum illustrating the range of mediator roles. At one end of the continuum is the passive mediator whose mere presence prevents disputants from insulting each other. Next comes the chairperson who keeps order and directs the interaction. Following the chairperson is the enunciator who increases disputants' involvement through clarifying and emphasizing rules and norms. Next on the continuum is the prompter who keeps suggestions tentative and limited, yet interprets disputants' comments. Finally, at the end of the continuum is the leader who directly interjects his or her opinions and evaluates disputants' demands.

Another group of researchers suggest that the primary role of a mediator is to assist disputants in the creation of a workable agreement (Donohue, Diez, & Weider-Hatfield, 1984). In this facilitator role, a mediator must be communicatively competent in that he or she: (a)

manages the level of conflict intensity, (b) reconstructs the role relationships of interactants, (c) structures the interaction, (d) clarifies and makes sense of the interaction. To summarize, a mediator is an active participant who directs or orchestrates a dispute resolution.

The second issue in mediation research centers on appropriate strategies mediators should utilize during a mediation session. According to Wall (1981) a mediator's greatest influence stems from techniques used to control the interaction. Control is conceptualized as behaviors used to guide or to monitor the interaction. So how does one control a mediation session? The first thing you can do as a mediator is to inform participants about mediation. That is, you define mediation and tell the participants what mediation can or can not do for them. Second you can discuss the rules of the interaction. You want participants to take turns in telling their side of the dispute, to not interrupt each other, and in general, to be polite to each other (e.g., no swearing, name-calling, no sarcasm). Another means of guiding the interaction is through restating the interactants' positions. What you are doing is clarifying various positions and helping disputants to identify key issues. In addition, it is important to find out how participants propose to resolve specific issues. Disputants' proposals are obtained by requesting for information. Question-asking may also function a distractor if the conflict seems to be escalating. The obvious goal is to get disputants to reach an agreement. In sum, it is important to try to reinforce issues of agreement. This reinforcement of agreement should encourage additional agreement.

Donohue and his associates (1985) have categorized disputants'
behavior into three general tactics: (a) attacking each other, (b)
bolstering their positions, and (c) agreeing with each other and/or the
mediator. These three tactics represent varying levels of intensity in
disputants' behavior with attacks being the most intense act and
agreeing being the least intense tactic. An attack is any disputant move
designed to downgrade other persons in the mediation. Calling others'
names, labelling others negatively, accusing others of inappropriate
behavior, or profane language use would constitute an attack. A bolster
involves furthering one's position by presenting one's side of the
dispute. For example, giving reasons for behavior, justifying actions,
or making claims would be bolstering moves. An agreement move
demonstrates acceptance or agreement. For example, concessions,
compromises, and statements of understanding are agreement moves.

Mediator strategies fall into three major types: (a) structuring,
(b) reframing, and (c) requesting for information (Donohue, et al.,
1985). Structuring establishes rules for the interaction and would
involve such behaviors as identifying the purpose of the interaction,
regulating turn-taking, and setting the agenda. Reframing involves
attempts to restructure disputants' proposals and utterances or to
evaluate their acceptability. Reframing moves would include reinforcing
points of agreement, active listening, and creating alternative
proposals. Requesting for information occurs when the mediator asks for
information or clarification. For example, a mediator might ask what
disputants had in mind to solve a specific issue or what they thought
of the last proposal.

In order to appreciate the communicative skills necessary to mediate a dispute, we are going to view a divorce mediation. What you are going to watch is a simulated child-custody dispute developed by John Haynes. What I want you to do is (a) identify the key issues in this dispute, (b) list the strengths of the mediator, (c) list the weaknesses of the mediator, (d) how might the mediator improve in his ability to manage or control the mediation session? What follows is a transcription of the video tape. M is the mediator, John Haynes. The actors simulating a couple working out their divorce agreement are called John (J) and Gwen (G).

M: Well, good to see you again. The last session last week was a difficult one, but it seemed to me we got a lot of Uh Uh productive things accomplished. We did, I think, get some understanding round the basic parenting issues, decision-making and those kinds of things. And I'd asked each of you to think about Uh Uh a couple of things. I'd asked you to think about the economics of it and I'd asked you to think about the options that we had talked about. I wondered what your thinking has been during the course of the week.

J: It certaininly hasn't been about the economics.

M: umhm

G: Well, why don't you talk about your arrangement? Why don't you talk about what you've been thinking about, which I might add, I think is a, is an an absolutely unacceptable

M: Before you

G: aspect.

M: Describe it. Can I know?

G: Unacceptable.

M: Can I know what it is?

J: Look. I've been thinking about arrangements living with Mark.

G: He's been thinking about a lot of things without

J: Look, may I please explain?

G: consulting me. I I really have to say I think it's a disgusting, sneaking way

M: Could I know?

J: I can see therapy has done a lot for you, Gwen.

M: Hey folks, could I know something?

J: She's made the decision to leave the relationship. I'm no fool.

G: You have been involved with someone and you know you've been involved with someone.

J: That's that's right.

G: And you know that in the back of your mind you have had this person in mind to become a kind of substitute mother for Mark, and I find that unacceptable. I find it sneaky and you know

J: That's a lot of crap, Gwen.

G: It's really it's it's consistent with the way you have communicated

J: Oh baloney

G: with me over the past seven years.

J: Look. You want out of the relationship. Fine. You've gone. Don't tell me how to live my life.

G: Well, let me tell you

J: If I'm going to have relationships with other people, I'm going to choose the people to have the relationships with.

G: Fine. You do it for yourself and you leave my kid

J: Your kid. It's always been your kid.

G: out of it. He's not gonna be around when she's there. Out of the question.

M: O.K. Could I just intervene here, folks?

G: I am conducting my life, I am

J: It's alaways been her child.

G: conducting my life a certain way, keeping Mark as a priority. You haven't.

J: Well, it certainly hasn't been involved in our relationship and you've represented your life aside from a relationship with me.

M: O.K.

J: You know this other woman.

G: I certainly haven't had anyone into my home before any kind of settlement has been arranged. And you have. It just came out.

J: You have chosen to leave the relationship. I

M: Hold it just a second. You folks, you know, can pay me $75 to referee your fight -- and I could be a very good referee -- or you can pay that to me to mediate your settlement. And my assumption is that you would prefer to pay me to mediate, although if you'd like me to referee, I'll referee. Now if I understand what happened out of this.

G: I just want you to tell him to be honest. He is not honest and he hasn't been honest and I have been honest.

M: O.K. If I understand what the difference is it's that a third party has emerged in the situation.

J: Let

G: Whew

J: me make it clear only since Gwen has said she wanted out of the relationship.

G: We don't have any formal agreement.

J: I didn't leave.

G: Mark had been to visit John and someone else was there

J: You left the relationship emotionally, years ago.

G: that I do not know and I don't like it.

M: O.K., so there's a third party.

J: Suffer. I'm not asking you to like it.

M: So there's a third party?

J: Right.

M: How does this impact on the things that we had talked about?

J: Well.

G: We haven't really settled anything and John is already. . .We we were told to kind of consider the kinds of arrangements that we were gonna have for Mark. And he's already making a move. He's got someone in there taking my place. I can't believe it.

J: Believe it, Gwen.

M: Let, let me see if I can understand. When you say somebody there -- it's not in the house because you're both living in the house, right? You mean symbolically there?

G: I've been out of the house and I know that John has had someone there and and -- Mark has told me -- a five-year-old child, I might add, has has to tell me that there was someone there when I wasn't there.

J: A secretary from the firm, who is Uh a very important part of my work.

G: It's inappropriate, John. It's absolutely inappropriate. Do you know what the neighbors must think?

J: I'm not concerned about what the neighbors think. You're always concerned about what the neighbors think.

G: We haven't made any kind of an agreement.

J: Never damn concerned about our relationship. It's always been "what the neighbors will think."

M: O.K. You two fight very well. Uhm and it seems to me that always indicates that the people who fight well can negotiate well. But you know before you do that I have to really be clear in my head uhm. You were saying that the secretary is important in relationship to your work was what -- in the house?

J: To my getting the work done at that particular time.

G: Ha ha.

J: There was a deadline to be met and I needed her

G: Oh John

J: skill.

G: quit the baloney. John, John, this isn't the first time, John. This isn't the first time. Let's be honest.

M: Just let let John get it -- let ME get it straight and let John Uh tell me.

G: I'd like to get it straight.

M: This secretary. . .

J: I needed her there to complete the project we were working on.

M: O.K.   O.K. And?

J: And I brought her home with me.   Whuh. I have nothing to hide. Why
should I hide her being there?

G: Why didn't you finish it in your office?   You've always done it in
your office.   Why are you

J: Why should I not?   Why should I?

G: now bringing your secretary home with you?

J: You've never understood the level of my work. That I could spend some

G: Oh, has it reached a new level?   John, you have always worked in the

J: You never appreciated the work that I put in.   The time, the demands,
the pressure.

G: office.   All of a sudden you're working in our home.

M: I need to understand something.   I hear you saying, Gwen, that there
was more than just the work going on.

G: Yes!   Absolutely.

M: O.K.   John, I hear you saying that you were working.

G: Right. Joan is someone who not only understands the nature of my work
but who appreciates the time we spend together.

M: Umhm

J: And, uh, I've

G: So it was more

J: I've been hurting

G: than just a work relationship.   Why don't you say it?

