SOCIAL WORK MEDIATION/CONFLICT RESOLUTION: THE BENEFITS,

CHALLENGES, AND PRACTITIONER IMPROVEMENTS ASSOCIATED

WITH THE USE OF MEDIATION/CONFLICT RESOLUTION

IN SOCIAL WORK PRACTICE.

by

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Presented to the Faculty of the Graduate School of

The University of Texas at Arlington in Partial Fulfillment

of the Requirements

for the Degree of

MASTERS OF SCIENCE IN SOCIAL WORK

THE UNIVERSITY OF TEXAS AT ARLINGTON

August 2014

Acknowledgements

I would like to express my special appreciation and thanks to my advisor Dr. Richard Hoefer, you have been a tremendous mentor for me. I would like to thank you for encouraging my research and for allowing me to grow as a researcher. Your advice on both research as well as on my attention to detail have been priceless.

I would also like to thank my committee members, Dr. Rebecca Hegar, and Dr. Larry Watson for serving as my committee members. All three members of my thesis committee are models of excellence in the social work profession and I am thankful I had the opportunity to learn from the best. In addition, I would like to acknowledge the assistance I received from Dr. Kilgore.

In the end, I would like to express appreciation to my beloved wife Kathy, who without understanding how, gave me the motivation to complete my objective.

June 25, 2014

Abstract

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The University of Texas at Arlington, 2014

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Social workers continually work in areas where conflict is prevalent on a daily

basis. Yet there is little research regarding the benefits, challenges, and practitioner

improvements associated with social workers being trained in mediation/conflict

resolution. However, there is much literature regarding the usefulness of

mediation/conflict resolution. Utilizing an exploratory, qualitative, semi-structure interview

process, numerous benefits, challenges, and practitioner improvements are identified in

this study.

In many respects, social work has always been about conflict and resolving

conflict. As conflict resolution is a core competency in social work and considering that

mediation/conflict resolution is a growing field, exploring the benefits, challenges and

practitioner improvements associated with training in the field is prudent. This study

explores mediation/conflict resolution in social work, reviews literature regarding the

subject matter, explains the methodology for the study, and provides data analysis. In

addition, this study explains the findings, offers discussion, and concludes with support of

social worker training in mediation/conflict resolution.

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Chapter 1

Introduction

1.1 Study Introduction

In researching the use of mediation/conflict resolution in social work practice, it is logical to consider that both social work and conflict resolution are linked in that "social workers regularly assume the role of intervener in almost all aspects of social work practice" (Mayer, 2013, p. 419). As such, one would think that there would be extensive research regarding the benefits, challenges, and professional growth associated with the use of mediation/conflict resolution in social work practice. However, there is little empirical research in this regard. It appears that the social work profession has not made the acquisition of mediation/conflict resolution skills in practice a significant area of development for the practitioner. According to Keefe (1999) "Further research is needed regarding not only the effectiveness of conflict resolution processes in social work practice, but also the prevalence of conflict management processes in practice. Such research will better advise social work educators about the importance of the processes to the curriculum and the specific forms and applications of the skills in practice" (p. 36). As such, studies of the benefits, challenges, and practitioner improvements associated with the development of practitioner mediation/conflict resolution skills could inform social work practice and demonstrate the need for more emphasis on the subject in higher learning institutions.

Social work commonly emphasizes empowerment, self-determination of the client, use of a systems perspective, focus on process, and a commitment to social justice. This is not unlike the desire of those who practice mediation/conflict resolution. Kruk (1997) indicates that "Formal conflict resolution processes, especially mediation, have been used in a wide variety of social work settings" (p. 14). For example,

mediation/conflict resolution skills are utilized in areas related to families such as divorce, aging, mental health, child/parent relationships, and adoption. In addition, mediation/conflict resolution skills are applied in areas of community, education, workplace, criminal justice, social policy, and intercultural issues. It appears that mediation/conflict resolution seems comparable to core competencies in social work as social workers are usually involved in all of these areas. Mayer (2000) indicates there are five general types of services that social workers provide related to mediation/conflict resolution, "prevention, reconciliation, decision-making, procedural assistance, and substantive assistance" (p. 312).

This project studies the benefits, challenges, and practitioner improvements associated with using mediation/conflict resolution in practice through qualitative research utilizing a semi-structured interview process with trained mediator social workers in the field. While this study is limited in scope, it can provide a basis for future study.

1.2 Mediation/Conflict Resolution and Social Work

As a recognized area of practice, mediation/conflict resolution in social work is a relatively new concept. Although resolving personal and interpersonal conflict is a natural part of social work practice, no evidence can be found by the researcher to substantiate that mediation/conflict resolution has been a core subject for institutions of social work in higher education, except as an elective subject. In its early stages, mediation/conflict resolution began as a process for managing disputes between management and labor growing into a process mainly utilized in the legal system.

Although it is unknown how this information was ascertained, according to Kruk (1997) "there are a growing number of social workers who identify themselves as mediators, either specializing in mediation or including mediation as an integral part of practice" (p. 2). In 1991, the National Association of Social Workers adopted a set of

standards for social workers practicing mediation. However, they were not widely disseminated or updated and could not currently be found on the NASW website.

According to Umbreit (1995), "mediation is being utilized mostly by the legal profession, which does not offer a strong foundation to serve as an alternative to itself" (p. 78). Umbreit is saying that mediation in the legal system is not an alternative to the legal system as it has become part of the legal system providing no alternative. This opinion would suggest that perhaps the legal system is not the most ideal venue for handling mediation/conflict resolution. Conflict resolution requires an ability to identify and analyze underlying interests, develop resources, generate options, and help clients arrive at solutions that meet their needs. These are skills not usually engendered to the legal profession. According to Nolan-Haley (2002) "Despite the work of some lawyers committed to fostering a problem-solving ethic, lawyers entry into the developing profession of mediation has been compared to the proverbial bull in the china shop" (p. 240).

Because social workers are trained in areas such as identifying and analyzing underlying interests, developing resources, and generating options, social workers would be well suited to handle issues related to mediation/conflict resolution. Mayer (2013) indicates that "mediation is the natural outgrowth of social work practice because its goal is to help empower people in conflict to solve their own problems, and because it builds on core social work theory and skills such as problem analysis, communication, and systems intervention" (p. 2). If this is true, social worker expertise would be enhanced by developing skills in mediation/conflict resolution.

Taking a closer look at the role of the social worker as it relates to the topic of mediation/conflict resolution with mediator social workers in the field, this paper seeks to discover the benefits, challenges, and social work practitioner enhancements associated

with having mediation/conflict resolution skills. The researcher discusses the research process, explores various conflict and conflict resolution theoretical frameworks, explores mediation/conflict resolution literature available on the subject, and outlines the qualitative methodology used for the study. In addition, the researcher provides data analysis, reveals the findings, includes a discussion, offers a conclusion, and discusses the best fit for social workers based on the interview responses and literature review.

The literature review explores the definition of mediation/conflict resolution, social worker roles, challenges, training, the use of mediation/conflict resolution in supervision, and the benefits of using mediation/conflict resolution in practice. The methodology describes the rationale for the study, the data collection process, the sample, limitations to the study, and the analysis procedure based on the subject of mediation/conflict resolution in social work practice.

<h3 style="text-align:center">1.3 Literature Search Process</h3>

Initial steps in conducting the research for this study began with a database search utilizing resources available through the University of Texas at Arlington online library. The database for social services abstracts provided indexing and abstracting for research-oriented serial publications focusing on social work, human services, social policy, and community development. In addition to social work abstracts, EBSCO was utilized as an access point for information on the fields of social work, social services, social welfare, social policy, and human services related to conflict resolution. The search results included full text, references available, scholarly (peer reviewed) journals, and abstracts. Keywords and phrases used in the search were social work mediation, mediation, conflict, conflict resolution, mediation in social work, and mediation law.

With the use of the keywords and phrases, several online search engines were utilized to find additional information regarding the topic. Google Scholar, RefSeek, and

iSEEK Education provided for a search of scholarly literature, including theses, books, abstracts and article documents, web pages, newspapers, and authoritative resources. All resources provided various bibliographies and some of the additional literature was identified for use in this study.

Chapter 2

Literature Review

2.1 Introduction

It is the purpose of this study to identify the benefits, challenges, and practitioner improvements associated with the use of mediation/conflict resolution in social work practice. The chapter considers the history, models, social work roles, challenges, training, and theory of mediation/conflict resolution. In addition, the chapter recounts the literature as it relates to supervision, and benefits of mediation/conflict resolution in social work. The conclusion to the chapter summarizes what the literature review uncovers.

It should be noted that most schools of social work do not provide mediation/conflict resolution training as part of the social work curriculum. Further, no schools of social work in Texas offer mediation/conflict resolution training as part of their social work program.

It is hypothesized that mediation/conflict resolution skills are vitally important skills to have as a social worker. It is further hypothesized that the benefits in having these skills, enhance one's ability as a practicing social worker. However, there are challenges in regards to the use of mediation/conflict resolution in practice, and these will be explored in this paper.

While there is little empirical evidence to suggest that there are benefits and challenges in utilizing mediation/conflict resolution skills in social work practice, much has been written regarding the attributes of mediation/conflict resolution in most professional settings. For example, Kruk (1997), suggests that mediation/conflict resolution can be adapted to almost any area of social work and human services. According to Kruk (1997), areas where mediation/conflict resolution skills are beneficial include divorce, post-divorce parenting, parent and child relationships, adoption, aging, healthcare, and mental

health. In addition, Mayer (2004), Keefe and Koch (1999), Irving and Benjamin (2002), and Heitler (2010) indicate that conflict resolution skills can be adapted to disability issues, community problem-solving, education, workplace harassment, criminal justice, social policy, and intercultural disputes.

