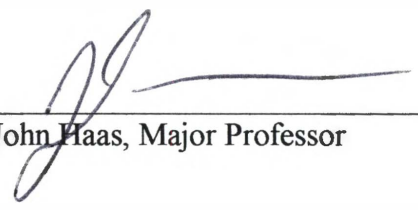


To the Graduate Council:

I am submitting the herewith a thesis written by Nicholas T. West entitled "The Relationship Between Conflict Management Styles and Communication Competence: A Study of A Community Mediation Center." I have examined the final paper copy of this thesis for form and content and recommend that it be accepted in partial fulfillment of the requirements for the degree of Master of Science, with a major in Communications.



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We have read this thesis
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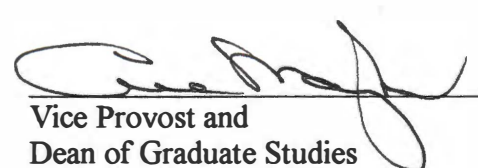


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**The Relationship Between Conflict Management Styles and Communication
Competence: A Study of a Community Mediation Center**

**A Thesis
Presented for the
Master of Science Degree
The University of Tennessee, Knoxville**

**Nicholas T. West
August 2002**

DEDICATION

This Thesis is dedicated in loving memory of my mother, who taught me more than any book, classroom, or professor ever did. You are sorely missed...

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I wish to thank all those who helped me in completing Master of Science in Speech Communication. First and foremost, I thank Dr. John Haas for helping to bring me to the University of Tennessee and all his efforts in guiding me through my education here. Thanks for chairing my thesis committee. I thank Dr. Michelle Violanti and Dr. Bonnie Riechert for contributing to my education and for sitting on my thesis committee. You helped make this manuscript better than I could ever have written it alone. Whatever errors remain solely my responsibility.

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ABSTRACT

The purpose of this thesis is to explore conflict management styles and communication competence in mediation settings. Specifically, this study examines the relationship between preferred styles of conflict management and communication competence in mediators. In addition, the study explores the perceptions of mediation training among volunteer mediators, judgments of communication competence in mediation sessions, and judgments of communication competence across mediation situations.

Results of this study suggest three things. First, results suggest that perceptions of communication competence are independent of preferred conflict management strategies. Second, results of this study showed that mediators perceived themselves to be competent communicators, despite their choice of conflict management style. Finally, results support the notion that effective communicators differ from effective communicators who are mediators.

Findings provide new insight into the relationship between conflict management strategies and communication competence in mediators. This study benefits academia and mediation practitioners alike by providing new empirical information concerning the conflict management strategies and communication behaviors of mediators. This study also provides information regarding the perceptions of mediation training by mediators.

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Chapter I

Introduction

Mediation is a rapidly growing form of alternative dispute resolution, according to the National Association for Community Mediation (NAFCM). NAFCM statistics report that 10 years ago there were only 150 community mediation programs nationwide. Today, community mediation programs nationwide number more than 550, with more than 19,050 volunteer mediators, and more than 45,500 cases mediated annually (NAFCM, 2002). It has been reported that 85 percent of all mediations result in agreements between disputants, and disputants uphold these agreements 90 percent of the time (NAFCM, 2002).

The benefits derived from mediation have led to the widespread development of mediation programs. Mediation programs provide a viable means of alternative dispute resolution to the court system. Mediation programs aid the court system by dealing with individuals in such areas as neighborhood and community disputes, family/custody disputes, juvenile and school mediations, victim/offender mediations, and direct court referrals.

Development of community mediation programs has been an ongoing process for almost 40 years. The community mediation movement in the United States can trace its roots to the social and political movements of the 1960s and a governmental and nongovernmental movement to reform the justice system (Hedeen and McCoy, 1998). During the turbulent environment of the 1960s, mediation was seen as a valid form of dispute resolution that would give a greater amount of freedom to disputants to resolve

their own conflicts. Many people viewed the court system of this era to be corrupt and abusive. Mediation was heralded as a tool for giving control back to communities and loosening the grips of the courts.

Conversely, the courts viewed mediation as a viable means of lightening the heavy burden of over-crowded court dockets while also saving the taxpayers money (Hadeen and McCoy, 1998). Court-sponsored mediation would also allow the judicial system to keep a loose form of control over the mediation process. It was seen by most as a win-win situation from either viewpoint.

Many scholars trace the origins of the field of community dispute resolution to the Community Relations Service, a federal program established through the Civil Rights Act of 1964 to prevent violence and encourage constructive dialogue in communities (Salem, 1985). Out of this act grew the Neighborhood Justice Centers of the 1970s. These centers continued to grow nation-wide throughout the 1970s and well into the 1980s despite government cutbacks (Fn'Piere, 1991).

Mediation in the 1990s saw an increased amount of court referrals to community mediation programs. A 1998 study of community mediation centers registered under NAFCM, 46.5% of these centers reported that at least one-half of their cases were court referrals. Out of this same study, 24.3% of the centers surveyed indicated that court-referred mediation cases constituted three-fourths of their cases (Hedeem and Patrick, 1998). What started as a federal movement in the 1960s, has become more of a success story for the local courts of individual states, and the citizens of those communities whom these courts serve.

To support the growing needs of community mediation centers across the U.S., an increasing emphasis is being placed on the recruitment of qualified individuals to become conflict mediators (Wilkinson, 2001). Along with an increased emphasis on recruitment, an equal importance is being stressed over the training of these potential mediators. As noted by McGillis (1997), "...it is clear that both the length and the quality of mediation trainings received by community mediators should be increased." It is the mediators who serve as the backbone of these local community mediation centers. Mediators are the "troops in the trenches," who willingly place themselves in hostile environments to hopefully bring about resolutions and agreements between warring factions.

Of course, this raises the issue of how community mediation centers go about recruiting, selecting, and training new mediators. Most mediation centers have developed some form of guidelines for recruitment and training, yet there are no set standard criteria for the recruitment or training of mediators in the United States. Although the freedom to create and develop recruitment and training policies allows these mediation centers to develop tailor made programs to suit their needs, the lack of uniformity has left practitioners debating what characteristics constitute a quality mediator, how exactly to recruit this type of person, and what specific mediation training is required to further develop and train this individual.

Further complicating the problem, few practitioners or researchers have examined the issues of communication strategies in conflict mediators and its relationship to communication competence. A review of the literature reveals little, if any, insight into this relationship. This is a significant factor, because garnering a better understanding of positive and negative communication patterns of mediators can provide insight to the

recruiting, selecting, and training of these individuals. Equally important is acquiring a better understanding of the traits and behaviors that constitute a communicatively competent mediator. The need to expand the literature in these areas becomes ever more apparent when one considers the fact that most mediators at community mediation centers, across the nation, come from the general population and have had no previous conflict resolution training (NAFCM, 2001).

On a local level, a number of organizations have been established that seek to provide alternatives to the court systems. According to the Community Mediation Center newsletter, The Neutral Zone, conflict mediation is a rapidly growing form of alternative dispute resolution in East Tennessee. Both the General Sessions Court and Juvenile Court of Knoxville, Tennessee have realized the advantages of mediation. This fact can be seen in both court increased number of case referrals to the Community Mediation Center from 1997-2000 (see Appendix A).

The mediation process provides the Knoxville court systems with an effective means to solve many conflicts with an economical investment of time, money, and personnel. Mediation benefits the client by creating a hospitable environment where both parties can come to an agreement based on their own terms and not necessarily the court's decision. Cases that meet criteria for mediation are referred to the Community Mediation Center of Knoxville (CMC). CMC is a non-profit organization, which provides mediation services to Knox and surrounding counties.

The Community Mediation Center, also known as CMC, is a non-profit organization that benefits the community by providing free or reduced cost mediation to the people of Knoxville, Tennessee and surrounding counties. Mediators at CMC are

trained volunteer professionals who catalogue hundreds of hours resolving disputes between total strangers.

CMC is currently headed by Dr. John Doggette. He manages an organization with over 90 mediators who may be called upon to conduct mediations in various locations all across Knoxville and surrounding Blount County. Juvenile mediation offices are located at the Juvenile Detention Center Annex and handle the juvenile mediation cases (mediation involving those under the age of 18).

The CMC office is small but functional with the staff being well versed in the art of getting the most out of its resources. The Community Mediation Center is governed by a board of directors, comprised of experienced mediators, and is funded by both the local government of Knox County and the state government of Tennessee.

People seeking mediation contact the CMC head office and arrange to sit down with a mediation representative for an “intake,” or an orientation to the mediation process. After all relevant information about the client(s) has been gathered, mediators are selected to mediate the dispute between parties. Mediators are usually chosen based on their availability or closeness to the site of the mediation. However, if certain mediation is deemed to be particularly challenging, more experienced mediators will be selected.

CMC holds two mediation training sessions each year taking place in March and August. Like many of the local community mediation centers across the U.S., CMC has devised its own methods of recruitment and training, and has developed criteria for characteristics they seek in potential mediators. CMC draws their potential recruit lists from recommendations of other CMC mediators, advertisements in the local paper, and

active recruiting via phone. Potential recruits complete application forms and submit resumes. Once an application is accepted, the new recruit then completes a questionnaire and participates in an informal interview session with CMC staff and mediators.

Potential recruits who are accepted then attend one of the two annual training courses that CMC offers.

CMC faces the same problems and questions as many other organizations. Are we recruiting the right type of individuals? What traits, qualities, or characteristics should be the focus of recruiting programs? Is our training effective? Do we focus on teaching appropriate communication patterns to our new trainees? How can we improve the recruitment, selection, and training process?

By more closely examining the role of communication in the mediation process, both the practitioner and researcher can gain a better understanding of these issues. Understanding how mediators form and utilize communication strategies, and how mediators perceive competence, may reveal the kinds of qualities or characteristics that are most desirable in mediators. Moreover, studying the relationship between conflict management styles and communication competence can inform the training and re-training of mediators.

This study is designed to examine the relationship between preferred styles of conflict management and dimensions of communication competence in mediators. In addition, the study explores the perceptions of mediation training from the viewpoint of volunteer mediators, the factors employed in conceptions of communication competence in mediation sessions, and how factors employed in conceptions of communication competence in mediation vary across situations.

This thesis reports on an investigation designed to explore the role of communication in the mediation process. Chapter 2 offers a comprehensive review of the literature along with a rationale for this project. Following the rationale, the research questions are identified. Chapter 3 addresses the methods utilized to carry out the thesis study. A discussion of demographics of the target organization, measures, procedures, and data analysis form the core of the methods section. The study results are addressed in Chapter 4. Finally, Chapter 5 provides a discussion of the results and suggestions for future research.

Chapter II

Literature Review

Over the past 20 years, the study of communication strategies involved in mediation, especially those concerned with conflict management strategies, has been a popular topic for scholars and mediation practitioners alike. According to search results from the NAFCM data-base, approximately 500 studies have explored elements of conflict management and mediation. The same search results yielded approximately 150 studies exploring communication competence and mediation. Similar searches in general databases such as ERIC and Psych-Info produced parallel findings. Although a substantial amount of research has been conducted concerning conflict management in mediators, and communication competence in mediation, little has been done to explore the relationship between the two.