J: I have been hurting, and uh, I want to say it again, to try to
struggle with you, Gwen,

G: John, you can do

J: to work on on a relationship.

G: what ever you want.

J: I tried for so long.

G: You can do whatever you want.

J: And therapy and therapy . . . and I felt that. . .

G: We haven't worked out any arrangement and I think it's unfair.

J: Your therapy has not helped our relationship.

G: If you were concerned about Mark, you wouldn't be bringing a strange woman into the house when I'm not there. You've got

J: Mark hasn't any problem.

M: Folks

G: He doesn't know what's going on. We, I

J: Mark, Mark has not had any struggles with Joan being there.
G: Oh, he knows her? Well. Look, I find it inappropriate.

J: Yes. You're making it sound.

G: You are playing dirty with me and I'm not playing dirty with you. I'm being honest. I'm laying it on the line.

J: That's a lot of crap, Joan. You're not playing dirty dirty. . . Where were you when I asked for us to really work on the relationship. Out with Uh.

G: John, it's water that is water under the bridge.

M: Now you're both hurting very much from this, I see.

J: She has no idea. . .no idea whatsoever.

M: I suspect that Gwen does and Gwen also hurts and perhaps neither of you quite understand how much the other one hurts in this process. And that's a new key in one sense because that really is part of the process. . . the. . .and that each of us will will have some of those feelings as we go along. I'm trying to understand how this all fits in . . .what you want to do. . .which is to negotiate your separation agreement. And it seems to me that we had agreed that we would focus this week on the issue of Mark and Uh the parenting questions. If I understand it, now, you both have very strong feelings about Mark, and Uh about parenting. Uhm why don't you share some of those with me

at this point.

J: When you said strong feelings, that's an understatement, John. This is the one issue that, Uh, I feel extremely strong about and I'm really going to struggle to get custody of Mark.

M: Um humm

J: I think one thing needs to be remembered here. It is Gwen who made the decision to leave the relationship. It's Gwen that's looking for out of the relationship. And that really needs to be considred when we talk about custody.

M: O.K. We're not, however, going to look at the past in terms of fault or responsibility we're really only going to look at the future in terms of what's best for Mark, right. If. . .Gwen?

G: It's true, I know I I I have initiated. I really Uh I don't think you can ignore, however, that the two of us have been thinking along these lines for a long time. I was the one who had the ability to make a first move and Uh therefore I'm the initiator. Um probably, if we had waited some time maybe you would have been the initiator. I don't think that's what's important. I think I've been mothering Mark all these years I've been his primary parent and I cannot see why this should change and Uh I will not agree to having it change right now, I'm telling you that right now.

J: First of all, I hardly feel that your leaving the relationship, Uh, needs to be classified as an ability. I'm not looking for leaving the relationship.

M: Let me cut you off right here because it doesn't seem to be very productive to talk about who left the relationship so much as what's going to happen to Mark. How are you going to parent Mark?

G: Right, that's exactly how I feel. I I don't think it really is important who made the decision to make the first move. My concern is that that Mark remain where he's been comfortable all along. And he's used to having me be there, and

M: John, exactly what is your proposal in terms of Mark?

J: Well, Gwen is looking to go back to school.

M: Umhmm

J: I I don't see how it would be possible for me to leave the home, pay the mortgage, get an apartment in the city and take care of all the other financial responsibilities. My feeling is that things will work out much better for everyone concerned if Gwen leaves, gets a one-room apartment close to campus where she

G: Oh, that's ridiculous!

J: wants to go to school.

G: It's absolutely ridiculous. You you know, that is what YOU want and it just can't be that way.

M: Let me see if I can understand, Gwen, what's your proposal for Mark?

G: My proposal is that this child is unfortunately going to suffer and I want him to experience the least amount of difficulty and the least amount of trauma and I feel that he--I'm his mother, I've been his mother for years. I've been around for a long time while John has been involved in his career and

J: Wait a

G: now all of a sudden he wants to be the primary parent.

J: Being around doesn't necessarily mean it's always been quality time, Gwen.

G: Oh, do you feel that I haven't been a quality parent?

J: Would you deny that

G: This is news to me.

J: Mark and I have a very close relationship? Would you deny that?

G: You have a fine relationship, John. You have a fine relationship. You have a relationship like most fathers have with their child. You come home

J: I've worked for quality with Mark.

G: Yes, you have a fine relationship with Mark. But

J: Mark needs his father.

G: Of course he needs his father. But I think, especially while we're going through this, I think he needs his mother more. He's five years old. You know if he was sixteen or if he was seventeen it would be a different situation. He is five years old.

J: That's exactly why he needs me.

M: I assume that he needs both of you.

G: I'm not arguing with that.

M: I guess what I'm having trouble understanding is how the two

proposals would work. And let me, if I could come back just a moment, Gwen, you were going to tell me about what your proposal was. And I didn't quite understand.

G: O.K. I would like to stay in the house. I feel that that would be the best Uh arrangement for Mark. He has grown up there, his five years have been spent there, he has friends in the community. He's about to start first grade. Um these are all very important things and it's very possible that I could get -- I have a friend right now who is divorced and she has a child and it's very possible that she could come into the house with me and maybe contribute in some way in terms of income. Uhm this way Mark could have his home and Uh I plan to work part time and contribute in some way. I know it's gonna be difficult.

J: You're gonna be working part time and going to school. You're gonna have work to do. You're going to be around less

G: I'm not the first person to do this.

J: than you were.

G: Let's not make it look as terrible as that. Other people have done it.

J: Reality, Gwen. You've always had to struggle looking at the reality.

M: Let me see if I understand correctly, now. John, your proposal is that you stay in the house.

J: Correct.

M: Mark lives with you.

J: That's right.

M: And you will work some arrangement out around that. And your proposal, Gwen, is that you stay in the house, Mark lives with you, and you'll work some arrangements around about. . .

G: Right. I can manage.

M: Let me just ask you each then, before we look at our other questions, to hang on to those two proposals, how Mark would have access to the other parent.

G: Well, Uh, I'm perfectly willing to let John see Mark within reason.

J: Most charitable, Gwen.

G: I, well, why don't you let me finish before you jump to conclusions. I would be willing to make some kind of arrangement, a weekend

arrangement, and certainly we could share holidays, and uhm you know I know it's hard for you to accept but I really feel and I I I will fight for it. I want Mark with me. He is still a baby.

J: What makes you feel that I have any less feelings for Mark and believe that he needs me

G: I'm not saying that you don't have. I'm not saying

J: at least as much as he needs you.

M: I'm at a loss, because I still don't quite understand how and what to what extent Mark will have access to John under your arrangement.

G: I will

J: When it's convenient for her.

M: No, John. Hold it.

G: I would certainly be willing to let John have Mark on weekends. He can have Mark on weekends. He can have Mark on holidays, and summertime, when Mark, I'd be willing to let him spend two weeks with his father. Uh,

J: I like the idea that you would be willing

G: This is the reality, this is the reality of divorce, John.

J: that you would be willing. . .as if he's a property that you're sharing with me.

M: John, what in your proposal, what would be the access arrangements for Mark to his mother?

J: I understand that Gwen in going to school, being in an MBA program there are going to be incredible academic demands placed upon her which I really don't believe she's aware of.

G: Not any more than your job and your work.

J: Actually, Gwen, I think I would have more time available for Mark than you will.

M: Let me just intervene for a second, cause one of the problems, as I said to you in the first session is that after we've been married for a while, we very often talk for each other, and it's a very easy thing to fall into. And one of the things that's most helpful in the process of mediation is if we can talk only for ourselves. And I wonder, John, if you could just talk for yourself and and how you would see the access issue arranged from your perspective Uh the

access of Mark to Gwen.

J: I think there should be equal access for Mark to share time with both of us.

M: Um hm

J: He will be in the home, the only home that he has known, be with his friends, be in the school that's part of our community, weekends, holidays, summer vacation, as Gwen is available -- she's going to be working in the summer and maybe gonna be taking courses in the summer Uh these arrangements can be made and I have no Uh set needs that need to be met as far as my having to have Mark

M: O.K.

J: all of the time.

M: Could you tell me a little bit about what the pattern has been around Mark. . .in the last couple of years?

G: Huh. It's very simple. I . . .I have been there for him all the time. Uhm If I've had to be away, I've always made a proper arrangement for him. I cared for him when he was sick, uhm

J: That means I didn't? Are you saying

G: Well, John, there were days when you weren't around and you had to be at work I was there alone in the

J: Does it mean that I cared any less?

G: No it doesn't mean that you cared any less, but the reality is you weren't there.

J: It's the way you present it, Gwen.

M: I wonder if you could, from your perspective, how you think things have been working for the last couple of years in your relationship with Mark.

J: In my relationship?

M: Not, at this point I'm not so much interested in the quality so much as the quantity -- how it worked. You know, I, I assume from what you've already said you agree that the quality was good. I'm trying to get a fix on how it worked.

J: My work has required me to be in the office Uh on a number of occasions during the week Uh for late hours.

G: More and more

J: My preference would have been to be home, however, in terms of promoting my career, advancement, ah, moving up financially, of which Gwen has always appreciated

M: Um hm

J: to provide for my family, I needed to give time to my career. Consequently, I wasn't home for dinner every night of the week. I would bring work home with me and occasionally on a Saturday I would need to go into the office to meet with clients. But I think it's important to bear in mind that I was there, working on a career, that would profit not simply myself, but the family. And Gwen has has never Uh spoken negatively about the earnings that we've been able to enjoy

M: Um hmm

J: because of my work.