Informal processes of mediation/conflict resolution have been around for centuries, yet formal processes were used only in labor and management disputes beginning in 1918 with the formulation of the U.S. Conciliation Service. In the late 1970s, an increase in divorce, civil court case filings, and the environmental movement created a need to formalize systematic ways for dealing with conflict (Mayer, 2013). Angry neighbors confronted each other in ways that insured irreparable damage to relationships and officials were unable to agree on important decisions, stifling the political process. The vast majority of people took their disagreements to court. Others opted for political confrontations involving demonstrations, contentious public hearings, or angry media volleys; court dockets became overloaded, litigation dragged on, and gridlock appeared to be an epidemic (Stassen, 2008). Although many of these conditions still exist today, in the mid-1970s, conditions began to change ever so slightly. People began to experiment with new ways of dealing with conflict. Mediation/conflict resolution began to be seen more often and is becoming more widely used today.

Since the late 1970s, "organizations promoting the practice of conflict resolution were either organized or took on a new scope (currently these include the Association for Conflict Resolution, the Dispute Resolution Section of the ABA, the International Association of Ombudsman, and the International Academy of Collaborative Professionals)" (Mayer, 2013, p. 416). In addition, several hundred academic institutions in the United States teach mediation/conflict resolution with over 50 graduate programs across the country.

2.2 Definition

According to Mayer (2013),

Conflict resolution is a core competency of social workers, and social workers have contributed greatly to this thriving field. Conflict resolution as a field of practice includes mediation, facilitation, conflict coaching, dispute system design, management, and arbitration. Conflict professionals provide preventative, restorative, substantive, procedural, and decision-making services to people in conflict (p. 1).

The Oxford English Dictionary defines mediation as the process of attempting to settle a dispute without recourse to litigation, through negotiation conducted by a neutral intermediary. Its etymon comes from the post-classical Latin word "mediatio", meaning intervention, intercession. The process of mediation is often referred to as dispute resolution and alternative dispute resolution (ADR). In essence, conflict resolution encompasses different kinds of processes. However, mediation appears to be a core process so closely related to conflict resolution it would be difficult if not impossible to separate the two. For the purpose of this paper, mediation and conflict resolution are used interchangeably, and mediation is defined as a process whereby a neutral third party is utilized to assist two or more people in discovering ways to overcome conflict.

2.3 Theoretical Perspective

In examining the helping situation of social workers in conflict resolution settings, it is important that we explore the relationship between mediation/conflict resolution and helpful theories that could be considered as a critical knowledge base. A multitude of social work theories could be applied to social work mediation/conflict resolution. This section will discuss several theories such as the social systems perspective, mediation/conflict resolution theory, the functionalist perspective, and behavior theory in

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order to recognize how theory could inform practice. These theories are relevant in that they help to understand conflict and conflict resolution from various perspectives.

Johnson (2010) indicates, "Social systems are not united or harmonious, but are divided by class, gender, race, or other characteristics that reflect differences in social power as much as anything else" (p. 7). This is a strong reason for exploring theory in relation to conflict resolution. In doing so, we may gain a better understanding of what drives conflict and what it takes to help people and groups of people work through the process of resolution.

Today, mediation/conflict resolution is seen as a method for empowering people to make informed decisions without the mediator making decisions for them. Mediation/conflict resolution theory is grounded in the belief that conflict offers an opportunity to build stronger individuals, stronger relationships, and stronger communities. In essence, conflict is not necessarily a bad thing, in fact, it can be a good thing. Conflict theory supports this concept in that conflict theory has several premises that are foundational to these ideas. First, conflict theory recognizes that conflict is all around us, is a fact of life, and a natural part of life helping to build character through trials. Secondly, change is a natural part of life helping us to adapt and develop stronger connections to others, and third, groups of people are continually in a struggle for limited resources, forcing us to continually rely on each other supporting a need for each other (Robbins, Chatterjee, and Canda, 2012). In keeping with the idea that conflict can be a good thing, Robbins et al. (2012) indicate, "conflict is seen as desirable because it propels social action against oppression" (p. 61). It would seem that the desirability that creates conflict is good across the board as it creates change. However, people in general don't see change as a positive thing, rather people tend to see change as a negative, or understand conflict to only be destructive (Robbins et al. 2012). It would be

logical to assume that this can be a barrier to seeking conflict resolution methods because no change could benefit people in some way motivating them not to resolve conflict. Basically, people would not seek out resolution processes, rather, they would avoid them for their own benefit.

This would be in contrast to the functionalist system theory which indicates that consensus is what holds society together. From a functionalist perspective, change does not come unless some force compels change to happen. Carl (2010) indicates that "change is unlikely and often disruptive, once the process of change starts, the system will continue on that path until counterreaction occurs due to social inertia" (p. 12). Perhaps the understanding of this theory helps the social worker mediator to know that even in light of resistance to a mediation/conflict resolution process, at some point people may find themselves in a position to find an equitable solution to their problem. Understanding this concept gives a social work mediator greater insight for overcoming challenges associated with resistance to conflict resolution.

Social workers recognize that theoretical concepts work to inform practice, giving them insight to the importance of understanding theory. As we have seen, theories can help us understand changes or the challenge to change in the context of conflict. Even though mediation and conflict theories have many common principals that are understood and accepted, Critical Conflict Resolution Theory changes the traditional concept of neutrality in mediation/conflict resolution and could readily inform social work mediation practice (Hansen 2008). Critical Conflict Resolution Theory takes a different approach to traditional conflict resolution models in that it does not rely on mediators remaining neutral. Rather, this concept suggests that mediation/conflict resolution skills can help social workers meet their obligations as advocates for social justice and help people

overcome societal and interpersonal oppression through critically thinking and through advocacy (Hansen, 2008).

Critical Conflict Resolution Theory calls for mediators to identify power imbalances, take the side of the underdog, and focus on helping people change negative relationships. As Hansen (2008) suggests, this theory requires the mediator to "develop analytical thinking skills and promote critical ideas" (p. 403). One of the core values of social work is the concept of social justice, which can be seen as a benefit. Hansen (2008) is suggesting that through the use of critical conflict resolution theory in conflict situations, the mediator could work to help the parties overcome social injustice and power issues. Hansen (2008), indicates "critical practice can fill a specific niche in the field of conflict resolution outside the traditional settings where a neutral third-party stance is desirable or essential (as with mediation in the courts, for instance)" (p. 411). Hansen is suggesting traditional conflict resolution roles can be played out in settings other than the courts. Using critical conflict resolution theory, Hansen (2008) views the possibility of thinking critically as a social work mediator in helping overcoming social justice issues directly related to oppression, which is a fundamental social work objective.

Conflict resolution practice and theory emerging from a critical framework point the profession of conflict resolution in a new and important direction: resisting and unjust status quo. Critical theory does not limit, but broadens the field of conflict resolution. Conflict resolution practitioners and scholars can only benefit from the ideas and practices that it brings (Hansen, 2008, p. 423).

Interaction and change appear to be components in any conflict resolution scenario. As such, understanding the various systems that influence these components would benefit the social work mediator. Robbins and colleagues (2012) indicate "human

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systems and their environments are intricately connected to one another. Thus, people

and their environments are involved in a process of continual adaptation to one another

and must be viewed holistically" (p. 28). This would suggest that the relationship between

people in conflict and their environments is directly related. Robbins et al. (2012) indicate

that "Systems theory is based on the paradigm that assumes a holistic view of people

and of human behavior both must be viewed within their social and physical contexts" (p.

57). Without an understanding of systems theory, it could be difficult for a practitioner to

recognize how these systems interact and thereby impact the conflict resolution process

and for the researcher to theorize how practice works.

To complete our exploration of theory in mediation/conflict resolution, behavior

theory is important. Recognizing that people resist conflict resolution and are sometimes

unwilling to accept various resolutions to a conflict is important. Behavioral theory has the

potential to help social work mediators understand conflict from various perspectives

such as those mentioned above. In addition, behavior theory informs us as to different

strategies that can help overcome conflict. For example, behavior theory informs us as to

different strategies in problem-solving, role reversal, empathy, disarming, stoking, or

understanding why a person wants conflict (Zastrow and Kirst-Ashman, 2010). In

behavioral theory, we learn why people behave the way they do and this is a key element

in helping mediators remain impartial and patient in the delivery of conflict resolution

services.

As a mediator, understanding the various theories related to the human

condition would be beneficial. From a professional social worker perspective, it is

required. According to the Council on Social Work Education (2008),

> Social workers are knowledgeable about human behavior across the life
>
> course; the range of social systems in which people live; and the ways

social systems promote or deter people in maintaining or achieving

health and well-being. Social workers apply theories and knowledge from

the liberal arts to understand biological, social, cultural, psychological,

and spiritual development. Social worker's critique and apply knowledge

to understand the person and environment" (p. 6)

Since this is a standard of practice required of those in the social work

profession, it gives credence to the idea that theory is important in social work mediation.

From this perspective, understanding theory will give the social work mediator a solid

foundation for helping those in conflict far and above standard mediation training as

understanding theory gives the practitioner a holistic perspective of any conflict situation.

2.4 Mediation/Conflict Resolution Models

While mediation/conflict resolution is defined as a process to resolve conflict,

there are numerous mediation models such as facilitative, directive, evaluative,

transformative, therapeutic, and narrative. This section will focus on different models and

identify common characteristics. As a point of information, "Conflict management

approaches can be viewed from three perspectives: power, rights, and interest"

(McCorkle & Reese, 2005, p. 5). In other words, power, rights, and interest are factors

that drive conflict. A power perspective can influence another person or situation, rights

are what is derived from the law, and interest can be focused on power and/or rights.

Processing feelings such as respect, esteem, or anger is usually at the center of the

resolution process (McCorkle & Reese, 2005). Understanding these conflict management

approaches provides some insight into understanding different mediation models and

methods.

According to Zumeta (2000), there are five basic mediation models, facilitative

(also called the settlement-driven model), directive, evaluative, transformative and

narrative. However, Heitler (2010) suggest a sixth "therapeutic model." Each of these models typically adhere to several core values, and all models look to create win-win outcomes for the parties.

