
Overcoming Barriers to Mediation in Intake Calls to Services: Research-Based Strategies for Mediators

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In this article, I investigate intake calls to community mediation services in which disputing neighbors ask mediators to help them resolve their conflicts. These calls are the first point of contact between potential clients and mediators. To maintain their organization's funding, mediators must convert a sufficient number of these callers into clients of the service. Intake calls, however, are not treated as part of the mediation process proper, and mediators are not trained to handle them. I audio-recorded and transcribed approximately two hundred calls to mediation services based in the United Kingdom and then analyzed them using conversation analysis. I identified several factors routinely present in these intake calls that seemed to prevent disputants from ultimately engaging in the mediation process; I characterize these factors as "barriers to mediation." These barriers include callers' lack of knowledge about mediation as a service and mediators' often ineffective methods of explaining the process. In particular, callers rejected mediation services when the mediators explained that mediation is an impartial service. Some of the mediators, however, managed intake calls differently, describing it more effectively, expressing empathy or affiliation with callers, and thus were able to overcome many of the callers' most common concerns about the process. In this

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article, I also discuss this study's implications for understanding the institution of mediation and for training mediators.

Key words: mediation, intake calls, conversation analysis, impartiality, neighbor disputes, affiliation, the Conversation Analytic Role-Play Method (CARM), communication training.

Introduction

How do mediators persuade members of the public to take up offers of their (often free) services? How can they explain mediation, a process that is impartial by design, in ways that do not discourage people who want someone to be “on their side?” These challenges and others like them are the focus of this article, which reports findings from a large-scale qualitative study of mediation practices using data from a prior study of disputes between neighbors (e.g., Stokoe 2006). When conflict between neighbors becomes unmanageable, community organizations may become involved, either at the request of one or both parties, or at the instigation of public agencies, the courts, or the organizations themselves. For example, in the United Kingdom, police become involved if disputants engage in criminal activities (e.g., assault, criminal damage, public order offenses). One neighbor may contact environmental health services, for example, about the problematic behavior of another (e.g., noise). A neighbor may call community mediation services who will then contact the other neighbor. Or housing officers may initiate contact with mediation services on behalf of residents, with or without their explicit request to do so.

While little research on neighbor disputes themselves has been undertaken (see Stokoe 2006), researchers have engaged in a great deal of work on the management of such disputes, particularly on mediation and its practices. Much of the research has focused on participants' experiences of mediation and on their evaluations of mediators and the mediation process, or on mediators' reports about their strategies for (un)successful mediation (e.g., Alberts, Heisterkamp, and McPhee 2005; Goldberg 2005). For example, James Wall, Timothy Dunne, and Suzanne Chan-Serafin (2012) noted that a recurrent theme in mediation research has been its focus on mediation styles and strategies, from “evaluative-directive” or “narrative,” to “problem-solving” or “understanding-based.” Their review also noted extensive research-based advice to mediators for managing the process as well as the behavior of disputing parties (e.g., “be neutral,” “evaluate,” “improvise,” “obtain trust”). They also noted that there has been substantial research focused on outcomes for disputants (e.g., finding agreement), mediators

(e.g., indicators of success, continued funding of service), and third parties (e.g., reduced use of court and police resources: see Charkoudian 2010).

Mediation research has generally been conducted via the collection of self-report data, survey responses, and/or interviews, with little attention paid to tracking the “moment-to-moment activities that shape meaning, realities, and outcomes” (Glenn and Susskind 2010: 118). A few studies, however, have examined actual encounters between mediators and clients. Indeed, a recent special section of *Negotiation Journal* showcased conversation analytic approaches to the study of negotiation and mediation. Articles in that issue argued that “studying how the participants in a negotiation session come together . . . helps us understand how negotiation works . . . and how to teach and train about the art and practice of negotiation” (ibid.: 118).

Interaction-based studies examine the live conversations between mediators and clients, their organizational structure, and constituent actions. Analyses attend both to what mediators do, in terms of their techniques and practices, as well as what clients do, in terms of formulating complaints, defenses, and so on (e.g., Greatbatch and Dingwall 1997; Jacobs and Aakhus 2002; Trinder, Firth, and Jenks 2010). A key focus has been on the issue of mediator neutrality and how mediators do, or do not, display a stance toward the topic of the dispute or toward parties themselves (e.g., Cobb and Rifkin 1991; Garcia, Vise, and Whitaker 2002; Jacobs 2002; Heisterkamp 2006; Glenn 2010).

The studies listed above were often based on relatively small data sets or analyzed a single case (e.g., Garcia 2011) and were not designed to identify practices systematically across a large data set. In contrast, in this study I analyzed six hundred audio-recorded encounters between organization staff (mediators, police officers, and council workers) and the public. I focused particularly on intake calls to community mediation services, that is, calls from mediators to neighbors, or from neighbors to mediation services, which are the first point of contact between members of the public and mediation. During these calls, potential clients first describe their problems and request (or receive an offer for) mediation. The mediator’s job is to elicit a summary of the problem from the potential client, explain what mediation is and offer mediation services to her or him, and arrange a visit between the mediator and potential client.

Such intake calls are, however, treated as separate from and outside of an actual mediation and have received less attention from researchers and trainers. But because mediation services secure funding partly on the basis of recognized need — on the size of their client base — it is crucial that mediators successfully *convert callers* to the service *into clients* of their service. As Lorig Charkoudian (2010: 141) points out, “to justify continued public or philanthropic funds in a tight economic environment, it is incumbent on community mediation centers to demonstrate their value.” Given

that the outcome of intake calls is a bottom-line issue for mediation services, it is surprising that both research and training focus on what happens once clients have been secured, rather than on what happens to secure them (or not) in the first place.

This study has addressed both issues: a lack of research about mediation intake calls and what makes them effective, as well as a lack of effective mediation in-call training. In this article, I identify not only problems that commonly occur during intake calls that prevent clients from taking up offers of mediation, but also, in mediators' endogenous practices, strategies that can overcome these barriers. I conclude by considering these findings in the context of a broader discussion of mediation training methods.