M: Um hm all right, so that's some idea now of how things have worked to this date. Let me ask you if we could now look forward a little bit. And perhaps if you could share with me -- Gwen if I understand correctly the plan, your plan is for you to go back to school and get your MBA.

G: Um hmm

M: And I wonder if you could share with me what you think a typical day, and, then, a sort of a typical week would look like for you, if you're in the house with Mark.

G: Um hmm. Well, I've thought about it a lot and I know it's a very difficult thing to work out and I have to admit it really scared me in the beginning too, because it seems like a an almost impossible thing to do. But I have friends, one in particular who's been very supportive, and she's kind of advised me and in in looking at the situation a certain way, coming up with solutions and things. I wanna share maybe not share the house with her, but we do plan to kind of share the responsibilities of the kids, and if she's in the house with me, I would know that there are times when I could watch her child and she could watch my child uhm I would be going to school part-time. I would

M: Could you run through a typical day for me, how would it go?

G: Well, if if Mark, and I'm assuming that we can start in next September when he's going into first grade -- which is all day -- I would be available to see him off to school and uhm most always I could be there at 3:30 and if I wasn't, if I was working part-time, I would hope that Rita, who's my friend, could be there to kind of see him off the bus, and she would be willing to prepare dinner for him.

And then I could be home, say, 9:30, hopefully before his bedtime and that evening would only be, maybe, twice a week.

M: Um hmm

G: So I don't really feel, you know, that that's so bad and again, there's someone I really trust who I know will be there and who knows him. So

M: O.K., John, what would a typical day look like for you?

J: I just want to comment on something that Gwen said. Gwen has never really enjoyed the house we have lived in, it's not it's not her home.

G: I think you are being very unfair John, I think you're really being very unfair.

J: You know how much I love that home.

G: I love it too.

M: Let me just say that, this slipping back just a little bit again, John. Cause you're telling me what Gwen wants. I'm really interested in what you want and I wonder if you could sort of just tell me, if you got with Mark what a typical day would look like.

J: I would be there until after Mark left for school, that's guaranteed. I'm able to get into the office late.

M: Let me get this clear in my own head, what time will Mark be going to school?

G: I believe the schedule for September will be 9:15 to 3:15.

M: O.K. and so I guess he'll get the school bus -- what -- a quarter of 9.

G: Ten to 9, something like that.

M: O.K. good, I'm sorry, go ahead.

J: So Mark is guaranteed to have me there every morning. I will have someone be in the home, a caretaker, to be there to greet him when the bus drops him off who'll be

G: Someone he knows?

J: Perhaps. Someone you may not be aware of but someone that

G: Oh, is that right?

J: Uh--huh, someone that he will know, someone he'll know by September.

G: I think, I feel, I should be consulted. I want to know who is going to be there.

M: Let's hold it . . .before we get into the details let me hear from John what a typical day will look like for him and Mark. So you're off at work. You're at work, somebody will pick Mark up at the bus stop Uh at 3, whatever it is in the afternoon.

J: Right.

M: O.K. What do we

J: On those days that I will not bestaying late at the office,

M: Um hmm

J: I would be home by six.

M: Umhmm Umhmm

J: We'll have dinner together, and the remainder of the evening.

M: Um hmm, O.K.

J: I've made a commitment to myself that I will not go into the office on weekends any more

M: Um hmm

J: and I'm going to be there for Mark.

M: O.K. So what we've got is a situation where you'll both -- you will be out of the house for a great deal of time during the day and you both feel that you could make arrangements for somebody to pick Mark up after school and basically take care of him until you got home. And that, I think, is true for both plans.

J: It's also important to be aware of and pay attention to the fact that Gwen's going back to school at this critical period of time in Mark's life is going to be making demands on her time outside of the classroom. She's going to be working part-time, she's going to be

G: John, you're you're again being unfair. Why are you assuming that my new career is going to be any more demanding than what yours already is ?

J: If you'll allow me. I've been through the graduate program.

G: Huh ?

J: I know what the demands are.

M: Mhmm

J: You're going to be putting time in evenings, weekends that you're just not going to have to give to Mark.

G: John, I'll work it out.

J: I will be involved in Mark's

G: I'll work it out. I wouldn't be concerned.

J: school activities. I'll be able to give that time.

M: Does where Mark lives control the extent to which each of you may or may not be involved in his school activities and those kinds of things?

G: I I don't really understand. John, could you

J: As far as I can see, the answer is no.

M: O.K.

J: But I think the obligations that we have do play an important role and the amount of time, energy, that we will have to be involved in Mark's life.

M: O.K. Let's try to get one other piece of the picture clear in my own head. The. . .you currently make $33,000 a year. You are gonna make about $7,000 a year.

G: Yeah, probably.

M: So you'll have $40,000 gross, between the two incomes and that Uh with that you're going to have to run two households.

G: Umhmm

M: and you also incur some additional expenses in terms of the . . .of support for Mark when you're not there, babysitting or baby care. O.K. so that you've got a situation then it seems to me that hinges, I think, if I understand it, on sort of two points. One is is what is financially realistic. And secondly, what is emotionally realistic in terms of your shared parenting goals. Now, let me try to separate out those two and we'll deal first of all with the parenting goals, and then we'll come back and look a little bit more at the uh uh uh at the money issue. My assumption is, from what we've talked about that you've already said is that you've both had a parenting role in the past; you both want a parenting role in the future. And that I don't

hear either of you saying that the other one must never see Mark.
You've both got some sense of

G: I don't feel that way at all.

M: Mark has rights to both of you and you both have rights to Mark.

<<I now have an understanding of the parameters of the issues, and it is
necessary to see what agreements are possible. In order to do this,
the mediator is faced with a classical paradox: on the one hand, I
need tunnel vision regarding the task of maintaining the focus on
Mark, while also keeping anunlimited horizon regarding the options
available to John and Gwen.>>

G: I know what I want.

M: What is that Gwen?

G: I want my son to have what's best for him. And I feel at this point

J: You want what's best for you.

G: I want him to remain with me and to receive the kind of care that a
five year old boy needs.

M: Umhmm

G: Uhm I want

J: Again, assuming that the father provide the care.

G: I want Excuse me. Excuse me. I would like to stay in the house Uh
that doesn't have to be. It can be a different kind of arrangement,
but I don't think things change that easily. I think that if you look
at the record and you see who's been around, you will see and you can
ask friends, relatives, whoever you like, John's business has always
been his first love.

M: O.K. I think we've agreed, right, that we're not, we're not trying to
ex out either, each other out in terms of Mark, that that's not the
issue.

G: No

M: The issue is how to work both with and for Mark.

G: Umhmm

M: O.K. All right. Now, if I understand what you're saying, Gwen, is is
that you would like to do that, the house itself is not tremendously
important, that where you live, the community's important, but the
house specifically is not.

G: Well, the house is important but it would be the thing that would give, if it had to, but my son, no.

J: My feelings are if I'm not in the home, we sell.

M: O.K.

G: Oh really? We own that house jointly.

J: At this point that's right.

G: And uh let's just keep in mind that if there's a decision to sell it'll be made by both of us. You don't just say "we'll sell."

J: Who's paying the bills, Gwen?

M: O.K.

J: I am certainly not going to support a mortgage on the house and have to pay rental on an apartment in the city. No way. I see. . .I have to survive financially.

M: O.K. so that, in a sense, what you're both saying is is that the house is can be both on the one hand the cement to the whole deal. On the other hand, it could be the piece that if it wasn't there could also arrive, enable you to arrive at some settlement. And let's sort of explore that Uh some more. It seems to me that Uh it 's worth our staying together for a while at this point in exploring this for the next fifteen minutes or so. O.K.? So let's look at it from that perspective. You say that the . . .it's important that you have a good relationship, good access, with Mark in primary residency with you. The house is not as important as being able to stay in Montclair. You say that having access, good relationship with Mark, primary residency with you is important thing; the house is not particularly important. Let me just ask you though, for a moment,

J: I'm Uh I've had strong feelings

M: about that.

J: about the house and my being in the house, but it's something that I think that she and I could struggle out in a positive way.

M: O.K. All right. All right. If you, if you umhm think about this now what would Uh it let me ask you, Gwen and then John, if you could say to me, if you were not living in the house, where would you want to live and what would you want to do. . .uh forget, just for the moment about Mark, leave Mark aside for the moment and just think about it in terms of the house. If you were gonna live in the house, where would you

G: If I were gonna live somewhere other than

M: other than the house.

G: Uhm Well, it would have to be somewhere convenient, you know, Uh I'd be going to school and I will be working part-time in a bank. So uh I would hope to kind of put it somewhere Uh I would have access to both those places pretty easily.

M: O.K. John what about you?

J: In the city.

M: In the city.

J: At that point it would be for convenience sake. Uh I

G: Wait until he's grown up

J: would buy a co-op in the city and there's some, as you know, some excellent private schools that Uh would be fantastic for Mark's development.

