



Article

Is Mediation an Interdisciplinary Profession? Evidence from a National Mediator Registry

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Abstract

Although mediation has been promoted as an interdisciplinary alternative to litigation throughout Europe, few empirical studies examine who actually becomes a mediator. Because no probability sample of the profession exists in Lithuania or in most other jurisdictions, this study instead analyses the complete national registry of civil mediators in Lithuania ($N = 664$, accessed December 2025), which avoids the response-rate and self-selection problems that limit prior survey-based research on mediator populations. Professional background, gender, and practice characteristics (specialisation breadth, languages offered, and mediation types) were coded from the registry and examined descriptively and inferentially (chi-square tests, ANOVA/Kruskal–Wallis tests, and Spearman correlations). The findings reveal a double pattern: approximately 80% of registered mediators are women, and over 78% have a legal professional background. Comparable, though methodologically heterogeneous, information from the U.S., the Netherlands, the UK, and Germany suggests a wider variety of professional entry routes in those systems. Drawing on Abbott’s theory of professional jurisdiction, theories of occupational feminization, and a communicative perspective on mediation practice, this study argues that the Lithuanian pattern reflects institutional design rather than the interdisciplinary vision embedded in EU Directive 2008/52/EC—while also acknowledging that registry data can describe who is authorised to mediate but not who actually practices, and cannot by themselves establish the causal mechanisms behind the patterns observed. These findings carry implications for mediator training, quality assurance, the long-term viability of mediation as an interdisciplinary profession, and access to dispute resolution services.

Keywords: mediation; professional composition; gender; legal profession; interdisciplinary communication; occupational jurisdiction

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1. Introduction

Over the past 20 years, mediation has grown remarkably throughout Europe. A major governmental commitment to alternative dispute resolution (ADR) was made with the introduction of European Union (EU) Directive 2008/52/EC on specific features of mediation in civil and commercial cases. “Facilitate access to alternative dispute resolution and to promote the amicable settlement of disputes by encouraging the use of mediation” was the directive’s stated goal (European Parliament and Council of the European Union 2008, Art. 1). Notably, the Directive adopted a broad definition of mediator, declaring that the mediator’s “status or occupation” “in the Member State concerned is not relevant” (Art. 3).

Lithuania offers an instructive setting in which to examine this question. The country transposed the Directive through its Law on Conciliatory Mediation in Civil Disputes, and in 2019 extended mandatory mediation to family disputes, which today form a substantial part of the caseload referred through the state-funded mediation scheme. To register as a mediator, a candidate must pass a qualification examination administered by a commission composed predominantly of legal professionals and be entered into a national registry maintained by the State Guaranteed Legal Aid Service (SGLAS)—an agency situated within the justice system rather than, for instance, a social-welfare or education authority. Lithuanian law further distinguishes three types of mediation practice: judicial mediation (referred by a court during pending litigation), mandatory mediation (required, chiefly in family disputes, before a case may proceed to a court hearing), and non-judicial mediation (entered into voluntarily by the parties outside any court process). This administrative architecture—which agency houses the registry, who designs the qualifying examination, and how mediation is positioned relative to litigation—is described more fully in Section 2.4, and it forms the institutional backdrop against which the professional-jurisdiction argument developed below should be read.

Effective practice draws from a variety of disciplines, as mediation scholarship has long stressed. The mediator's arsenal includes research on conflict resolution, psychology, negotiation theory, and communication studies (Menkel-Meadow 2016). The variety of mediation backgrounds found in nations like Germany, whose practitioners include "psychologists, social workers, economists, or lawyers" (Trenczek and Loode 2012, p. 65), reflects this interdisciplinary nature. According to the European Commission's assessment of the Directive's implementation, "difficulties were identified concerning the functioning of the national mediation systems in practice," including "the low level of awareness of mediation and the functioning of the quality control mechanisms for mediators" (European Commission 2016, p. 4), despite the policy's considerable impact.

However, surprisingly little is known about who actually becomes a mediator in practice, despite increased policy focus (Bollen and Euwema 2013). The demographic and professional makeup of mediator populations is still largely unknown, especially in European countries, even though mediation procedures and results have been the subject of much research. This disparity is significant because mediators' professional backgrounds probably influence the culture of mediation practice as well as how accessible it is to various user groups.

By examining Lithuania's whole national registration of mediators, this study fills that gap. Bibliometric analysis of four decades of ADR research reveals growing scholarly attention, though studies of mediator demographics and professional composition remain underrepresented (Mota et al. 2023). The population that the survey discovered is far different from what the interdisciplinary vision of the EU Directive might imply. It raises significant issues about the evolution and long-term viability of mediation as a profession, how professional admission is shaped by legislative frameworks, and the ensuing effects on service accessibility and quality.

Based on ideas of occupational feminization (Bolton and Muzio 2008) and professional jurisdiction (Abbott 1988; Kirkpatrick et al. 2023; Kurtz 2022), this study contends that these tendencies are systematic institutional determinants rather than coincidences. Despite its uniqueness, the Lithuanian case sheds light on more general dynamics in the claiming and populating of new occupational territories—dynamics that are pertinent throughout Europe as mandated mediation grows.

