CONFLICTING LOGICS, MECHANISMS OF DIFFUSION, AND MULTILEVEL DYNAMICS IN EMERGING INSTITUTIONAL FIELDS

JILL M. PURDY
University of Washington, Tacoma

BARBARA GRAY
Pennsylvania State University

We examine the evolution of a new population of organizations (state offices of dispute resolution) in an emerging institutional field, focusing on how actions at multiple levels interact recursively to enable multiple logics to diffuse. Logics became institutionalized as organizational practices within the field of alternative dispute resolution through four diffusion mechanisms: transformation, grafting, bridging, and exit. By describing the interplay among entrepreneurial efforts, strategic responses to resource dependencies, and mechanisms of institutionalization over 22 years, we identify the conditions that enabled multiple practices supported by conflicting logics, rather than a single, dominant organizational form, to be institutionalized.

How new institutional fields and new types of organizations emerge in the face of existing institutional constraints is a persistent and intriguing question for institutional scholars. Both structural influences and individual agency affect the development of organizational fields. Structural explanations suggest the evolution of a new institutional field is contingent on the nature of the field itself (Dorado, 2005); for example, whether a field is fragmented, hierarchical, or interstitial influences the type of social movement needed to generate new institutionalized forms (Rao, Morrill, & Zald, 2000). Alternately, agency-based explanations of field emergence emphasize the work of institutional entrepreneurs who enact new visions, cultivate and capitalize on opportunities for change, and exert political clout to legitimize new institutional arrangements (e.g., DiMaggio, 1988; Garud, Jain, & Kumaraswamy, 2002; Maguire, Hardy, & Lawrence, 2004). Tension between these explanations is particularly evident when one is considering an emerging field marked by conflicting logics where a new population of organizations is struggling to become institutionalized.

Although many scholars have noted that conflict and negotiation mark the emergence of new institutional fields (Brint & Karabel, 1991; Hargrave & Van de Ven, 2006; Hoffman, 1999), empirical research on conflicting logics has largely focused on change within mature fields (Greenwood et al., 2002; Greenwood & Suddaby, 2006; Lounsbury, 2002, 2007) where a dominant logic has ultimately prevailed. In some emerging fields, conditions such as urgency and goal similarity foster swift consensus on a single organizing logic, making rapid institutionalization possible (Maguire et al., 2004). However, other scholars have noted that institutional innovations may remain contested (Fligstein, 1996; Marquis & Lounsbury, 2007; Scott, Ruef, Mendel, & Caronna, 2000), that diffusion of innovations does not always result in institutionalization (Abrahamson, 1991), and that emerging fields may not always mature toward stability and equilibrium (Greenwood & Suddaby, 2006). Thus, under some conditions, institutionalization of a single new organizational form may not be a foregone conclusion.

Extant models of institutionalization describe a diffusion stage in which a dominant logic emerges within a field (Greenwood et al., 2002: Strang & Meyer, 2003). Stage models of field evolution characterize the final stage of institutionalization as "structuration," when practices acquire legitimacy (Morrill, 2007), or as reinstitutionalization, when new logics become "taken for granted . . . as appropriate arrangements for all organizations within the field" (Hinings, Greenwood, Reay, & Suddaby, 2004:315). These models leave open the prospect that institutionalization may be weak (Hinings et al., 2004) or that "contradictory patterns of human activity" may "be organized, made sense of, and navigated" (Morrill, 2007: 5–6), yet the processes by which this might occur remain underspecified. Some evidence suggests that geographic variations induce different diffusion rates and changes in what gets diffused (Hays, 1996; Marquis & Lounsbury, 2007; Schneiberg & Soule, 2005). Yet

scholars have called for a fuller understanding of the mechanisms by which multiple logics may be diffused and the conditions supporting the persistence of multiple logics within a field (Davis & Marquis, 2005; Strang & Soule, 1998). This gap in understanding motivates two research questions our study is poised to answer: What mechanisms enable diverse institutional practices to coexist as emerging fields develop? and What conditions sustain the diffusion of multiple logics in emerging fields?