The following literature review provides a survey of the mediation and communication competence literature. The literature concerning the field of conflict management is addressed first. More specifically, conflict management styles and their operationalization are discussed. Second, the communication competence literature is reviewed. Third, the relationship between conflict management styles and communication competence is reviewed. Fourth, the literature on mediation training and perceptions of mediation training is presented. Following the literature review a rationale for this study is presented.

Much of the literature regarding conflict management strategies was published during the mid 1970s through the 1980s. This period witnessed the birth and acceptance

of community mediation programs (NAFCM, 2002). The bulk of the literature regarding various forms of mediation techniques, mediation training, mediation programs throughout the nation, and conflict management in mediation was published during the mid-1980s and 1990s (Mediate.com, 2002).

However, a number of gaps exist in the literature. For example, little empirical research exists on how mediators perceive others' use of conflict management strategies, how conflict management styles are influenced by situational factors, or how mediation training programs take into consideration an individual's personal preference for conflict management. Moreover, much of the existing literature appears to be generated from problem-driven research designed to meet the situational needs of practitioners. This holds especially true for information regarding mediation training programs (e.g. Gray, 1999; NAFCM, 2001).

For the purposes of this project, the review focuses on conflict management, mediation, and communication competence. Following the literature review, a rationale for the proposal study is provided.

Conflict Management

Initial efforts to conceptualize conflict management may be traced to Blake and Mouton's Managerial Grid, designed in 1964 (Folger & Poole, 1984). The Managerial Grid differentiated between styles of conflict management on two basic dimensions: concern for people and concern for production results, and based on five style types: withdrawal, smoothing, forcing, compromising, and problem solving (Wheless & Reichel, 1990)

Scholars such as Jay Hall (1969), Thomas-Kilmann (1977), and M.A. Rahim (1983), extended this framework of conflict management to organizations. In particular, this research has centered on conflict management styles involving supervisors and subordinates (e.g. Conrad, 1991; Rahim, 1983; Thomas & Kilmann, 1977; Wheelless & Reichel, 1990).

According to Rahim (1983), in superior-subordinate communication, subordinates frequently say what is acceptable rather than what they know is true. As a result, subordinates are more likely to use an avoiding style of conflict management when dealing with their superiors. A compromising approach can be expected when both parties in the conflict have equal power.

Consistent with this emphasis on superior and subordinate interaction, other studies have examined how communication tactics such as distributive (competitive), or integrative (cooperative) tactics (e.g. Canary & Cupach, 1988; Canary & Spitzberg, 1987; Wiemann, 1977; Wiemann & Backlund, 1980) are used in conflict management. Here, the focus of study lies not on what conflict management style is chosen, but on how people express their style of conflict management through a particular communicative tactic.

In addition to superior/subordinate conflict, a number of other conflict-related issues in organizations have been explored. Koehler, Anatol, & Applebaum (1981) defined a set of progressive stages in conflict; Rahim (1985) studied how conflict operates at various levels of an organization; Katz & Kahn (1966) examined what causes organizational conflict; conflict and the effect of status on conflict management have been investigated by Renwick (1975).

However, few studies have examined conflict management as it directly applies to mediation situations. Most studies involving conflict management focus on addressing the communicative patterns of people through set frameworks of communication (e.g. Donohue, Allen, & Burrell, 1988; Folberg & Taylor, 1984; Moore, 1986; Saposnek, 1983; Wall, 1981). Participants in these projects tend not to be as communicatively aware as a trained conflict mediator.

The most prominent of these studies (Drake & Donohue, 1996) pertaining to mediation investigated the relationship between Communicative Framing Theory and Conflict Resolution. The authors reported a positive relationship between frame convergence (common ground) and frequency of arguments between disputants. Arguments were more likely to be resolved if the disputants were able to find common ground in certain issues, which serve as a basis from which it was mutually agreeable that both parties should cooperate. Conflict mediators, as a rule, always seek to find common ground between their disputants in order to help them generate mutually acceptable agreements workable for both parties (Gray, 1999).

As noted by J.H. Millen, "There is a widening gap between the advancement in the realm of communication theory and the increasing demands placed on mediation practitioners" (1994). Interestingly, little empirical research is available on specific conflict management strategies that mediators employ, or on how mediators perceive the conflict management styles of others.

A related body of literature reveals how researchers have approached basic conflict management strategies in interpersonal settings and how researchers conceptualize conflict management strategies.

Conflict Management Styles

The literature regarding conflict management strategies centers around the interpersonal experience. In 1973, Jay Hall organized conflict management strategies along the dimensions of concern for personal goals and concern for relationship. Hall designed a survey that measured conflict management along these two dimensions and emphasized nine different conflict strategies: lose-leave, conflict avoider, yield-lose, conflict smoother, compromise, win-lose, conflict forcer, synergistic, or conflict-confronter/problem solver. Jay Hall viewed the last strategy, conflict-confronter, problem solver as the most effective in the majority of interpersonal situations.

Rahim (1983) also used a two dimensional scale to define conflict management styles. These two dimensions are: a concern for self and a concern for others. Rahim utilized Hall's research as a basis for his own. However, Rahim saw a need to reduce the number of types of strategies employed to manage conflict in order to make measuring the phenomena more practical. He proposed five conflict management strategies instead of nine. These five conflict management strategies consisted of: integrating, obliging, compromising, dominating, and avoiding. Rahim believed the compromising strategy to be most effective and noted its similarities to Hall's conflict confronter, problem solver strategy.

Other researchers, such as Putnam and Wilson (1982), tried to further simplify conflict management strategies. Putnam and Wilson proposed only three distinct categories of conflict strategies: non-confrontation, solution-orientation, and control. Other researchers, such as Ross and Dewine, also sought to further simplify conflict management strategies. Ross and Dewine (1988) designed the Conflict Management

Message Style Instrument to measure conflict management strategies along three categories: concern for self, issue at stake, or concern for other party.

However, it was Blake and Mouton's Managerial Grid that first provided a widely applicable measurement of conflict management styles in organizations. (Blake & Mouton, 1964) Blake & Mouton were the first to introduce the concept of a five-category scheme for classifying interpersonal conflict-handling modes: competing, collaborating, compromising, avoiding, and accommodating. These five conflict-handling modes were defined according to the two basic behavioral dimensions of assertiveness (attempting to satisfy one's own concerns) and cooperativeness (attempting to satisfy the other person's concerns) (Kilman & Thomas, 1977).

Blake and Mouton's managerial grid was later built upon by Thomas and Kilman, and resulted in their Conflict MODE (Management of Differences Exercise) instrument. Perhaps the most widely accepted approach to operationalizing conflict styles, the MODE instrument (1977), also operationalizes conflict management styles in terms of five distinct categories: competing, accommodating, avoiding, collaborating, and compromising. There is also a sixth category, labeled "blend," which is not an original part of Thomas & Kilman's MODE survey. The blend categorization was created specifically for the needs of this study.

Competing is defined by Thomas and Kilman as being assertive and uncooperative. Individuals with this style of conflict management value their own agenda above that of anyone else. Power is of key importance. In this style, "the ends justify the means" when trying to assert your position. A situation where someone may

exercise a competing style would be when they are arguing over the price of buying a new car.

Accommodating is the exact opposite of the competing conflict management style. Here, a person's main goal is to appease the concerns of the other party even at his or her own personal expense. Self-sacrifice is the main idea in this conflict management style. Behaviors associated with this style include generosity, charity, and withdrawing from threatening situations. This style is considered as being unassertive and cooperative. A good example of an accommodating style would be an employee discussing how to best perform a duty with his/her supervisor.

Avoiding is classified as being both unassertive and uncooperative. In this style, a person doesn't pursue conflict or one's own agenda. Instead, the person tries to steer clear of the issue and remain neutral. A prime example of this style of conflict management would be when a person avoids conflict with another person who may try to harm them.

Being both assertive and cooperative, the collaborating style is the opposite of avoiding. This conflict management style involves working in tandem with the conflicting party to find a solution to the common problem, which fulfills the needs and wants of both parties. This style is classified as a win-win situation. Conflict mediators often use this style of conflict management to bring about agreements between disputants.

The compromising conflict strategy consists of being both assertive and cooperative. Here, those finding themselves at conflict elect to find a mutually satisfying solution which will partially satisfy the needs of both parties. In this situation, neither

party's total needs or wants is met, but each party may "split the difference" and walk away satisfied. Two roommates arguing over whom should do what chores around their apartment might use a compromising style to settle the conflict and divide up the chores.

Finally, the blend style is conflict style designed specifically for this thesis. The blend style is a category that includes those persons who list two or more conflict styles as being their dominant or preferred style. For example, if an individual's responses to the MODE survey indicate that they chose collaborating and compromising an equal number of times, then they would be listed as being in the blend category.

It is important to acknowledge that Thomas & Kilmann have no such category in their MODE survey. Once again, this category was designed specifically to meet the needs of this study. The blend category falls in no specific place along the dimensions of assertiveness and cooperativeness established by Thomas & Kilmann. However, those individuals who do fit into this category tend to have conflict management styles that are similar to one another, such as avoiding and accommodating. Therefore the reader can gain a general idea of how assertive and cooperative said individual may be although there is no specific level of assertiveness and cooperativeness.

According to Blake and Mouton (1964) and other researchers, these five categories (not including the blend category) relate the following behaviors:

Competing has been identified with forcing behavior and win-lose arguing; collaborating has been identified with confronting disagreements and problem solving to find solutions; avoiding has been identified with withdrawal and failure to take a position; accommodating has been identified with attempting to soothe the other person and seek harmony; and compromising has been identified with the proposal of middle-ground positions.

The five conflict management styles and blend are measured along two distinct dimensions: assertiveness and cooperativeness. The assertiveness dimension indicates to what extent a person attempts to achieve his or her own personal concerns in a conflict situation. Cooperativeness indicates the extent to which a person will attempt to satisfy the concerns of the other party in a conflict situation.

Individuals who take the MODE survey are asked to answer a series of thirty situational questions concerning conflict. The participant has two options for every question and is asked to choose the situation which best represents him or her. After completing the survey the individual totals their answers and receives a score in each of the five conflict categories (not including blend). Each score can then be compared to the scores of managers who have already taken the MODE and see what percentile they fall in. For example, if a person were to score 40% on the column for accommodating, then he or she would have scored higher than 40% of those who have taken the survey.

Also, it is important to note that the MODE survey was designed to measure how an individual responds to conflict in certain situations. Although the measure provides the individual with an idea of what their dominant or preferred style is Thomas & Kilmann acknowledge that there is no one “best” style. Each style is appropriate given certain circumstances. For example, if an individual is faced with a conflict situation, in which someone threatens them with their life, then utilizing an avoiding style of conflict management would probably be more effective than a competing style. Every individual uses each of the five styles, although they may have one style which is more dominate than the others.

The measurement is simple, but both reliable and versatile in evaluating the conflict management styles of others. A further examination of the Conflict MODE survey will be provided in the measures section.