Data and Method

The data set for this study comprises approximately two hundred intake calls to five different community mediation services based in the United Kingdom. The data were originally collected for a British research council-funded project on neighbor disputes. All participants consented to have their calls recorded for research purposes; all names and other identifying features of the calls were anonymized. The data were transcribed using Gail Jefferson's (2004) system for conversation analysis (CA). This system includes information about the pacing and delivery of interaction, which will be described as it becomes relevant in the analysis. CA examines the macro-organization of interaction, in terms of its constituent actions, as well as the specifics of, and patterns in, turn design, turn-taking, action formation, and sequence organization. I found several barriers to mediation to be pervasive in intake calls. By tracking the trajectory of calls, I identified the component features of "successful" and "unsuccessful" calls, and found examples of robust patterns across the data. Successful calls, at least from mediators' points of view, were those in which the caller chose to participate in mediation.

I have broken these barriers down into three categories. The first involves mediation as an institution, how callers demonstrated their (lack of) knowledge of mediation, and how mediators typically explained it to them. The second category involves issues of impartiality, affiliation, and alignment. Finally, I examine how callers rejected offers of mediation, and how mediators both precipitated and deflected these rejections.

The Institution of Mediation

In the United Kingdom, no single national organization offers mediation services; they are provided by a variety of *services* (both nonprofit and commercial) with varied *funding sources* (local authorities, grants, charities) and *staff* (volunteer and paid). Mediators may pursue a variety of different training programs, from short professional development courses to "in-house" courses offered by the service to its employees, to yearlong

postgraduate university degrees on conflict resolution, but there is no nationally recognized qualification or accreditation for mediators as there is for, say, lawyers, doctors, or teachers. As a profession and a practice, “mediator” and “mediation” are unfamiliar to most people. This lack of knowledge can be a problem in intake calls because people have seldom heard of the service they are being offered and do not seem to know what to expect from it. Let us consider how this issue often plays out in intake calls.

Barrier One: Mediation Is an Unknown Institution

Extract 1 (below) is from a call opening. The extract headings indicate the particular dataset that the extract comes from (e.g., “DC” refers to calls from a town whose first letter is D) and call number. “M” is the mediation service call-taker (often mediators themselves). “C” is the caller and potential client.

Extract 1: DC-12¹

1 M: Mediation in Westborough g'mo↑rning,
2 (0.6)
3 C: Hello:: I'm ju- I've ↑just been given this number↓
4 an' I just wanted to talk a↓bout like
5 we've got really terrible neighighbors.

This extract contains several features that are typical of call openings to mediation services. First, despite the fact that C reports having “really terrible neighbors,” the stock-in-trade for community mediation services, she did not initially intend to call a mediation service. She has, in fact, called elsewhere and “been given this number” (line 3). C does not know, therefore, that people with neighbor problems can seek out community mediation, the way that a person with a broken arm seeks out a hospital. Across the data, calls rarely started with callers requesting a service that they *already knew* about and *wanted*. Rather, they came to mediation second-hand via another organization, and there was often a match between the first organization the person called (e.g., housing association or police department) and the kind of intervention he or she sought (e.g., eviction or arrest of neighbors).

Second, in Extract 1, we see components that suggest C’s lack of knowledge of who, and what type of organization, she is calling: note the 0.6-second delay between M’s institutional identification and greeting and C’s response, and C’s hesitant start to, and “repair” or restart of, her response (“I’m ju- I’ve just been”).

Third, C formulates a *one-sided* problem: “we’ve got really terrible neighbors” rather than describing a dispute involving more than one party. Instead, she has *already* placed the blame with her “really terrible neighbors.” This becomes relevant later in this and other calls, in which the *two-sided*, impartial approach of mediation fails to appeal to callers who perceive that

they are blameless and that their neighbors are at fault, who see themselves not as participants in a conflict but as victims of other people's bad behavior. Here are two further examples, which have similar features.

Extract 2: DC-97

1 M: How can I help.
2 (0.7)
3 C: W'll see- I- I've jus' b'n talkin' > t'somebody else- < I don't
4 think there's anythin' that y'might be able t- (.) y'ca:n do,
5 be- it- wz- the thing is we're havin' some (0.3) sorta trouble
6 with a neighbor y'see.

Extract 3: DC-96

1 M: <Mediation in Westborough, g'd mo:rning,
2 (0.2)
3 C: 0.hh ↑Hhello. = see I've bin given y'number by Citi-zens Advice
4 Bureau.
5 M: Ri:ght,
6 C: Um: that you do: mediation service or something,=

Like Extract 1, in Extracts 2 and 3, we can see that callers present themselves as uninformed about mediation: as having been “talkin' t'somebody else-” (Extract 2) and having “bin given y'number” (Extract 3). In Extract 2, despite having “trouble with a neighbor,” C does not expect that the service he is calling will be able to help (lines 3–4). In Extract 3, C has called the Citizens Advice Bureau *first*, an organization that provides free legal advice. Several features of this extract display her unfamiliarity with mediation, including the ungrammatical phrasing, (“you do mediation service”), which suggests that she may not have heard the word used in a sentence before, as well as the addition of “or something,” which is known in linguistics as a “general extender” and typically suggests unfamiliarity with a topic.

Across call openings, then, it became clear that, for these callers, mediation is an *unknown institution*. It is also a *precarious institution* in that it is not embedded in central government funding streams, unlike services offered by the police, health-care facilities, and schools. The UK context is similar to the U.S., where mediation services survive on “some combination of public or private philanthropic funds, and [. . .] contractual work” (Charkoudian 2010: 141). The lack of a national organization, qualification process, accreditation standards, as well as limited funding and publicity mean mediation is not generally well known. The public does not know about the process, mediator is an unknown occupation, and people often do not know what to expect from mediators. These problems create barriers for mediation and are reflected in intake calls in many ways.

Barrier Two: Mediators Frame Descriptions of Mediation Negatively

In intake calls, a basic goal for mediators is to explain the mediation process and offer it as a possible solution to the caller's problem. Mediators often explain mediation in terms of what it does *not* do, rather than what it *does* do, and more generally, in negative rather than positive terms, which can be problematic. Extract 4 is typical.