This study is organised around three complementary theoretical perspectives, each generating a distinct hypothesis. First, based on Abbott's (1988) theory of professional jurisdiction, H1 states that the jurisdiction of mediation in Lithuania is concentrated in a single professional group: mediators with a legal professional background constitute the

majority of the registry, and professional background is significantly associated with the scope of mediation practice. Second, based on theories of occupational feminization (Bolton and Muzio 2008), H2 states that women constitute a significant majority of registered mediators and that gender composition varies significantly across professional groups, in line with feminization dynamics. Third, based on a communicative perspective on mediation practice (Putnam and Folger 1988; Menkel-Meadow 2016), H3 states that practice-scope characteristics (specialisation breadth, languages offered, geographic coverage, and mediation types) are significantly interrelated and differ by professional background, so that the registry's professional composition constrains, rather than supports, the range of communicative approaches that mediation as a field is understood to require. These three perspectives were selected because each addresses a different level at which 'who mediates' matters—jurisdiction theory at the structural/occupational level, feminization theory at the demographic level, and communication theory at the level of everyday practice—so that, taken together, they offer a more complete account than any single lens could provide alone. Sections 4 and 5 return explicitly to these three hypotheses: Section 4 reports the corresponding descriptive and inferential findings, and Section 5 discusses each hypothesis in turn.

2. Theoretical Background

2.1. *The System of Professions*

This subsection grounds H1, concerning which professional groups have come to dominate the jurisdiction of mediation in Lithuania.

An important theoretical foundation is provided by Andrew Abbott's groundbreaking work on professional jurisdiction. According to Abbott (1988), professions compete for control over specific kinds of work within an interconnected system. "Jurisdictional boundaries are perpetually in dispute," he wrote, "both in local practice and in national claims" (p. 2). Established professions compete to claim new issues or fields as their own.

Such a contested jurisdictional space is what mediation offers. According to Menkel-Meadow (2016), mediation is situated at the nexus of organisational management, psychology, social work, and law. Comprehensive reviews of mediation research document considerable growth in the field, though studies examining who becomes a mediator remain limited (Wall et al. 2001; Wall and Dunne 2012). Distinct professions contribute distinct frameworks: social workers address structural and family dynamics, psychologists concentrate on emotions and relationships, and lawyers emphasise rights and settlements. Therefore, the question of which profession ends up dominating mediation practice is not just descriptive but also crucial to the advancement of the subject.

Abbott's theory has been expanded by recent research to look at how professionals create jurisdiction in new fields. According to Kirkpatrick et al. (2023), professional boundary work differs greatly within national contexts due to historical legacies and regulatory frameworks. In a similar vein, Kurtz (2022) contended that the way in which new occupational spaces are contested is affected by the ongoing evolution of the relationship between profession and society. Recent qualitative research involving experts from eight countries found that mediation's status as an autonomous profession remains contested (Blanco Carrasco 2023).

In the world of professions, mediation holds a unique position: unlike law or medicine, it has not been institutionalised for centuries, its knowledge base is deliberately diverse, and the backgrounds of its practitioners vary widely across jurisdictions. Comparative accounts of mediation regulation in Germany, the Netherlands, the United Kingdom, and the United States—reviewed in detail in Section 5 alongside the present findings—consistently describe open, multi-entry regulatory regimes in which legal training is one legitimate pathway among several rather than a prerequisite (Alexander 2024;

European e-Justice Portal 2022; Prospects n.d.; FMA n.d.; BLS 2025). This regulatory openness reflects an assumption, embedded in the EU Directive itself, that mediation competence can legitimately be built from several different professional foundations.

2.2. *Feminization of Professions*

This subsection grounds H2, concerning the gender composition of the mediator population and how it relates to professional background.

The substantial female majority in Lithuanian mediation connects to broader patterns of occupational feminization. Research has documented that as women enter professions in greater numbers, patterns of stratification often emerge. The American Bar Association's (ABA 2024) Profile of the Legal Profession reported that women now constitute 41% of U.S. lawyers, up from 34% in 2014, with women becoming the majority of law firm associates for the first time in 2023. Government labor statistics do not publish a gender breakdown for U.S. mediators; a commercial employment-data aggregator, not a government or peer-reviewed source, estimates approximately 60% (Zippia 2026)—notably smaller than the 80% observed in Lithuania, though this comparison should be treated as indicative only given the difference in data quality (see Section 5 for a fuller discussion).

However, feminization often proceeds unevenly across professional niches. Bolton and Muzio (2008) showed that women lawyers tend to concentrate in particular practice areas, often those perceived as “softer” or more relational. The same dynamic may apply to mediation: if it is perceived as emphasising emotional labor and relationship-building—skills stereotypically associated with women—it may attract disproportionate female participation. Sanderson and Sommerlad (2025) recently noted that “the dramatic change in gender” in the legal profession interacts with stratification processes that channel different practitioners into different work domains.