Communication Competence

Although scholars continue to hold competing views as to the exact nature of communication competence, there is a general consensus that the notion incorporates at least two fundamental properties: appropriateness and effectiveness (Bocher & Kelley, 1974; Brandt, 1979; Spitzberg & Cupach, 1984; Wiemann, 1977). Thus, for a communicator to be perceived as competent, he or she must keep from violating any relational rules in the communication interaction while still accomplishing the goal(s) of the communication interaction. The implicit assumption is that, in any situation, the most competent messages are not just appropriate or simply effective, but both appropriate and effective (Canary & Spitzberg, 1987).

According to Spitzberg (1994), "Most theorists have settled on appropriateness and effectiveness as inclusive, valid, and useful criteria (in the evaluation and definition of communication competence). Appropriate interaction avoids the violation of valued rules, norms, or expectancies in a given context or contexts...Effective interaction obtains valued outcomes, objectives or goals...the combination of these two criteria provides for a very useful conceptualization of optimal, or competent, interaction."

Spitzberg and Cupach (1989) argue that adaptability is the most frequently cited dimension associated with the socially competent person. Adaptability refers to peoples' ability to alter their communicative strategies to best suit their needs depending on the communicative situation. The most basic form of communication competence is fundamental competence: "an individual's ability to adapt effectively to the surrounding

environment over time” (Spitzberg & Cupach, 1984). According to Duran (1992) the critical feature of this definition is the focus upon adaptability, which is a universally accepted component of communication competence (Bochner & Kelly, 1974; Brunner & Phelps, 1979; Duran & Kelly, 1984; Foote & Cottrell, 1955).

Adaptability goes hand-in-hand with a person’s appropriateness and effectiveness when communicating, to define that person as “communicatively competent.” This position is supported by McKinney, Kelly, & Duran, when they state, “Adaptability provides a repertoire of behaviors that enables one to adjust to various communication contexts.”

The communicatively competent person thus, has the ability to adapt his or her communication to suit the needs, wants, desires, etc. of the person with whom she or he is communicating. According to Duran (1992):

Because adaptability is universally accepted by scholars, fundamental competence is considered a starting point for more elaborate models of competence. Conceptualizations from this perspective of adaptability are concerned with the cognitive and perceptual processes involved with the ability to adapt one’s communicative behaviors across contexts. Specifically, adaptability is accomplished by perceiving contextual parameters and enacting communication appropriate to the setting .

Judgments of Communication Competence

During the late 1980s and early 1990s, organizational scholars have made considerable strides towards understanding the process by which perceivers evaluate or make judgments about others in the workplace (Day & Lord, 1992; Dutton & Jackson, 1987; Lance, Woehr, & Fisicaro, 1991; Haas & Arnold, 1995). One of the key assumptions drawn from this research is that social categories assist the judgment process

by providing individuals with a system of beliefs concerning people and other relevant objects in the environment (Anderson & Sedikides, 1991; Hauenstein & Alexander, 1991; Kim & Rosenberg, 1980; Pavitt & Haight, 1985).

This entails that judgments people make are based on preconceived notions about a person's traits, characteristics, or behaviors based on a social category in question. For instance, a person who is a doctor may be described as having different traits, characteristics, and behaviors than someone who is carpenter due to the social label. These cognitive categories influence important outcomes such as decision making, performance appraisal, selection decisions, and perceptions of leaders (Dutton & Jackson, 1987; Hauenstein & Alexander, 1991; Patton & King, 1992; Woehr, 1992; Haas & Arnold, 1995).

Most of the research on workplace judgments has centered on the cognitive representation of the social (i.e., person) category. This social category is derived from the trait and behavioral components of cognitive categories. (Wyer & Gordon, 1984). In considering which attributes are important to workplace judgments, Feldman (1981) argues that highly salient behaviors and their implied traits likely play a role in the construction of cognitive categories such as a competent communicator. Therefore, depending on the category that is evoked, individuals may use different kinds of characteristics to make competence-related judgments (Haas & Arnold, 1995).

These categories are further ordered from abstract subordinate types (e.g., a skilled person) to subordinate or concrete types (e.g., a communicatively competent communicator) to add clarity (Pavitt & Haight, 1985). These categories help shape the opinions and views people in organizations have towards one another and individual role

within the organization. Research shows (e.g., Patton & King, 1992) that the representations organization members form are frequently tied to interactions with others or observations of others' interactions.

One of the key issues addressed in this research is how mediators assess the conflict management strategies of others. Similar to other topics in this literature review, little empirical research is available concerning mediators' perceptions of the conflict management styles/strategies of others. Mediators are trained to apply "steps" in the mediation process that allow clients to work towards a solution. Little or no emphasis is given to teaching mediators how to evaluate the conflict management styles of their mediation clients, or how to utilize such information in their individual conflict management strategies (Volunteer Mediator Training Manual, 2000).

Most mediation training offers no information about how to deal with different conflict strategies that do not apply to mediation "steps." Programs encourage mediators to adhere strictly to the mediation steps (most mediation processes operate on the conflict management strategy of collaborating) and advise against operating outside such parameters. Mediation principles suggest that by getting a mediation participant to adhere to the steps, or other mediation protocol, mediators will be less likely to have to improvise conflict management techniques, thus preventing the exposing of the mediator(s) to a hostile situation.

One valuable tool in analyzing conflict management strategies, is gaining a better understanding of communication competence, and the two's relation (McKinney, Kelly, & Duran, 1997). An effective form of garnering information about how mediators judge

communication competence in others, and vica versa, is through self-reports in the form of free-response questioning.

Conflict Management Styles and Communication Competence

There has been little research recorded on the relationship between conflict management styles and communication competence. The research exploring the relationship between these two constructs comes from the 1980s and early 1990s.

Donohue, Diez, and Weider-Hatfield (1984), proposed a model of mediator competence to account for mediators' success rates. This model was based in part on how mediators altered their conflict management styles, utilizing strategic intervention to improve the information exchange process between disputants.

Canary and Spitzberg (1989, 1990) have begun developing and testing a competence-based approach to conflict management. Spitzberg's (1994) research indicates that the notions of appropriate and effective interaction and win-win approach to conflict management (collaborative) are strikingly similar. They claim that appropriateness represents care for the other parties' interests and expectations while effectiveness is indicative of a pursuit of one's self-interests. (McKinney, Kelly, & Duran, 1997) Initial research indicates persons who engage in appropriate and effective communication in a conflict situation will most likely utilize a collaborative style of conflict management with opposing parties, and thus have a greater chance of reaching an agreement that satisfies the interests of both parties.

Training

Mediator training programs are driven by how mediation is conceptualized. According to the August, 2000 Community Mediation Center Volunteer Training

Manual, a mediator is someone who help parties communicate, clarify the issues in dispute, generate and evaluate options, and negotiate workable arguments. Mediators are unbiased third parties, who intervene but have no authority or power in the decision-making process; they do exert considerable influence over the communication process (Cahn & Lulofs, 2000).

In their book, Conflict Resolution, Guy and Heidi Burgess define a mediator as someone who brings parties together, designs an agenda for problem solving, structures communication, and meets with the parties both separately and together in an effort to improve the parties' relationship or resolve a dispute. For the purposes of this study, the value and role of the mediator is defined by the following:

Among the mediator's values are client autonomy, peaceful conflict resolution, and the clients' careful thought as the way for clients to achieve resolution of their disputes. The mediator values self-awareness, workability, and a meditative approach to life. The mediator values the mediation process and effective communication highly enough to practice them in pursuit of expertise in mediation. The mediator values neutrality in service to others in conflict. The mediator values excellence in process instead of settlements. (Gray, 1999)

In the simplest terms, the mediator's role in the mediation process is to facilitate the process of information exchange among disputants (Donohue, Allen, & Burrell, 1988). On the topic of mediation training very little empirical research is available. Mediation training programs vary from mediation center to mediation center (NAFCM, 2001). Programs are tailored to suit the needs of the mediation center and the local and state requirements.

Some discussion has arisen about the possibility of developing a national standard for training mediators (NAFCM, 2002). However, due to differing local and state regulations, operating budgets, and personnel issues, this idea will not become a reality in the near future.

Despite differences, mediation centers across the country employ similar quality assurance measures and training tactics to develop and hone effective mediators. According to NAFCM, there are four phases a person must progress through before becoming a mediator. The first phase consists of screening and recruitment, where an individual completes various questionnaires and interviews to assess his or her capability as a mediator. Some mediation centers also include background and reference checks to further evaluate possible candidates.

After successfully completing this phase, a new recruit will begin the standard mediation training. It is here that most community mediation centers around the country share the most similarities in training. Basic mediation training consists of approximately 30 hours of careful instruction and a lot of mediation role-playing. Most mediation training programs are designed to include a mixture of theory and practice that enhances the performance of trainees and provides a variety of learning techniques that reflect sensitivity to individual learning styles. (NAFCM, 2002)

For example, training at the Community Mediation Center, consists of a six-day period (30 hours) of intensive lecture and role-play. New mediator trainees are instructed on the principles of client-empowering, problem-solving, the co-mediation model, the mediation process, evaluating and writing agreements, and discussing the laws and procedures of the local courts in which they operate. In between each lecture session,

trainees break into group discussion to solve hypothetical problems and role-play actual mediation sessions in order to gain a more real-world view of the intricacies of mediation (CMC Volunteer Training Manual, August 2000).

The third phase of training consists of evaluating mediation training participants on their individual performances and competencies. This is followed by phase four: the apprenticeship. Evaluations are based on trainees' assimilation of relevant material, role-play aptitude, ability to function in group situations, and feedback sessions with trainers. During phase four, a mediation trainee observes various real-life mediations and may shadow more experienced mediators. This provides the new trainee with valuable real-life experience and lays the groundwork for the first co-mediation. Most community mediation centers utilize the co-mediation process. The co-mediation process is where two mediators work as a team to resolve a conflict. This is especially important for new mediators when applying their newfound skills in an actual mediation.

After the completion of each co-mediation, individuals are debriefed and evaluated by other mediators and non-participant observers. Training continues in the form of CME (Continuing Mediator Education) courses that provide the mediator with advanced mediation techniques and enhance existing skills. Continuing Mediator Education courses serve to keep mediators abreast of the latest mediation techniques and theory, ensuring that mediators retain the highest level of skill possible. Most mediation clinics require a mediator to obtain six of these credits each year (average is three credits per class). CMEs must be approved by the state to count as credit.

In sum, the role of mediation and mediation training can be best espoused by Robert & Juanita Wehrle-Einhorn when they write:

The focus of mediation and mediation training is to shift from the usual emphasis on adversarial method of problem solving to a cooperative approach of conflict management. This shift means revising a long-held philosophical orientation in which disputants are assumed to be adversaries; in that orientation, one party wins and the other must lose. The emphasis is shifted to a cooperative problem-solving approach by the voluntary agreement of the disputants to a structured negotiation coordinated by a neutral third party, or mediator who assists the parties in articulating or clarifying their objectives, overcoming misunderstandings, expressing emotional concerns, and avoiding other communication break-downs (1994).