Extract 4: HC-2

- 1 C: = I jus' > wondered if there's anythin I c'd < do at all or
2 whether .h (0.3) &apart from move & hehh=
3 M: KHHhhh. We:ll.
4 (0.7)
5 M: Y'know. = We- we- (.) we offer mediation. = I don't know if that-
6 's what the council² explained to yo[u,
7 C: [No they jus' said if they
8 didn't know who c- who could he:lp. An' hē- try this number
9 really,
10 (0.2)
11 M: Oh ri:ght. Right well (.) we're a mediation service[;,
12 C: [Ri:gh[t
13 M: [.hh
14 (.) U:h (0.5) an:d (.) we:: (0.4) it's a voluntary process, .hh
15 so that (.) if your neighbors were: (0.4) unwilling. (.) t'be
16 involved in .h (.) mediation then there: (.) is nothing more
17 (.) we could do:.
• ((10 lines cut))
18 C: I've seen her out doin' the fishwife bit shoutin' at all the
19 other residents in the street. So that's not gonna work. .h
20 (.)
21 M: M:m. It doesn't sound very promisin[g, .h]
22 C: [No,].hh[h
23 M: [Cuz um (.)
24 you ↓know what it is that (0.3) that um.hh w-we have no:
25 authority an' we don't s- seek any w-what we do is: (.)
26 um offer a framework in which people can .hh resolve their own
27 disputes you know on their ow[n terms]
28 C: [Yeh I kno:]w
29 (0.4)
30 C: No I don't think it would happen.=

After C finishes explaining her problem, she requests help (lines 1–2). The request format, “I jus' wondered if. . .,” suggests that she is uncertain whether she is entitled to request help from this unknown institution (see Curl and Drew 2008).³ The caller makes her own suggestion, “apart from

move,” but her voice and intonation indicate that she is smiling as she says this, which is indicated in the transcript by the symbol & and suggestion of laughter (“hehh”). The “smile voice” and laughter indicate that she does not take the option of moving seriously. The mediator does not “affiliate” with the caller; that is, he does not smile or laugh in response to show that he shares her stance but instead begins to explain and offer mediation.

Following the caller’s request for help, the mediator fails to make a positive offer but gives a “dispreferred response” instead (see Pomerantz 1984). In CA, a dispreferred response to the previous “turn” (e.g., statement made by the other person in the conversation) is one that fails to move the action forward in the direction initiated in that prior turn. Thus, the “preferred response” to a request for help is an offer of help. M’s response, however, starts with a “Well,” which conversation analysts have shown often prefaces upcoming dispreferred turns. It is also delayed, which is a further marker of dispreference. From the outset of his turn, then, we can see that the service on offer may not provide the help C is looking for: “Y’know. We-we offer mediation.”

C reports that she has phoned the council before calling the mediation service (lines 5-9), and it is clear that she does not know about the service on offer. M does not explain, however, what mediation is, apart from the fact that it is “voluntary” (line 14) and requires both parties to be “willing” (line 15). As well as framing mediation in a pessimistic way, as something unlikely to help C, M also makes the character of C’s neighbor relevant to the process: “if your neighbors were: (0.4) unwilling. (.) t’be involved . . .” (lines 15-16). At lines 18-19, C characterizes her neighbor as someone who would be unwilling to mediate. Because one of the most common reasons that callers give for turning down offers of mediation is that their neighbors would not “be willing” to mediate, it is important that such an explanation is not first provided by the mediators themselves! By this point in the call, M and C agree about the futility of mediation, saying “So that’s not gonna work” and “It doesn’t sound very promising” (lines 19-21). M continues his explanation of mediation, but now as an *account* for why it is not “very promising” because it has “no authority” (line 25). C continues to agree with M that mediation is not going to “happen.”

In contrast, similar activities are being undertaken differently in Extract 5.

Extract 5: EC-37

- 1 M: (.)h hh okay, w’ll do you know anything at all about us?
- 2 (.)
- 3 M: [Dispute and Resolve,]

4 C: [I um:] I don't really n:o.
 5 M: (.)hh okay w'll we're a (.) we're a mediation projec- (0.4)
 6 project in the:: (.) Stockham area,
 7 (0.2)
 8 C: Ye[h.
 9 M: [hhh and what- (0.2) we try t'help neighbors that are in
 10 dispute::,

The mediator first asks the caller what she knows about “us” (the mediation service) before describing mediation. M’s question is designed such that C can readily respond that she does not know “anything at all” about the service about mediation (which she does, line 4). It also implies that, rather than being scripted, M’s explanation will be tailored to C’s individual state of knowledge. M then provides a simple, positive explanation: “we try t’help neighbors that are in dispute::,” (lines 9–10). This type of explanation of mediation was one component feature of successful calls in which offers of mediation were accepted. (We will see more from this call later.)

Barrier Three: Mediation Is an Impartial Service

Related to Barrier Two, mediators also explain mediation as a process in which their role is to listen to “two sides of a story equally” without “taking sides”; by doing so, they formulate explicitly the impartiality of their role. In response, callers often begin anticipating and rejecting offers of mediation. Here is an example.

Extract 6: HC-2

1 M: We wouldn't take si:des, we wouldn't- (0.7) try an' decide
 2 who's right or wrong but would-.hh would try to help you both
 3 um:: (0.8) sort out uh: the differences between: (0.2) between
 4 you.
 5 (2.5)
 6 C: Well I-hh (1.2) to be quite honest I don't think she'd
 7 cooperate.

M is explaining a fundamental principle of mediation: its impartiality with regard to both parties to a dispute. C’s unenthusiastic response begins with a long delay at line 5, followed by the turn-initial (start of her turn) “Well” at the start of line 6 (compare with M’s delay and use of “Well” in Extract 4). That C’s response is a dispreferred one is suggested further by the phrase “to be quite honest” (Edwards and Fasulo 2006). C indicates that she will reject mediation because she thinks her neighbor would not “cooperate” (lines 6–7).

The phrase “to be quite honest” also suggests that C is reluctant to criticize a neighbor — for example, that she is another “blameless caller”

with a “blameworthy neighbor.” As noted in Extract 4, turning offers down on the basis that *callers’ neighbors* rather than *callers themselves* would be unlikely to participate was one of the most common explanations for rejecting offers. Extract 7 exemplifies both phenomena: responding negatively to explanations of impartiality and resisting mediation on the basis of the neighbor’s likely unwillingness.

Extract 7: DC-57

1 M: ↑Wh- ↑wha- what usually ha:ppens↓ i:s that the
 2 mediators would come out an’ (0.5) uh- see you fi:rst
 3 an’ hear your side o’the story. .hhh=
 4 C: = Yeh°
 5: M: = um: I mean if still:* wanted to continue we’d write
 6 out t’y’r neighbor, = .hh an’ offer ’im a similar
 7 appointment, (.) .hhh (.) uh: t’hear what’s hap’nin’
 8 from ’is point of view .hhh
 9 (.)
 10 M: Um:: (1.0) I mean he can say no: but *you- y- y-* (.)
 11 0.pt *uh-or-* or there is a chance that he- y’know he
 12 will see the mediators.hhh an’ put his side of the
 13 story str- uh: t’them, Uh:nd the mediators will
 14 (back) um: (0.5) pass on your concerns [to him.
 15 C: [↑Is there
 16 uh anyone e:lse that I c’n call. = is there anything
 17 else that I c’n do:.hh becau- I really don’t think
 18 that’s goin’t’work, .hhh
 19 (0.2)
 20 C: Y’know: he- he makes it very plain that he’s doin’
 21 what he wants to do:?