Research on mediator gender has found meaningful differences in practice styles. Maxwell (1992) demonstrated that while male and female mediators were equally effective at reaching initial settlements, female mediators were significantly more successful in achieving binding settlements, particularly in emotionally charged disputes. Meta-analytic research suggests that male mediators are sometimes perceived more favorably than female counterparts, indicating additional barriers for women in the field (Stuhlmacher and Morrisett 2008). This suggests that the gender composition of a mediator population may have practical implications for outcomes.

2.3. *The Communicative Dimension of Mediation*

This subsection grounds H3, concerning whether the profession's composition supports the range of communicative approaches mediation is thought to require.

If mediation is viewed only as a legal instrument for settling disputes, an important part of the phenomenon disappears from sight. Mediation is not simply a procedural alternative to court. It is also a structured communicative process in which parties explain, contest, revise, and sometimes transform their understandings of a conflict in the presence of a third party. For that reason, mediation may be approached not only as a legal or organisational practice, but also as a communication field. If mediation is communicative work, then the backgrounds of those who perform it are likely to shape how conflict is framed, how parties are heard, and which forms of resolution become more likely (Putnam and Folger 1988; Bodtker and Jameson 1997).

A communication perspective on conflict has long challenged the idea that conflict is simply a condition that exists prior to interaction. Putnam and Folger (1988) argued that dispute resolution should be studied through communication itself, not treated only as a psychological or structural problem. Later work reviewing Linda Putnam's contributions made a similar point: conflict research becomes more analytically powerful when it

focuses on language, framing, interaction, and the ongoing production of meaning between parties (Paul et al. 2016). From this perspective, mediation is not just a setting in which interests are exchanged until a compromise is reached. It is a communicative site in which conflict is named, interpreted, negotiated, and sometimes redefined.

This helps explain why mediation has often been described as interdisciplinary. Menkel-Meadow (2016) presents mediation as a practice shaped by conflict resolution research, psychology, negotiation theory, and communication studies. Its interdisciplinary character is not accidental. It follows from the fact that disputes are at once legal, relational, emotional, and discursive. Legal frameworks can determine procedure, enforceability, and institutional location, but they do not exhaust what mediators actually do. In practice, mediators work through questioning, paraphrasing, summarizing, timing, reframing, and the careful management of turn-taking and tone. Their task is not limited to applying rules; it also involves organising communication in ways that may allow parties to move beyond rigid or accusatory narratives.

Research on mediation discourse reinforces this view. Bodtker and Jameson (1997) showed that framing and reframing are not decorative conversational techniques but central processes through which conflicts are interpreted and reorganized. The mediator does not simply transfer information between sides. Rather, the mediator can alter the communicative conditions under which the dispute is understood. In that sense, mediation is not merely about negotiating outcomes; it is about shaping meaning.

Recent research has extended this argument by showing that mediation is not only interpersonal but also textually mediated. Brummans et al. (2022) argue that mediation should be understood through “communicative relationality.” In their analysis, the relations between disputing parties are constituted not only by what participants say, but also by the written texts and institutional voices that enter the session. Complaints, reports, formal letters, and other documents do not simply provide background information; they participate in the communicative shaping of the conflict. This insight is especially important in institutionalised mediation systems, where legal and administrative texts can strongly influence how disputes are framed and how parties position themselves within the process.

A communication perspective also helps explain why professional background matters. Different professions are not only trained in different bodies of knowledge; they are also socialized into different ways of listening, questioning, interpreting, and responding. Herrman et al. (2003) found that mediator background is associated with different mediation orientations. Lawyer-mediators were more likely to favour advisory and settlement-focused approaches, whereas mental health professionals were more likely to emphasise relational and interest-based strategies. Read through a communication lens, this finding is highly significant. It suggests that professional background may shape the communicative culture of mediation itself.

This does not mean that one profession is inherently better suited to mediation than another; the point is more modest but important: when one profession dominates a field, the forms of communication typical of that profession may become normalised within practice, while other communicative repertoires—emotional recognition, relational reframing, discursive flexibility—become comparatively scarce. This matters especially in disputes involving damaged relationships, emotional escalation, or identity threats, where emotions are not external disturbances to mediation but integral to the process itself (Ngcobo 2024; Arieli and Abboud Armaly 2023). Professional composition, in this sense, is not only a demographic characteristic of mediation; it is part of its communicative constitution.

Seen in this light, interdisciplinarity is not just a normative slogan. It may also be functionally important. Mediation operates at the intersection of language, emotion, institutional procedure, and negotiated meaning. A more diverse mediator population is therefore likely to support a broader range of communicative approaches, while a

homogeneous population may narrow the styles and assumptions that structure practice. This is what gives the present article's empirical question its broader significance. Asking whether mediation remains interdisciplinary is also a way of asking what kinds of communication are being institutionalised under the name of mediation.