Summary

This study seeks to investigate the relationship between conflict management styles and communication competence in mediators in a variety of ways. First, this study seeks to provide new information regarding the relationship between conflict management styles and dimensions of communication competence in mediators. Second, this thesis explores how mediation volunteers perceive mediation training. Third, this research explores the factors involved in judgments of communication competence in mediation settings. Fourth, this study explores how factors employed in conceptions of communication competence in mediation vary across settings.

This study seeks to advance our understanding of how these factors are associated, and to provide empirical evidence concerning the relationship between conflict management styles and communication competence and mediator perceptions of communication competence, and mediator perceptions of mediation training.

Taken together, the literature review highlights the importance of communication competence and conflict management in mediation settings. However, limited

information is available about the relationship between these two constructs. Even less empirical research has been conducted on this relationship as it pertains to mediation and mediation situations. This thesis seeks to explore this particular relationship in more detail and shed new light on communication competence, conflict management, and mediation.

Rationale

The rationale for this thesis study is fourfold. First, this study seeks to provide insight as to the relationship between conflict management styles and perceptions of communication competence in mediators. Obtaining a better understanding of the relationship between conflict management strategies and communication competence will provide useful information for evaluating the recruiting and training practices of community mediation centers

Second, this research explores how mediation volunteers perceive mediation training. Garnering a more in-depth understanding of how mediators perceive the effectiveness of mediation training sheds new light on what teaching methods are proving effective and what, if anything, need adjusting.

Third, this study explores the factors involved in judgments of communication competence in mediation settings. Exploring what factors are involved in judgments of communication competence in mediation settings provides new input as to what traits and behaviors volunteer mediators deem as being competent and beneficial to a mediator.

Fourth, this research explores how factors employed in conceptions of communication competence in mediation vary across settings. Not only does this study explore the traits and behaviors mediators deem as being competent, but also it explores how these definitions of competence may or may not change depending on different mediation scenarios. In sum, this project seeks to advance our understanding of the mediation process and offer guidance to practitioners on the perceived effectiveness of mediation programs.

Based on the previous observations, the following research questions are proposed for this project:

- R1: What is the relationship between conflict management styles and communication competence in mediators?
- R2: What are the perceptions of mediation training among mediation volunteers?
- R3: What are the factors employed in judgments of communication competence in mediation settings?
- R4: How do factors employed in judgments of communication competence in mediation vary across situations ?

Chapter III

Methods

This study was designed to explore the relationship between conflict management styles and dimensions of communication competence in mediators, perceptions of mediation training among mediation volunteers, the factors employed in judgments of communication competence in mediation settings, and how the factors employed in judgments of communication competence in mediation vary across situations. A survey research design was employed to investigate the research questions. The methods section will be organized around a discussion of the organization participating in the project, analysis of the study participants, the measures utilized in this study, procedures used to conduct this study, and a discussion of data analysis methods.

Organization

The organization that participated in this study is a small community mediation center located in a medium-sized southern city. The organization has been doing mediation for the local community and the courts since 1994. The Community Mediation Center (CMC) is a non-profit, state-sponsored organization dedicated to providing the court systems of Knoxville and surrounding counties with a viable platform for alternative dispute resolution (ADR). CMC also serves as a form of ADR for the citizens of the communities at large, providing free or reduced cost mediation to the people of East Tennessee.

Approximately 90 volunteer mediators are utilized by CMC to perform both community and court-ordered mediations throughout East Tennessee. Although CMC is located in the Andrew Jackson Building in downtown Knoxville, mediations may take place in a variety of places including court and municipal buildings, churches, schools, youth centers, or anyplace where a safe and open environment is provided.

CMC maintains a full time staff of 5-6 people, 1-2 of these personnel being Ameri-corp volunteers or interns. The operational budget for CMC is approximately 250,000 dollars, which comes from both state funding and private donations. The organizational structure at CMC is very flat and open. All members may operate in some form or function at any of CMC's three offices in Knoxville, Blount County, or at the Juvenile Courts in Knoxville. CMC employees are expected to carry out tasks with little supervision working as a team to accomplish tasks and goals. Open communication and constant feedback serve as the backbone of the organization.

Overseeing the direction and focus of CMC is the board of directors comprised of various community members, judicial representatives, and seasoned mediators. The board of directors ensures that CMC is meeting its goals and accomplishing its mission of providing alternative dispute resolution for the people and the courts.

Another important part of the CMC organization is training. CMC offers its mediation training bi-annually, once in the spring, and once in late summer or fall. Mediation training consists of 35-40 hours of intensive instruction, role-play, and various other exercises designed to teach the co-mediation process. At the end of training, the new volunteer mediator must act as an observer in 3 mediations and complete three co-mediations of his or her own to be duly certified as a volunteer mediator.

Participants

A total of 90 survey packets were mailed to the volunteer mediators from CMC. A total of 45 volunteer mediators (50% of the entire pool of volunteer mediators) returned completed survey packets. Participants in the project included 22 males and 23 females. On average, participants have been mediators for 4 years and have performed an average of 22 mediations per year.

Measures

The Thomas-Kilmann Conflict MODE survey (Copyright XiCom, Incorporated), Communication Adaptability Scale (Appendix B), and free-response measures of communication competence judgments (Appendix C) were employed for this project. The combined surveys were administered via mail, and one month was allotted for their return. Surveys were accompanied by a letter of intent, describing the purpose of the survey, what the results would be used for, and how to properly complete and mail the survey.

Conflict Management Styles. This study utilized the Thomas-Kilmann Conflict MODE (Manages of Differences Exercise) instrument to measure the conflict management styles of CMC mediators. This instrument involves a survey consisting of 30 questions designed to measure the participant's style of conflict management. Respondents to the survey were categorized as gravitating toward one of five conflict management styles: competing, collaborating, compromising, avoiding, and accommodating. The measure further broke down this categorization to provide the participant with an explanation of what his or her particular survey score indicated about one's ability to deal with conflict in interpersonal situations.

The MODE survey has proven to be a durable “measuring stick” for examining conflict management styles. The MODE survey found its beginnings in the work of A.L. Edwards during the 1950s. Edwards pioneered the effort to develop a measurement of conflict management that was less susceptible to an individual’s emphasis on choosing a socially desirable answer. Edwards (1957) noted having difficulties in securing pairs of statements that were exactly matched on social desirability.

Thomas and Kilmann built on Edward’s research and extended it to create a measuring scale based on five different categorizations of conflict. The social desirability factor was trimmed in the MODE survey by pairing statements whose mean ratings of social desirability were nearly identical-i.e., within a few hundredths of a scale unit (Thomas & Kilmann, 1977). The resulting scale was an efficient scale for measuring a person’s style of conflict management. On the whole, internal consistency coefficients are in the moderate range with the exception of the accommodating mode (Thomas-Kilmann, 1977). When compared to similar conflict management surveys, such as Jay Hall’s instrument, the average alpha coefficient of the MODE survey is .60, while Hall’s was .55 (Thomas-Killmann).

Thomas and Kilmann found that the MODE instrument would need more testing before any real concrete conclusions could be drawn concerning the instrument’s external validity. However, early tests outlined in their 1977 analysis of the MODE survey yielded some promising results.

Findings indicate that the instrument (MODE) can discriminate expected differences in male versus female respondents, and differences between student behavior towards teachers versus generalized others. The MODE instrument also exhibited meaningful correlations with certain personality measures. Finally, independent support was cited for the meaningfulness of the two-dimensional model, which defines the five conflict-handling modes (Thomas & Kilmann, 1977).

Communication Competence. While a number of competing communicative competence measurements exist, one measure has proven to be useful in assessing how individuals adapt to changing circumstances. Such a measure would be useful in measuring communication competence in mediation settings. The Communicative Adaptability Scale (CAS) developed by Duran (1983) operationalizes the concept of communication competence in terms of communicative adaptability in social interactions. This adaptability construct has six dimensions, which make up a person's communicative adaptability:

1. **Social Experience:** measures the amount of interaction opportunities in novel social contexts that an individual has.
2. **Social Composure:** measures how relaxed and collected an individual is in social settings.
3. **Social Confirmation:** is the ability to recognize and acknowledge another person's line or projected image.
4. **Appropriate Disclosure:** is the ability to limit self-disclosure to the limits defined by the other in the social context.
5. **Articulation:** harnesses an individual's ability to clearly express his or her own ideas.

6. Wit: measures how witty or funny a person is, and also, their ability to utilize humor in diffusing potentially tense social situations.

Participants answer a series of thirty questions on a 5-point likert scale ranging from “always true of me” to “never true of me.” Each of the thirty questions is representative of one of the six dimensions of communication competence as outlined by Duran. After tallying the answers to each of the situations, the participant can see how they rank in each of the six dimensions of communication adaptability.

The CAS was utilized as the measurement of communication competence of mediators in this study. The survey was issued to all CMC mediators and results were correlated with data derived from the MODE instrument to examine the relationship between preferred styles of conflict management and dimensions of communication competence in mediators. The CAS is rated as being a reliable means of measuring communicative adaptability, as seen in the following an assessment provided by Rubin:

As far as reliability is concerned, the CAS has had good internal consistency. Duran (1992) reported that in 10 samples, with over 4,000 people, the average alpha for the dimensions were as follows: Social Experience, .80; Social Confirmation, .84; Social Composure, .82; Appropriate Disclosure, .76; Articulation, .80; and Wit, .74. Cupach and Spitzberg (1983) reported an overall scale alpha of .81 and Zakahi and Duran (1984) reported an overall alpha of .79. There are no reported data for split-half or test-retest reliability (Rubin, 1992).

Judgments of Communication Competence. While self-reports of communication competence shed light on how mediators use communication, knowledge of how they judge competence in others would expand our understanding of skillful communication in mediation settings.

Rubin (1985) claims that, "one goal of the communication scholar is to understand how impressions about communication competence are formed." One way to expand our knowledge of how mediators judge competence in others is to once again enlist the aid of free-response questioning. Haas and Arnold (1995) utilized free-response questioning to assess how co-workers at a daily newspaper made judgments of communication competence of one another. This work was based on Pavitt and Haight's early use of free-response questioning and a card-sorting task to list communication competencies of study participants in a hierarchy.

Pavitt and Haight (1985) utilize different scenarios, representing different types of common workplace situations, to develop their card-sorting task. This card-sorting task was used to confirm that organization members categorized workplace scenarios in the expected hierarchical manner (Haas and Arnold, 1995).

Participants in this style of study are asked to list as many characteristics as come to mind when describing a communicatively competent individual in a certain situation. This free-response task is based on a receiver-oriented conceptualization of listening. For the purposes of this study, this free-response style of survey was adapted to assess what qualities mediators associate with competent communicators. Study participants were given a list of certain mediation situations and be asked to record their thoughts on how a communicatively competent mediator would respond.

Based on the work by Haas and Arnold, a free-response questionnaire was designed to properly assess what mediators perceive as a communicatively competent and un-competent mediator. Likewise, similar questions were designed to assess what mediators see as a communicatively competent mediation client and an un-

communicatively competent client (see Appendix C). Pavitt and Haight's original study was designed to assess listening in organizational employees and supervisors. Based on this work, the eight scenario questions were modified to assess communication competence.