As M finishes explaining that mediators will visit C to hear her “side o’the story,” C’s response at the first “transition relevance place” (TRP) (i.e., the point at which some kind of response is appropriate) is “Yeh.” Here, C aligns with M’s project to explain mediation. At the next TRP, however, after M adds that mediators will also hear “what’s hap’nin’ from [C’s neighbor’s] point of view,” C does not align with M (line 9). That is, at that point, C stops supporting M’s project. As M continues to explain mediation, her turn is increasingly littered with hesitations, pauses, and repair initiators (lines 10–14), perhaps orienting to this lack of alignment from C. Then, at line 15, C interrupts the end of M’s turn, and rejects explicitly mediation as a possible course of action. Like the callers in Extracts 2 and 4, she also starts to explain this rejection on the basis of her neighbor’s character (lines 20–21).

Robert Benjamin (2010) has argued that human beings are “predictably irrational” in that they are generally reluctant to accept that there are two or more sides to a story; they want a third party to establish that they are right and that the target of their complaint is wrong. As Scott Jacobs and Mark Aakhus (2002: 177–178) have argued:

Ordinary people bring to mediation a commonsense vision that their dispute will be resolved through reasonable argumentation . . . by bringing in the facts of the matter, establishing who is in the right and who is in the wrong, determining relevant evidence, and so on . . . So there is characteristic tension between the conduct of mediators and the conduct of disputants.

Whether or not Benjamin, and Jacobs and Aakhus, are correct, we have seen that the “two-sided” explanation of mediation seems to deter callers from the process. Callers and mediators, therefore, have a fundamental mismatch of expectations (see Tracy 1997).

Barrier Four: Mediation Offers the Same Talk-Based Solution That Clients (Must) Have Already Tried

A feature of any service provision is what has been called, variously, *doctorability*, *policeability*, and so on, where it is established that a given problem is fitted to the service being called upon (see e.g., Meehan 1989; Whalen and Zimmerman 1990; Heritage and Robinson 2006). Seeking medical attention or reporting a police emergency are situations in which resolving the problem oneself is usually beyond an ordinary person’s competence, even impossible. Nevertheless, people typically must establish that they are ill enough or in a sufficiently risky situation to warrant calling for help (Sacks 1992: 113ff). So, for example, for a headache to be “doctorable,” a patient must establish that it is sufficiently painful and of sufficient duration, and that self-help (e.g., taking over-the-counter painkillers) has failed. And it is incumbent on the doctor to offer something other than the self-help solution, that is, something more than the painkillers the patient has already used.

For a neighbor dispute to be “mediatable,” the relevant self-help that has been tried and failed would be talking to the neighbors (Edwards and Stokoe 2007). Across the data in this study, callers reported that they had tried talking and had failed to resolve the dispute in that way (because their neighbor was, in some way, unwilling or unable to talk with them in a way that resolved the conflict), or that they had not tried talking for fear of making the situation worse. Either way, callers were involved in a situation *bad enough* to warrant outside intervention, but crucially one that they presented as of their neighbors’ making. Becoming enmeshed in a mediatable neighbor dispute can put people in a vulnerable position. Like in counseling or therapy, the focus in mediation is on mundane relationship matters that most people presumably handle for themselves. Reporting a

relationship problem, then, can imply that the caller is the kind of person who cannot get on with others.

To manage these threats to their identity and to save face, callers typically report problems in extreme terms, place the blame for the problem entirely on their neighbors, and seek to get the mediator on their side. It is not surprising, then, that callers might resist using a service that is, *on principle*, not on their side. In Extract 8, the problems of self-help and mediatability are acute. After explaining her problem, M asks C what she has done to try to “resolve the issue.” After explaining that she has called the environmental health services and the police, M asks C whether she has spoken to her neighbor about the problem.

Extract 8: DC-71

- 1 M: .hhh And have you spoken to ↓he:r?
2 (1.3)
3 M: About this, = H've you spoken to your ↓neighbor
4 about[t it?
5 C: [> If I < went round (.) she wouldn't live.
6 (0.6)
7 C: [Believe] me.
8 M: [.tch.] HHhh >Yeh but- < bu- ha-have you actually tried
9 to speak with h:e:r.
10 (0.4)
11 C: No I have [↑n't ↓spoken to 'er]
12 M: [No:. Cos you-]
13 (.)
14 M: Cos [y- cos
15 C: [I ↑don't wanna ta:lk to 'e[r.
16 M: [Yeh. .hhh u:m
17 (.)h all r- c'n I just really explain to you brief↓ly
18 what mediation: (.) i- how mediation wo:rks

Here, C offers an account that also functions as a negative response to M's question: no, she has not spoken to her neighbor because if C went “round (.) she wouldn't live.” (line 5). Note also the initial delay in answering (line 2) and M's subsequent reformulation of the question (lines 3–4). At lines 8–9, M treats C's response as an insufficient or nonliteral answer to her question, and repeats it once more. At line 11, C states explicitly that she has not spoken to her neighbor and offers a further account that she does not want to “talk to 'er.” (lines 11, 15). It is at this point in the sequence, after C has produced such an account, that M begins to explain mediation as a talk-based offer of help. It is unsurprising that C does not go forward because she does not want to talk to the neighbor and the mediator has emphasized the talking aspect of mediation.

I can see two practical responses to the problems of self-help and mediatability. The first is to ensure that mediation is formulated as an activity that offers a *different* solution to the self-help already tried by callers. The second is to offer some affiliation with (or empathy toward) callers and display some shared understanding of the problem. Extract 9 illustrates both strategies.