2.4. Research Context: Mediation in Lithuania

Lithuania implemented EU Directive 2008/52/EC through its Law on Conciliatory Mediation in Civil Disputes, adopted in 2008 and substantially amended in 2017 to introduce mandatory mediation in family disputes, effective January 2019 (Republic of Lithuania 2017). As introduced in Section 1, three types of mediation coexist under this framework. Judicial mediation is initiated by a court during pending litigation and conducted by a mediator drawn from the registry. Mandatory (court-referred) mediation must be attempted—chiefly in family disputes such as those concerning parental responsibility, maintenance, or division of property—before a matter may proceed to a court hearing; because family disputes are the principal category subject to this requirement, they are understood to account for a substantial share of the state-funded mediation scheme's case-load, although the registry data analysed here cannot establish the exact proportion. Non-judicial mediation is entered into voluntarily by the parties outside any court process.

The Ministry of Justice of the Republic of Lithuania (2019) reports that mediation may be used to resolve civil disputes “that are or may be heard by way of civil procedure in court,” with services provided by mediators who have passed examination requirements and meet criteria including “impeccable reputation, university education, mediation training.” To be registered, a candidate must pass a qualification examination and be entered into the national register maintained by the State Guaranteed Legal Aid Service (SGLAS). The examination is centrally administered by a commission composed predominantly of legal professionals, and the registry itself sits administratively within the legal aid service rather than, for example, a body responsible for social services, psychology, or education. Once registered, mediators may begin taking cases immediately: Lithuanian law does not require a period of supervised practice before independent work, in contrast to jurisdictions such as the United Kingdom, where newly trained family mediators must complete supervised co-mediation before full accreditation (Family Mediation Council n.d.). This regulatory architecture—which agency houses the registry, who designs and administers the qualifying examination, and how entry and independent practice are sequenced—forms the institutional backdrop for the professional-jurisdiction argument developed in Section 2.1 and returned to in the Discussion.

3. Research Methodology

Data were obtained from the publicly available Lithuanian mediator registry (TEISIS), which contains all persons officially registered as mediators in Lithuania. The registry was accessed on the 20 December 2025, yielding a complete population of $N = 664$ registered mediators. Because the registry represents the entire population of registered mediators rather than a sample, the data support both descriptive and inferential analysis with high precision. This is an important methodological advantage: previous studies of mediator demographics have typically relied on surveys with uncertain response rates and potential selection bias.

Prior to data collection, a review of empirical literature on mediator demographics and professional composition was conducted using SCOPUS AI. This search identified the empirical and regulatory sources cited throughout Sections 1 and 2.

The analysed publicly available secondary data include: (a) professional qualification (free-text field describing educational background); (b) specialisations (list of subject matter areas the mediator handles); (c) mediation types offered (judicial, mandatory/court-

referred, non-judicial); (d) geographic service areas; and (e) languages of service. From these fields, several derived variables were constructed.

Professional background was coded from the qualification field into categories: attorney, lawyer/legal professional, judge/court staff, notary, psychologist, social worker, educator, and other. Mediators were classified as having a legal professional background if their qualification indicated a law degree, bar membership, judicial experience, or notary certification. For inferential analyses, the smallest categories (judge/court staff and notary) were merged into the lawyer/legal professional category, yielding six analytical groups (lawyer/legal professional, attorney, psychologist, social worker, educator, other) to ensure adequate cell sizes for chi-square and ANOVA tests. Gender was inferred from first names using standard Lithuanian naming conventions. Specialisation breadth was measured as the count of distinct specialisation areas listed. Linguistic capacity and geographic scope were measured as the count of languages offered. Lithuanian personal names mark grammatical gender with near-total reliability, both in given names and, for women, in characteristic surname suffixes (e.g., -ienė for married women; -aitė, -ytė, or -ūtė for unmarried women), contrasted with male name and surname endings such as -as, -is, or -ys; this morphological regularity makes name-based gender coding considerably more reliable in Lithuanian than in languages without grammatical gender marking in personal names. Nonetheless, the method may misclassify a small number of individuals with foreign-origin, hyphenated, or otherwise ambiguous names, and this is acknowledged as a limitation in Section 7.

Legal qualifications (notary, judge/court staff, attorney, and lawyer/legal professional) were grouped under a single superordinate ‘legal professional background’ category, within which the specific legal role was identified from the wording of the qualification field; non-legal qualifications (psychologist, social worker, educator, and other specialisations) were coded separately by their specific title. Where a mediator’s listed qualification mentioned both a legal and a non-legal background (a small number of cases, e.g., ‘pedagogė, teisininkė’ or ‘psichologas, teisininkas’), the entry was classified under the legal category. Re-applying this rule to the underlying registry export reproduces the category sizes reported in Table 1 closely, though a small number of individual cases may reflect additional manual judgement not fully captured by a keyword-based rule.

Analysis proceeded in three stages. First, descriptive statistics for the full population were calculated. Second, bivariate associations using chi-square tests for categorical variables and ANOVA or Kruskal–Wallis tests for continuous outcomes were examined. Third, Spearman correlations among continuous variables to assess interrelationships were calculated. Effect sizes (Cramér’s V, Cohen’s d) were computed to assess practical significance beyond statistical significance.

Table 1. Professional Background of Registered Mediators (N = 664).