M: Uh Let's leave Mark aside just for the moment. Cause I think that Uh uhm it's helpful if we sort of get the house item settled. If I understand it correctly, you're saying Gwen that if you don't live in somewhere close to the school. . .that you're going to go to and the

G: well

M: bank. And you're saying John, that if you don't live in the house, you prefer to live in the city. And that you think that you may be able to swing a co-op in the city and then do you think that you may either swing a co-op or an apartment in Uh in the area. All right. Let's hold that for a second and go on to think about the second piece now. Mark. What are the realities if you, let's think for a moment now that you sell the house, split the equity, and you each take, here, if I remember from our figures last week that you would probably each net Uh thirty thousand apiece, right? So you'd each have about $30,000. Now uhm, if you then think, now, if you were in the city, for example, to what extent would you be able to have the apartment, have the help that you would need for Mark after school hours and the college tuition for Gwen to get her MBA and the private tuition to Uh the school for Mark. I'm just wondering how that would all come about.

J: Well, first of all, I made a commitment that I would take care of Joan, Gwen's tuition.

M: Hmm

J: You never miss a chance, do you, that I would, that I would pay for

Gwen's tuition, but she has it in mind to go to NYU. No way am I
paying tuition at NYU. Montclair State has a fine program in
business. She will do just as well there, and it will be much more in
line with what we'd be able to afford financially.

M: Let me see if I understand this. Gwen, if you were living in Monclair
in the apartment, and and Uh if Mark were with you, would you then
want to go in to NYU or would you want to get the MBA at Montclair?

G: Well, NYU is where I really want to go. Uh, you know, I've waited a
long time for this.

M: Umhmm

G: Uh, I've really had to compromise a lot in terms of my own career and
I don't wanna compromise, no, you're right, I don't wanna compromise.
NYU is where the program is. It's a fine school and I want a fine
education -- just like you did, John.

J: Better be be prepared to take some heavy loans, Gwen.

M: I'm just wondering about it from another perspective in terms of sort
of a different piece of reality, which is, is whether or not one
could live in Montclair and take care of Mark and have the bank job
and commute into the city. To go to school and come back because it's
a what -- it's about fifty minutes by bus from Montclair to the city,
down to NYU.

G: I'm sure I'm sure it's gonna be difficult. I I know it's gonna be
difficult. But Uh Uh Mark's in school all day.

M: Umhmm

G: Uhm I think I can handle it. I really think I can handle it and if I
do find it's difficult, I'll make a decision at that time Uh as to
whether I want to change to someplace in the area. I I feel I should
at least be given the opportunity to try. Uh I've compromised a lot.
I waited when when John wanted to go for his CPA. I waited an Uh I
compromised. I'm not about to compromise any more. I don't want any
less than you want for yourself, John. You've had a fine education,
you have a fine career, um I Uh I think I deserve the same thing.

J: The realities, Gwen, are that it'll be impossible for you to maintain
that kind of a schedule and give the quality time to Mark which

G: Why why don't you let me determine that

J: you believe you could. What it comes down to

G: Why don't you let me? You know I'm sick of having you constantly tell
me what I can and I can't do.

J: Look. Because you have such extreme difficulty in dealing with
   reality. You say you're gonna do this, you say you're gonna do that.
   You're not going to be able to be there for Mark the way you think
   you will be able to be.

M: Why don't we step back here for a moment cause it just strikes me
   that in the last ten minutes of the discussion that a kind of
   assumption has emerged and I really want to check it out, that if you
   in fact sold the house and you moved into the city that Mark would
   stay in Montclair and you would get a place somewhere in Montclair.
   And then we would need to be working out the kind of other access of
   how he might spend an evening over with you during the week and how
   weekends might work. Is that what I'm hearing at this point? I'm I'm
   not quite sure what the dispute is.

G: I I I at this point I feel really confused and and I'm feeling very
   disgusted and disappointed and I

J: You want the cake and to eat it too. That's the way it's always been.

G: I want what I feel I deserve.

M: Umhmm Well let me, do I understand it correctly, Gwen, that if the Uh
   we can say that so far we've agreed that in all probability that you
   will -- at least one possibility before we I've said that we've
   agreed, but one possibility it seems to be emerging is to sell the
   house, each of you take your share of the equity and decide what you
   would want to do with that -- you'd each make that decision then,
   you'd live in Montclair with Mark who would live with you and go to
   school in Montclair.

G: Umhmm

M: And, John, you would move into the city and then you would some, one
   how would you then work out the issue of Mark's access to both of you
   so he has a good strong relationship with both mother and father.

G: Well, I I think I stated that I would feel perfectly comfortable with
   John having him every weekend. I wouldn't even mind if he took him
   one night of the week if he wanted to visit and take him to dinner or
   a movie or something like that. Um you know, it isn't that far and it
   isn't I don't see that that's unrealistic Uh.

M: John, how does that sound to you?

J: It sounds like things are working to Gwen's favor. That's what it
   sounds like to me.

M: How, how, in which way?

J: That when it's convenient for Gwen for Mark to be with me that's how

it would be.

G: That has nothing to do with it at all. It has to do with Mark. Only.

M: Well, then. Just one second. Gwen, if you would. John, what would you like to see in the arrangement if in fact you were living in the city and Mark were living in Montclair.

J: I would like to be able to see Mark at whatever time I wished. If I happen to come across some tickets to a Nicks game on a particular afternoon, and I want Mark to be with me that evening, go to the Garden,

M: Umhmm

J: I'd like to be able to do that. Not have to plan for a week in advance.

G: You don't have to plan a week in advance, but I just want to know at some point, you know, before you made some kind of arrangement that you were going to do it. Uh Uh I don't care if you take him during the week. I really don't care. I think it's fine. I want him to have his father and I want him to do all the things that he would do with a father but I I don't want you walking in and out of the house whenever you want. I want you to tell me that you're coming and that I can expect that he's gonna be leaving for a while. I don't think that's unreasonable.

M: O.K. That seems to be a good point to bring the session to a close. I think that you've both agreed that you need to work out the specifics of how to make Uh the arrangements for Mark to be with each of you. That we've agreed to this point at least in some overall sense what to do with the house and therefore how to work, also, with Mark. Uhm, the question I think that we need to work out more specifically is how we can set up an arrangement so that Mark can go to the Nicks games with you, John, and and Uh have weekends and the other access etcetera. And what I'd also like you to think about, given that, how you would work out the financial difference between paying for the tuition at Montclair State and NYU. And if you could think about those two things, then when we get back together next week, I think we've made an enormous amount of progress today and I really want to thank both of you for the way in which you've been willing to listen to each other.
    Because of time constraints, we will begin our next training session

with a discussion regarding key issues that you've identified and the

strengths and weaknessness of the mediator. Please turn in your lists

and check to see that your names and student numbers are at the top

of these sheets. See you soon.

MEDIATOR TRAINING PROGRAM (Part II)

Today is the second part of your training program. First we will review keys points from our last meeting. Then we will discuss the divorce mediation tape that you viewed last time focusing on identifying (1) key issues, (2) strengths of the mediator, and (3) weaknesses of the mediator. You will then view a second video tape that is a mediation of a roommate dispute. We will discuss the strategies and tactics used by the mediator. Following the discussion, you're going to get to practice what you've learned thus far.

We have defined mediation as a form of third party intervention in which the mediator or intervenor works with disputants to aid them in reaching their own agreements instead of imposing agreements. The goals, then, of mediation are (a) to improve communication between participants, (b) to empower disputants to find a solution to their conflcit, (c) to resolve a dispute in a collaborative manner, and (d) to rebuild trust. Finally, research on the mediation process points to the need for mediators to control (i.e., guide, orchestrate) the mediation session.

In order to "control" a mediation session, there a several intervention strategies that a mediator should use. First, a mediator should <u>structure</u> the content and process of mediation. By structuring the content, you are: (a) establishing the rules for interacting, (b) monitoring the turn-taking, (c) keeping disputants focused on issues, (d) initiating or prohibiting topic changes, and (e) enforcing the rules for the interaction. Second, a mediator should <u>reframe or clarify</u> information. By reframing information you are: (a) paraphrasing

disputants' positions, (b) summarizing points of agreement, (c) pointing out when disputants are being unreasonable or unrealistic, and overall, (d) clarifying what has been said. Third, a mediator should <u>request</u> information from disputants. By requesting information, you are: (a) probing disputants for additional information, (b) requesting for possible solutions/proposals, and (c) determining whether proposals are acceptable to each party.

Also, three disputant behaviors were described to you. Disputants may <u>attack</u> each other. That is, they may insult, threaten, call each other names, and/or swear. You should immediately shut down this type of behavior because the interaction could quickly become out of control. In addition, disputants may attempt to <u>bolster</u> or further their positions. This type of behavior is O.K. Try to clarify each side's position, summarize, and make sure that each side talks an equal amount of time. Finally, disputants may <u>integrate</u> or begin to agree on certain points/issues. This is your opportunity to encourage disputants to make proposals regarding possible solutions to their dispute. Once disputants begin to agree on certain points, this is your chance to probe for additional information that will open up the communication between the interactants and hopefully move the disputants toward reaching an agreement.

At our last meeting, you viewed a video tape of a divorce mediation and were asked to make a list of the key issues that the disputants brought up during the course of the interaction. All of the issues apear to fall into one of two categories: (a) relational issues or (b) factual issues. Many of the relational issues are tied to Gwen's

and John's past. For example, John is concerned with who left the relationship first (i.e., Gwen) and that the amount of effort invested in his career has not been recognized and/or appreciated. On the other hand, Gwen feels that she is being replaced by another woman (i.e., her parenting role is being disolved) and is deeply concerned about what the neighbors will think with "another woman" in the household. An important consideration when you are mediating a dispute is to keep the participants focused on present rather than past issues. It is important that disputants focus on what is rather than what was.