To address the first research question, we provide an account of how an emerging field was born and moved toward the (provisional) institutionalization of two conflicting logics. We identify four mechanisms that contributed to the diffusion of different logics and eventually enabled multiple sets of diverse institutional practices to coexist within the field. To address the second question, regarding conditions that sustain the diffusion of multiple logics in emerging fields, a multilevel investigation of field development and diffusion dynamics is required (Davis & Marquis, 2005; Thornton & Ocasio, 2008). Such a multilevel investigation enables simultaneous consideration of the impact of human agency and institutional constraints on field evolution. That is, it examines the actions of institutional entrepreneurs who theorize new fields and launch new organizations (Maguire et al., 2004; Suddaby & Greenwood, 2005) *and* examines how structural aspects of the field enhance or constrain entrepreneurial action. Few studies have integrated an understanding of microprocesses and field-level dynamics of institutional change (see Holm [1995] for an exception), but to answer our research questions, we agree with Rao and his colleagues that it is necessary "to join the macro and micro analysis of the politics of organizational change as a single endeavor with multiple layers and integrated levels of analysis" (2000: 278). Thus, we consider how actions at individual and organization levels recursively interact with field-level dynamics to shape diffusion mechanisms and the process of institutionalization in emerging fields.

Our study offers a multilevel analysis of the evolution of a new population of organizations, state offices of dispute resolution,[1] within the emerging field of alternative dispute resolution.[2] State offices of dispute resolution are organizations sanctioned to provide alternative dispute resolution services within a U.S. state. As have others (Morrill, 2007; Rao et al., 2000), we view alternative dispute resolution as an institutional field—that is, "an array of organizations that are joined by a common interest, problem or service" (Bourdieu & Wacquant, 1992: 97)—that grew out of two different social movements seeking judicial reform in the 1970s. Reformers within the judiciary supported alternative dispute resolution as a means of removing emotionality from (McEwan, Mather, & Maiman, 1984) and improving the quality and efficiency of the U.S. justice system (Hedeen & Coy, 2000; Sander, 1976). Social change advocates criticized the courts for their lack of transparency and the ineffectiveness of their solutions to policy problems (Laue, 1988; Wondolleck, 1985) and advocated alternative dispute resolution as a means of improving decision quality and empowering disputants by involving them directly in the decision process (Haygood, 1988). Each group advanced a different logic (Morrill, 2007; Rao et al., 2000) to explain how and why dispute resolution processes should be changed.

Our data describe the interplay between entrepreneurial efforts to promote different logics and institutional pressures that created instability within this field and forced the state offices of dispute resolution to adopt different mechanisms of diffusion as the field evolved. The varying local contexts of 32 different states added to the complexity of institutionalization. In response, each state office adopted one of four diffusion mechanisms in an effort to match its chosen logic with the unique pattern of institutional forces in its state. The result was creation of a complex field in which competing logics moved toward institutionalization through different diffusion mechanisms. Our research describes how actions by individual entrepreneurs and emerging organizations shaped the organizational population and the emerging field, and how population- and field-level dynamics reverberated back to affect the new organizations. Thus, we elaborate on existing models of institutionalization in emerging fields (Hinings et al.,

---

[1] Collectively, state offices of dispute resolution may be considered an organizational population, defined as "alike . . . in the technical core" (Scott, 1992: 127), or an organizational community, defined as "a bounded set of forms with related identities" (Ruef, 2000: 658). In selecting the term "population," we follow the convention of Scott (2001: 56) who refers to a "focal population" within an organizational field.

[2] The field is organized around nonjudicial dispute resolution practices such as mediation and arbitration. Many types of organizations (courts, community justice centers, state agencies, law firms, universities, and private consultancies) provided and/or promoted alternative dispute resolution in the United States during this period. We focus exclusively on state offices of dispute resolution in this analysis.

2004; Morrill, 2007) by delineating conditions that enable competing logics to persist and by identifying the mechanisms through which these logics differentially diffuse. Rather than viewing diffusion as a dissemination process driven by isomorphic pressures (Hinings et al., 2004), we highlight the interplay between agency and structure during diffusion (Barley & Tolbert, 1997), acknowledge multilevel effects, including the role of resource acquisition, and identify various mechanisms that organizations can use to position themselves as logics and their attendant practices diffuse. This framing allows us to examine how multiple logics may diffuse and how varying degrees of institutionalization may occur in emerging fields.