Professional Background	n	%
<i>Legal professional background</i>		
Lawyer/legal professional	353	53.2
Attorney	154	23.2
Judge/court staff	12	1.8
Notary	3	0.5
Subtotal legal	522	78.6
<i>Non-legal professional background</i>		
Other	101	15.2
Social worker	20	3.0
Psychologist	16	2.4
Educator	5	0.8

Subtotal non-legal	142	21.4
Total	664	100

4. Findings

Table 1 presents the professional background of registered mediators. The data reveal a striking concentration of legal professionals: 53.2% hold law degrees as lawyers or legal professionals, 23.2% are practicing attorneys, and smaller percentages are judges, court staff, or notaries. In total, 78.6% of all registered mediators have a legal professional background. Non-legal professionals constitute 21.4% of the registry. These include psychologists (2.4%), social workers (3.0%), educators (0.8%), and others with varied backgrounds (15.2%). The category “other” includes professionals who listed mediation itself as their qualification, administrators, and individuals whose qualifications could not be clearly classified.

An alternative classification method yields a higher estimate. Rather than categorizing mediators by their primary stated qualification, this approach employs keyword matching across all text fields (qualification, education, experience) to identify any mention of legal training. Using this broader criterion, the proportion of mediators with some form of legal background rises to 86.1% ($n = 572$). The 7.5 percentage point difference primarily reflects individuals holding law degrees as secondary qualifications. The data analysis in this paper retains the categorical approach (78.6%) as it differentiates professional identities more clearly, whereas keyword matching across all text fields yields 86.1% by capturing secondary legal qualifications.

Among all mediators 79.6% were women and 20.4% were men—a ratio of approximately 4:1. This female predominance was consistent across professional categories. Even among attorneys, traditionally a male-dominated field, 73.2% of mediators were women. Among psychologist-mediators, 81.2% were women, and among social worker-mediators, 75.0%.

A chi-square test of independence between professional background and gender was statistically significant ($\chi^2(5) = 39.42$, $p < 0.001$, Cramér’s $V = 0.245$), indicating that the gender balance varied somewhat across professional categories. Nevertheless, women constituted a substantial majority in every category.

Professional background was significantly associated with specialisation breadth. An ANOVA comparing specialisation count across professional categories yielded $F(5, 658) = 9.86$, $p < 0.001$, $\eta^2 = 0.070$. Attorneys listed the most specialisations ($M = 8.75$, $SD = 7.13$), followed by judges/court staff ($M = 8.42$, $SD = 7.19$). Lawyers/legal professionals showed intermediate breadth ($M = 5.34$, $SD = 5.94$), while social workers ($M = 2.90$, $SD = 1.92$) and psychologists ($M = 4.06$, $SD = 2.90$) showed a narrower scope.

Professional background was also associated with offering all three mediation types (judicial, mandatory, and non-judicial). A chi-square test was significant ($\chi^2(5) = 30.52$, $p < 0.001$, Cramér’s $V = 0.216$), with attorneys more likely to offer the full range of services.

Table 2 presents the correlation matrix among continuous practice variables. Specialisation count was positively associated with language count ($\rho = 0.322$), geographic scope ($\rho = 0.324$), and number of mediation types offered ($\rho = 0.548$). These associations suggest that broader practice scope operates as a general dimension, with some mediators positioned as generalists across multiple dimensions while others remain more specialized.

Table 2. Spearman Correlations Among Practice Variables.

Variable	1	2	3	4
1. Specialisations	—			
2. Languages	0.322 ***	—		
3. Geographic areas	0.324 ***	0.196 ***	—	
4. Mediation types	0.548 ***	0.279 ***	0.269 ***	—

Note. *** $p < 0.001$.

Nearly all mediators (99.7%) offered services in Lithuanian. Additionally, 29.2% offered Russian, 20.0% offered English, and smaller percentages offered Polish (2.6%), German (2.3%), or other languages. Overall, 38.9% of mediators were multilingual, offering mediation in two or more languages. Multilingual mediators had significantly broader specialisation than monolingual counterparts ($M = 7.83$ vs. 4.87 , $t = -6.15$, $p < 0.001$, Cohen's $d = 0.48$). This moderate effect size suggests that language capacity may be part of a broader orientation toward serving diverse clientele.

5. Discussion

Before turning to the findings, it is useful to make explicit two conceptual choices that structure this discussion. First, 'interdisciplinarity' is used here to mean the presence, within a single occupational jurisdiction, of practitioners socialised in more than one professional knowledge base and communicative style (cf. Menkel-Meadow 2016); 'long-term viability' is used in the narrower sense of whether the profession's current composition and entry conditions are likely to preserve this interdisciplinary range, and to support adequate quality assurance, over time. Second, this study treats professional-background diversity as a plausible, but imperfect, proxy for interdisciplinarity: a mediator population drawn mostly from one profession need not automatically produce homogeneous practice, since individuals vary within professions, but a highly concentrated population makes a wide range of communicative and substantive approaches structurally less likely. The registry data analysed here can speak directly to professional and gender composition (H1 and H2); they speak only indirectly, and more tentatively, to whether this composition actually narrows communicative practice (H3), since practice style was not observed directly. The discussion below is organised around these three hypotheses in turn.