Extract 9: EC-37

- 1 C: Um:: .hhh an' I phon- I phoned them up an' reported it, it was
2 quite late at ni:gh," (0.3) a:nd then nobody sort- (.) again
3 nobody came rou:nd.
4 M: Myeh: yeh.
5 C: U::m,
6 M: .ahéh Agai:n very frustratin' for you: I s'pose you feel like
7 you- (.) you wanna se:e something being done. .hh [about it yeh,
8 C: [I do:. Ye:s.
9 (1.0)
10 M: Mmm.
11 (0.4)
12 M: .hhh okay, w'll do you know anything at all about us?

At lines 1–3, C concludes her explanation of her problem. Rather than ask a self-help question, however, or launch immediately into an explanation of mediation, M takes a different turn. First, she empathizes with C, suggesting that the situation must be “very frustratin’ ” (line 6). The inclusion of “for you” permits M to make empathic assessments while also remaining somewhat impartial: it is frustrating for C, not M. The second part of M’s turn, “I s’pose you feel like you . . .you wanna see something being done. . . about it” is also empathic, as it suggests an understanding of C’s point of view. Furthermore, it prefaces M’s forthcoming explanation of mediation, which begins at line 12. More precisely, it formulates C’s need for *action*, just at the point where mediation, as the thing that C may be able to “see being done,” is about to be explained and offered.

Impartiality, Alignment, and Affiliation

In this section, we explore further some of the themes raised by the previous analyses. Mediators must not only explain that the process is institutionally and ideologically impartial, they also *display* their impartial stance through their responses to callers’ problems. But while mediators display their impartiality as a matter of principle, callers do not know what mediation is and what mediators do, and such responses can be problematic. Analysis of the data revealed that mediators’ impartiality was problematic for callers, and they seemed to regard this as disaffiliative, rather than neutral. Let us explore these issues in more detail.

Barrier Five: Mediators Are Impartial

During intake calls, callers seek to explain their problem. As they do so, “slots” or gaps in the conversation create opportunities for the mediator. Conversation analysts have found listeners may respond to complaints and other stories of personal difficulties in a variety of different ways. These responses can include sharing similar experiences (e.g., “the same thing happened to me”) and making sympathetic (e.g., “oh dear”) or empathic responses (e.g., “that must be difficult for you”), which *affiliate* with the teller of the complaint and display some shared understanding of the problem. Other ways of filling slots include making *aligning* responses via the use of “continuer” words or sounds such as “yeh,” “mhm,” etc., which support or “scaffold” the caller but do not display the mediator’s opinion or “stance” toward the content of the talk itself (Stivers 2008). Continuer responses, therefore, maintain impartiality because they do not express empathy or affiliation, which more explicitly indicate rapport-building.

But some mediation scholars have argued that building rapport is critical. According to Stephen Goldberg (2005: 365), “[i]f the mediator is unable to develop rapport, it matters little how proficient the mediator is with the many tactics that are. . . taught in mediator training — success in bringing disputing parties to a resolution of their dispute is unlikely.” Consider Extract 10, below, in which the mediator fails to build rapport with the caller.

Extract 10: DC-71

- 1 M: Ri:ght.h So what’s the main problem.
2 (0.4)
- 3 C: It’s her noise.
4 (0.3)
- 5 M: Noi:s[e.
6 C: [Y[es,
7 M: [Ye:h o[ka:y,]
8 C: [It’s e]very single wee:kend.
9 >I mea[n < I wo]rk permanent six two.
10 M: [Uh hu:h]
11 (0.7)
- 12 M: Y[e:h
13 C: [On a mor:ning.
14 M: Yeh.
15 (0.3)
- 16 C: An’ (0.4) she’s coming home in early hours of
17 morning and having parties.
18 M: M:m.
19 C: And I’ve had enough:.
20 M: And- and uh what’ve you done so far to try and-
21 (.) u-u:m (.) you know. t’resolve the issue.=

M fills her slots with numerous continuers, as well as repeating information to confirm it (lines 5, 7, 10, 12, 14, 18). At line 8, C describes the noise in extreme terms, as occurring “every single weekend.” And on Line 5, M repeats the word “noise” to indicate she has heard C (see Puchta, Potter, and Wolff 2004). Next, C describes her work schedule: “I work permanent six two.” Again, after a 0.7-second gap, M produces a delayed continuer, “yeh” (line 12). In overlap, C adds a “turn increment” (a turn that only makes sense when connected to a speaker’s prior turn) to extend the formulation of the problem: “On a morning.” The addition of this detail shows that the caller has attended to the mediator’s lack of response at line 11 and simultaneously “deletes” M’s omission (it is not that M has not responded, it is that C has not finished explaining the problem), giving M another opportunity to make an affiliative response. At line 14, however, M simply offers another “yeh.” At the end of C’s telling, M has made no clearly affiliative response, but has moved onto the next item on the agenda, which is to ask C what she has already done “t’resolve the issue” (line 20).

So M does not fill her slots with the sympathetic responses that C might have expected were she speaking to allies (friends, partners, family members). In other settings, C might expect a response at lines 10–11, that expresses *affiliation*, by *empathizing* with her situation (“you must be really tired!”), expressing *sympathy* (“poor you!”), or even adopting a position of *epistemic primacy* by assessing C’s neighbor independently of C (“What a vile woman!”; see Drew and Walker 2009).

Callers display their dissatisfaction with such impartiality, presumably because they have called the mediation service for assistance but not necessarily for mediation, and they do not necessarily expect to encounter impartiality, based on their experiences discussing these kinds of conflicts in more familiar settings. In Extract 11, a continuation of Extract 1, the caller has just given her consent to record the call and is now describing the actions of her “really terrible neighbors.”

Extract 11: DC-12

1 C: And um it’s jus’ like the nei:ghbors um: (0.3) it-
 2 they’ve got a like a: (0.2) ↑bo:y > I think he’s about<
 3 thirteen fourteen which he dōesn’t go to schoo:l,
 4 (.)
 5 M: (.).hhh Right,=
 6 C: = And he’s like (0.3) i- o- on is like in is bedroom↓ he’s
 7 throwin’ like rubbish? an’ it’s endin’ up in our ga:rden,
 8 (0.2)
 9 M: Ri:ght,