THEORETICAL BACKGROUND

Emerging Fields and the Need for a Multilevel Understanding of Institutionalization

Although scholars agree that fields vary in their extent of institutionalization (Dorado, 2005; Rao et al., 2000; Tolbert & Zucker, 1996), there is little agreement about what constitutes institutionalization (Hinings et al., 2004; Thornton & Ocasio, 2008). Fields that have collectively agreed upon rules, norms, and practices to which their members adhere are considered highly institutionalized (Ostrom, 1998; Rao et al., 2000). Hinings and his coauthors noted that when fields change, reinstitutionalization reflects "a shift from one archetype to another" (2004: 316), but they argued that such a shift requires powerful actors to adopt new beliefs and practices. In the context of newly emerging fields, we support the view that institutionalization requires both the establishment of an archetype or shared logic that becomes taken for granted as the natural and appropriate arrangement (Greenwood et al., 2002: 61) and the establishment and persistence of practices that are manifested in material form (Davis & Marquis, 2005). Because emerging fields require logics and practices to be translated into organizational forms, mere cognitive agreement around a logic is insufficient to establish institutionalization.

Efforts to institutionalize emerging fields can be tumultuous and conflictual (Anand & Watson, 2004; Dezalay & Garth, 1996; Hoffman, 1999). When fields are underorganized, pluralistic, or inconsistent, organizational norms and practices are likely to be poorly specified, because the knowledge base for practice is uncertain (Goodrick & Salancik, 1996), new practices have not yet gained legitimacy, and no dominant logic has emerged. Instead, institutional entrepreneurs borrow new logics from existing institutions, create them organically from uncertainty, or import them from extant institutions that are affected by the new field (Goodrick & Salancik, 1996). The resultant uncertainty prompts debate over competing theorizations about how the field should develop (Greenwood et al., 2002).

Emerging fields have been described as evolving through three stages (Morrill, 2007). In the innovation stage, new logics are introduced and debated. In the mobilization stage, in the absence of clear institutional mandates, field development is often fraught with complex power dynamics as actors compete to gain adherents for their logics. In the structuration stage, logics are translated into concrete practices (Reay, Golden-Biddle, & GermAnn, 2006), and standardized, taken-for-granted norms and structures (Covaleski & Dirsmith, 1988; DiMaggio, 1991) emerge at the organizational and field levels. In emerging fields, in particular, resolving the conflicts that ensue is difficult since "the greater the range and intensity of schisms, the more difficult will be the task of developing acceptable norms" (Greenwood et al., 2002: 75–76). To build acceptance of new institutional arrangements, institutional entrepreneurs cultivate opportunities for change, seek to fit into prevailing systems, mobilize support from institutionalized actors (Beckert, 1999), and strive to prove the value of the new forms (Reay et al., 2006). Institutional change eventually occurs when an alternative logic replaces a prevailing logic (Garud et al., 2002; Lounsbury, 2002; Thornton, 2002). However, the mechanisms institutional entrepreneurs use to diffuse new logics in emerging fields may differ from those they use in established fields. As multiple new ideas begin to diffuse, actors may draw selectively from them, exploiting some and ignoring others to advance their own interests; thus, variations emerge to suit local needs (Hays, 1996; Lounsbury, 2007; Scott et al., 2000). Also, social learning, politics, and contextual factors can result in reinvention of innovations (Hays, 1996). If no dominant logic emerges and common standards do not diffuse, organizations may deviate from their initial missions in order to secure needed resources (Oliver, 1991) and seek the legitimacy (Suchman, 1995) they need to survive.

Established fields are hierarchically distributed, with some actors exercising influence over norms governing legitimate behavior; by contrast, in emerging fields "structures of domination" (Giddens, 1979) have not yet been established. Still, organizations in newly emerging fields must contend with existing institutions (Dacin, 1997; Dezalay & Garth, 1996; Holm, 1995) that are likely to

resist their efforts to garner resources and legitimacy (Rao et al., 2000) and challenge them "to protect their jurisdictions and established routines" (Marquis & Lounsbury, 2007: 799). As Holm noted, "New institutions are not created from scratch but are built upon older institutions and must replace or push back preexisting institutional forms" (1995: 400). New organizations must develop sufficient resources and legitimacy to survive by establishing resonance between their activities and the logics of existing institutions (Bacharach, Bamberger, & Sonnenstuhl, 1996; Thornton, 2002). Thus, existing institutions can play a significant role in legitimating or thwarting the establishment of organizations in an emerging field and ultimately in whether a fledgling population coalesces around a single dominant logic.