The finding that nearly 80% of Lithuanian mediators hold law degrees represents a remarkable concentration compared to available comparative data. In Germany, researchers have noted that mediators "have professional backgrounds such as psychologists, social workers, economists, or lawyers" (Trenczek and Loo de 2012), suggesting substantial professional diversity. In the United States, mediators come from backgrounds including "psychology, social work, business, or law," with no single profession dominating (BLS 2025). These comparisons should be read cautiously: the Lithuanian figures come from a complete administrative registry, whereas the German, U.S., and UK figures come from a mix of qualitative accounts, regulatory guidance, and industry survey data of varying rigor and coverage, so differences in magnitude may partly reflect differences in data source rather than in underlying professional composition alone.

This concentration stands in marked contrast to patterns documented elsewhere (see also CEPEJ 2024). In Germany, access to the mediation profession is not restricted by prior qualification; mediators are responsible for ensuring they possess necessary competencies, which may derive from psychology, social work, economics, or law (Trenczek and Loo de 2012). British guidance similarly emphasizes that non-law graduates may pursue mediation by drawing on skills from healthcare, social work, human resources, or business (Davies 2025). The U.S. Bureau of Labor Statistics explicitly lists construction, finance, and insurance expertise alongside legal training as valid professional foundations. These regulatory approaches reflect the interdisciplinary vision embedded in EU Directive 2008/52/EC, which stipulates that the "status or occupation" of mediators should not determine eligibility.

Lithuania's divergence from this pattern appears substantial. Where other jurisdictions report varied professional entry routes and mediator populations drawn from multiple fields, the Lithuanian registry shows nearly four in five practitioners holding law degrees. This concentration exceeds what might be expected even given lawyers' natural affinity for dispute resolution work. Empirical research in England and Wales confirms

significant tensions between therapeutic mediators and lawyer mediators, reflecting fragmentation within the profession (Blakey 2023).

Empirical data from the United Kingdom provides a useful comparison point. The Centre for Effective Dispute Resolution (CEDR) Mediation Audit, a biennial survey of civil and commercial mediators, found that 67% of experienced mediators held legal qualifications in 2023, up from 56% in 2020 (CEDR 2023). The report speculated that lawyer-mediators may have been more successful in sustaining their practices through the disruptions of the pandemic period. Nevertheless, the UK figure remains substantially below the Lithuanian concentration of 78.6%, and the CEDR report explicitly notes that “there is still a sizeable group of successful mediators with a wide range of professional backgrounds, including accountants, construction and workplace professionals, business consultants and managers” (p. 4). This diversity reflects deliberate regulatory choices: UK mediation training and accreditation remain open to practitioners regardless of prior professional qualification.

Research on mediator professional background has demonstrated that prior training shapes practice orientation. Herrman et al. (2003), surveying mediators in the United States, found that professional background emerged as a key determinant of mediation style. Lawyer-mediators tended toward advisory, advocacy-oriented, and settlement-focused approaches, while mental health professionals favoured interest-based strategies emphasising party self-determination and emotional processing. These findings suggest that professional homogeneity may narrow the range of approaches available within a mediator population, potentially limiting the field’s capacity to address disputes requiring different orientations.

Why has the legal profession established such a strong jurisdiction over mediation in Lithuania? Several factors likely contribute. First, the regulatory architecture situates mediation within the justice system rather than, say, social services or mental health (Tvaronavičienė et al. 2022). The registry is maintained by the legal aid service. The qualification examination is centrally administered by mostly professionals in law. These institutional arrangements signal that mediation is a legal or quasi-legal activity, potentially attracting legal professionals and deterring others. Second, lawyers possess advantages in navigating bureaucratic requirements for registration. They understand legal terminology, have experience with formal examinations, and can more easily integrate mediation into existing practice. For a psychologist or social worker, becoming a mediator may require more substantial adaptation. Survey research with experienced mediators worldwide identified significant professional challenges related to building durable practices (Raines et al. 2013). Third, the availability of state-funded mandatory mediation work creates particular incentives. Lawyers seeking to diversify their practice or supplement their income may find mediation attractive, especially given access to state contracts, which provide a guaranteed client flow. This institutional context is important for creating particular incentives and barriers that may differentially affect practitioners from different professional backgrounds. A fourth, non-institutional explanation is also plausible: legal training itself provides direct exposure to negotiation, argumentation, and dispute-related work, so law graduates may simply be more likely than other graduates to encounter and recognise mediation as a viable extension of their existing skills and networks, independent of any regulatory advantage. Distinguishing self-selection along these lines from the institutional incentives described above is not possible with registry data alone and is flagged as a limitation in Section 7.

The gender composition of Lithuanian mediators also diverges from available comparative benchmarks, though the available benchmarks themselves vary in rigor. Government labor statistics in the U.S. (BLS 2025) do not publish a gender breakdown for mediators; the most accessible estimate, from a commercial employment-data aggregator rather than a

government or peer-reviewed source, puts the U.S. figure at approximately 60% women (Zippia 2026)—a figure that should be treated as indicative only. A more directly comparable, officially reported benchmark is available for Lithuania's own legal profession: in 2023, women made up approximately 40% of practicing advocates in Lithuania (916 of 2297; Lietuvos Advokatūra 2024), close to the American Bar Association's 41% figure for U.S. lawyers nationally (ABA 2024). Against this benchmark, the finding that 73.2% of attorney-mediators in the Lithuanian registry are women—nearly double the share of women among Lithuanian advocates generally—suggests a selection effect specific to mediation rather than a simple carry-over from the gender composition of the legal profession.