Values are apparent in each of the six mediation models. Values include confidentiality, self-determination of the parties, mediator neutrality (except in evaluative and therapeutic models), autonomy, authority, and procedural fairness. However, each model has its own unique style. For example, in facilitative models, the mediator assumes the position of the guide through the process, with little influence on those involved (Zumeta, 2000). In directive models, the mediator is more assertive in encouraging parties to consider options to resolution and control over the stages of the process (Mayer, 2000). In evaluative models, the mediator focuses on the outcome with little concern for the emotional aspects of the conflict (Zumeta, 2000). In the transformative model, the mediator focuses on the underlying causes of the problem with a view to improving future relationships between the parties (Umbreit, 1995). With the therapeutic model, the mediator utilizes healing techniques so that hurt and anger are diminished, denoting a process that leads from emotional distress to emotional relief with a goal of restoration to a sense of well-being (Heitler 2010). While the narrative model seeks to uncover conflict causes through storytelling, it attempts to identify cultural difference that cause conflict (Zumeta, 2000).

Models of mediation can differ in several ways. First, different models are used in different settings, such as in family, community, victim-offender, school-based peer, organizational, supervision, and other venues of mediation such as labor-management. Second, they are different by philosophical assumptions, such as conciliation (to make compatible), problem-solving approaches (thinking that brings together information focused on solving a problem) or relationship building and restoring approaches. Third,

mediation models differ depending on various variables, such as pre-mediation (individual discussions with each party before the formal process begins) vs. No pre-mediation, following chronological steps (opening, venting, clarification, option generation, agreement writing), or not, and focusing on problems, emotions or both (McCorkle, 2005).

It should be noted that in evaluative processes, "the mediator assumes that the participants want and need the mediator to provide some direction as to the appropriate grounds for settlement based on law, industry practice, or technology" (Waldman, 2011, p. 20). The evaluative mediator offers solutions to a conflict based on their area of experience and many times do not maintain a neutral role in the process. As well, therapeutic model mediators can assume a non-neutral role. Also, the therapeutic model is the only model that provides for follow-up.

Each of the mediation models usually has five distinct stages that include mediator's opening, participant storytelling/problem identification, clarification, problem solving/option generation, and conclusion/agreement. However, there can be different variations of the stages depending on the mediator and the objective of the individuals involved. While this may be true, it seems more likely that there are numerous variations of the six mediation models. Tables 1-6 provide further details.

There is no evidence as to the historical introduction of facilitative, directive, evaluative, and narrative models of mediation. However, based on the literature, the transformative model was introduced in 1994 by Robert Bush and Joseph Folger in their book "The Promise of Mediation." The therapeutic model was introduced in 1987 by Howard Irving and Michael Benjamin, in their book "Family mediation: Theory and practice of dispute resolution."

The tables below are listed in order of the number of settings the model is typically applied. The tables help the reader see the different settings in which each model is used and the philosophical assumptions, variables, and a short description of each model. Of particular interest is the Philosophical Assumptions section as this area indicates the settings where the particular model is most likely used.

Table 2-1 Facilitative Mediation Model

Models	Setting	Philosophical Assumptions	Variables	Description
Facilitative (Also known as the settlement driven model)	Social work, Family, Community, Neighborhood, Organizational, Labor, Civil Court, Supervision, School-based Peer	Conciliation, Problem-solving	Usually No Pre-Mediation, Follows Chronological Steps, Can Focus on both Problem and Emotion	The parties are encouraged to negotiate based upon their needs and interests instead legal rights. Used to create better understanding.

Table 2-2 Directive Mediation Model

Models	Setting	Philosophical Assumptions	Variables	Description
Directive	Family, Community, Neighborhood, Organizational, Labor, Civil Court, Supervision	Problem-solving	No Pre-Mediation, Follows Chronological Steps, Focus on Problem	Mediator uses directive approach convincing parties on the best solution and controlling the process.

Table 2-3 Evaluative Mediation Model

Models	Setting	Philosophical Assumptions	Variables	Description
Evaluative	Social work, Family, Community, Organizational, Labor, Civil Court, Supervision	Conciliation	No Pre-Mediation, May/May Not Follow Chronological Steps, Focus on Problem	Assumes need to provide direction based on law, industry practice, or technology.

Table 2-4 Transformative Mediation Model

Models	Setting	Philosophical Assumptions	Variables	Description
Transformative (Also known as the mutual-aid model)	Victim-Offender, Family, Neighborhood, Community, Organizational, Workplace	Relationship Building and Restoration	Pre-Mediation, Follows Chronological Steps, Focus on Emotions and Empowerment	Parties are encouraged to deal with underlying causes with a view to repairing their relationship as the basis for settlement. Seeks the empowerment and mutual recognition. Settlement is not important.

Table 2-5 Therapeutic Mediation Model

Models	Setting	Philosophical Assumptions	Variables	Description
Therapeutic	Social work, Family, Psychology, Individual, Conflict Coaching, Therapy	Relationship Building and Restoration, Treatment, Follow-up	Pre-Mediation, Follows Chronological Steps, Can Focus on both Problems and Emotions, follow-up	Focuses on underlying causes with a view to improving future relationships. Has a twofold goal: emotional healing plus agreement on a plan of action with follow-up.

Table 2-6 Narrative Mediation Model

Models	Setting	Philosophical Assumptions	Variables	Description
Narrative	Neighborhood, Community, Organizational, Supervision	Conciliation, Problem-solving	Pre-Mediation, Chronological Steps, Focus on both Problems and Cultural Differences	Seeks to uncover conflict causes through storytelling and attempts to identify cultural differences that cause conflict.

It should be noted that facilitative, directive, and evaluative models do not usually utilize pre-mediation as part of the mediation process and that transformative, therapeutic, and narrative models almost always use pre-mediation as part of the mediation process. This is due to the sensitive nature of the conflict situations these models are typically used in. Also, all models usually follow a chronological order during the process. While the facilitative model focuses on problems and emotions, the directive and evaluative models focus on the problem almost exclusively. As another point of interest, the transformative model focuses on emotions, the therapeutic model focuses on the problem and emotions, and the narrative model focuses on problems as they relate to cultural differences. As a final note, transformative models appear not to be concerned with a settlement and the therapeutic model is the only model that provides for follow-up. This would indicate that the transformative and therapeutic models are most appropriate for use in social work practice as they both most closely align with social work values and processes.

From a situational perspective, facilitative, directive, and transformative models could be used in almost any conflict situation where two or more people are in a dispute. The evaluative model would be most appropriate in situations where the professional expertise of the mediator would be required in educating the parties on appropriate grounds for settlement based on law, industry practice, or technology. The transformative model appears to be well suited for conflict that requires the building or restoration of relationships such as situations involving family issues. The therapeutic model would be best suited in therapeutic settings or when follow-up is needed, and narrative models would be ideal for settings in which cultural differences are perpetuating conflict. This is not to say that each model could not be utilized in almost any setting with the exception of the therapeutic model.

2.5 Benefits

The benefits for utilizing mediation/conflict resolution seem practical in practice, as several models focus on relationship building. It appears that mediation/conflict resolution can provide confidentiality for all parties, give freedom to speak without fear of repercussions (except mandatory reporting issues), offer speedy conclusions, and reduce costs (Kruk, 1997). Theoretically, mutual ownership of outcomes, preserved relationships, and the option to make agreements legally can be attained (Mayer, 2000). While these are the obvious benefits, other benefits should be considered. As mentioned in the introduction, according to James (1987), Kruk (2000), Mayer (2013), and Rothman, Rothman, and Schwoebel (2001), areas where conflict resolution skills are beneficial include divorce, post-divorce parenting, parent and child relationships, adoption, aging, healthcare, and mental health. Although no empirical evidence can be found to substantiate the claim, theoretically, conflict resolution skills can be adapted to disability issues, community, education, workplace harassment, criminal justice, social policy, intercultural disputes, and supervision (Mayer, 2000).

The therapeutic model (shown in table 5) shows considerable promise for overcoming some of the problems in direct practice social work such as knowing when and when not to use mediation. For example and based on their experience, several practitioners claim the therapeutic conflict resolution model can work in couple's therapy (Irving and Benjamin, 1987), intervention in working through the difficulties of building parent plans with divorcing couples (Kruk, 1997), and high conflict situations (Johnston and Campbell, 1988). Further, Johnston and Campbell (1988) suggest the possibility of counseling and conflict resolution being provided by the same person is an effective use of the therapeutic model.

While the therapeutic model can be applied to practice, it should be noted that mediation/conflict resolution does not typically utilize therapeutic components as a practice. However, conflict resolution specialists Rothman, Rothman and Schwoebel (2001) indicates "These forms of mediation, which are informed by a social work/human services perspective, incorporate elements of therapy into mediation practice" (p. 1). This would suggest that the therapeutic mediation/conflict resolution process can be used in social work practice. Irving & Benjamin (2002) indicate that the therapeutic model is "a thoughtful approach to the dynamics underlying family systems in conflict. It can involve the creative use of a wide variety of interventions, custom-made to suit particular situations" (p. 205).

A promising benefit to utilizing mediation/conflict resolution skills in social work may come through what Mayer (2004) suggests, social workers assuming the role of conflict engagement specialist. Mayer (2004) indicates, "By focusing on engagement, we can continue to bring to bear the key skills and outlooks that we have to contribute, the hallmarks of our practice, and we can address the legitimate concerns" (p. 39).

2.6 Challenges

Mediation/conflict resolution has its challenges for social workers. However, most challenges revolve around how to utilize mediation/conflict resolution and/or whether it is appropriate or inappropriate to use mediation/conflict resolution. In practice, many times people will choose counterproductive methods in order to avoid (ignoring the problem) or confront conflict (initiate violence). Kruk (1997) indicates that while people use avoidance or confrontation in managing conflict, mediation/conflict resolution offers a more collaborative method for overcoming conflict. In mediation/conflict resolution, the parties are empowered to resolve their problems and are given the self-determination to do so utilizing most models.