10 (.)
 11 C: And um: (0.2) they've locked their back door (0.3) u-back um:
 12 (.) ga:te for some reason, an' they're using our- ev'ry
 13 morning I've got t' go an' shut our ga:te,
 14 (0.2)
 15 M: Rhi:ghh[t,
 16 C: [I've only just seen him today like. = It was open
 17 and he came and jumped over the fence to go to his,
 18 M: (.)tHhh Rhi[ghht]
 19 C: [An'] it's just like (.) so: much rubbish, as well
 20 ev'ry (0.2) y'know it's (.)like bottles of coke an' stuff.
 21 (0.7)
 22 M: Rhi:[ght.]
 23 C: [And] um: (0.4) they've got their friends as well coming
 24 through ↓our garden for some reason, an' they've p- y'↑know
 25 like cos 'e- must 'ave a top bedroom,
 26 M: (.)Hh y:ghh
 27 (0.3)
 28 C: They throw like sto:nes t'call at 'im. = An' a:ll them stones
 29 we've got that many sto:nes in our garden:,
 30 M: (.)Hh have ↓you: ri:ght. [h hh]
 31 C: [And] um: (0.2) and they're so
 32 noi:sy as well especially round about(0.4) midnight one
 33 o'clock two o'clock they make(.) ↑banging 'n stuff.=
 34 I don't know what they're doin'. = It's like a bo:yi
 35 He's > about < thirteen fourteen:,
 36 M: Ye:h,

As M produces continuing responses that align with C's narration (lines 5, 9, 15, 18, 22, 26, 30, 36), C develops her complaint. Although mediators may want to give callers the opportunity to give as full an account as possible, this sequence suggests that C may be adding ingredients to her complaint to gain sympathy from M. She struggles to continue with her account as indicated by her *pauses and hesitations* (e.g., “*And um (0.2) they've locked. . .*” [line 11]; “*And um: (0.4) they've got their friends. . .*” [line 23]; “*And um: (0.2) and they're so noisy. . .*” [line 31]) by indicating the addition of new elements (e.g., “as well” [line 19]; “as well” [line 23]; “as well” [line 32]) and by repeating items (e.g., compare lines 2–3 with lines 34–35). Mediators must express their impartiality as a matter of practice, but callers do not necessarily recognize this as a routine institutional strategy. Rather, they seem to perceive this as a lack of interest in their problem and a lack of empathy with it.

If the mediator's neutral responses are perceived as disaffiliative, what do callers make of the silences that frequently occur during the mediators'

slots in the conversation? Consider the following example. C is explaining that her neighbor has accused her of racial abuse; she is denying this and making counter-accusations.

Extract 12: EC-21

1 C: She's already been down to the council >offices< .hh made
2 false allegations about- sayin' I've- (0.3) give her a lot of
3 raci:sm,
4 (0.6)
5 C: [An' I have ne:ver call- I did admit t- months and months=
6 M: [°Mm:m.°
7 C: =ago I had a big barney with her an' I did call 'er a
8 loud- mouthed fuckin' *le(h)s:bian.
9 (0.3)
10 C: (.)hhh but that is all I have ever called 'er.
11 (0.6)
12 C: Once.
13 (0.4)
14 C: Out of temper.
15 (0.3)
16 C: But she's been down there: (0.2) an' said I've called 'er this
17 that an' the other I don't know what she's said, (0.5) but I
18 know she's been down there: an' made (.) race allegations
19 against me,
20 (0.7)
21 C: Right- because I: went down'ere the next day an' I've done
22 exactly the same. = because she ha:s made racial abuse to me.
23 = she's called me a whi:te this a whi:te that, .hhhh
24 (0.2)
25 C: An' stuff..
26 (.)
27 C: Right. = an' no:w I think it's gone too fa:r.
28 (.)
29 C: Because they said about the mediation an' that a- an' I'm
30 [not int]erested no more.
31 M: [Mmm]

There are many unfilled slots in this sequence, in which M does not align with C's "project" of describing her complaint. That is, M does not display the sort of impartial stance we saw in Extract 11. In fact, M's only responses are a delayed continuer at line 6, in response to C's account of "false allegations" (lines 3-5), and another at line 31, when C brings the topic back to the mediation process. Elsewhere, M says nothing (lines 9, 11, 13, 15, 20, 24, 26, 28). In mediation workshops that I have led, mediators often suggest that silence "allows clients to talk" or "maintains impartiality."

We have already seen, however, suggestions that callers perceive aligning *continuers* as not affiliative or even as expressions of disinterest. In Extract 12, C ends up talking herself out of mediation, rather than being talked into it by M; M's lack of affiliation may even have prompted C's withdrawal from the process at lines 29–30.

Again, for comparison, and taken from a call in which the outcome is successful, consider Extract 13.

Extract 13: EC-37

1 C: A:nd she's stood outside my front door (0.2) uh:m (0.4) on
 2 the same day, shoutin' she was gonna 'ave me sorted out,
 3 have me an' my baby shot, [.hhh
 4 M: [.tch oh:: dear.=
 5 C: = An' all of this [sorta thin::g, = um:: an'-]
 6 M: [.hhhh ((coughs)) mm.] an' very
 7 fri:ghtnin' for you.
 8 C: Well I moved ou:t.

At lines 4 and 6–7, M makes *sympathetic* responses, with both words and intonation (“oh dear.”; “mmm.”), and expresses *empathy* (“very frightnin’ for you.”), thereby affiliating with C as she narrates an incident relevant to her problem. Extract 13 shows that mediators can say a variety of things during their slots in the conversation that operate somewhere on the affiliation–disaffiliation continuum, but do more than simply align with a caller’s complaint.

Why Callers Refuse to Participate in Mediation

Across the collection of intake calls, callers offered two reasons for turning down offers of mediation. First, as we have already seen, callers claim that their neighbor is the “kind of person” who will not mediate. Second, callers state that they do not want their neighbors to know they have made a complaint against them. Let us take each in turn.

Barrier Six: The Neighbor Will Not Mediate

In Extract 14, the mediator explains the mediation process.

Extract 14: HC-30

1 M: So as I say the mediators would visit you, = hear your side of
 2 the story, (0.4) the::n if you wa:nted them to: we:d get in
 3 touch with your neighbors an' ask- [them if they wanted t=
 4 C: [°Mmm°
 5 M: = [uh:: mediation. hh]
 6 C: [°Yeh. °]

- 7 C: Yeh- I don't think you'll get very fa:r with 'em.
8 (0.8)
9 M: D'you not.
10 (0.6)
11 C: ().hhh No::.
12 (0.7)
13 M: Ri::ght. [right.
14 C: [Ver- she's very aggressive.