The following explanations are plausible readings of the pattern rather than mechanisms directly tested by the registry data, which cannot observe individual motivations, career decisions, or referral behaviour. Several dynamics may explain this pattern. First, mediation may be perceived as aligned with stereotypically feminine skills: empathy, relationship-building, emotional labor. If women lawyers seek practice areas consonant with such expectations, or are channeled toward them, mediation becomes a natural fit. This parallels patterns documented in family law and other “softer” legal specialisations. Second, mediation work offers flexibility that may appeal to practitioners balancing professional and family responsibilities—disproportionately women. Sessions can be scheduled around other commitments, there is no courtroom calendar to accommodate. This practical consideration may attract women who face greater work-family tensions. Third, as mediation becomes feminized, it may reinforce its own gender composition through socialization and network effects. Women entering the field see other women; informal referral networks may develop along gendered lines. Once established, such patterns tend to persist.

The Lithuanian system presents additional concerns regarding quality assurance and professional development. Scholars have debated whether mediation professionalisation should follow regulatory or practice-based models, with implications for quality assurance (Crowe 2017). In contrast to other jurisdictions where mediators typically undergo supervised practice periods before independent work, Lithuania permits newly certified mediators to begin practicing immediately upon passing the qualification examination. In the United Kingdom, for example, newly trained family mediators must work under the guidance of a Professional Practice Consultant (PPC), observing and co-mediating cases before conducting mediations independently; full accreditation requires building a portfolio of supervised casework over two to three years (Family Mediation Council n.d.). The state-funded mandatory mediation scheme administered by the SGLAS in Lithuania serves as the primary entry point for many practitioners, particularly those seeking to establish a caseload. However, this work proceeds without systematic supervision, mentoring, or quality monitoring by experienced professionals—conditions that raise concerns about the long-term viability of practice quality over time. Given that mandatory family mediation is understood to account for a substantial share of mediation activity in Lithuania (see Section 2.4; Korsakoviene et al. 2023), the absence of structured oversight during early practice raises concerns about service quality. When novice practitioners handle emotionally complex family disputes without professional guidance, there is a risk that poor outcomes may shape public perceptions of mediation more broadly—potentially undermining confidence in a process that many people encounter primarily through this mandatory scheme.

Although the present registry data do not include performance or outcome measures, a growing body of external comparative research bears on whether professional background matters for mediation quality, and is discussed here for context. Recent comparative research has begun to examine whether professional background affects mediator performance. Raines et al. (2023), analysing settlement rates and participant satisfaction across different mediator types, found that non-attorney mediators achieved comparable or slightly higher settlement rates than attorney-mediators across multiple case types

including family, landlord-tenant, and small claims disputes. Participant satisfaction ratings showed similar patterns. These findings challenge assumptions that legal training confers advantages in mediation effectiveness, though the authors caution that systematic data collection remains limited.

Returning to H3 and the communicative perspective developed in Section 2.3: Does professional homogeneity matter for mediation practice? Several considerations suggest it might. If mediation is genuinely interdisciplinary, the absence of diverse professional perspectives may limit its effectiveness. Experts from multiple countries view mediation as still ‘in the process’ of becoming an autonomous discipline, citing lack of empirical research and distinct professional identity (Blanco Carrasco et al. 2025). Family disputes, for example, often involve psychological dynamics that legal training does not fully address. Commercial disputes may benefit from an understanding of business operations that lawyers lack. Moreover, professional homogeneity may create barriers to access for parties who perceive lawyers as aligned with particular interests. Disputants without legal sophistication may find a room full of lawyers intimidating. Those with negative experiences of the legal system may be reluctant to engage with mediators who seem part of that system. Also, if mediation becomes de facto a legal service, its costs may rise accordingly. Lawyers typically charge more than social workers or counselors. Even if hourly rates are regulated for state-funded work, the professionalisation of mediation along legal lines may increase overall system costs.

6. Implications

For mediator training and continuing education, the findings suggest that Lithuania’s professional intake channel—overwhelmingly through legal education—is not currently being counterbalanced by systematic training in the communicative, psychological, and relational competencies (Section 2.3) that a purely legal education does not emphasise. Strengthening the interdisciplinary content of the mandatory mediation curriculum, rather than relying on practitioners’ prior professional background to supply this range, is one way training policy could respond to the concentration identified under H1 and H3 without requiring changes to who is eligible to register.

For quality assurance, the absence of a supervised-practice period before independent registration (Section 2.4) means that the professional-composition patterns identified here translate directly into a quality-assurance question: newly registered mediators, most of whom are lawyers with no requirement for prior mediation-specific supervised casework, begin handling cases—including emotionally complex mandatory family disputes—without structured oversight. Introducing a supervised or mentored entry period, following models used elsewhere (e.g., the UK’s Professional Practice Consultant scheme; Family Mediation Council n.d.), would not change who enters the profession but could reduce the risk that professional homogeneity translates into inconsistent practice quality.