As a result of this complexity, a multilevel view is needed to understand how organizations attempt to navigate the conflicts and uncertainty present during the emergence of a field. Friedland and Alford suggested that the creation of new organizational forms unfolds at three levels of analysis, with "individuals competing and negotiating, organizations in conflict and coordination, and institutions in contradiction and interdependency" (1991: 240–242). Further, a longitudinal view is needed to show "how macro-states at one point in time influence the behavior of individual actors, and how these actions add up to new macro-states at a later time" (Hedstrom & Swedberg, 1996: 296). In the analysis that follows, we trace the development of a new population of organizations in an emerging field, documenting the actions of actors at the level of individual organizations, the population of organizations, the emerging field, and existing institutional fields. We examine entrepreneurial attempts to promulgate the two primary logics driving these new organizations and responses from the field to which they belonged, an interplay resulting in a prolonged contest for dominance among the logics and the eventual at least provisional institutionalization of several different logics to varying degrees. In particular, we investigate the mechanisms actors used to diffuse their preferred logics and the conditions that eventually contributed to the institutionalization of multiple logics within the focal field.

METHODS

Our research context is the emerging field of alternative dispute resolution. Within this field, we studied state offices of dispute resolution, state-government-sanctioned organizations that resolve disputes via alternative dispute resolution techniques such as negotiation, mediation, and facilitation rather than through traditional litigation or regulation. As "incarnations of beliefs and values," state dispute resolution offices constitute a new organizational form (Haveman & Rao, 1997: 1611). By tracking all 42 state offices of dispute resolution from the birth of the first one in 1982, through 2004, when 36 of these remained in operation, our research responds to requests for comparative studies of diffusion dynamics over time (Strang & Soule, 1997), consideration of the nested effects of macro and micro forces (Hedstrom & Swedberg, 1996; Holm, 1995), and attention to political dynamics (Rao et al., 2000).

Data Collection

Interviews. In 1992–93, 34 interviews were conducted with the directors, staff members, clients, and stakeholders of the existing population of 13 state offices of dispute resolution. The interviews addressed the mission, goals, staffing, funding sources, and political and community support for each state office of dispute resolution and provided insight into interviewees' subjective experiences of the field and the ongoing negotiations within it. Interviews were structured to ensure that comprehensive data that passed the test of credibility were collected (Lincoln & Guba, 1985). We did member checking to validate the trustworthiness of data (ensuring that the interviewer's interpretations accurately captured the subjects' perspectives) by presenting summaries and follow-up questions to interviewees (Lincoln & Guba, 1985). In 1998–99, additional interviews were conducted with the directors of the original 13 offices and the 24 new offices founded since 1993. These interviews utilized the original interview protocol plus new questions about changes in strategy, information exchange among state offices of dispute resolution, changing environmental pressures and expectations, and evaluation efforts and also provided longitudinal data on the field's evolution. We conducted additional selected interviews in 2007 to further develop one case in detail.

Surveys. Survey data were used to confirm and supplement interview data and to counteract any distortion of data through memory loss (Golden, 1992). In 1998, surveys were sent to all 35 then-active state offices of dispute resolution inquiring about mission and activities, staffing and funding, types and number of clients served, and relations with state government and professional associations. Updates on births, deaths, activities, and changes to the status or missions of these offices were provided by the Policy Consensus Initiative (PCI), an alternative dispute resolution advocacy

group that adopted the format we developed in 1998 to survey the offices annually thereafter.

Archival data. Extensive archival data from the foundings of the state offices of dispute resolution in the 1980s through 2004 were also gathered. As new offices were added, we amassed archival records about their foundings and subsequent strategies. Archives from PCI and the National Institute for Dispute Resolution (NIDR) and analyses of the alternative dispute resolution field were also collected.[3] Both authors also tracked field-level changes and the academic discourse about alternative dispute resolution during the study, including unsuccessful efforts within our own states to launch and sustain such offices. One author also periodically attended PCI's annual meeting of the state dispute resolution offices to observe interactions and document concerns as the field developed. The archival data revealed initial and ongoing evidence of the divergent logics that evolved among these offices as well as specific actions by institutional entrepreneurs; the data also enabled us to link the development of these offices to that of the larger field of alternative dispute resolution.