Rifkin (1991) suggests "The settlement-driven model (Table 1) assumes that the parties not only have the ability to articulate their needs and interest, and skills to negotiate and problem solve, but will be able to do so in a balanced way" (p. 157). The "settlement-driven model" (also known as the facilitative model) tends to focus on the agreement to settling a problem, as opposed to other processes such as the "transformative model" developed by Fisher and Ury (1981), which focuses on the underlying emotional issues to a conflict. Rifkin (1991) suggests that if one or more of the parties are ill-equipped to articulate their needs, they may not have the skills to negotiate the issues, even if they can articulate the problem. This creates a challenge for the social work mediator in trying to determine if a client has the capacity to work through the process of mediation/conflict resolution.

It would be probable that the social worker assumes a different role, the role of conflict coach. Mayer (2004) suggests "It is often better to work with people on how to become more effective in pursuing the goals that have propelled them into conflict than it is to focus on how to find their way out of conflict. We are far more likely to achieve our potential if the focus is on how to help people engage in conflict effectively rather than on how to resolve conflict" (p. 39). Conflict coaching seeks to support individuals by educating them (individually) in conflict strategies and enhance their ability to engage in, manage, or productively resolve conflict. While conflict coaching is not a mediation model, with this conflict resolution skill, the social worker guides the client through a conflict resolution process, helping the client identify problem areas and evaluate the best course of action.

In addition, Rifkin (1991) implies that mediator neutrality (absence of decided views, expression, or strong feeling), power imbalance (dynamics between the parties affect the discussion of solutions to the point that one or both parties are unable to speak

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for themselves or unable to reach a voluntary agreement), and safety issues (one or both parties are in fear of their personal safety) could also be challenges to the mediation/conflict resolution process.

Today conflict resolution encompasses a wide range of innovative techniques and practices as it relates to conflict intervention and ethics is important to consider as ethical issues can present challenges without proper training. In her book "Mediation Ethics," Waldman (2011) offers a view of what mediation/conflict resolution ethics should look like. Waldman (2011) places emphasis on three important areas of ethics, including disputant autonomy, procedural fairness, and substantive fairness. According to Waldman (2011) these are the cornerstones of conflict resolution ethics. Waldman (2011) defines disputant autonomy as the disputant's right to make choices based on personal beliefs and values free of coercion and constraint. Procedural fairness is defined as the fairness of the process used to reach the mediated result, and substantive fairness is defined as the acceptability of the mediated result, or good enough outcomes. Without proper training, these ethical issues become challenges that hinder the social workers' ability to effectively use mediation/conflict resolution processes and skills. Reamer (2007) suggests that "in order for social workers to overcome the challenges associated with mediation, the social work mediator must have a firm grasp of key concepts related to ethical theory in the field of practical and professional ethics, particularly related to conceptual frameworks used for analyzing ethical issues and making ethical decisions" (p. 1). Also, social work mediators must have refined interpersonal skills that enable them to negotiate agreements or mediate ethics-related disputes (Reamer, 2007).

Parsons (1988) indicates that social work is a profession that works to solve social problems and resolve conflicts. For many practitioners, mediation/conflict

resolution "is a philosophy of human nature, a moral responsibility of every human" (Kritek, 1994, p. 17). Challenges such as recognizing power imbalances, safety issues, the cognitive abilities of participants, mediator neutrality, confidentiality, appropriateness of mediation, and regulating the use of therapy must be considered by social work mediation/conflict resolution practitioners as they can have dramatic implications for the success of the process if not considered. Reflection on these areas as they apply to any individual case is vital, and it would seem that formal mediation/conflict resolution training would better equip the social worker to manage these difficulties (preventing harm) more effectively.

In the review of challenges to social work mediation/conflict resolution practice, it becomes apparent that training is immensely important, and the lack of training could lead to harm. For example, some people suffer from emotional disturbances that make mediation potentially damaging psychologically, some people come to mediation at a stage when they are not ready to be there, some people are not willing and able to participate, and sometimes the mediator handles the process in a way that inflames antagonism rather than resolving the conflict. Without proper training, these challenges and others can lead to situations where mediation/conflict resolution will not succeed, or worse, cause harm. According to Weeks (1994), "in our complex lives, devoting some time and energy to developing effective resolution skills is now an essential need for the benefit of your own personal and professional life and in our communities and our world (p. xiv).

2.7 Social Work Roles

Most models of mediation/conflict resolution fit well with social work's core values of the dignity and worth of each person, the importance of human relationships, and the pursuit of social justice (National Association of Social workers [NASW], 1997). However,

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depending on the specific conflict, facilitative, transformative, narrative, and therapeutic models seem more appropriate for social work as they adhere most to core social work values of empowerment, self-determination of the client, use of a systems perspective, focus on process, and a commitment to social justice

While much is written regarding the benefits of utilizing mediation/conflict resolution skills in almost every conflict-related scenario, social workers usually do not receive training through social work schools of higher education (Mayer, 2013). Croxton and Jayaratne (1999), mention "mediation and conflict resolution are an emerging field of practice, and social work crisis intervention in local, national, and international catastrophes will increase" (p. 2). Indeed, since 1999, mediation has emerged as a viable method of resolving many kinds of conflicts. This suggests that as crisis becomes more prevalent in society, more highly trained social workers with mediation and conflict resolution skills will be needed. Stulberg (1993) suggests "there is a need for social workers to develop an 'intellectual context' for mediation education" (p. 1008). To this day, social work has not focused on the development of skills in mediation. Mayer (2013) suggests that this is due to the practice becoming "increasingly dominated by other professions, particularly law. This has meant the field of social work has not been enhanced by the conflict resolution field to the extent that it could be, and that the field of conflict resolution has not fully benefited from the experience and knowledge of social work" (p. 415).

Like other helping professions, social workers have an advantage working with mediation/conflict resolution processes as they have a working knowledge of human development and interpersonal relationships as compared to the legal profession. As with other helping professions, social workers are trained to demonstrate empathy with a wide range of human conditions. However, a lack training to understand the impact of empathy

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in conflict situations could create problems in helping people to resolve their conflicts. As a case in point, failure to acknowledge the parties' emotions inevitably leads to failure in the mediation/conflict resolution process. This is because "overlooking, ignoring, or minimizing the emotional component in mediation can certainly lead to impasse. By framing the problem only as a substantive dispute, mediators may limit options for resolution. On the other hand, exploring possible emotional factors may provide real clues for avoiding or working through impasse" (Denny, 2013, p. 1). If parties in conflict do not succeed in conflict resolution, many times it is because they are not allowed to explore underlying emotions and often it is those emotions that cause the conflict in the first place. Knowing how to validate this emotion and not cross the line into counseling takes training. As Severson (1998) indicates, "schools of social work must prepare to notch out a critical role in this development. The areas of need are already apparent" (p. 193). Severson is suggesting that social workers should receive training in mediation as the need for working through emotion in conflict is growing. This would help social workers be better prepared and better understand the role of social work mediator in practice.

Specialized training in mediation/conflict resolution work to strengthen the social worker's innate skill by emphasizing attention to specific training criteria. Severson (1998) suggests "specific classes should be devoted to learning about psychological issues, including family systems theory, communications theory, child and family development, and the stages of grief and divorce recovery" (p. 90). Even though many social workers are exposed to these theories in generalist practice, additional educational opportunities strengthen the social work mediator skills offering additional benefits.

Overall, social work was one of the first helping professions to address the significance of deeply connected relationships that constitute the social context of people's lives. According to the Canadian Association of Social Workers (2000),

Social workers are recognized for their focus on the person-in-environment perspective, which characterizes the unique relationship-centered focus of the profession. The on-going advancement of social work as a relationship-centered profession with a repertoire of person and environment oriented methods of practice make them uniquely qualified as mediators. In addition, the social work purpose and place in human problem solving are inherent in the definition of social work practice. They help client systems assume power and efficacy to negotiate problem resolution as an empowerment-oriented strategy in social work practice (p. 1).

This would suggest that social workers have the initial skill set to be mediators, and as such, should have specialized training in the area of mediation/conflict resolution. Unfortunately, this is not happening. Keefe & Koch (1999) indicate "Despite the profession's involvement in work on social and interpersonal conflict, conflict resolution as a field of practice has been identified as underdeveloped in social work (p. 33).

2.8 Supervision

Individual practice is not the only area where conflict resolution skills become a practical tool in social work. Brashears (1995) suggests a reconceptualization of the use of conflict resolution in supervision. While supervision is not the focus of this study, it gives merit to the idea that conflict resolution skills can be applied at all levels of social work. Brashears (1995) goes on to say, "Application of the mediation mutual aid practice model to the workplace allows the profession to be consistent throughout its internal

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structure in the practice of its values, skills, and knowledge" (p. 697) (mutual aid model

shown in table 4). The concept appears sound in that if social workers are obligated to

practice utilizing a set standard of values, skill, and knowledge, this should also be

applied in the workplace through supervision. "The same values of advocacy,

empowerment, and self-determination cannot be endorsed for clients and at the same

time denied by professionals who serve them" (Brashears, 1995, p. 697). Brashears

(1995) is suggesting that the use of mediation processes in supervision can help to

ensure that the same principals we are required to use in practice can also be allied in

the workplace giving workers a sense of self-determination and also "drive the

engagement between supervisors and supervisees" (p. 698). If this concept were applied

to the social work workplace, it would be plausible to assume that the demonstration of

these skills by the supervisor could also be a tool for teaching social workers the value of

using these skills in practice.

The concept of using mediation/conflict resolution in supervision is not an

unreasonable concept. Pettes (1979) defines supervision as a "process by which one

social work practitioner enables another social work practitioner ... To practice to the best

of his ability" (p. 3). In order to accomplish this task, it seems the supervisor must

understand the concepts of mediation/conflict resolution as conflict in this regard would

seem evident. While it would appear that utilizing mediation/conflict resolution skills as a

supervisor is beneficial in practice, demonstrating these skills would also serve as an

opportunity to teach these skills to supervisees as well. Robinson (1936) wrote that

supervision is "an educational process in which a person with a certain equipment of

knowledge and skill takes responsibility for training a person with less equipment" (p. 53).