We see the same pattern in Extract 14 as in Extracts 4, 6, and 7: in response to a description of mediation as a two-sided or impartial service, callers express resistance toward the process at the point at which mediators tell callers that they will talk to their neighbors. In Extract 14, C produces a weakly aligning response at line 4, "Mmm" (see Gardner 1997). At line 6, C begins to supply an account that will become the reason for not engaging further in the mediation process, "I don't think you'll get very far with 'em," adding at line 14 the further detail that "she's very aggressive." Like Extract 4, in which M stated that mediation would work only if the caller's neighbors were "willing" to be involved, here M states that they would see if C's neighbors "wanted" mediation.

Such descriptions *provide for* the account that immediately follows, that problematic neighbors will not, *of course*, be willing or want mediation. Indeed, to minimize their own culpability, to save face in having requested outside help in a mundane relationship matter, and in pursuit of affiliation from the mediator, callers take every opportunity to characterize their neighbor in negative ways.

By implication, if callers' neighbors are the kinds of people who will not mediate, callers are the kinds of people who will. Some mediators invoke, subtly, the way callers present themselves as morally superior in creative and productive ways. In Extract 15, M has explained the mediation process and is now asking C if it sounds "helpful."

Extract 15: DC-37

- 1 M: Does that sound.hhh like it might be helpful to you?
2 (0.7)
3 C: I- uh- (0.2) it might be but um:: (0.3) I'm not too sure at
4 this stage about (0.6) you know, how long- i- seein' this:
5 gi:rl, [at all,
6 M: [W'yeh. = ↓yeh,but you'd be willin' t'see two of our
7 media[tors jus' t'talk about it all. .hhhh]
8 C: [Oh of course. Yeah. Yeah] definitely.
9 M: ().hhh yeah. = all right my love, .hh um:: (0.5).pt ↑WHen's
10 the best t(h)i(h)me for you t'be in.

C's response to M's offer takes the shape of a classic "dispreferred" turn. C's response to M is *delayed* (line 2), offers a *weak acceptance* ("it might be"), and supplies an *account* for beginning to turn the offer down: "I'm not too sure at this stage about . . . seein' this: girl, at all," (lines 3-5). At line 6, however, orienting to a response that suggests rejection is imminent, M adopts a different strategy (lines 6-7), which is to ask another question in declarative form, proposing that C is the kind of person who *is* "willing" to take the first step into mediation.

In contrast to the mediator in Extract 4, who suggested that if the caller's neighbors were "unwilling" to mediate, then the service would not work — something C immediately recruited to characterize her neighbors as the kinds of people who would, indeed, be unwilling — in this extract, M uses a similar moral-characterological formulation but to a positive effect. C confirms that she is the kind of person to "jus' t'talk about it all" with mediators (lines 7-8). Note that C's confirmations are multiple ("of course. Yeah. Yeah") and upgraded ("definitely"), displaying an enthusiastic stance toward the proposed meeting. The first part of her response, "Oh of course," corrects any sense of prior unwillingness; C had *always intended* to see the mediators, "jus' t'talk." As we can see, M moves on immediately to make the practical arrangements of the first step in mediation, and the caller is secured as a client.

Barrier Seven: Callers Do Not Want Their Complaints Revealed

In Extracts 16 and 17, the callers offer the second type of account for resisting offers of mediation.

Extract 16: DC-12

1 M: What happens is th'mediators come to see you:, a*::nd then *uh
 2 find out what y*ou would like to happen:: .h[hhh] a*n' if y'd-
 3 C: [Ye:h
 4 M: if y'deci:de that mediation's worth trying, [.hh we'll then=
 5 C: [Mhm
 6 = contact y'↓neighbors to offer them a ↓similar app*ointment.=
 7 (.)h A*::nd hear what's happening from th*eir point of view.
 8 (.)hh[.pt.hhh]
 9 C: [But will] they not know that I've been complai- I've
 10 complained.

Extract 17: HC-2

1 C: (. . .) uh I didn't really want them t'know who'd complained.
 2 (.)
 3 C: [>If there's ()]
 4 M: [. h h h]
 5 M: Exactly. Ye:s.

In Extract 16, the caller seems to have no objection (lines 3, 5) to the part of the mediation that will focus on her (lines 1-2, 4). However, when M begins to describe the two-sided nature of the process, C objects and begins to reject M's offer to mediate. We see an interesting restart (or, in conversation analytic terms, "self-repair"), too, in C's account, as she changes her story: initially she suggested she has complained more than once ("been complai-") but switched to describe a one-off incident ("I've complained"). Her repair suggests her awareness of the delicate nature of complaining and the social judgments that are made about someone who is "always complaining" (see Edwards 2005), but also that she does not want her neighbors to know that she has made a complaint at all.

In Extract 17, C states that she does not want her neighbor to know "*who'd*" complained. In response, M affiliates with C, stating "Exactly. *Yes*," a gloss of which might be, "Exactly — I wouldn't want my neighbors to know if I had complained about them!" Here, then, M displays a shared stance with C, but about something that dissuades C from pursuing mediation.

In the final extract, the mediator anticipates such an account for turning down mediation in her description of the process itself.

Extract 18: EC-37

1 M: [.hhh and what- (0.2) we try t'help neighbors that are in
2 dispute:.,
3 (0.2)
4 [.hhh what we do first um: .pt send a letter out to your=
5 C: [Uhuh.
6 M: = neighbor straight away.hhh t'say that: y- we've been in
7 touch with you.h[hh and hm- askin' (0.2) whether they would =
8 C: [Yeh,
9 (0.4) .hhh get in touch with us so that we can discuss it with
10 them? Hh=
11 C: =Yeh,

The key component of M's description comes at line 6. M tells C that, as a service, they "send a letter out to your neighbor straight away.hhh t'say that y- we've been in touch with you." Note the self-repair from "y-" to "we've." It appears that M was about to say that the service will write to C's neighbor to tell them that *she* has been in touch with *them*, that is, that *C is the initiator of mediation*. But M quickly corrects herself by telling C instead that the *mediation service* is the agent of contact between the neighbors. This is particularly interesting analytically because this repair reveals the logic of M's description and offers insights into her own experience. One can imagine a response to a statement that "we sent a letter to your neighbor to say you've been in touch with us" might be something like

we saw in Extracts 18 and 19: “but won’t they know I’ve been complaining?” Here, as we can see from C’s responses at lines 8 and 11, M has headed off such a problem at the pass.