Data Analysis

Using all our data, we constructed a chronology of the major events within the alternative dispute resolution field that affected the formation and evolution of the state offices. We then analyzed the pattern of

state office of dispute resolution foundings. Figure 1 documents this population's growth, incorporating births, deaths, and mission changes for the period studied. The designations "judicial," "public policy," and "comprehensive" (serving all branches of government) reflect the offices' stated missions.

We then content-analyzed the interview data using an open coding approach (Strauss & Corbin, 1990) in which one asks who, when, where, what, how, and why questions of the data and begins to identify constructs that arise from the data, documents their properties, and notes recurrent themes. This process involved noting actions taken by (1) institutional entrepreneurs working at the national level to advance alternative dispute resolution, (2) state-level players who supported individual state offices of dispute resolution, (3) judges and state government officials, and (4) state office of dispute resolution directors; the process also involved noting distinctions in the logics and practices subscribed to by different state offices of dispute resolution. Using constant comparative analysis (Glaser & Strauss, 1967) of these offices' experiences, we identified categories and recurrent themes within the data. As Scott noted, to capture institutional logics "institutional analysts . . . must pay close attention to content, examining the specific belief systems as they are understood and interpreted by field members" (2001: 139). We did this by cataloguing key events, identifying conflicting logics and their promoters, observing similarities and differences in the practices of the state offices, and noting responses from their institutional environments at the field and state levels.

---

[3] A complete list of the archival records is available from the authors.

FIGURE 1
Growth of State Offices of Dispute Resolution by Mission
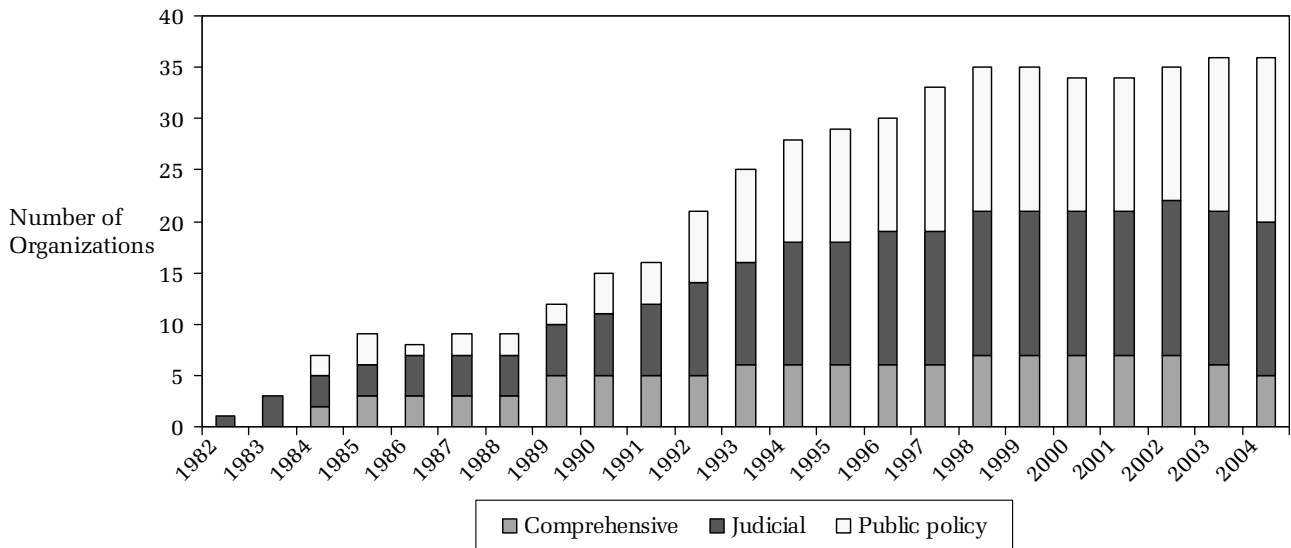
We then completed axial coding, which involves identifying the context in which a phenomenon is embedded, the conditions giving rise to it, the actions and interactional strategies by which it is handled, and the consequences of these actions (Strauss & Corbin, 1990). We began to see patterns in how the state offices of dispute resolution situated themselves within the field to gain and maintain legitimacy and to note the interplay between organization-, population-, and field-level actions. In response to Barley and Tolbert's call for "investigating how actions and institutions are recursively related" (1997: 94), we emphasized actions—in particular, how conflicts emerged and were sustained among the state offices of dispute resolution, efforts to reconcile these conflicts, the offices' clashes with existing institutions, and the strategies they adopted to cope with institutional resistance to their initiatives. We "iterated between" our data categories and theory (Eisenhardt, 1989; Yin, 1994) to answer our research questions, search for anomalous results, and discover how our findings contributed to extant theory.