For the long-term viability of mediation as an interdisciplinary profession, the Lithuanian case illustrates how institutional design choices made for unrelated administrative reasons—housing the registry within the legal aid service, staffing the examination board with lawyers—can, over time, shape the profession’s demographic and disciplinary makeup regardless of the Directive’s stated intent. If maintaining interdisciplinarity is a policy goal, it may require deliberate counter-measures (e.g., dedicated non-legal entry pathways, outreach, or targeted training subsidies) rather than relying on the Directive’s non-discrimination language alone, since that language has not, in this case, produced the intended diversity.

For access to dispute resolution services, a mediator population drawn overwhelmingly from one profession may shape how mediation is perceived and used by prospective parties. Disputants without a legal background, or those with prior negative experiences of

the legal system, may experience a mediator pool composed almost entirely of lawyers as an extension of the legal system they are trying to avoid, particularly in the mandatory family-mediation context where parties do not choose to be there. Monitoring party experience and satisfaction across mediator professional backgrounds—data not available in the registry itself—would help establish whether this is a practical concern or a theoretical one.

7. Conclusions

Returning to the three hypotheses posed in Section 1: The analysis of Lithuania's complete mediator registry reveals a profession that has developed along markedly different lines than the interdisciplinary model envisioned by EU policymakers. Four out of five registered mediators are women, and a similar proportion hold law degrees. These are not marginal tendencies but defining features of the field.

What accounts for this pattern? The evidence points to institutional design rather than accident. Mediation in Lithuania sits within the justice system's administrative architecture. The qualifying examination is organised by a chamber dominated by lawyers. State-funded mandatory mediation work flows through legal aid channels. Each of these arrangements creates friction for non-lawyers seeking entry while smoothing the path for those already embedded in legal institutions. The result is a form of professional capture that contradicts the Directive's explicit stance that a mediator's prior occupation should be irrelevant.

The gender composition adds another layer of complexity. Women dominate even within subgroups where men typically predominate elsewhere—among attorneys, for instance, nearly three-quarters of those who also mediate are women. This suggests something beyond simple demographic inheritance from the legal profession. Mediation may have acquired connotations that attract women disproportionately or that channel them toward this particular corner of legal work. The flexibility of mediation practice, its emphasis on relational skills, and perhaps its lower status relative to litigation could all play a role.

Do these patterns matter? There are reasons to think they might. Research elsewhere indicates that mediators from different professional backgrounds approach disputes differently—lawyers tend toward settlement-focused, evaluative styles, while mental health professionals favour interest-based approaches that emphasise party autonomy. A population drawn almost entirely from law may therefore offer a narrower range of mediation styles than the field's interdisciplinary aspirations would suggest. Whether this affects outcomes remains an open empirical question, though available evidence does not support assumptions that legal training produces better mediators.

The practical implications extend to access and legitimacy. Parties who distrust lawyers or find legal settings intimidating may approach mediation with similar reservations when the mediator pool consists overwhelmingly of legal professionals. For family disputes especially, where mandatory mediation now channels thousands of cases annually, the professional composition of mediators shapes citizens' experience of a public service.

Several limitations constrain these conclusions. The registry data reveal who is registered but not who actually practices or how frequently. The professional background coding relies on self-reported qualifications that may not capture all relevant training. Most importantly, the study examines a single country at a single point in time. Relatedly, because the study relies on registry-coded professional categories and name-based gender inference (Section 3), a small amount of misclassification cannot be ruled out. Nor can the design distinguish self-selection by law graduates into mediation from the institutional incentives discussed in Section 5; both mechanisms are consistent with the same registry-level pattern, and adjudicating between them would require data beyond what the registry provides.

Future research could usefully extend this approach to other jurisdictions, building comparative data on mediator populations across different regulatory regimes. Linking mediator characteristics to case outcomes would help assess whether professional diversity has practical consequences. Longitudinal tracking would reveal whether the current composition represents a stable equilibrium or a transitional phase as the field matures.

The question of who mediates deserves more attention than it has received. Professional composition shapes the culture and practice of any field. As mediation becomes institutionalised across Europe, the choices embedded in regulatory frameworks—often made without explicit consideration of their professional consequences—will determine what kind of occupation mediation becomes and whether its interdisciplinary foundations are durable in the long run. The Lithuanian case offers one data point, but an instructive one: policy designs have effects, and those effects may diverge substantially from stated intentions.

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Abbreviations

The following abbreviations are used in this manuscript:

EU	European Union
EC	European Commission
ADR	Alternative Dispute Resolution
SGLAS	State Guaranteed Legal Aid Service
CEDR	Centre for Effective Dispute Resolution
CEPEJ	European Commission for the Efficiency of Justice (Council of Europe)
BLS	U.S. Bureau of Labor Statistics
ABA	American Bar Association
PPC	Professional Practice Consultant

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