In order for the supervisor to be equipped to teach mediation/conflict resolution they must

have the knowledge to do so.

More and more, supervisors are being tasked with the responsibility to improve services. "Supervision today is being conducted in an age of accountability within a context of societal demands for service improvement and greater efficiency, along with the profession's commitment to and search for further development and improved service" (Dolgoff, 2005, p. 1). One way to accomplish this task could be through the use of collaborative processes that seek to build consensus and mediation/conflict resolution could be a process for accomplishing this objective. However, since there is a lack of new empirical studies regarding the use of mediation in supervision, new studies are needed to confirm the effectiveness of using mediation/conflict resolution processes in supervision.

As a final note on mediation/conflict resolution as it applies to supervision, the United States Government (Federal Mediation and Conciliation Service) and the United States Postal Service have utilized mediation/conflict resolution for many years. The Federal Mediation and Conciliation Services utilize mediation/conflict resolution for labor/management disputes mainly in the area of collective bargaining. The United States Postal Service utilizes a transformative model for Equal Employment Opportunity (EEO) disagreements.

2.9 Training

There are limited articles directly related to the role of a mediator in social work practice. However, there appears to be a growing amount of interest in this area as seen in the writings of practitioners such as Mayer, Irving, Benjamin, Parsons, the NASW, and others.

Social workers wear many hats that include not only mediator, but also broker, teacher, advocate, caseworker, facilitator, organizer, and manager. It only makes sense that social workers hone skills in all of these areas, including mediation/conflict resolution.

However, there appears to be a lack of focus in this regard. Parsons (1991) indicates "social workers have the skills and tools for taking the mediator role because they assume this role historically in the array of intervention points in social work practice" (p. 483). Social workers do assume the role of mediator more often than not, yet social workers don't typically receive formal training in mediation/conflict resolution through schools of social work. In her article "The Mediator Role in Social Work Practice", Parsons (1991) says "social work's role in society has often been conceptualized as that of a mediator" (p. 483). If this is true, social workers should attain formal expertise in mediation/conflict resolution as there is a significant difference between conceptual and professional abilities. Mayer (2013) indicates. "Lack of resources, value conflicts and role conflicts often demand the social worker to play mediator, whether he or she knows it or not. There is a tension inherent in being caught in an either-or role, and conflict resolution, or mediation, can help the social worker break down the polarities that he or she feels and that the client is experiencing" (p. 1).

<center>2.10 Social Work Best Fit</center>

Stoesen (2006), conveys "social workers have a wonderful grasp of what it takes to be well grounded, especially in terms of making people feel empowered to make their own decisions" (p. 2). Since this is a focus on mediation, this suggests that social workers are in a good position to offer mediation/conflict resolution services. Stoesen (2006) goes on to say "one of our skills as social workers is to assess who is sitting in front of us. This is not necessarily a skill lawyers are taught" (p. 2). While conflict resolution is dominated by the legal profession, it is plausible that social workers are better suited for this role. As Stoesen (2006) suggests, "social workers have the training and expertise to ensure parties to conflict become empowered and self-determinant" (p. 2).

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From a lawyer's perspective, O'Connor-Ratcliff and Custin (2013) quote Lincoln when they said "Discourage litigation. Persuade neighbors to compromise whenever possible. Point out to them how the nominal winner is often a real loser in fees, expenses, and waste of time" (p. 59). While this is sound advice, many lawyers see themselves as being in the best position to mediate. Perhaps the problem is that lawyers tend to mediate from a legal perspective and not a person-in-environment or systems perspective. In this writer's experience, lawyers tend to shy away from what they term as the 'touchy-feely' side of the mediation. This is unfortunate in that literature suggest that emotions are usually the driving force behind many conflicts.

Referring to social workers, Chetkow-Yanoov (1997) said it well, "We must take lessons from such helping professions as pastoral counseling, marriage counseling, social work, psychology, political psychology, or social psychiatry. The linking of education and therapy enriches conflict resolution by equipping us to deal with value changes" (p. 150). This suggests that those in the social work profession are well equipped to mediate because they are well grounded in theory approaches that help people deal with value differences and emotions which tend to promulgate conflict.

2.11 Literature Review Conclusion

Literature would suggest that there are tremendous benefits to utilizing mediation/conflict resolution skills in practice with some challenges. However, the effectiveness of using mediation/conflict resolution techniques in practice has not been fully explored through empirical studies.

Currently, social workers work through conflict at all levels of practice, yet no evidence can be found to indicate that social workers are trained in mediation/conflict resolution through schools of social work. Keefe and Koch (1999) indicate that "Engaging in the problem solving process endemic to conflict resolution is appealing to social

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workers because it implies direct, assertive communication on the part of participants, because it requires thoughtful participation in the process, and because it enables participants to control outcomes" (p. 39).

Theoretically, the literature suggests the possibility that social workers who are trained in these skills could have a greater success managing conflict in areas such as families, aging, mental health, child/parent relationships, adoption, community, education, workplace, criminal justice, social policy, intercultural issues, divorce, post-divorce parenting, parent and child relationships, healthcare, and mental health. In addition, conflict resolution skills can be adapted to disability issues, workplace harassment, criminal justice, and social policy. Further, Keefe and Koch (1999) suggest that "Social workers with their expertise in working with families, couples, and children are in a unique position to render conflict resolution services" (p. 47).

Chapter 3

Method

3.1 Introduction

It is the intent of this study to research the opinion of licensed social workers trained in mediation/conflict resolution, ascertain if gaining mediation/conflict resolution skills has helped them to be better social workers, and identify the perceived benefits and challenges associated with the use of mediation/conflict resolution in social work practice.

This research project is an exploratory study using a qualitative research design and interview data collection process. The purpose is to answer two questions "What are the benefits and challenges associated with the use of mediation/conflict resolution in social work practice?", and "Does gaining mediation/conflict resolution skills help practitioners become better social workers?" This is important in that literature indicates there are benefits and challenges to mediation/conflict resolution. However, there is limited literature regarding the subject as it relates to social work practice. In addition, there is a limited amount of information to indicate if having mediation/conflict resolution skills benefits social work practitioners

This exploratory study is necessary in that there are no earlier studies to refer to, and the focus is on gaining insights and familiarity for later investigation. The goal of this research is to become familiar with basic details, gain a well-rounded picture of the situation, generate new ideas, and develop hypotheses. In addition, it is important to refine the issues for more systematic investigations, formulate new research questions, and to establish direction for future research. Further, the study design will be useful in gaining background information on the topic, provide an opportunity to define new terms, clarify existing concepts, and establish research priorities for social work practitioners (Grinnell & Unrau, 2011).

3.2 Rationale

The rationale for this study includes a current lack of information showing the effectiveness of using mediation techniques in social work practice. In addition, it is observed that social workers work through conflict at all levels of practice and that schools of social work do not teach conflict resolution/mediation skills. A study of this nature could be beneficial in promoting mediation/conflict resolution in schools of social work and inform studies related to the topic in the future. This research must be conducted to determine what benefits, challenges, and practitioner improvements practitioners' experience when they use mediation/conflict resolution in the field.

3.3 Sample

The ideal participants in this research study were social work practitioners trained in mediation and who use mediation/conflict resolution skills in the field. The area of practice for the social worker or agency in which the social worker practices was not important. For this study, the collection of data comes from multiple sources in the State of Texas such as Dispute Resolution Services of North Texas, Baxter County Mediation Services, and Dispute Resolution Services of Clear Lake. While these agencies are well suited for providing qualified participants, other organizations such as Mediate.com,, LinkedIn, and the Texas Association of Mediators were utilized for soliciting social work mediator participation as well.

3.4 Limitations

Limitations for this study included the use of a small sample size (6 participants), findings not necessarily being generalizable to the population at large, and coding was somewhat difficult. Additional participants for the study could not be found and a larger sample size was not necessarily critical for this study as more participants most likely would not have revealed additional concepts. It is possible that the larger sample size

would have provided a higher level of confidence as to the totality of the information received. The relatively small sample size in this study would normally be disappointing. However, for this study there appeared to be enough information attained to achieve the objective of establishing a foundation for future studies and inform practice.

This study was also limited by the amount of time (one month) dedicated to soliciting participation and receive the semi-structured interviews back. In hindsight, a three to six month time period would have been a more reasonable expectation. Considering this point, dedicating more time to solicitation would have allowed for repeated calls for participants from the sources. In addition, more time could have given participants the ability to recruit others.

As a final thought, the experience of the researcher had much to do with the mentioned limitations. Having had no experience in conducting an extensive research study, the researcher found it difficult to recognize possible obstacles to conducting a study of this type. However, the academic exercise of working through, rather stumbling through process has prepared the researcher for future work.

3.5 Analysis Procedure

It is the goal of the analysis to understand the personal realities of the research participants, including those experiences that are unique. The data are organized in a manner that helps to understand the words, thoughts, and experiences of the participants by asking questions and allowing for additional feedback. The process of coding the data was adapted from Grinnell and Unrau, (2011). This process followed five steps, "choosing the method of analysis, determining who should transcribe the data, consider the ethical implications of the data analysis, transcribing raw data, and formatting the transcription for analysis" (Grinnell & Unrau, 2011, pg. 449).

3.6 Method of Analysis

A qualitative, semi-structured interview process was used to collect the necessary information to complete this preliminary study. The semi-structured interview process allowed for the greatest latitude in probing the interviewees for information regarding their feelings, attitudes, beliefs, and experiences as they relate to the two research questions. In addition, the semi-structured interview process provided flexibility in developing data from a relatively uncharted topic and may lead to formulating stronger hypotheses. Further, this type of study required a small sample group (5-20 participants). Recordings were made of each interview and transcribed into a written document for ease of coding. Two interviews were conducted face-to-face, one interview was conducted by phone, and three interviews were conducted by e-mail.