While relational issues are certainly important, the factual issues should be the critical focus of the mediation session. Examples of factual issues from the video tape of the divorce mediation center on: (a) who will be the primary caretaker of their son, Mark and (b) how the property should be divided (e.g., selling the house, financing Gwen's tuition to graduate school). Both Gwen and John argue that they should have custody of their son. Both want to live in the house. An appropriate strategy to use when you are mediating a dispute is to ask disputants to visualize then to articulate their plan of action or proposal to resolve specific issues. In the video tape, the mediator asked both Gwen and John to describe a typical day if she/he was the primary caretaker of Mark. Similarly, the mediator asked about the reality of maintaining two households, commuting, paying for child care and financing an MBA at NYU versus Montclair State. Again, it is extremely important to focus disputants' comments on the present rather than the past.

In addition to identifying critical issues, you were asked to make

a list of the strengths and weaknesses of the mediator. Let's begin by pointing out the mediator's strengths. You all probably noticed that the mediator did a good job of emphasizing areas of agreement between the disputants (e.g., their son, Mark needs both of them, they both want what is best for Mark). The mediator allows the disputants to choose the course of the session (e.g., "I can referee or mediate. . .", "People who fight well usually negotiate well"). In addition, the mediator keeps disputants focused on current issues (e.g., "How would Mark have access to either parent. . .") rather than allowing disputants to dwell in the past (e.g., "Who left the relationship is unimportant. . .", "Let's look forward. . ."). Finally, when disputants begin to agree on certain issues, the mediator encourages disputants to make proposals regarding solutions to the conflict/issues at hand (e.g., "Run through a typical day for me . . ."). Certainly, the mediator has done his background work on his clients and tends to accentuate the positive rather than the negative during the course of the interaction.

Although the mediator demonstrated many strengths during this mediation session, there is room for improvement. Perhaps the greatest weakness is that the mediator did <u>not</u> control the interaction at the beginning of the session. Rather than stopping the interaction when disputants began attacking each other, the mediator typically asked "Can I know?" The mediator was probably perceived as extrememly polite, kind and gentle, almost hesitant to take control at the opening of the session. He fails to keep John on track who wants to discuss who left the relationship first. The mediator makes comments like "Each one of you is hurting. . ." which creates an expectation for the disputants

that "Yes, I expect this whole process to be painful . . ." rather than focusing on specific issues right away. The mediator did attempt to control or orchestrate the interaction but this strategy should have been implemented early on. Remember that disputants do not really know how to behave in a mediation, that they are looking to you to guide them through this process. You will have an easier time mediating, if you explain what is acceptable and what is unacceptable behavior, and be sure to enforce these behavioral rules.

What you are going to view next is a short video tape of a roommate mediation. I recruited several graduate students that you'll probably recognize. The point here is to notice the intervention strategies that the mediator uses. Please make a list of examples from the video tape that illustrate the three types of strategies that mediators tend to use: (a) structuring, (b) reframing or clarifying, and (c) requesting information. What follows is a transcription of the video tape. The mediator (M) attempts to resolve a dispute between two roommates , Carra (C) and Nancy (N).

M: Nancy, Carra, we are going to mediate the problem between both of you. My name is Mike and what I'm going to do is not try and enforce a solution on you but simply try to have you two come to some sort of an agreement and you're going to negotiate with each other, although I will be here to help. We have a few rules for what is about to take place. The first rule of course you don't interrupt. That is, each person be allowed to complete their statement before the other person wishes to respond. The second rule is that you try and maintain some basic standards of politeness towards one another and not be rude or offensive and the third standard what I want each one of you to do is try to deal with things in the present and not keep digging up past incidents. What we're dealing with here is to try to negotiate a solution or some sort of agreement between both of you that will take place now, you know, to the future and we have solved problems in the past of course we can deal with, you know, problems, interactions you can deal with in the future. Now I don't know the details of the

problems between both of you as roommates but does one of you want to start in?

C: Well, the agreement was

M: O.K., you two had an agreement.

C: We had an agreement to begin with, O.K., so there was no written down contract. But two days a week, practically the, it was supposed to be the middle of the week she'd come in. My understanding of it was that it was going to be Wednesday and Thursday. She arrived early in the morning, bring her stuff in

M: On Wednesday?

C: yeah, on Wednesday, bring her stuff in, attend her classes, do her business, stay overnight. And for two days a week, we agreed $100 a month. The difficulty is that it's taking longer than that and

M: When was she to leave -- Thursday? I should, I want to make it

C: She was to leave because she had to be back in Grand Rapids in order to teach Thursday nights.

M: So. . .she was to leave Thursday morning and left Thursday night?

C: She was to leave Thursday nights. My understanding, I would have, I would have

N: Carra, I had a schedule change.

C: Yeah, but why didn't you tell me about it? I mean, give me a break. We were at an agreement.

M: Wait, wait a second. I'm still unclear as to what, what the problem is here. All I hear so far is that she, you're supposed to come in the morning and leave Thursday. Now were there any other parts of this? I just want to know what the catastrophe of it was.

C: Well, I was also under the assumption and we didn't talk aboout this, but that she would be neat, that she'd arrive fairly promptly, that the keys that I gave her she'd keep track of, that essentially she would would arrive, do what she needed to do, and not interfere.

N: Carra, I only lost, I only lost two sets of keys.

C: Twice, be for real, I mean, come on.

N: Two sets, come on.

M: O.K. So what you're saying is that uh

C: I feel infringed upon. She's, I think she's overstepping

M: She's lost her keys?

C: She's lost her keys a couple of times. Which means I've got to (a) be called, (b) be found so she can get in so she can do her business.

N: I was, I just happened to walk in on her one time.

M: Wait. Let Carra finish her

C: Well, you know, who needs it!

M: O.K.

C: I'm not trying to set myself. It's not that the amount of money that's being paid here. It's not worth it and it's turning into, well, Tuesdays

N: Sometimes well, I don't have to teach Thursdays so I'm going to stay another night.

C: But what's happening is that is you're taking advantage of me and I really don't like it and on top of that you're a slob. Your stuff is all over the goddamn apartment, you know. I'm not your mon. I don't have to pick up.

M: What you're saying is that she is coming early and staying late occasionally?

C: More than occasionally.

M: That she's coming early and staying late. She's losing the keys.

C: Yeah

M: and she's spreading her stuff and she's not respecting your space.

C: Uh Huh. She is taking advantage of me, um, you, you name a level.

M: Those are basically the three problems she's had.

C: Those are the three I can think of right now.

M: O.K. Alright. What do you have to say about it?

N: Well, in the first place Carra has been a very good friend of mine for some time

M: O.K.

N: and knows fully the kind of problem that I'm having back in Grand

Rapids and uh, been under a tremendous amount of stress uh

C: I can appreciate all of that but under the same token, you have a responsibility to me as a friend. So let me know what's going on. You're not talking to me about this stuff.

M: Hey, Hey. Let, let, let me ask you. Did you agree to any of this, agree to this before hand?

N: Well, we really didn't make things too too clear. Um, we began. I offered to pay $100, uh

M: O.K.

N: a month and I've been fairly good about getting Carra the money. Things are tight.

M: Is that true?

C: She's, uh, yeah. I've, I've only had to ask once, I think, so that's

M: O.K., so financially, that, that hasn't been much of a problem.

C: The financial issue is not

M: O.K.

C: the biggest issue is the fact that, that

M: The other three things?

C: But she's taking advantage of me and my space. I'm used to living by myself, so I'm, I really feel I'm doing, I'm doing you a favor and I appreciate everything you're going through, but by the same token, I don't have to go through all of it with you.

M: O.K., let's get back, get back to the three, three main, main issues here.

N: Well, I haven't been responding to all of them.

M: None of them so far. Uhm which one, uh let's start with the problem with the keys. What do you see?

N: Well

C: Well, we could talk about the typewriter and

M: Well

C: and we could talk about the time you came and didn't have your clothes

M: Well let's stick

N: I've just been under

M: Are those the major issues or do you just want to

C: Well, she arrives on my doorstep

N: I just happened to forget all my clothes one day

C: No clothes!

N: And and

C: This was the one time that she did say you know I've got to stay an extra day and then she arrives first thing in the morning. She arrives with no clothes, sweat suit, nada, nothing else. She's got to teach in thirty minutes and she has no clothes.

N: I had had this huge fight at home. Ya You have to understand and and ah Carra really was very kind to provide me with clothes for the week.

M: O.K.

N: And I did stay longer than I had set up.

M: O.K., that comes back to then the issue really of you staying longer and that seems to me to be the real problem. Your, your, do you, do you object to her borrowing, do you object to the one time borrowing your clothes?

N: I did have them all laundered and dry cleaned!

C: This is true. This is true. Uh, of course she was lucky they were clean to begin with.

M: Do your clothes really

C: That is not, that is not an issue. That's not a problem.

M: O.K. It's mostly she's staying an extra

C: It's It's this surprise

N: I will, I will, I will admit in the morning sometimes when I'm in a hurry and I tend to, I Uh

C: Understatement of the century!