Mediators Perceptions of Training. To assess how mediators perceive mediation training, this study made use of pre-gathered, pre-coded, post-mediation training data. These data were provided by CMC and consisted of 15 surveyed mediation trainees from the August 2001 mediator training class.

Procedures

Survey packets containing a letter of intent, the conflict MODE, CAS measurement, and free-response questionnaires were sent to all volunteer mediators from a local community mediation center (N=90). This survey packet was seven pages in length and designed to be completed in the area of 15-20 minutes. Addressed and stamped return envelopes were included for survey return via mail.

Thomas and Kilmann's conflict MODE instrument and Duran's Communication Adaptability Scale were utilized in this study to provide to provide explanation as to the relationship between conflict management strategies and communication competence in volunteer mediators.

To discover how mediators make judgments about the conflict management styles of others, the survey made use of open-ended situational hypothetical questions. These questions followed the MODE and CAS portion of the survey and provided the participant with hypothetical mediation situations, where they answered how they would react based on certain given variables.

Data analysis in the form of completed mediator trainee evaluation forms provided insight into the perceptions of mediation training among mediation volunteers. These evaluation forms were separate from the survey packet. Evaluation surveys were post-mediation evaluation forms completed by new mediators after their initial mediation training. Fifteen of these surveys were provided by the Community Mediation Center of Knoxville, Tennessee for use in this project.

Coding Scheme

The coding scheme used for evaluating the free-response task was based on a receiver-oriented conception of communication competence. Descriptors coded for competence were those that defined mediator competence from the standpoint of eight different hypothetical scenarios, evaluated by fellow volunteer mediators. This approach to coding is based on the coding scheme developed by Pavitt & Haight (1985).

The most important distinction in the coding scheme follows this claim; between characteristics relevant to what a prototype “is” and characteristics relevant to what a prototype “does.” All traits were coded in the former category (is friendly), and all behaviors were recorded in the latter category (smiles often) (Pavitt & Haight, 1985).

Two coders independently coded each of the measures. Using the percentage of agreement as an index of intercoder reliability, an average of 96% resulted.

Data Analysis

Analysis of the data involved descriptive statistics as well as correlations and difference testing procedures. Specifically, analysis of the data involving Research Question 1 made use of descriptive statistics and correlation analysis. For the purpose of this project Spearman’s correlation was used for Research Question 2.

For Research Question 3 descriptive statistics were once again used. Research Question 4 utilized General Linear Model procedure (GLM), due to uneven cell size, to study correlation between variables. Analysis provided new knowledge as to the factors employed in judgments of communication competence in mediation settings, and how factors employed in judgments of communication competence in mediation vary across situations.

Chapter IV

Results

The purpose of this project is four fold. First, this study explores the relationship between conflict management styles and dimensions of communication competence in mediators. Second, this thesis provides important insights as to the perceptions of mediation training from the viewpoint of mediation volunteers. Third, this study explores the factors employed in conceptions of communication competence in mediation settings. Fourth, this research explores how factors employed in conceptions of communication competence in mediation vary across mediation settings. In sum, this project seeks to advance our understanding of the mediation process and offer guidance to practitioners on the perceived effectiveness of mediation programs. The discussion of the study results is organized around the research questions.

Research Question 1

Research question one explored the relationship between conflict management styles and communication competence in mediators. There were six possible conflict management styles that each respondent could have fallen under: competing, collaborating, compromising, avoiding, accommodating, and blend. The blend categorization represents those mediators who had two or more prevailing conflict management styles. Frequency statistics for each of the five modes and the blend categorization can be found in Table 1.

Table 1 Frequency statistics for Conflict Style			
<u>Preferred Conflict Style</u>	<u>Number of times chosen</u>	<u>Gender</u>	
		Male	Female
Competing	1	1	6
Collaborating	12	6	6
Compromising	5	2	3
Accommodating	9	4	5
Avoiding	6	2	4
Blend	12	7	5

Table 2 Means, Standard Deviations, & Ranges for Conflict Style			
<u>Conflict Style</u>	<u>Mean</u>	<u>Standard Deviation</u>	<u>Range</u>
Competing	3.25	2.20	1-11
Collaborating	6.80	2.49	1-10
Compromising	7.00	1.60	3-11
Avoiding	6.84	2.41	2-11
Accommodating	7.00	1.79	3-10
Blend	8.57	.937	7-11

Out of a total of 45 participants, the mean scores for each mode and the blend were as follows: competing = 3.25, collaborating = 6.80, compromising = 7.00, avoiding = 6.84, accommodating = 7.00, and blend = 8.57. Descriptive statistics for the conflict styles are reported in Table 2.

To assess the relationship between conflict styles and communication competence, correlations between the five modes (competing, collaborating, compromising, avoiding, and accommodating) and the blend categorization of the Thomas & Kilmann Conflict MODE Instrument were individually run against the total score on the Communication Adaptability Scale for each of the 45 respondents.

Overall, correlations between mediator conflict management styles and communication competence yielded no significant correlations. A series of correlations were employed to explore the associated relationship between each conflict management style and communication competence. These findings suggest that perceptions of low competence are not associated with any particular styles of conflict management. No significant relationships were revealed for any of the modes (see Table 3).

To further explore the relationship between conflict management styles and communication competence, a General Linear Model was employed to examine whether differences exist between preferred styles of conflict management and scores for the measure of competence. No significant differences were observed between participants preferred conflict style and perceptions of competence ($F = .338$, $df = 5,45$, $p < .05$). In other words, the extent to which mediators perceive themselves as competent communicators is not related to the conflict management style adopted by the mediator.

Table 3 Correlations Between Conflict Management Styles & Communication Competence		
<u>Conflict Management Style</u>	<u>Spearman's rho</u>	<u>P Value</u>
Competing	-.055	.751
Collaborating	.092	.550
Compromising	.062	.687
Avoiding	.017	.912
Accommodating	.069	.653
Blend	.100	.733

Research Question 2

The second research question explored mediator perceptions of mediation training. Fifteen post-mediation training evaluation forms were made available for this study by CMC. These forms were from a recent mediation training clinic and were not connected with participants involved in this study. Since responses on these evaluations could not be connected to individual participants in this study, it was not possible to link perceptions of mediation training to other study variables.

Descriptive statistics were not available for these evaluation forms. Due to relatively small numbers in each training class, evaluation forms were designed to get trainee feedback with total anonymity for the evaluator. Therefore, no questions regarding sex, age, occupation, or other type of personal descriptor were included in this evaluation form.

Responses to the mediation training questionnaire were in the form of three yes or no questions and three free-response questions (Appendix D). The first three questions dealt with the mediation trainee's ability to recall the six stages of the mediation process, if they had practiced these stages at least twice, and if mediation trainers were accessible and capable of fielding their questions. All of the respondents answered yes to the first three questions.

Next, the mediation trainees were asked three free-response questions pertaining to their training experience (see Appendix D). These were question numbers 4-6 of the questionnaire. Question four asked the mediators to list what things they found especially helpful in class. Out of a total of 25 different comments, a total of six different types of responses were present. Six responses were given commenting on the knowledge and ability of mediation trainers such as, "Trainers clarified how the mediation process worked," and "trainers gave an honest critique of performance in mock mediations."

Five responses were given concerning discussion of learned material and questions in class such as, "Very open class discussions were beneficial," and "Open dialogue among mediation trainers and trainees was present." Comments such as, "The role playing was especially helpful, and "Trainers participated in actual role-play," were examples of the four different comments given concerning trainee responses concerning the value of role-play in mediation training.

Structure and organization of the mediation training was another important topic of trainee comment. There were four comments such as, "Repetition of mediation

process was especially helpful,” and “One-on-one training was valuable,” that touched on the importance and value of the way mediation training was structured and organized.

The climate or environment of the mediation training was commented on three times, concerning the relaxed atmosphere, the availability of food, and the participation of the CMC board of directors in actual training exercises. Rounding out the evaluations of question four were three comments on the specific content of the mediation training. These responses dealt with the mediation trainees’ praise for trainer insights into such issues as how to set up the six stages of mediation, how to maintain neutrality, and preserve confidentiality.

Next, mediation participants were asked to give suggestions for improvement and to comment on things that they didn’t find as helpful as they had hoped. Question number five had a total of 12 different responses categorized into 3 different areas. With five responses, suggestions about the actual mediation training were at the top of the list. These responses included such suggestions as. “The training was too lengthy, “and “Trainers should reinforce the importance of interpersonal communication.” Also with five separate responses, suggestions in addition to the training were given. Here, concerns such as “Trainees should get to meet with CMC staff to discuss individual strengths and weaknesses,’ and “Trainees should get a chance to tour CMC facilities and courts,” were most prevalent. In addition, two suggestions proposed that the work of additional theorists be included in mediation training.

Completing the mediation trainee evaluation form was question number six, which requested that each respondent give an overall evaluation of the two-week long

mediation training course. There were a total of 30 responses to this question. These thirty responses were subdivided into six distinct categories.

General comments about the quality and value of the mediation training occurred most frequently with a total of 11 responses. Comments such as, "Course is very well designed and orchestrated," and "One of the top 2-3 training events I have ever attended," were indicative of this category.

Comments giving praise about trainer ability and contributions occurred seven times. Responses typical of this category included, "There was a real sense of support from trainers....," and "Trainers were very well prepared."

Seven responses were comments centered around the actual skills and abilities taught by mediation training. "Training taught very good communication skills," and "Training increased ability to handle conflict," were typical comments from this category.

Next, there were two responses about the effectiveness of the mediation model, or "six steps" of handling conflict, that was taught in mediation training. These comments were very supportive of this taught process of dealing with conflict.

Another category with two responses was the category commenting on the value of role-playing specifically. These responses indicated that mediation trainees learned much from applying mediation training in many mediation situations. Both evaluations were positive.

Finally, there was one specific comment dealing with the value of the materials circulated to mediation trainees during the course of mediation training. This particular comment indicated that materials provided during mediation training were crucial for

future reference. All 30 of these categorized responses can be viewed in closer detail in Appendix D.

Overall, mediation trainee evaluation forms indicated the consensus that current mediation training methods are both informative and effective. Areas of particular effectiveness that were listed included the quality of mediation trainees, mediation teaching methods, and mediation materials utilized in mediation training. Comments that indicated areas that could be improved centered mostly on the length of mediation training and things that should be added (e.g. tours of mediation facilities, work from additional mediation theorists, increased one-on-one interaction) to the mediation training process to improve results.

Research Question 3

Research Question 3 asked what factors are employed in the judgments of communication competence in mediation settings. There were a total of 526 responses given, of which 333 were traits and 193 were behaviors of communicatively competent communicators (Table 4). Table 5 lists the three most frequently cited traits and behaviors for each of the eight mediation scenarios.

Building on the work of Pavitt & Haight (1986) and Haas & Arnold (1995), the questions selected for the free-response portion of the survey determined whether mediators conceived the individuals in these situations as being similar or if participants differentiated between the scenarios in some way. Each participant was asked to complete two free-response questions addressing the characteristics of communicatively competent communicators or non-communicatively competent communicators.