3.7 Data Transcription and Ethical Implications

The researcher for this project collected and transcribed the data. This allowed the researcher to become thoroughly acquainted with the content and connect with the data. In choosing to personally transcribe the data, the researcher was able to ensure consistency throughout the process.

In considering the ethical implications, confidentiality was a central ethical issue considering responses for each interview was either taped or submitted in writing. To safeguard the information, no identifying information was included in the material. Instead, each interview was assigned a number in the order the information was received.

3.8 Transcribing and Formatting Data

Data were transcribed verbatim to allow the context of the conversation to provide as much information as possible. Each line in the transcripts was numbered for ease in identifying portions of the transcript. Double spacing was used to allow for note

taking and code identification. Coding of the transcripts was conducted after all interviews were transcribed so as not to unduly influence overall analysis.

3.9 Coding

A "constant comparison method" (Grinnell & Unrau, 2011, pg. 454) was used to code the data. Units of data with the same characteristics such as benefits (B), challenges (C) and improvements (I) were coded with a B, C, or I respectively. This was done in two stages. First, data were organized in transcript form with portions of each transcript separated into three categories coded B (benefits), C (challenges), and I (Social Worker improvements). Benefits (B) are defined as, benefits of utilizing mediation/conflict resolution in social work practice to be of advantage or improve service. Challenges (C) are defined as, difficulties that would hinder mediation/conflict resolution in social work practice. Improvements (I) are defined as, reasons why developing mediation/conflict resolution skills help practitioners make the most of mediation/conflict resolution for one's own profit. Coding in this manner made it easier to identify the variables in that each variable was identified by placing a B, C, or I next to the word or phrase in the transcript that best described the perceived variable. Second, the data were organized into meaning units, making a decision about what pieces fit together into the benefit, challenges, and improvement categories. According to Grinnell and Unrau (2011), coding in this way helped to "identify and label relevant categories of data, first concretely and then abstractly" (pg. 454). In addition, transcripts were maintained by the researcher until the completion of the study.

Final analysis of the data is presented through a descriptive statistics process counting the occurrences of each value using Microsoft Excel. This allowed for observing how certain values of the variables were distributed in the sample population.

Additionally, this type of measurement helped in determining the number of occurrences for each variable.

3.10 Trustworthiness and Replication

The interview instrument is an ideal tool for identifying the benefits and challenges associated with the use of mediation/conflict resolution in social work practice, and identifying if having these skills helped practitioners become better social workers. The issuance of the same instrument to multiple interviewees improves the level of trustworthiness through duplication.

The processes within the study will be reported in detail, thereby enabling a future researcher to repeat the work and achieve the same results. According to Glaser, and Strauss (1967) and Strauss and Corbin (1990), this type of research process is well grounded in theory. Thus, the research design may be viewed as a model for future research. A detailed summary will allow readers to assess the research practices and help them understand the method and its effectiveness. The design describes what is planned and executed, addresses what is practiced in the field, and evaluates the effectiveness of the process.

It is assumed that this study can be replicated by any researcher with a desire to do so. The research questions remain the same and coding is relatively simple and consistent. Over time results would be similar.

Chapter 4

Data Analysis

There were a total of six responses to the interview questions. The target number of participants for this study was 10 to 20. In reality, there were six participants. Participants were recruited from Dispute Resolution Services of North Texas (2), Innovative Alternatives (1), Mediation Dynamics (1), Linkin (1), and the Association for Conflict Resolution (1). Letters of recruitment were sent to the various agencies asking them to forward the recruitment letter to those mediators in their organization that were social workers. Those individuals were asked to contact the interviewer my phone or email if they were interested in participating. The number of participants was small, however, much information was collected. One of the objectives was to provide information for future studies, and the information collected is adequate for this purpose.

The process of contacting the agencies and allowing them to contact the potential participants was time consuming and recruitment efforts produced a small number of participants. Further, it took additional time for participants to send the informed consent forms back to the interviewer. Once these steps were completed, the scheduling of interviews and email responses went smoothly. The face-to-face interview and the phone interview took approximately thirty minutes. It is unknown how long it took participants to complete the email interview form.

All of the interviews were read and transcribed by the researcher and coded by identifying words or phrases that identified a benefit, challenge, or practitioner improvement associated with utilizing mediation/conflict resolution skills in practice. Interviewees did not convey additional information outside the scope of the interview questions. Ten category headings representing the interview questions were generated from the data and under these headings all data were documented. Categories included

benefits, challenges, improvements, and training impact on practice positive or negative.
In addition, responses to questions 3a. "Do you utilize these mediation skills in (your
social work) practice?" 4a. "Are there benefits of using mediation in your social work
practice?" 5a. "Are there challenges to using mediation in your social work practice?" 6a.
"Are there areas where utilizing mediation would not be effective?" 8a. "Would you
recommend social workers take mediation training?", and 9a. "Have you become a better
social worker by being a trained mediator?" were documented with a yes, no, or no
response answers. Question 7 asked for a positive or negative response, "Has your
mediation training affected your abilities as a social worker, positively or negatively?"
Respondents indicated sixteen different variables related to benefits, eight variables
related to challenges, and nine variables related to practitioner improvements as coded
by the researcher. It should be noted that questions 2, 3, 4, 7, and 8 were designed to
help identify benefits, questions 5 and 6 were designed to identify challenges, and
questions 1 and 9 were designed to identify practitioner improvements.

Chapter 5

Findings

This study sought to discover facts related to the benefits, challenges, and practitioner improvements associated with using mediation/conflict resolution techniques in practice. The study is designed to prevent value judgments from influencing results, meaning that the results are unbiased as to the outcome. Data was presented using words with the help of tables to make the data clear and easy to understand. Table 4-1 indicates the result of answers provided by the participants for each survey question and table 4-2 indicates individual responses to the survey questions.

Table 4-1 indicates, on average, each participant identified eleven different benefits, two different challenges, and three improvements. Regarding range, participants identified from three to sixteen benefits, zero to four challenges, and one to six improvements. Concerning mode, most participants identified ten benefits, two challenges, and three improvements. The median for benefits was ten, challenges two, and improvements three. As indicated in table 4-2, participants identified sixteen different benefits, eight challenges, and nine improvements associated with using mediation/conflict resolution skills in practice.

Table 4-1 below represents a tally of responses to the interview questions. Column 1 represents the participant; column 2 represents "How" responses identifying benefits in questions 2, 3, 4, 7, and 8, column 3 represents "How" responses identifying challenges in questions 5, 6, and 7, with column 4 representing improvements identified in questions 1 and 9. In column 5, positive responses were coded as 1, negative responses were coded as 2, and no response was coded as 0. In columns 6 through 11, yes responses were coded as 1, no responses were coded as 2, and no response was coded as 0.

Table 5-1 Results Table

Column 1	2	3	4	5	6	7	8	9	10	11
Participant	Benefits Q2, Q3, Q4, Q7, Q8	Challenges Q5, Q6, Q7	Improvements Q1, Q9	Q7 Positive/ Negative/ NA	Q3	Q4	Q5	Q6	Q8	Q9
1	15	2	4	1	1	1	1	2	1	1
2	3	0	1	0	1	0	0	0	1	0
3	11	4	6	1	1	1	1	1	1	1
4	8	2	1	0	1	1	1	1	1	1
5	12	2	2	1	1	1	1	1	1	1
6	16	3	4	1	1	1	1	1	1	1
Average	11	2	3	1	1	1	1	1	1	1

When answering question one (What motivated you to pursue mediation training?), participants responded with answers that appeared to satisfy personal goals (improvements). Answers to question one included help with personal issues, enhanced ability to help others, add to professional experience, and enhance skill.

In responding to question two (What are the key mediation skills you have learned?), participants answered by identifying numerous practice skills. Answers to question two included improved skills in communication, listening, analysis, questioning, evaluation, and the ability to stay neutral.

Answering question three (Do you utilize these mediation skills in your social work practice? If so, how?), all participants indicated they use mediation/conflict resolution skills in practice. Further, participants indicated they use mediation/conflict resolution skills to overcome difficult situations, relate to clients, improve methods of service, and manage emotion.

With question four (Are there benefits of using mediation in your social work practice? If so, what are they?), five participants responded by indicating yes and one

participant did not respond. Five of the participants identified four different benefits of using mediation in practice. These responses included enhanced competence, time savings, enabled process control, and the establishment of clarity.

Question five asked participants to indicate if there were challenges associated with using mediation/conflict resolution in practice and identify the challenges. Five participants responded by indicating yes and one participant did not respond. Five of the participants identified four different challenges using mediation in practice. Challenges included, when there is a power imbalance, knowing when to separate mediation from therapy, knowing when it is appropriate to use mediation, and knowing when not to use mediation.

In question six, participants were asked if there are areas where utilizing mediation would not be effective and identify those areas. Five of the participants indicated that there are four areas when it would not be effective to use mediation/conflict resolution and one participant did not respond. Responding participants indicated it would not be effective to use mediation/conflict resolution when safety cannot be ensured, when there is not a good faith effort on the part of the parties, in domestic violence cases, and when goals cannot be determined. It should be noted that combining substantive answers from question five with question six equals the total number of challenges identified in the research survey.

Question seven asked participants if mediation training affected their abilities as a social worker, positively or negatively and asked them to identify how. Four participants indicated that mediation training had a positive effect on their abilities as social workers. One participant did not respond to this question, and one participant indicated that training did not affect abilities positively or negatively. Those participants responding in the positive indicated that their training had given them additional skills, improved their confidence, improved their problem solving skills, and improved their ability to help others.

Numerous benefits and improvements were identified in question eight when participants were asked if they would recommend social workers take mediation training and identify reasons why or why not. All participants indicated they would recommend mediation training to other social workers. It should be noted that there were more singular benefits identified with this question than the other eight questions in the survey. Responses included the ability to teach clients new skills, improved client focus, learning new tools to use in practice, and improved self-help skills. In addition, participants indicated mediation training helped them to manage professional issues, manage client issues, enhance their income potential, improved communication skills, and improved listening skills.