Conclusions and Training Implications

In this article, I have presented findings from an investigation of a large collection of recorded intake calls between members of the public and mediators working for community mediation services. In these calls, the caller’s main goal is to explain a dispute he or she is having with a neighbor and seek help. The mediator’s main goal or project is to describe mediation and offer it as a solution. If mediators do not successfully *convert* sufficient numbers of *callers to the service* into *clients of their service*, however, they will enroll fewer clients and have weaker claims to ongoing funding. Ensuring that intake calls are successful, then, is a bottom-line issue for mediation services. We see a tension, therefore, between describing the mediation process in a way that is accurate and fair, and attempting to secure clients who might not like the sound of the service on offer.

This article is, to the best of my knowledge, the first to scrutinize intake calls. Analysis revealed a number of concerns that seem to prevent callers from pursuing mediation: in this article, I have termed these factors “barriers to mediation.” Each of these barriers was dealt with in various ways by different mediators. The aim of my analysis has been to identify which endogenous mediator practices help secure clients.

The barriers I have identified include callers’ lack of knowledge of what mediation services are and what mediators do. Mediators often failed to explain mediation in ways that were attractive to clients, who wanted someone to be on their side, rather than impartial to their problem. When mediators *explained* impartiality as a guiding principle of mediation and *displayed* their impartiality in response to callers’ complaints, patterns emerged in the way callers anticipated and rejected offers of mediation. Some mediators managed expressions of impartiality differently, however, by expressing empathy or affiliation with callers. In the design of their explanations and questions, they also anticipated and deflected callers’ common accounts for rejecting offers of mediation.

This article has implications for our understanding of the institution of mediation, and its processes and stages. As I noted in the introduction, intake calls — which happen before mediators visit clients in initial meetings — have not been treated as part of the mediation process “proper,” either by mediation organizations, which do not specifically focus *training* on calls, or by academics, who have not conducted *research* on them. I suggest that they should be. First, if intake calls were regarded by mediators and their funders as the first stage of the process, call volume would become a key metric in assessing the success of such organizations.

Second, if intake calls were considered a regular part of the process, they could be incorporated into standard training programs for mediators. Better intake calls could result in increased numbers of clients for the service. Third, it is a mistake to think that intake calls are a different kind of interaction from other first encounters that mediators have with clients. A focus on intake calls has clear relevance for *all* mediator–client encounters, including managing issues of impartiality, affiliation, and how best to engage clients in the process.

The Conversation Analytic Role-Play Method

I want to conclude the article by discussing its implications for mediation training. Historically, mediation training is based largely on one of two methods: reflections on strategy or best practice that have been formalized into texts and guidelines and role-play. Writing about the first approach, Phillip Glenn and Lawrence Susskind (2010: 118) stated that while “training materials are rich with suggestions for managing such talk, prescriptions tend to skew either toward global strategic considerations or toward isolated individual behavior.” They further argue that “written accounts of successful or problematic practices” are subject to “temporal and perceptual limitations . . . [and] the vagaries of memory.” Similarly, I have found that the sorts of effective practices revealed by analysis of transcripts are seldom the same as mediators’ *post hoc* reporting of what they think does or does not work (Stokoe 2013). I believe this is because people often have a normative, rather than an empirical, understanding of interaction. One job of CA is to yield “empirically grounded results at variance with our commonsense intuitions about how some action is accomplished or what action some utterance is to be understood to have accomplished” (Schegloff 1996: 166–169).

The second type of training method is role-play or simulation. Role-play typically involves mediators (or mediation students) interacting with other mediators playing the part of clients, using hypothetical scenarios or adaptations of actual scenarios as the basis for the simulated encounter. As Glenn and Susskind pointed out, however, role-play leaves “open the question of how ‘real life’ might differ” (2010: 118). I have addressed this question elsewhere, by comparing role-play training talk with the actual interactions that the training was designed to mimic (Stokoe 2013). I found that people do things in training that they do not do in actual encounters, such as including “rapport-building” actions in exaggerated ways that are made explicit for the overhearing trainer. Consequently, assessing people’s skills on the basis of what they do in role-play is problematic and calls into question the value of role-play as a training tool.

In contrast to traditional role-play, I have developed what I call the “Conversation Analytic Role-play Method” (CARM). CARM uses effective

practice findings from research about actual interaction as a basis for training. Although Susskind (2010: 165) suggested that CA researchers “may not be the best people to figure out how their insights (however quickly or slowly they emerge) should be used by negotiation analysts and instructors,” CARM provides an effective method for disseminating such insights (Stokoe 2011).

The method works by transcribing and anonymizing extracts from recordings that demonstrate different ways that mediators formulate and organize particular actions (e.g., offering mediation). The audio and/or video files and transcripts are presented synchronously, such that students experience encounters without knowing what will happen next. Next, workshop participants role-play what they might do next to handle the situation. For example, if party A makes a particular sort of comment, how might party B respond most appropriately? Sometimes participants discuss their likely responses in small groups, other times they respond individually by taking the next turn without time for discussion (which is what would happen in a real interaction). Finally, party B’s actual response is revealed and discussed, and the workshop moves on. Participants develop insights about best practices on the basis of what mediators actually do and say, and on what actually works.

During the past two years, I have delivered CARM workshops to more than fifty different mediation organizations in the United Kingdom, Ireland, and the United States at more than one hundred workshops that have focused not only on intake calls but also on such varied topics as opening a mediation, solution-focused questions, and dealing with racism in conflicts. Indeed, a growing tradition in conversation analytic research involves disseminating findings to practitioners, with the aim of improving practice. From doctor-patient encounters to midwifery education, from improving response rates to telephone interviews, to examining the way choice is delivered to people with intellectual disabilities (see Antaki 2011), studying actual practice with a view to informing people about practice is proving fertile ground for understanding what institutions are to the people who encounter them, and what practitioners do, for the people who engage with them.

NOTES

1. In transcripts, the punctuation symbols used refer to pitch movement up (↑) and down (↓), stretching sounds (:), timed pauses to the nearest tenth of a second (e.g., 0.6), a “cut-off” sound (-), and emphasis (underlining). Full stops indicate a falling intonation; commas indicate a slightly rising intonation.

2. The “council” is a local authority and legislative body that governs a town, municipality, or local government region.

3. According to research in linguistics and conversation analysis, request formats (“Pass me the salt,” “can you pass me the salt,” “I was wondering if you could pass me the salt”) vary according to, and display, speakers’ sense of their entitlement to make requests, as well as the ability of the person on the other end of it to fulfill it.

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