Table 4
Workplace Scenarios

<u>Scenarios</u>	<u>Number of traits reported</u>	<u>Number of behaviors reported</u>
Describe a communicatively competent person	73	20
Describe a communicatively competent client	24	13
Describe a communicatively competent mediator	41	26
Describe a cc-mediator when faced with a mediation session where one client is being cc & the other is being un-cc	46	34
Describe a cc-mediator when dealing with volatile clients	43	21
Describe a non-communicatively competent person	25	24
Describe a non-communicatively competent client	26	41
Describe a non-communicatively competent mediator	55	14
	Total = 333	Total = 193

Table 5 Top 3 Most frequently cited traits & behaviors given for mediation scenarios		
<u>Scenario</u>	<u>Traits</u>	<u>Behaviors</u>
Communicatively competent person	Articulate-8 Open-minded-6 Good Listener-6	Responsive-3 Uses humor-3 Good eye contact-2
Communicatively competent client	Good listener-5 Open-minded-4 Empathizes-2	Speaks respectfully-2 Respects all present-2 Willing to share issues-2
Communicatively competent mediator	Non-judgmental-8 Courteous-6 Articulate-5	Supports co-mediation-3 Relaxed body language-2 Good eye contact-2
Communicatively competent mediator with both cc-client & cc-uncooperative client	Actively Listens-5 Aware of body language-4 Aware of appropriateness of separate sessions-3 Charmer-3	Looks for the common ground-4 Encourages questioning-3
Communicatively competent mediator when dealing with volatile clients	Active listener-5 Calm-4 Patient-4	Remains in control-6 Neutral-2 Good eye contact-2
Non-communicatively competent person	Doesn't listen-3 Has own agenda-3 Un-sympathetic-2	In-appropriate language-4 Manipulates situation-2 Dominates-2
Non-communicatively competent client	Different socio-economic status-5 Cannot compromise-5 Shy-4	Poor eye contact-3 Closed body posture-3 Avoids verbal interaction-2
Non-communicatively competent mediator	Closed-minded-6 Controlling-2 Unsure of self-2	Speaks imprecisely-7 Bad body language-5 Bad eye contact-5

The coding scheme utilized for the free-response questions was based on a trait and behavior classification of communicatively competent and non-communicatively competent persons. Descriptors coded for communicatively competent communicators and non-communicatively competent communicators were those that explicitly, or implicitly, identified those traits and behaviors for each. Responses identifying traits and behaviors of communicatively competent and non-communicatively competent communicators were consistent with findings reported by Pavitt & Haight (1985) and Haas & Arnold (1995). Respondents did list responses that categorized both communicatively competent and non-communicatively competent communicators into hierarchical groupings (Table 6).

Overall, a total of 526 descriptors were listed to describe the traits and behaviors of both communicatively competent and non-communicatively competent communicators. Of these descriptors, 333 were listed as traits and 193 were listed as behaviors (see table 3). Out of the descriptors categorized as traits, the most frequently cited traits of a competent communicator were listens (19), open-mindedness (13), empathizes (8), ability to articulate (8), and awareness of body language (8).

Out of the 198 descriptors listed as being behaviors of a competent communicator, the most reoccurring were good eye contact (9), maintains control (6), speaks respectfully (4), and identifies other's desires (4). Respondents utilized a wide variety of descriptors to describe the traits and behaviors of a competent communicator. For a more complete account of all traits and behaviors associated with competent communicators, refer to Appendix E.

Table 6: Scenario Classification
<u>Superordinate Level</u> Communicatively competent person Non-communicatively competent person <u>Basic Level</u> Communicatively competent mediator Non-communicatively competent mediator <u>Subordinate Level</u> Communicatively competent client participating in mediation Non-communicatively competent client participating in mediation Communicatively Competent mediator when faced with a mediation where one client is being communicatively cooperative, and the other is being communicatively uncooperative Communicatively competent mediator when dealing with volatile clients in a mediation session

Research Question 4

Research Question 4 sought to explore how judgments of communication competence in mediation vary across situations. These mediation situations were categorized into three different levels: superordinate, basic, and subordinate. Free-response data concerning judgments of communication competence across these three different levels was broken down into two descriptors: traits and behaviors. Using t-test and GLM (Bonferroni) analysis, differences in number of descriptors among each of the

three levels was carried out. Results indicate no significant differences among descriptors listed as traits or behaviors among any of the three levels (Table 7).

t-test analysis on the superordinate level produced no significant results for either traits or behaviors. There was no significant difference between the number of descriptors used to describe either a communicatively competent person, or a non-communicatively competent person. t-test analysis yielded a significance level of .558 for traits and .839 for behaviors.

Results of t-test analysis for the basic level, that measuring a communicatively competent mediator vs. a non-communicatively competent mediator, yielded like results. There was no significant difference between the number of descriptors used to describe either of these categories. There was a significance level of .474 for traits listed and a significance level of .511 for behaviors listed.

Table 7						
Results of t-test and GLM analysis of Scenario Classification						
Level	<u>Superordinate</u>		<u>Basic</u>		<u>Subordinate</u>	
Analysis Utilized	t-test		t-test		GLM	
Trait Significance	.558		.474		.209	
Behavior Significance	.839		.511		.161	
F Score	invalid		invalid		Trait = 1.58	Behavior = 1.83
Degrees of Freedom	Trait = 7	Behavior = 6	Trait = 6	Behavior = 4	Trait = 3/41	Behavior = 3/35

Mirroring the results of the superordinate and basic levels, the subordinate level yielded no significant results. Here, GLM analysis was utilized to measure differences between the traits and behaviors listed for a communicatively competent client, a non-communicatively competent client, a communicatively competent mediator when faced with a mediation situation where one client is being communicatively cooperative and the other is being communicatively un-cooperative, and a communicatively competent mediator when dealing with volatile clients. Once again, there were no significant differences. Significance testing yielded an F score of 1.58 for traits and 1.83 for behaviors. The degrees of freedom for GLM analysis of traits was 3/41 and 3/35 for behaviors.

Chapter V

Discussion

Taken together, the results of the study suggest three things. First, results suggest that perceptions of communication competence are independent of conflict management strategies. Second, results of this study showed that CMC mediators perceived themselves to be competent communicators, despite their choice of conflict management style. Third, the results support the notion that effective communicators differ from ineffective communicators. Also, effective communicators differ from effective communicators who are mediators.

The results of research question one suggest that perceptions of communication competence are independent of conflict management styles. Results of correlation analysis yielded no significant relationships between any of the six Modes (Competing, Collaborating, Compromising, Avoiding, Accommodating, & Blend) and perceptions of communication competence. Difference testing procedures (GLM) revealed that no significant differences exist between mediators in how they view their own competence regardless of conflict management style.

This has several implications for mediation practitioners. First, since results indicate that there are no significant relationships between a mediator's style of conflict management and perceptions of communication competence, screening possible mediation recruits based on this criterion would be an ineffective tool for differentiating between those recruits who would be more successful than others. Choice of conflict

management style has no significant bearing on perceptions of communication competence or mediator effectiveness.

Second, the results of this study point to an interesting finding in that mediators perceived themselves to be competent communicators, despite their choice in conflict management style. Those mediators who chose avoiding, accommodating, or competing styles of conflict management found themselves to be just as communicatively competent as their counterparts who listed their conflict management strategies as being collaborating, compromising, or blend. Although each conflict management style is appropriate in certain circumstances (e.g. avoiding a physical confrontation when faced with superior opposition), mediation itself is considered a collaborative style of conflict resolution. Therefore, those individuals who listed themselves as being something other than collaborating, or a closely related style such as compromising or blend, listed themselves as being equally communicatively competent in mediation situations. This further supports the assertion that choice of conflict management style has no bearing on the communicative effectiveness of a mediator in actual mediation situations.

Research question two examined mediation trainee evaluation forms provided by CMC, providing insight into mediator perceptions of mediation training. Foremost, all evaluators agreed that trainers were accessible and helpful during the training process. Evaluators acknowledged that although mediation training was lengthy and intensive, mediation trainers were more than sufficient in providing guidance, information, support, and an environment conducive to learning.

Besides the superior performance of mediation trainers, evaluators cited the techniques trainers used to teach mediation as key to the learning process. Open

discussions and role-playing techniques were listed as being highly competent and effective in relating mediation material.

Taken together, data from these mediator trainee evaluation forms seems to indicate that an “open” style of classroom is the best type of environment for relating such large amounts of new, and sometimes foreign, instruction on mediation. Role-playing provides the trainee a chance to apply newly learned mediation skills in simulated real-life scenarios. To facilitate this, instructors make themselves readily available to provide constructive criticism, answer questions, reaffirm mediation methods, and provide support throughout the training process.

Further supporting these notions are trainee opinions on what could be improved in mediation training. Evaluators keyed on issues of trainer-trainee interactions and training techniques as areas that could be improved. Trainees sought additional reinforcement of mediation techniques through an increase in trainee-trainer interaction and feedback. One-on-one evaluation between trainees and trainers was cited as something that could help increase learning and help solidify mediation techniques, most importantly, the six stages in conducting mediation.

Overall, evaluators perceived mediation training as a very positive and informative experience. Trainees cited trainers and trainer techniques, not only as a means to provide a basis for learning mediation, but also as an effective way to teach conflict resolution techniques which can be beneficial in everyday life. Trainees perceived trainers as being well prepared, experienced, competent, and authorities on the subject matter. The open classroom environment provided a strong basis through which to learn about mediation and its application.

Returning to the relationship between conflict management strategies and communication competence, research question three examined what factors are employed in judgments of communication competence in mediation settings. Free-response data provided new insight as to the perceptions of communication competence through the eyes of a mediator. Data evaluated and coded as being either a trait or a behavior. Out of eight different questions concerning communicatively competent and non-communicatively competent communicators, there were 526 responses. Out of these responses, 328 were categorized as being traits, while 198 of these responses were categorized as being behaviors.

Results from free-response questioning seems to support the notion that effective communicators differ from ineffective communicators, and more importantly, that effective communicators differ from effective communicators who are mediators. This is consistent with previous research suggesting that mediators must be more aware of and in control of their communication patterns than the average communicator. Specifically, findings show that mediators perceive competent mediators as being those persons who are more aware of their verbal and nonverbal interactions with others. Mediators listed awareness of body language, the need to keep an open mind, active listening skills, and the ability to empathize as being traits paramount to a competent communicator. Behaviors listed as being most competent included looking for common ground, asking questions, using appropriate language, respecting others, and maintaining control of the mediation.

Mediators perceive themselves as being more competent communicators, at least in mediation sessions, than the average communicator. The assertion can be made that

because mediators are in situations where conflict is present, and are attempting to resolve this conflict in a limited time frame, that the need to control and manage communicative interactions with others is paramount. Mediators must be more aware of how their communicative interactions are perceived. Sending the wrong signal, even unintentionally, can destroy the fragile relationships a mediator builds between his or her self and their clients, and between the clients themselves.