Question nine asked participants if they had become better social workers as a result of being a trained mediator. Five of the participants indicated that mediation training had made them better social workers and one respondent indicated he was not better but different. In making them better or different social workers the respondents indicated the training improved their confidence, provided more tools to use in practice, improved their competence, provided additional teaching tools, and helped to improve their ability to detach emotionally from various situations.

The table below indicates the different variables identified by the participants regarding benefits, challenges, and practitioner improvements associated with using mediation/conflict resolution in practice. The "P" equals the participant. It should be noted that identified improvements were also counted as a benefit.

Table 5-2 Variables Table

P #	Benefits	P #	Challenges	P #	Improvements
1, 6	Improved Communication	3, 5, 6	When safety is an Issue	1, 3	Improved Confidence
1, 3, 4, 5, 6	Improved Listening Skills	3,	When good faith negotiating is an issue.	3, 5	Improved Competence
1, 3, 5	Improved Analysis Skills	5, 6	When domestic violence is an issue.	3, 2, 5	Improved Methods of Service
1, 2, 3, 6	Improved Questioning Skills	3,	When goals cannot be determined.	6	Improved Emotion Management
1, 5, 6	Improved Evaluation Skills	4, 6	When providing therapy.	1, 6	Helps in Managing Professional Issues
3, 5, 6	Improved Ability to Stay Neutral	3,	When unsure if mediation is appropriate.	1, 3	Helps in Managing Personal Issues
1, 5, 6	Improved Problem Solving Skills	1, 4	When participants will not listen to each other.	3,	Helps in Overcoming Difficult Situations
1, 2	Improved Client Focus	1	When there is a power imbalance.	3, 6	Helps to Relate to Clients Better
1, 4, 6	Improved Patients			1, 4, 6	Enhances Professional Standing
1, 4, 6	Helps to Improve Clarity				
4, 5, 6	Helps Managing Client Issues				
5, 6	Increase Income Potential				
1, 5, 6	Provides a Tool for Teaching				
3, 4,	Helps Save Time				
4, 5, 6	Enables Process Control				
1, 4, 5	Improves Reframing Techniques				

Chapter 6

Discussion

This study is rich in information. Regarding the totality of benefits, challenges, and social worker improvements associated with having participated in mediation/conflict resolution training, saturation could have been achieved but cannot be confirmed. This is reasonable when taking into consideration the small number of participants and the difficulty in locating additional participants for the study. The information gleaned through this study does offer numerous insights that can inform practice and establish a foundation for future studies.

In retrospect, whether for personal or professional reasons, each of the respondents in this study sought out mediation training to improve themselves in some way. For example, question one asked what was the motivation to pursue mediation training; respondents mostly indicated a personal or professional reason. Mostly, respondents sought to enhance or improve on their skills seemingly recognizing that the benefits of doing so were many. When asked what are the key skills learned through mediation training, participants identified improved communication, listening skills, analytical skills, questioning skills, evaluation skills, problem solving skills, and emotional management. While these skills are taught during the social work educational process, this study would suggest that those skills are enhanced when social workers pursue training in mediation/conflict resolution. In addition, this study suggests there is a correlation between mediation/conflict resolution training and acquiring the skills for an improved ability to manage personal issues, overcome difficult practice issues, enhance methods of service, and manage professional/client issues. When answering the question, how mediation skills are used in practice, the study suggests that

mediation/conflict resolution training could provide social workers with a teaching tool for helping clients work through conflict in their lives.

When asked about the challenges of using mediation skills in practice, participants identified few challenges. For example, responses included knowing when or when not to use mediation/conflict resolution in practice, if mediation was appropriate in domestic violence cases, when safety was an issue, when good faith was an issue, or when there was a power imbalance. Respondents clearly indicate that mediation/conflict resolution should not be used in cases of domestic violence and when safety cannot be assured. This response coincides with literature related to this issue.

When asked to identify social worker improvements, participants indicated that social workers who receive training in mediation/conflict resolution experience an increase in confidence, competence, and ability to detach emotionally from professional, personal, and client related issues. In addition, respondents indicated they improve professionally by being better able to teach their clients conflict resolution skills and acquired tools to use in practice.

Chapter 7

Conclusion

While this study had a small number of respondents, the information received provided the researcher with a basis for conducting additional research in the relationship between mediation/conflict resolution and social work. Conflict is prevalent in practice and in our personal lives, suggesting that there are benefits associated with learning mediation/conflict resolution skills in social work practice. Indeed, information collected in this research would suggest that new skills learned or enhanced through mediation/conflict resolution training could have a positive impact on client services as practitioners grow through skill development.

As stated by the Canadian Association of Social Workers (2000) and Keefe and Koch (1999), social workers are uniquely suited to the mediation field as they are trained to assess situations and people utilizing many theories, perspectives, and systems that help social workers see things from a holistic point of view. One of the participants in this study said, "mediation/conflict resolution training helps to reinforce the social work approach of self-determination, respect and cultural competency by allowing people to feel empowered to develop plans for the future. Something with a global focus and ability to empower others just seems like a natural fit for social workers."

All research participants made comments that would indicate there are benefits to having mediation/conflict resolution training for them personally. For example, comments such as "I received more than a year's worth of continuing education credits," "I honed my ability to practice patience," "I developed the ability to stay outside of the problem emotionally," and "this type of training helped to fill gaps in my original social work training" give validity to the idea that there are personal benefits in being a trained social work mediator. However, participants also indicated there were benefits they could

use in practice. For example, participants said, "the training was helpful in helping me develop stronger listening skills," "identifying interests beneath positions", "how to listen beyond the anger, complaints and suffering", and "ask key questions to identify motivating needs, values and beliefs." In addition, participants identified other benefits such as enhanced communication skills, listening skills, reflection/summarization skills, reframing skills, empathy/compassion, and an ability to remain neutral in most circumstances.

Participants also identified challenges related to using mediation/conflict resolution in practice. For example, participants stated that mediation/conflict resolution can be challenging when, "there are power issues that need to be addressed," "when people are not there in good faith," "when all the players are not available," "in domestic violence cases," "when safety is an issue," when goals cannot be determined," when clients are not willing to listen," and "trying to decide if mediation/conflict resolution skill are appropriate to use."

In this research study, every participant identified at least one improvement either personally or professionally as a result of receiving mediation/conflict resolution training. For example, participants claimed to have experienced, "greater confidence," "improved competence, "improvement overcoming difficult situations," and were better able to "relate to clients better," as a result of their training in mediation/conflict resolution. In addition, participants identified personal growth in the ability to better manage emotions, professional issues, personal issues, and enhanced professional standing.

If we think of conflict as the explanation for what social workers do when they intervene in someone else's life, some social work skills are highly developed, coherent, and based on research. Based on information attained through this study, mediation/conflict resolution training or lack thereof shapes what the social worker

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attends to and ignores as clients interact with them as well as the nature of the social worker intervention. Mediation/conflict resolution can be powerful and consequential, because it is embedded in even broader ideological assumptions about what we do as social workers and the assumptions about what motivates people. Mediation/conflict resolution helps the social worker to discover new ways of assessing and evaluating client issues, personal issues, and professional issues. Social workers can develop new insight into what causes conflict, how people should behave in conflict, what people are capable of, what an effective or successful resolution of conflict looks like, and what it takes to resolve conflict.

The researcher for this study has extensive training and experience in the field of mediation, plus a bachelor's degree in social work. The researcher had anticipated a positive response to the research topic and had a bias as to the benefits, challenges, and practitioner improvements associated with social worker training in mediation. In an attempt to limit researcher bias, only that information provided by the respondents and information from the literature review were utilized in formulating conclusions. Based on information received from study participants and in conclusion, there appear to be benefits, challenges, and social worker improvements associated with the use of mediation/conflict resolution in social work practice.

Appendix A

Interview Questions

Interview Questions

1. What motivated you to pursue mediation training?

2. What are the key mediation skills you have learned?

3a. Do you utilize these mediation skills in (your social work) practice?

3b. If so, how?

4a. Are there benefits of using mediation in your social work practice?

4b. If so, what are they?

5a. Are there challenges to using mediation in your social work practice?

5b. If so, what are they?

6a. Are there areas where utilizing mediation would not be effective?

6b. If so, what are they?

7a. Has your mediation training affected your abilities as a social worker, positively or negatively?

7b. If so, how?

8a. Would you recommend social workers take mediation training?

8b. If so, why? If not, why?

9a. Have you become a better social worker by being a trained mediator?

9b. If so, how?

Appendix B

Consent Form

PRINCIPAL INVESTIGATOR
Don R. Kelly, School of Social Work, University of Texas Arlington,
don.kelly@mavs.uta.edu, 575-571-6849

FACULTY ADVISOR
Dr. Richard Hoefer, School of Social Work, University of Texas Arlington,
rhoefer@uta.edu.

TITLE OF PROJECT
Social Work Mediation/Conflict Resolution: The Benefits, Challenges, and Practitioner Improvements Associated with the use of Mediation/Conflict Resolution in Social Work Practice.

INTRODUCTION
You are being asked to participate in a research study about the benefits, challenges, and practitioner improvements associated with using mediation/conflict resolution in social work practice. Your participation is voluntary. Refusal to participate or discontinuing your participation at any time will involve no penalty or loss of benefits to which you are otherwise entitled. Please ask questions if there is anything you do not understand*.*

PURPOSE
The purpose of the research is to answer two questions:
What are the benefits and challenges associated with the use of mediation/conflict resolution in social work practice?
Does gaining mediation/conflict resolution skills help practitioners become better social workers?

DURATION
Participation in this study will last approximately 60 minutes.
You will be asked to participate in 1 study visit.

NUMBER OF PARTICIPANTS
The number of anticipated participants in this research study is 10 to 20.

PROCEDURES
The procedures which will involve you as a research participant include:
1. Participate in a personal interview answering nine questions.
2. If participating by email, answering the questions in writing and email responses to the research investigator.