M: O.K., let's, let's, Nancy's turn

N: and I will will admit I leave my things all over.

M: Let's focus on uh, is Carra there during. . .Are you there during those two days, like working in the house and stuff. Are you both there together at the same time?

C: Well, I'm working in my office more because she keeps encroaching on what used to be my space.

M: O.K.

N: I can't work in my office because there's too many distractions and so I've

M: UmHmm

N: been using Carra's place.

M: Well, can, is there like a separate, are there two separate rooms you work in?

C: It can be sort of arranged, sort of but I mean, she's on the only table in the apartment. So, she arrives with her typewriter and her clothes and all of her stuff and sort of moves in, you know, and I move the furniture enough so that we can get a bed out and all of that kind of and all the, the whole nine yards and I mean there isn't another table.

M: Well

C: I didn't know ahead of time that she was going to do a major amount of her work in my house.

M: Well, let's uh

C: The initial agreement was like a night over so I was sort of thinking slumber party time. This is not

M: Well, talk about the issue of space, uhm. Do you, does Nancy pick up her stuff when she's finished?

C: No.

M: Is that true?

N: Well, usually, I'm so pressed for time

M: So you don't pick up the things that you get

C: It's not

N: Well, I

C: that, it's just that you're disorganized. That's all. You just don't have your your shit together.

N: Well, it's not that I don't have my shit together. It's just that I have so much shit!

M: Well uh

C: That's an understatement of the century.

N: Carra does not have a mansion. It's just not like I'm spread over 5,000 square feet.

M: Well, uh, well then, if you don't have a lot of space, there's less space to spread isn't there?

C: Right on!

M: Yeah, let's talk about, is after you've got your stuff spread out, is there room that Carra can work? I mean, is there room left over?

N: Carra's always worked in her office.

M: No, no. Let's focus on, on the place. No after you've spread your stuff out, is there room for another person to work?

C: Be truthful to that.

M: I mean is there room?

N: No room. There is no room.

M: Well uh, do you think it's fair that you should for two days take up the entire apartment?

N: No. I honestly have, I have to admit that I have been taking advantage of Carra , in the first place. But the flip side of that is I have been paying my money and I've been a good friend to her.

C: Friends don't take advantage of their friends.

M: Well, the initial, the initial

N: But other friends care about

M: Wait. Wait. Let's

C: Now I've

M: Let's not

C: Now come on. We've known, we've known each other long enough that's why we haven't made a whole big deal of this anyway. It was like sure no problem.

M: O.K., let's, Let's not you know, bring up the issue whether persons are good friends or not. Let's deal with how we could manage, yeah, how we can divide the space so to speak for two days at a time.

C: Or three days.

M: We'll get to the issue of, uh whether, uh, uh how long she stays, but for the two days right now, that have been arranged uh, what uh, you've admitted that you take too much space. You take it all, in fact. That's what you've told me. Now how are you going to reduce the amount of space that you take up?

C: Stay in Grand Rapids.

M: Yeah, that is, that is one solution.

C: Sleep in your car.

N: At this particular point in time, this is not

C: I'm not, I'm not being serious. You know, I'm not being serious.

M: O.K. O.K., the issue is how are you're, uh, you know, if you're taking too much time space, how are you going to manage how much space you take up?

N: Well, what I can do. I have an office and what I can do is do my work in my office and uh, when I do work. . .

M: Do you have a typewriter in your office? I mean is there space available in your office where you can work?

N: Yes.

M: So, so in other words, you could work there?

N: I don't like to use it.

M: Why don't you like to use it?

N: I don't like the distractions.

M: Well, what. . .

N: I like to be by myself and I share an office and it's it's been very hard. . .

M: You're person is always there and you can't. . .

N: Well, and the phone is always ringing.

C: She does have more office mates than I do. I will admit that.

M: and they're there, during times when

N: They're there when I'm there and um because I split my time between Lansing and Grand Rapids, when I am here there are a number of people that have to see me, students included and it is very chaotic. I don't get, um, enough study and work done in my office. I do keep my office hours, but um, I could spend, I could work a um a few more hours there, um perhaps later at night

M: How about, uh, how about just simply condensing your things?

N: Well, The other thing I was thinking about is, is we just, If I just, we kind of, in the upstairs. If I just kept my stuff on one end of it, uh

C: That would be, then, if I need to do, have access to the you know, a little corner of the table, I mean

N: I don't mean to, it's just

M: There's a separate upstairs from

C: Yeah, her stuff starts upstairs and it sort of animates itself

M: It comes downstairs.

C: It comes downstairs.

M: Why don't you just have a rule that all of Nancy's things have to be upstairs for the two days that she's there.

C: I could live with that.

M: Is the table downstairs?

C: No.

N: No, no, the table's upstairs, and I could, if I want, it's long, it's a relatively, it's like six feet long, I could just. . .

M: Clean off a square for Carra's space.

N: I could just work on half the table. I don't need. . .

M: O.K., now, that would, so that would, you could maybe condition,

would it be fair to say that you need to pick up everything before you leave to go back to Grand Rapids? Is that?

N: Well, some of the things. . .

M: Carra says yes.

N: like my typewriter, like my typewriter, some of the things that pile up.

C: If you wanted, if you wanted to leave the typewriter, it's just that

M: I meant

C: the odd garments, you know, you, it grows, it spreads!

M: Well, if we sort of make a "A Nancy corner" and everything had to kind of like be in one spot.

N: There is that one closet that you really aren't using. . .

C: Uh huh

N: that I could perhaps put all my stuff in that closet.

C: Uh huh, that would be O.K. because then I'd at least know where it was and if, if what's in the closet is a mess, that's your business and not mine. I mean I could restrict

M: For five days a week you would have it spotless and you would accept it?

C: Yeah.

N: Yeah.

M: Well, let's go on to the second issue since now that everyone's agreed that. The issue of the keys, is the issue that you don't like Nancy losing the keys or you don't like being bothered when Nancy loses the keys?

C: I, uh, well, uh well, how can she not bother me when she loses the keys?

M: Well, there are, there are some solutions I could suggest, like for example, uh, Nancy could go and make duplicates.

N: Don't you trust me?

M: Well, you could, you could make duplicates and keep

C: Twenty sets!

M: it in the glove compartment of your car which I assume you'd never go to the apartment, you know, without it. That way if she lost the keys, uh, the keys would be lost but

C: She'd have a backup set.

M: but she had, uh, but if you're upset about the fact that she's losing the keys. . .

C: Well, I mean, I don't care if she loses them as long as they're not labeled, you know, with the address, the name, and the phone number.

M: You don't label them? Then I could see why.

N: Well. . .

C: Do you label the keys?

N: No, well, but we did find, but we did find, remember that one set? We did find that one set.

M: So, are you going to take the labels off?

N: Well, I'll just keep that one, yeah, I'll take the labels off. But, I was just thinking that what I could do is leave uh, uh a back up with uh, my, with one of my friends.

C: Or even in the glove box, because let's face it, at 2 in the morning, I'm not always up to having the doorbell rung, right?

M: Would that be fair?

N: Well, uh

M: O.K., well, would the spare set of keys though that would take care of you know, that way you would still have access and you wouldn't and if you had lost it wouldn't, you would just have to make sure you keep getting spare sets of keys as you lose them. Maybe, making at least five at a time.

C: I could live with that.

M: Well

C: It's the, it's the interruptions.   I don't if I'm in the middle of something, it's if I'm with a student, you know, I have to drop everything, get in the car, drive to wherever she is, and usually home, and let her in the building, and then she can't get back in or else I've got to have an extra set. She'll have to keep an extra set.

M: This will permit that.

C: Yeah.

M: Does that sound O.K. to you?

N: Yes.

M: O.K., now the only other issue, is the third issue is whether or not you, uh, Carra, says you come early and leave late. You know, you're only supposed to be there a day and a half, the morning of Wednesday and through Thursday.

C: Well, that was the original understanding.

M: Is that, is that

N: Well, I told you about my schedule change. Uh, I was going to take a class and my classes were supposed to meet on Wednesday night and then Thursday and what's happened is I'm in a Tuesday/Thursday, Tuesday/Wednesday/Thursday slot so uh . . .

C: When did that change? I didn't pick up on that.

N: Well, I had to go through, one of my courses was cancelled and I had to pick up another course, and um, I'm here.

M: O.K., well, what would that mean in terrms of, if you had to be here, what would that be in terms of what, uh week to week?

N: Well, it would be another day.

C: Two nights.

M: So it would mean you coming Tuesday morning?

N: It means Tuesday, Wednesday, leave Thursday.

M: So, Tuesday morning leave Thursday night?

N: Yeah.

M: Uh, what would it take Carra, for you to agree to an extra day?

C: Well

M: Or is that impossible?

C: It's, it's not impossible. I guess my my biggest objection was that things were becoming, sort of happening more spontaneously than I thought they were going to. I mean the original agreement was for a restricted part of time, you know, and then all of a sudden it started. It was different. It became unpredictable every week. I've

got animals in the apartment and I wanted, and I'm running on a schedule too and wanted to know what was going to happen. So what's the big deal?

M: So you're saying you want certainty?

C: Well, yeah. I want a certain amount of predictability, uh just because my schedule is tight too, um

M: Can, can you be predictable?