Finally, research question four explored how factors employed in judgments of communication competence in mediation varied across situations. Although research yielded no significant findings pertaining to the number of descriptors used to describe communicatively competent communicators, data from the free-response questionnaire still provide some interesting findings. Mediators did not list any more descriptors for one level (superordinate, basic, subordinate) than another, or more descriptors among levels. Actual descriptors given varied both among levels and between them.

Traits and behaviors listed for the superordinate level appeared to have a common theme, at least as far as the top three responses were concerned (see Table 4). Listening was listed as being an important trait for both a communicatively competent person and a non-communicatively competent person, as one might expect. Communicatively competent communicators on the superordinate level were listed as being open-minded vs. non-communicatively competent mediators who were described as having their own agenda.

When discussing behaviors for the superordinate level, it is important to point out that behaviors listed for a communicatively competent communicator: responsiveness, using humor, and good eye contact, allude to the assertion that a communicatively

competent person is one who adapts to the communication needs of the other. This is paralleled by behaviors listed for an un-communicatively competent person who uses un-appropriate language, manipulates the situation, and attempts to dominate the situation. This type of communicator is focused more on the self, and does little to adapt to the communication patterns of another, thus, rendering them less communicatively adaptable.

On the basic level, traits used to describe a communicatively competent mediator include being non-judgmental, courteous, and articulate. Traits used to describe a non-communicatively competent mediator were closed-minded, controlling, and unsure of self. On this level, the key characteristic is open-mindedness. The ability to maintain an open mind is essential to the role of a mediator when dealing with mediation clients who they may not always agree with. This open-mindedness can be viewed as being a communicatively adaptable trait.

Behaviors on the superordinate level centered around the use, or improper use of, body language. Relaxed body language and good eye contact were listed as being central traits of a communicatively competent mediator. On the other hand, bad body language and bad eye contact were listed as the two worst behaviors of a non-communicatively competent mediator. Awareness of body language is very important in a mediation session where actions sometimes speak louder than words. Mediators must be ever vigilant, adapting to the communication needs of their clients. According to CMC mediators, this entails adapting non-verbal behaviors to the situation as well as maintaining an open-mind during the mediation session.

The subordinate level revealed some remarkable comparisons and contrasts among their traits and behaviors. Once again, the traits involving listening and

maintaining an open-mind were present. Traits describing listening were more specific on this level, as would be expected. Listening was redefined as being an active listener, a prime trait of most mediators. Along with the being open-minded, trait concerning the ability to empathize coincided with maintaining an open-mind.

Behaviors listed for the basic level had a similar focus on non-verbal behaviors as well. However, a new focus on maintaining control of a mediation session while still providing an equal playing field among mediation clients was obvious.

Also of interesting note, behaviors became more specific as mediators listed descriptors from one level to the next. On the subordinate level, behaviors used to describe communicatively competent communicators became more mediation specific. Behaviors went from focusing on basic non-verbal interactions to more specific behaviors such as encouraging questioning among mediation clients, looking for common ground, willingness to share issues with clients, and actively supporting the co-mediation model of conflict resolution.

Although traits listed did vary somewhat from level to level, mediators did not list any specific traits (with the exception of socio-economic status) that indicated more mediation-specific issues concerning communicatively competent communicators. This leads to the assertion that although traits of communicatively competent communicators vs. those of communicatively competent mediators make no real difference, the behaviors of communicatively competent mediators separate them from a regular communicatively competent person. Mediators must alter their behaviors in more specific ways during the course of mediation than regular communicatively competent counterparts, or at least according to mediators themselves. This once again support the assertion that

communicative adaptability plays a significant role in the actions and behaviors of mediators during actual mediation sessions. Data also supports the notion that the communication traits and behaviors that define the parameters of a communicatively competent mediator are different than those used to describe an average non-mediator who is communicatively competent.

Summary

The purpose of this project is four fold. First, this study explores the relationship between conflict management styles and dimensions of communication competence in mediators. Second, this thesis provides important insights as to the perceptions of mediation training from the viewpoint of mediation volunteers. Third, this study explores the factors employed in conceptions of communication competence in mediation settings. Fourth, this research explores how factors employed in conceptions of communication competence in mediation vary across mediation settings.

Results of this study suggest three things in particular. First, results suggest that perceptions of communication competence are independent of conflict management strategies. Second, results of this study showed that CMC mediators perceived themselves to be competent communicators, despite their choice of conflict management style. Third, the results support the notion that judgments of effective communicators differ from ineffective communicators. Also, effective communicators, as listed in the scenario classification in Table 6, differ from effective communicators who are mediators.

These results shed new light on the communication styles and patterns of conflict mediators by assessing their conflict management styles and their perceptions of

communication competence. Since little empirical evidence concerning conflict management strategies and communication competence in mediators appears in the literature, the value of this study becomes obvious.

Mediation practitioners are always on the lookout for new and better ways to recruit and train mediators. The study results suggest that personal style of conflict management and self-perception of communication competence, are not effective criteria for the screening of recruits. Perceptions of mediation training by mediators showed that current mediation training techniques are both informative and effective. Areas suggested for improvement centered around an increase in student-teacher interaction and not an increased emphasis on curriculum.

This study is one of the first to provide these insights into the world of mediation. The study benefits both communication scholars and mediation practitioners. This study not only benefits the existing body of knowledge on communication and mediation, but also provides mediation practitioners with a clearer picture of how mediators perceive mediation training.

This study possesses heuristic value. Suggestions for future research include an more in-depth analyses of qualitative data garnered concerning mediator perceptions of competence. Although data was broken down into two categories, traits and behaviors, time restrictions hindered any further categorization of data. Future research focusing on these categories might reveal more pertinent relationships among descriptors listed as traits and among those descriptors listed as behaviors.

A cross examination of qualitative data listed to describe communicatively competent mediators and post-mediation data could reveal some new findings. Future

research might provide insight as to the relationship between perceptions of communication competence in mediators and their perceptions of training.

Although this research did not find any significant relationships between conflict management strategies and communication competence the issue of this particular relationship is still in question. Future research may utilize new measuring instruments for assessing conflict management strategies and communication competence, instruments which are better designed for cross-analysis and comparison.

Finally, the question of how to best profile future mediator candidates still exists. Results of this study suggest that screening based on a potential mediator's particular conflict management strategy or level of communication competence would not be effective. Future research questions may address different aspects of conflict management and communication competence, or new aspects entirely.

Overall, this study has increased the body of knowledge concerning the relationship between conflict management strategies and communication competence in mediators, mediator perceptions of mediation training, and how mediator perceptions of communication competence vary across situations. This study provides a springboard for future research into this and similar areas of communication and mediation research.

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APPENDIX

APPENDIX A

All court and non-court referrals for Knox and Blount County Adult and Juvenile
Mediations for 1997-2000

APPENDIX A

Community Mediation Center Adult and Juvenile Volunteer Mediations for 1997 – 2000 All court and non-court referrals, including Blount County for 2000

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<u>Adult Mediations</u> (General Sessions Court and all other referrals, except for parenting plans)	<u>Juvenile Court</u> (includes all referrals from Knox and Blount Juvenile Courts including parenting plan referrals)	<u>Divorce & Family</u> (parties who contact CMC directly for family mediation services)
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	1997	1998	1999	2000	1997	1998	1999	2000*	1997	1998	1999	2000
Referrals	215	235	223	248	88	111	184	260	NA	NA	NA	NA
Mediations	194	182	208	242	80	89	152	191	21	09	13	28
Agreements	139	145	139	166	51	76	97	152	05	08	10	17
Percent Agreements (of cases mediated)	72%	80%	66.5%	69%	64%	86%	64%	80%	23%	90%	70%	61%
Clients Served	695	839	903	938	307	494	923	1350	62	106	104	121

APPENDIX B

D.L. Duran's measure of social competence (1983): The Communication Adaptability Scale (CAS)

APPENDIX B

The following are statements about communication behaviors. Answer each item as it relates to your general style of communication (the type of communicator you are most often) in social situations.

Please indicate the degree to which each statement applies to you by placing the appropriate number (according to the scale below) in the space provided.

- 5 = always true of me
4 = often true of me
3 = sometime true of me
2 = rarely true of me
1 = never true of me

1. I feel nervous in social situations.
2. In most social situations I feel tense and constrained.
3. When talking, my posture seems awkward and tense.
4. My voice sounds nervous when I talk with others.
5. I am relaxed when talking with others.
6. I try to make the other person feel good.
7. I try to make the other person feel important.
8. I try to be warm when communicating with another.
9. While I'm talking I think about how the other person feels.
10. I am verbally and nonverbally supportive of other people.
11. I like to be active in different social groups.
12. I enjoy socializing with various groups of people.
13. I enjoy meeting new people.
14. I find it easy to get along with new people.
15. I do not "mix" well at social functions.
16. I am aware of how intimate my disclosures are.
17. I am aware of how intimate the disclosures of others are.
18. I disclose at the same level that others disclose to me.
19. I know how appropriate my self-disclosures are.
20. When I self-disclose I know what I am revealing.
21. When speaking I have problems with grammar.
22. At times I don't use appropriate verb tense.
23. I sometimes use one word when I mean to use another.
24. I sometimes use words incorrectly.
25. I have difficulty pronouncing some words.
26. When I am anxious, I often make jokes.
27. I often make jokes when in tense situations.
28. When I embarrass myself, I often make a joke about it.
29. When someone makes a negative comment about me, I respond with a witty comeback.
30. People think I am witty.

APPENDIX C

The Eight different free-response questions utilized in this study to measure judgments of communication competence among mediators

APPENDIX C

Listed below is the entire list of free-response questions preceded by the instructions for answering the free-response questions. Each participant was asked to answer only two of the eight questions listed below

In this section we are interested in understanding how you describe someone who is a competent or effective communicator. You will be presented with two different “types” of competent communicators and asked to describe each of them. For each of the two types of competent communicators, list as many characteristics as come to mind.

Your list may include traits, behaviors, physical appearance, or socioeconomic terms. For example, a good physician may be described as: “hard-working,” “makes house calls,” “wears a white coat,” “is wealthy.”

- 1) Please take five minutes and list as many characteristics as possible for a communicatively competent person (non-mediation situation)
- 2) Please take five minutes and list as many characteristics as possible for a communicatively competent client who is participating in mediation.
- 3) Please take five minutes and list as many characteristics as possible for a communicatively competent mediator.
- 4) Please take five minutes and list as many characteristics as possible for a communicatively competent mediator when dealing with volatile clients in a mediation session.
- 5) Please take five minutes and list as many characteristics as possible for a communicatively competent mediator when dealing with one cooperative client in a mediation session, and one uncooperative client in a mediation session.
- 6) Please take five minutes and list as many characteristics as possible for a non-communicatively competent person.
- 7) Please take five minutes and list as many characteristics as possible for a non-communicatively competent client who is participating in mediation.
- 8) Please take five minutes and list as many characteristics as possible for a non-communicatively competent mediator.