You are being asked to answer the following questions.
- What motivated you to pursue mediation training?
- What are the key mediation skills you have learned?
- Do you utilize these mediation skills in (your social work) practice? If so, how?

- Are there benefits of using mediation in your social work practice? If so, what are they?
- Are there challenges to using mediation in your social work practice? If so, what are they?
- Are there areas where utilizing mediation would not be effective? If so, what are they?
- Has your mediation training affected your abilities as a social worker, positively or negatively? If so, how?
- Would you recommend social workers take mediation training? If so, why? If not, why?
- Have you become a better social worker by being a trained mediator? If so, how?

For in person interviews, the interview will be audio recorded. After the interview, the tape will be transcribed, which means they will be typed exactly as they were recorded, word-for-word, by the researcher. The tape will be destroyed after transcription.

POSSIBLE BENEFITS
You will receive no direct benefit from participating in this study; however, your answers could provide advance knowledge for use in practice and motivate other practitioners to seek out similar training in mediation.

POSSIBLE RISKS/DISCOMFORTS
There are no perceived risks or discomforts for participating in this research study. Should you experience any discomfort please inform the researcher, you have the right to quit any study procedures at any time at no consequence.

COMPENSATION
You will not receive any type of payment participating in this study.

ALTERNATIVE PROCEDURES
There are no alternative procedures offered for this study. However, you can elect not to participate in the study or quit at any time at no consequence.

VOLUNTARY PARTICIPATION
Participation in this research study is voluntary. You have the right to decline participation in any or all study procedures or quit at any time at no consequence.

CONFIDENTIALITY
Your privacy and the confidentiality of your data will be protected. Every attempt will be made to see that the study results are kept confidential. A copy of this consent form and all data collected [including transcriptions] from this study will be stored with the researcher for at least three (3) years after the end of this research. All recordings will be destroyed after transcription. The results of this study may be published and/or presented at meetings without naming you as a participant. Additional research studies could evolve from the information you have provided, but your information will not be linked to you in anyway; it will be anonymous. Although your rights and privacy will be maintained,

the Secretary of the Department of Health and Human Services, the UTA Institutional Review Board (IRB), and personnel particular to this research have access to the study records. Your records will be kept completely confidential according to current legal requirements. They will not be revealed unless required by law, or as noted above. The IRB at UTA has reviewed and approved this study and the information within this consent form. If in the unlikely event it becomes necessary for the Institutional Review Board to review these research records, the University of Texas at Arlington will protect the confidentiality of those records to the extent permitted by law.

If it becomes necessary for the Institutional Review Board to review the study records, information that can be linked to you will be protected to the extent permitted by law. Your research records will not be released without your consent unless required by law or a court order. The data resulting from your participation may be made available to other researchers in the future for research purposes not detailed within this consent form. In these cases, the data will contain no identifying information that could associate it with you, or with your participation in any study.

CONTACT FOR QUESTIONS
For any questions or if you feel that you have been harmed prior, during, or after your participation, you can contact the researcher Don R. Kelly at 575-571-6849 or send an email to don.kelly@mavs.uta.edu. In addition, you may contact Richard Hoefer (Faculty Advisor) at rhoefer@uta.edu. Any questions you may have about your rights as a research participant or a research-related injury may be directed to the Office of Research Administration; Regulatory Services at 817-272-2105 or regulatoryservices@uta.edu.

As a representative of this study, I have explained the purpose, the procedures, the benefits, and the risks that are involved in this research study:

_____
Signature and printed name of principal investigator or person obtaining consent Date

CONSENT
By signing below, you confirm that you are 18 years of age or older and have read or had this document read to you. You have been informed about this study's purpose, procedures, possible benefits and risks, and you have received a copy of this form. You have been given the opportunity to ask questions before you sign, and you have been told that you can ask other questions at any time.

You voluntarily agree to participate in this study. By signing this form, you are not waiving any of your legal rights. Refusal to participate will involve no penalty or loss of benefits to which you are otherwise entitled. You may discontinue participation at any time without penalty or loss of benefits, to which you are otherwise entitled.

_____
SIGNATURE OF VOLUNTEER   DATE

Appendix C

Glossary

Glossary

Chronological Steps - A method of organization in which actions are taken in order or sequence.

Civil Court - A court of law in which civil cases are tried and determined.

Clinical Social Work - The professional application of social work theory and methods to the differential diagnosis, prevention, and treatment of bio-psycho-social-spiritual dysfunction, disability and impairment, including mental, emotional, behavioral and addictive disorders, developmental disabilities and the impact of physical illness, injury and disability on bio-psychosocial-spiritual functioning.

Community - People with common interests living in a particular area.

Conciliation - To overcome distrust or hostility.

Conflict Coaching - A set of skills and strategies used to support peoples' ability to engage in, manage, or productively resolve conflict.

Directive Mediation – A mediation model whereby the mediator takes a more direct approach to convincing the parties on the best solution to their conflict and in controlling the mediation process.

Disputant Autonomy - Disputant's right to make choices based on personal beliefs and values free of coercion and constraint.

Empowerment – The sharing information, rewards, and power with individuals or groups so that they can take initiative and make decisions to solve problems.

Evaluative Mediation - The mediator assumes that the participants want and need the mediator to provide some direction as to the appropriate grounds for settlement based on law, industry practice, or technology.

Facilitative Mediation – A mediation model whereby the parties are encouraged to negotiate based upon their needs and interests instead of their strict legal rights.

Family - Any group of persons closely related by blood.

Follow-up – Continuation, further action, investigation or a subsequent event that results from and is intended to supplement something done before.

Individual - A specific person, distinct from others in a group.

Labor - A body of persons considered as a class distinguished from management.

Narrative Mediation - Seeks to uncover conflicting causes through storytelling and attempts to identify cultural differences that cause conflict.

Neighborhood - A number of persons living near one another or in a particular locality.

Neutrality – The absence of deciding views, expression, or strong feeling.

Organization - A group of persons organized for some end or work.

Power imbalance - Dynamics between the parties that affect the discussion of solutions to the point that one or both parties are unable to speak for themselves or unable to reach a voluntary agreement.

Pre-Mediation – A separate meeting of individuals or groups in conflict that gathers facts and/or prepares individuals for mediation.

Problem-solving - The process of working through the details of a problem to reach a solution.

Procedural Fairness - The fairness of the process used to reach the mediated result.

Psychology - An academic and applied discipline that involves the scientific study of mental functions and behaviors.

Relationship Building – The regular interaction that forms a connection, association, or involvement with other individuals.

Relationship Restoration - The act of restoring; renewal, revival, or reestablishment of regular interaction that forms a connection, association, or involvement with other individuals.

Safety Issues - One or both parties are in fear of their personal safety.

School-based Peer – Any school-based process that empowers youth to engage with one another and school, to create a positive school climate.

Social Work - Any of the various professional activities or methods concerned with providing social services, especially with the investigation, treatment, and material aid of the economically, physically, mentally, or socially disadvantaged.

Substantive Fairness - The acceptability of a mediated result, or good enough outcomes.

Supervision - The action or process of watching and directing what someone does or how something is done.

Therapeutic Mediation - Focuses on dealing with the underlying causes of the problem with a view to improving future relationships between the parties. Has a twofold goal: emotional healing plus agreement on a plan of action to follow-up.

Therapy - The treatment of disease or disorders by some remedial, rehabilitating, or curative process.

Transformative Mediation - Parties are encouraged to deal with underlying causes of their problems with a view to repairing their relationship as the basis for settlement. Seeks the empowerment and mutual recognition of the parties involved. Does not seek resolution of the problem.

Treatment - The act, manner, or method of handling or dealing with someone or something.

Victim-Offender - A philosophical framework and a series of programs for the criminal justice system that emphasize the need to repair the harm done to crime victims through a process of negotiation, mediation, and victim empowerment.

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Biographical Information

Don R. Kelly, B.S.W., is a Social worker, Mediator, and Certified Christian Conciliator in North Texas. Don graduated from New Mexico State University with a Bachelor of Social Work degree, a minor in Philosophy, and a minor in Child Advocate Studies. Don is also a graduate of American Broadcasting School. Don is working on his Master's degree in Social work at the University of Texas at Arlington. Don's plans include the pursuit of a PhD. in Social Work with a focus on Conflict Resolution and Analysis.

Mr. Kelly has served as President of the board of directors of Dispute Resolution Services of North Texas, Inc. in Fort Worth, Texas. In addition, Don has been recognized by Dispute Resolution Services of North Texas, Inc. as Mediator of the year and has also been inducted into that organization's Millennium Mediators Hall of Fame honoring Don for over one thousand hours of service. In addition, Don has served as a member of the board of the Texas Mediation Trainers Roundtable and a member of the board of directors of the College of Texas Mediators. Don has served on the City Council in Watauga, Texas. He also held the position of President for the Tarrant County Association of Mediators. Don is a United States military veteran, father of three adult children and has been married for over thirty years to his wife, Kathy.

Don has worked as an on-air radio personality "Don Diego" and disc jockey for KLTY and KVIL in Dallas, Texas, and 101 Gold KVLC and KGRT in Las Cruces, New Mexico. He has extensive experience as a small-business owner who has created and operated businesses such as Kelco Enterprises, Inc., Threshcov, Inc., and Don R. Kelly and Associates, Inc. Don is the current CEO and owner of Peacemaker Services, Inc.

Don worked with: Big Brothers and Big Sisters in New Mexico as President of the Board, President of the Farmers and Crafts Market Las Cruces, Inc., Deacon Chairman

at First Evangelical Free Church, and President of Phi Alpha Kappa Omega Social Work Honor Society. He is a qualified court-appointed mediator in both Texas and New Mexico. Don has been a mediation trainer since 1996, training mediators in both Texas and New Mexico, teaching both basic and family mediation.

Don's mediation training includes the 40-hour basic training, 30-hour family training, Christian Conciliation training and certification, child abuse and neglect training, principles of cross-cultural mediation, EEO mediation, child protective services mediation, advanced mediation, transformative mediation, victim/offender mediation, and domestic violence mediation.