C: Well, if she'd just let me know what's going on

N: What I can do

C: before anything happens.

N: What I can do is just get a back up place. Things are just really bad at home.

C: Well, you don't need to do that. But if you could give me, you know, some

M: Carra's not saying she doesn't want you there the extra day, necessarily. She just wants to know that you're going to be there. That's different.

N: Uh, definitely I will be there Tuesday and Wednesday night and then I will leave on Thursday.

C: O.K.

N: By Thursday night.

C: O.K., I mean he's right. It's not the deal of how long. It's just when it's going to happen.

M: Now is there any other, uh, is there anything else that needs to be changed because there's been an extra day that's been added? Is there any other consideration?

C: I think she should stop drinking all my scotch. But other than that.
. .

M: Well, how about if she replaced your scotch?

C: Well, that would be acceptable.

M: Do you drink the scotch, or not?

N: No I don't drink the scotch.

M: Oh, you don't drink the scotch?

N: No. My boyfriend does.

M: Well, uh, if your boyfriend drinks the scotch, do you think you or your boyfriend should replace Carra's scotch?

N: Obviously.

M: O.K., well, then, I mean that's only fair. Is there any other things other than the resource?

C: I was only being petty. I was just

M: You were being petty about the scotch? They drink that much scotch in a few days? Well, is there any other, um, any other um things major?

C: No, I can live with this.

N: Me too.

M: Well thank you both for your collaborative efforts.

So, you were asked to write down examples of the three types of interventions that the mediator used in this roommate dispute. We know that a <u>structuring</u> intervention occurs when a mediator attempts to gain control of the interaction. Most of you probably noticed that the mediator did a good job in his opening by explaining what mediation is and what the ground rules would be. When the conflict began to escalate, the mediator would remind disputants not to interrupt or to "Let Carra finish." The mediator did a good job of keeping the participants focused on the issues and moving from issue to issue (e.g., "Let's get back to the three main issues,"). Overall, this mediator did a good job of structuring the session.

A second type of intervention strategy is <u>clarifying or reframing information</u>. This strategy occurs when the mediator attempts to restructure the disputants' proposals, utterances, or evaluate their acceptability. This type of intervention really is an indice of how

actively the mediator listens or monitors the interaction. Examples of this type of tactic include: (a) "So what you're trying to say, Carra," (b) "What you're saying is that she's coming early and staying late," and (c) "So you're upset about the fact that she's losing the keys." While there are many more examples of reframing, this intervention many times is a paraphrase of what the participants have just said. Not only can the mediator understand what is being said, but also the interactants hear their positions restated.

A third intervention strategy is <u>requesting for information.</u> Here the mediator is asking for information or clarification of prior information. Again, the mediator in the roommate mediation used this strategy quite effectively. Some examples of requesting for information include: (a) "You don't label them (the keys)?", (b) "After you've got your stuff spread out, is there room for Carra to work?", and (c) "Is there anything else that needs to be changed. . .is there any other consideration?" This is important intervention type because here you are asking interactants what they want or how they propose to address a specific issue or resovle the problem at hand. You may find question asking as a means of distracting disputants and consequently reducing the level of conflict.

The purpose of this discussion was to let you see how these three general types of interventions function. Another consideration is the timing of your interventions. That is, when is it appropriate for the mediator to intervene? This next activity will reinforce this timing issue for you. What we're going to do is have two of my research assistants (Mark and Rich) fight with each other. I will stop the fight

and ask you what you would say to either disputant. Then Mark and Rich will continue to argue.

<<Mark and Rich were given the following directions: (a) imagine that the person sitting opposite you is your roommate, that (b) life with your "roommate" has become increasingly difficult because you seem to have opposite schedules, that (c) one of you is best described as the "early bird" while the other is the "night owl", and that (d) you and your "roommate" have decided to fight this one out by airing all your arguments, frustrations and opinions regarding this conflict of opposite sleeping schedules. In addition Mark was told to be rude to Rich, to interrupt, and to name call.

Rich was assigned the early bird role. His arguments centered on: (a) he would like to turn on music in the a.m. but he can't, (b) he would like to clean up the room before leaving, but he can't, (c) he resents not being able to do what he wants to do in his own room, (d) that trying to be quiet in the a.m. makes his nervous and tense, (e) that he feels awful in the day because Mark keeps him up all night, (f) that he is normal, because most people sleep at night and work during the day, (g) that Mark should show some empathy and understanding, and (h) that since he pays half the rent, he should be able to do what he wants.

Mark was assigned the night owl role, and to be extremely rude while in this role. Mark's verbal cues were loud, he frequently interrupted Rich, invaded Rich's space physically, and overall did a good job of being obnoxious. Mark's arguments were: (a) he wants to turn on the t.v. after coming home late, but can't, (b) wants to type papers

at 2:00 a.m., but can't, (c) he wants to have his friends over after work, but can't, (d) that he can't seem to relax and getting to sleep is difficult, (e) that the money he is making on this second shift is too good and he won't get another job just to accommodate Rich.

To summarize, this activity worked well. Trainees experienced a live interaction in which various strategies were discussed for controlling this roommate dispute. In retrospect, it might be good to start the training program with an activity like this to encourage trainees to attend to the lecture more closely, as they will find this information useful.>>

The final activity will ask you to break down into groups of three. Two of you are asked to role play disputatious roommates while the third person will mediate your conflict. You have all experienced conflicts with roommates. What we are asking you to do is to role play roommates that can not resolve a conflict such as: (a) having opposite study habits, (b) having opposite tastes in music, (c) having opposite work and sleeping schedules, (d) being irresponsible with the phone (e.g., not paying your bill, not taking messages, etc.), and/or (e) frequently borrowing your roommate's possessions. When it is your turn to mediate a roommate dispute think about moving the participants through the process. That is, think about the following steps to follow: (a) introduce the interaction, (b) establish the ground rules, (c) ask P1's position, (d) summarize P1's position, (e) ask P2's position, (f) summarize P2's position, (g) ask participants for their proposals/solutions, (h) find out which proposals are acceptable, (i) thank participants for their cooperation, (j) close or end the session.

<<Forty-five minutes was devoted to this last activity. Several research assistants and the trainer went from group to group to make suggestions about intervention strategies and their timing.>>

I would like to thank all of you for participating in this training program. You all know that you will have an opportunity to use the skills gained from this training program if you decide to participate in my study. Several sign-up sheets have been circulated with specific dates, times, and place for the roommate mediations. You should have written down the date and time that you are scheduled to mediate. If you have forgotten to write down you time, please see me. Thank you again. See you this weekend.

LIST OF REFERENCES

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Adler, R., & Towne, N. (1987). Looking out/Looking in: Interpersonal communication (4th edition). New York: Holt, Rhinehart & Winston.

Altman, I., & Taylor, D. (1973). Social penetration: The development of interpersonal relationships. New York: Holt, Rinehart, & Winston.

Barsky, M. (1983). Emotional needs and dysfunctional communication as blocks to communication. Mediation Quarterly, 2, 55-66.

Bavelas, J., Rogers, E., & Millar, F. (1985). Interpersonal conflict. In T.A. VanDijk (Ed.), Handbook of Discourse Analysis (Vol. 4). New York: Academic Press, 9-26.

Beck, E.A., & Beck, C.E. (1985). Improving communication in divorce mediation. Journal of Divorce, 8, 167-176.

Bell, D.C., Chaftez, J.S., & Horn, L.H. (1982). Marital conflict resolution: A study of strategies and outcomes. Journal of Family Issues, 11-131.

Bienefeld, F. (1983). Child custody mediation. New York: Science and Behavior Books.

Bochner, A. (1976). Conceptual frontiers in the study of communication in families: An introduction to the literature. Human Communication Research, 2, 381-397.

Boster, F.J., & Stiff, J.B. (1984). Compliance-gaining message selection behavior. Human Communication Research, 10, 539-556.

Boucher J., & Osgood, C.E. (1969). The Pollyanna hypothesis. Journal of Verbal Learning and Verbal Behavior, 8, 1-8.

Burgoon, M., & Miller, G.R. (1984). An expectancy interpretation of language and persuasion. Unpublished manuscript. Michigan State University, East Lansing.

Burrell, N.A. (1987). Stereotypes and control in conflict situations: Don't cry for me. . .mediator! Paper presented at the annual meeting of the International Communication Association, Montreal.

Cooley, R.E., & Roach, D.A. (1984). A conceptual framework. In R.N. Bostrom (Ed.), Competence in communication. Beverly Hills, CA: Sage.

Coombs, R.H. (1969). Social participation, self-concept, and interpersonal Valuation. Sociometry, 32, 273-286.

Coulson, R. (1983). Fighting fair: Family mediation will work for you. New York: The Free Press.

Cupach, W. (1985). Respondent's remarks. Unpublished paper presented at the annual meeting of Speech Communication Association, Denver.

DeVito, J.A. (1985). Human communication: The basic course (3rd ed.), New York: Harper and Row Publishers.

Donohue, W.A., Allen, M., & Burrell, N. (1985). Communication strategies in mediation. Mediation Quarterly, 10, 75-89.

Donohue, W.A., Allen, M., & Burrell (1986a). Testing a theory of mediator competence. Paper presented at the annual meeting of Central States Speech Association, Cincinatti.