APPENDIX D

Coded data from fifteen post-mediation training evaluation forms from a year 2000
training class

APPENDIX D

1. Can I name and describe each of the six stages in the CMC process of mediation?

Yes = 15

2. I have practiced all the stages at least twice with a co-mediator?

Yes = 15

3. The trainers were accessible and answered my questions?

Yes = 15

Additional comments: Very much so

Trainers were exceptionally good

Trainers were well qualified

Trainers had good teaching skills

Well designed/superbly executed training

Training exemplified active listening

Trainers maintained high energy levels

Trainers were very accessible and helpful

Questions were addressed in a positive manner

4. Things I found especially helpful in the class:(Total 25 comments)

- A. Six comments concerning the mediation trainers

1. Observing experienced mediators
2. John's emphasis on subtle verbal/nonverbal communication
3. Honesty of trainers
4. Trainers clarified how mediation process worked
5. Trainers honest critique of performance in mach mediations
6. Trainee's personal stories

- B. Five comments dealing with class discussions

1. Q & A sessions were very helpful
2. Debriefing
3. Post mach mediation discussion
4. Very open class discussion
5. Open dialogue among trainers and trainees

- C. Four comments concerning the use of role play in training

1. Role playing
2. Role playing provided realistic sense of mediator role in mediation
3. Role playing situations seemed very real and life-like
4. Trainers participated in actual role-plays

- D. Four comments about the structure and organization of training

1. Great handouts
2. One-on-one training
3. Repetition of process of mediation
4. Mediation exercises were well designed/provided great feedback

- E. Three comments centered around specific content
 - 1. Learning about confidentiality
 - 2. Setting up of six stages
 - 3. How to maintain neutral position in face of changing circumstances
- 5. Things to improve/things that didn't help as much as I had hoped:(Total 12 comments)
 - A. Five suggestions about actual training
 - 1. Training was very lengthy
 - 2. Reinforce importance of interpersonal communication
 - 3. Extend amount of feedback time w/trainers after role-plays
 - 4. More accurate/up-front definitions of acronyms & mediator vocabulary
 - 5. More time needs to be spent discussing procedures and court forms
 - B. Five suggestions in addition to the training
 - 1. Meeting impersonally w/CMC staff to discuss strengths/weaknesses
 - 2. Meeting w/trainers on a one-to-one basis to discuss ways to improve
 - 3. Get to know mediation trainees on a more personal basis
 - 4. Get to tour CMC facilities and courts before training has ended
 - 5. Get to meet all of the CMC staff
 - C. Two suggestions to introduce the work of other theorists
 - 1. Review some Carkhuff helping skills
 - 2. Teach some of Carl Roger's therapeutic theories
- 6. In reflecting on the past two weekends of training, my evaluation of the CMC's course is as follows:(Total 30 comments)
 - A. Eleven comments about the overall quality/value of mediation training
 - 1. Proud to be a part of training
 - 2. Excellent program
 - 3. CMC approach to mediation is very good
 - 4. Training is not only for mediation, is useful in everyday life
 - 5. Course is very well designed and orchestrated
 - 6. Training was a very complete experience
 - 7. Training makes you appreciate amount of work involved in mediation
 - 8. One of the top 2-3 training events I have ever attended
 - 9. Mediation training builds confidence and solid foundation for learning
 - 10. Training was excellent, can't learn how to mediate by reading a book
 - 11. Training was conducted in such a manner that kept your attention
 - B. Seven comments about trainer ability/contributions
 - 1. Glad to have had opportunity to train with experienced mediators
 - 2. Staff contributed effectively to success of training program
 - 3. Trainers were always available for help
 - 4. Hearing mediator's experiences was very helpful
 - 5. Real sense of support from trainers and fellow trainees alike
 - 6. Trainers were very well prepared
 - 7. Trainers maintained a very positive attitude

- C. Seven comments concerning skills/abilities mediation training taught
 - 1. Taught very good communication skills
 - 2. Methods for exploring mediation process very effective in teaching it
 - 3. Training not only taught process, but provided ways to evaluate process
 - 4. Training provided real sense of responsibility mediation carries
 - 5. Training increased confidence in ability to handle conflict
 - 6. Training provided confidence to interpret/adapt and to wait/listen
 - 7. Training reinforced ability to withhold making judgments about people
- D. Two comments about the value of role-playing
 - 1. Much mediations provided a deeper understanding of process
 - 2. Role-playing sessions were particularly helpful
- E. Two comments about the mediation model or "steps"
 - 1. Model useful in lending structure to sessions, in problem identification
 - 2. Model very effective in problem solving
- F. One comment about the value of mediation material used in training
 - 1. Providing training manual/notebook was crucial for future reference

APPENDIX E

Trait and behavior descriptors reported from free-response questionnaires

APPENDIX E

Traits

Listens-14
Open-minded-13
Articulate-8
Aware of body language-8
Empathizes-8
Non-judgmental-8
Patient-8
Courteous-6
Looks for common ground-6
Active listener-5
Articulate-5
Calm-5
Clear-5
Sensitive-5
Adaptable-4
Focused on issues-4
Honest-4
Self-assured-4
Aware of appropriateness of separate sessions-3
Aware of own feelings-3
Charmer-3
Aware of domestic violence issues-2
Analytical-2
Balanced-2
Compassionate-2
Confident-2
Exciting-2
Fearless-2
Follows mediation guidelines-2
Humor-2
Imaginative-2
Insightful-2
Knowledgeable about mediation process-2
Makes people feel comfortable-2
Motivator-2
Reasonable-2
Recognizes value of mediated solutions-2
Respectful-2
Retention-2
Sincere-2

Talkative-2
Tactful-2
Understanding-2
Accepting-1
Accommodating-1
Alert-1
Analyzer-1
Appeaser-1
Aware-1
Aware of dynamics between parties-1
Careful-1
Caring-1
Challenging-1
Concise-1
Considerate-1
Curious-1
Deliberate-1
Demands attention-1
Determination-1
Direct-1
Directive-1
Engaging-1
Examiner-1
Experienced-1
Fair-1
Flexible-1
Follows instructions-1
Genuine-1
Goals-1
Hard working-1
Helpful-1
Impartial-1
Inspirer-1
Intent-1
Knowledgeable-1
Knows when to call a time-out-1
Knows when to end a session-1
Mature-1
Non-reactive-1
Organized-1
Persistent-1
Persuasive-1
Process oriented-1
Reassuring-1
Relaxed-1

Receptive-1
 Responsible-1
 Responsive-1
 Salesman-1
 Serious-1
 Skilfull-1
 Stern-1
 Supportive-1
 Takes risks-1
 Takes time to think-1
 Trustworthy-1
 Unselfish-1
 Upbeat-1
 Willing-1
 Willing to be uncomfortable-1

Behaviors

Good eye contact-9
 Actively listens-5
 Remains in control-6
 Doesn't take sides-4
 Identifies other's desires-4
 Speaks respectfully-4
 Encourages questioning-3
 Responsive-3
 Supports co-mediation-3
 Uses humor-3
 Clarifies-2
 Discloses-2
 Direct-2
 Encouraging-2
 Engaged-2
 Good non-verbals-2
 Identifies negative behaviors-2
 Maintains flow of discussion-2
 Neutral-2
 Patient-2
 Relaxed body language-2
 Respects all present-2
 Willing to share issues-2
 Willing to trust mediators-2
 Able to maintain purpose of mediation-1
 Allows time for session-1
 Clear-1
 Communicates purpose of mediation-1

Doesn't enter an issue-1
Doesn't monopolize time-1
Doesn't ramble-1
Doesn't take situation personally-1
Draws on experience to communicate-1
Energy drained-1
Encourages open communication-1
Finds the reason(s) for mediation-1
Frowns at un-appropriateness-1
Gets clients to respect other-1
Gives reason for mediation-1
Good questions-1
Leaves children at home-1
Maintains attention of all-1
Makes house calls-1
Modifies med. When necessary-1
Neutral body language-1
Nicely dressed-1
Occasionally asks questions-1
Prefers mediation to courts-1
Proofing-1
Puts both sides of issues on table-1
Resistant to giving advice-1
Role reversal-1
Searches for reason behind behavior-1
Sits/stands "tall"-1
Strong voice-1
Succinct-1
Urging-1
Uses appropriate body language-1
Uses humour-1
Uses non-coop client's name-1
Uses simple examples-1
Uses time limits-1
Uses voice inflection-1
Wants to be involved in process-1
Well prepared-1
Willing to try different strategies-1

Traits and behaviors attributed to non-communicatively competent communicators

Traits

Cannot compromise-6
Closed-minded-6
Different socio-economic status-5
Shy-5
Un-sympathetic-5
Controlling-4
Has hidden agenda-4
Inverted-4
Angry-3
Disrespectful-3
Doesn't listen-3
Lacking confidence-3
Poor verbal skills-3
Uncomfortable-3
Awkward-2
Can't express self-2
Inflexible-2
Needs structure-2
No patience-2
Quiet-2
Self conscious-2
Uncomfortable w/silence-2
Uninterested-2
Arrogant-1
Bean counter (score keeper)-1
Competitive-1
Defensive-1
Disorganized-1
Doesn't hear other's ideas-1
Emotionally troubled-1
Humble-1
Intimidating-1
Inaccessible-1
Judges-1
Know-it-all-1
Lacking accountability-1
Lacking responsibility-1
Listening-1
Loses control of self-1
Mind wanders-1
More to lose in mediation-1

Not grounded-1
 Possibly mentally challenged-1
 Repeats excessively-1
 Self-centered-1
 Socially inept-1
 Stressed-1
 Too sympathetic-1
 Unappreciative-1
 Unapproachable-1
 Unconcerned-1
 Unimaginative-1
 Uninformed-1
 Unsure-1

Behaviors

Bad body language-10
 Speaks imprecisely-9
 Bad eye contact-5
 Uses inappropriate language-4
 Interrupts-3
 Avoids verbal interaction-2
 Doesn't appear to understand-2
 Doesn't recognize feelings of others-2
 Dominates-2
 Manipulates situation-2
 Nervous-2
 Unwilling to go w/flow-2
 Wants to hurry mediation-2
 Appears aloof/disinterested-1
 Appears intimidated-1
 Can't control conflict-1
 Conveys sense of superiority-1
 Doesn't always agree-1
 Doesn't correctly answer questions-1
 Engages in distracting behaviors-1
 Environment-1
 Evasive-1
 Explosive-1
 Gives up-1
 Hostile-1
 Ignores issues causing problems-1
 Indiscreet-1
 Loud-1
 Minimal vocal intonation-1
 No eye contact-1

Offers no personal insight-1

Often hostile-1

Placating-1

Physically up-tight-1

Raises voice often-1

Rambles-1

Reactive-1

Smokes-1

Takes sides-1

Won't speak-1

Vita

Nicholas Tong West was born in Ashland, Kentucky on January 5 1977 to the parents of David and Dottie West. Although he moved several times during the course of his youth, Nicholas returned to his native home of Inez, Kentucky, where he attended and graduated Sheldon Clark High School in 1995. Later that Fall Nicholas attended the University of Kentucky. He graduated, with honors, with a B.A. in Communication Theory Spring of 1999. Nicholas attended graduate school at the University of Tennessee Fall of 1999 and graduated with a Master's of Science degree in Speech Communication August, 2002. He currently resides in Knoxville, Tennessee.