Donohue, W.A., Allen, M., Burrell, N., Stahle, R.B., & Stewart, B.L. (1986b). When to intervene: Timing in divorce mediation. Paper presented at the annual meeting of the International Communication Association, Chicago.

Donohue, W.A., Diez, M.E., & Weider-Hatfield, D. (1984). Skills for successful bargainers: A valence theory of competent mediation. In R.B. Bostrom (Ed.), Competence in communication. Beverly Hills: Sage, 219-258.

Duck, S. (1986). Human relationships: An introduction to social psychology. Beverly Hills, CA: Sage Publications.

Emmerman, L. (1987, April). Divorce mediation in Cook County. Chicago Tribune, p. 32.

Emmert, P. & Emmert, V.J. (1984). Interpersonal communication (3rd ed.), Dubuque, Iowa: Wm. C. Brown Publishers.

Fisher, R.J. (1983). Third-party consultation as a method for intergroup conflict resolution. Journal of Conflict Resolution, 301-334.

Fisher R., & Ury, W. (1981). Getting to yes. New York: Houghton Mifflin & Co.

Fiske, S., & Taylor, S. (1984). Social cognition. Reading, Mass: Addison-Wesley Publishing Co.

Fitzpatrick, M.A. (1977). A typological approach to communication in relationships. In B. Rubin (Ed.), Communication yearbook 1 (pp 263-278). New Brunswick, NJ.: Transaction.

Fitzpatrick, M.A. (1983). Predicting couples' communication from couples' self-reports. In R. Bostrom (Ed.), Communication yearbook 7 (pp 49-82). Beverly Hills: Sage.

Folberg, J., & Taylor, A. (1984). Mediation: A comprehensive guide to resolving conflicts without litigation. San Francisco: Jossey-Bass Publishers.

Garfield, J.C., Weiss, S.L., Pollack, E.A. (1973). Effects of the child's social class on school counselors' decision-making. Journal of Counseling Psychology, 20, 166-168.

Gergen, K.J. (1968). Personal consistency and the presentation of self. In C. Gordon & K.J. Gergen (Eds.), The self in social interaction, Vol I: Classic and contemporary perspectives (pp 299-308), New York: Wiley.

Goffman, E. (1967). Interaction ritual. Garden City, NY: Doubleday.

Goldberg, M. (1981). Responsibilities and functions of the mediator. In F.T. O'Brien (Ed.), Conflict Resolution in Today's Economic Climate: 1981 Proceedings of the Ninth Annual Meeting, (pp. 136-156). Toronto, Canada: Society of Professionals in Dispute Resolution.

Gottman, J.M., (1979). Marital interaction: Experimental investigations. New York: Academic Press.

Hastie, R. (1981). Schematic principles in human memory. In E.T. Higgins, C.P Herman, & M.P. Zanna (Eds.), Social cognition: The Ontario symposium (Vol. 1), pp. 39-88, Hillsdale, N.J.: Earlbaum.

Hayes, D.P, & Meltzer, L. (1972). Interpersonal judgments based on talkativeness: I fact or artifact? Sociometry, 35, 538-561.

Haynes, J. (1981). Divorce mediation. New York: Springer Publishing Co.

Hocker, J.L. & Wilmot, W.W. (1985). Interpersonal Conflict (2nd ed.), Dubuque, Iowa: Wm. C. Brown Publishers.

Hunter, J.E., Hunter, R.F., & Lopis, J.E. (1979). A causal analysis of attitudes toward leadership training in a classroom setting. Human Relations, 32, 889-907.

Johnson, W., & Moeller, D. (1972). Living with change: The semantics of coping. New York: Harper and Row.

Kelly, W.P., (1980). Mediator training. In ARLA (Eds.), Selected Proceedings of the 29th Annual Conference of the Association of Labor Relations Agencies (pp.79-81). Vancouver, British Columbia, Labor Relations Press.

Kelly,R.L., Osborne, W.J., & Hendrick, C. (1974). Role-taking and role-playing in human communication. Human Communication Research, 1, 62-74.

Knapp, M.L. (1984). Interpersonal communication and human relationships. Boston: Allyn and Bacon, Inc.

Knapp, M.L. (1978). Social intercourse: From greeting to goodbye. Boston: Allyn and Bacon, Inc.

Koper, R., Donohue, W.A., & Stahle, R.B. (1985). Language intensity in divorce mediation. Paper presented at the annual meeting of Speech Communication Association, Denver.

Kressel, K. (1985). The process of divorce. New York: Basic Books, Inc.

Loftus, E.F., (1979). Eyewitness testimony. Cambridge, Mass.: Harvard University Press.

McCornack, S.A., & Parks, M.P. (1986). Deception detection abd relationship development: The other side of trust. In M.L. McLaughlin (Ed.), Communication yearbook 9, (pp. 377-389). Beverly Hills, CA: Sage Publications, Inc.

Middlebrook, P.M. (1974). Social psychology and modern life. New York: Knopf.

Miller, G.R. & Steinberg, M. (1975). Between people: A new analysis of interpersonal communication. Chicago: Science Research Associates, Inc.

Moore, C.W. (1986). The mediation process: Practical strategies for resolving conflict. San Francisco: Jossey-Bass Publishers.

Motley, M. (1985). Respondent's remarks. Unpublished paper presented at the annual meeting of Speech Communication Association, Denver.

Neville, W.G. (1985). Reflections on the growth and significance of divorce mediation. Journal of Divorce, 8, 3-7.

Noonan, M. (1981). Responsibilities and functions of the mediator. In F.T. O'Brien (Ed.), Conflict Resolution in Today's Economic Climate: 1981 Proceedings of the Ninth Annual Meeting, (pp. 136-156). Toronto, Canada: Society of Professionals in Dispute Resolution.

Poole, M.S. (1986). Respondent's remarks. Unpublished paper presented at the annual meeting of the International Communication Association, Chicago.

Pruit, D.G., (1981). Negotiation behavior. New York: Academic Press.

Raush, H.L., Barry, W.A., Hertel, R.K., & Swain, M.A. (1974). Communication conflict and marriage. San Francisco: Jossey-Bass Publishers.

Renwick, P. (1977). The effects of sex differences on the perception and management of superior-subordinate conflict: An exploratory study. Organizational Behavior and Human Performance, 19, 403-415.

Roloff, M.E. (1981). Interpersonal conflict: The social exchange approach. Beverly Hills, CA: Sage Publications.

Rosenthal, R. (September, 1973). The pygmalion effect lives. Psychology Today, 82-85.

Rosenthal, R., & Jacobson, L. (1968). Pygmalion in the classroom. New York: Holt, Rinehart, and Winston.

Rubin, Z. (1973). Liking and loving: An invitation to social psychology. New York: Holt.

Rubin, J.Z. (1981). Dynamics of third-party intervention: Kissinger in the Middle East. New York: Praeger.

Rubin, J.Z., & Brown, B.R. (1977). The social psychology of bargaining and negotiation. New York: Academic Press.

Saposnek, D. (1983). Mediating child custody disputes. San Francisco: Josey-Bass Publishers.

Schokley-Zalabak, P. (1981). The effects of sex differences on the preference for utilization of conflict styles of managers in a work setting: An exploratory study. Public Personnel Management Journal, 10, 317-350.

Schwieger, E. (1981). Responsibilities and functions of the mediator. In F.T. O'Brien (Ed.), Conflict Resolution in Today's Economic Climate: 1981 Proceedings of the Ninth Annual Meeting (pp.136-156). Toronto, Canada: Society of Professionals in Dispute Resolution.

Seibold, D.R., Cantrill, J.G., & Meyers, R.A. (1985). Communication and interpersonal influence. In M. L. Knapp, & G.R. Miller (Eds.), Handbook of Interpersonal Communication, (pp.551-611), Beverly Hills, CA: Sage.

Shaw, M.E. (1981). Group dynamics: The psychology of small group behavior. (3rd ed.) New York: McGraw-Hill.

Sillars, A.L. (1980). Attributions and communication in roommate conflicts. Communication Monographs, 47, 180-200.

Slaikeu, K.A., Culler, R., Pearson, J., Luckett, J., & Meyers, F.C. (1985). Mediation process analysis: A descriptive coding system. Mediation Quarterly, 10, 25-54.

Sprenkle, D.H, & Storm, C.L. (1983). Divorce therapy outcome research: A substantive and methodological review. Journal of Marital and Family Therapy, 9, 239-257.

Sullivan, H.S. (1953). The interpersonal theory of psychiatry. New York: W.W. Norton

Vogel, J.L. (1986). Thinking about psychology. Chicago: Nelson-Hall.

Wall, J.A., (1981). Mediation: An analysis, review, and proposed research. Journal of Conflict Resolution, 25, 157-180.

Weitzman, L. (1985). The divorce revolution. New York: The Free Press.

Wheeless, L.R., Barraclough, R., & Stewart, R. (1983). Compliance-gaining and power in persuasion. In R.N. Bostrum (Ed.), Communication Yearbook 7, (pp.105-145). Beverly Hills, CA: Sage.

Wilmot, W. W. (1975). Dyadic communication: A transactional perspective. Reading, Mass.: Addison-Wesley Publishing Company.

Yarmey, A. D., (1979). The psychology of eyewitness testimony. N.Y.: The Free Press.

Zadny, J., & Gerard, H.B. (1974). Attributed intentions and informational selectivity. Journal of Experimental Social Psychology, 10, 34-52.