Next, we returned to the data to conduct a more focused and detailed search for answers to our research questions using selective coding—that is, reassembling data that were fractured during open and axial coding (Strauss & Corbin, 1990). For example, to better understand the interplay of organizational agency and institutional constraint, we identified textual evidence of conflicts among divergent logics, reasons why state offices of dispute resolution situated themselves differently vis-à-vis the field, and examined how their actions were supported or resisted within states. Concurrently we utilized our archival data to track developments over time in the field to examine their effects on the local (state-level) context for state offices of dispute resolution and continually iterated between data and theory.

Case Study

Siggelkow (2007) suggested that illustrative case studies are particularly valuable in longitudinal research to enable readers to focus in on the conceptual relationships proposed within an empirical setting. We compiled a more detailed case study of one state office of dispute resolution to illustrate more concretely the multilevel recursive dynamics we observed and to detail one of the strategies such offices enacted to situate themselves with respect to the alternative dispute resolution field.

We present our results as follows: First we provide a broad overview of the history of the state offices of dispute resolution, emphasizing key macro-level events in their evolution over time,

data about their foundings, and the general nature of the political conflicts that emerged as the field evolved. Then we introduce our case study to exemplify the interplay of micro and macro dynamics in one office's evolution. Returning to the field level, we examine how the population of organizations evolved as a whole. Like Maguire et al. (2004), we present our results by interspersing data with theorizing, to help capture how our findings emerged.

A MULTILEVEL ANALYSIS OF POPULATION EVOLUTION

Conflicting Logics and the Founding of an Organizational Population

To understand how new organizations facilitate or exacerbate the resolution of conflicting logics in emerging fields and shape field evolution, we first review the source of those logics in the field we studied. The alternative dispute resolution field emerged at the intersection of the legal and social services fields and was characterized by two primary logics: a judicial logic, rooted in framing situations in terms of disputes, rights, and justice, and a social services logic, rooted in notions of harmony and satisfaction of needs (Morrill, 2007). Both these logics are embedded in larger societal logics that extend over multiple fields and institutions (Friedland & Alford, 1991). Bureaucratic logic, which construes the individual as an abstract legal subject with rights before the law, is premised on "rationalization and the regulation of human activity by legal and bureaucratic hierarchies" (Friedland & Alford, 1991: 248). In contrast, democratic logic seeks to maximize individual participation in social structures and extend "popular control over human activity" (Friedland & Alford, 1991: 248). The purpose and location of each state office of dispute resolution were determined by which of these two logics was dominant within its local state context.

Judicial state offices of dispute resolution were rooted in bureaucratic logic. These offices were created as part of the "multidoor courthouse" model developed in response to the failings of the judiciary identified at the 1976 Pound Conference (Sander, 1976) and subsequently supported by the American Bar Association (ABA).[4] Proponents be-

---

[4] The ABA established the Special Committee on Alternative Means of Dispute Resolution in 1981, "with the aim of developing sound alternative methods of dispute resolution complementary to the court system" (American Bar Association Section of Dispute Resolution, 1998). This group became the Standing Committee on

lieved that alternative dispute resolution would diminish backlogs and delay and save disputants time and expense (Hedeen & Coy, 2000). Judicial alternative dispute resolution, imbedded in the normal operations of the courts, diverted certain cases to mediators sanctioned by a state office of dispute resolution; these were primarily attorneys trained in mediation during law school or by the ABA. Although offering a faster route to justice, unlike traditional court cases, alternative dispute resolution cases did not set legal precedents for future decisions (Menkel-Meadow, 1984; Merry, 1992).

Public policy state offices of dispute resolution were new organizations created within the executive and legislative branches of state governments to address policy issues collaboratively rather than through the courts (Drake, 1989; Haygood, 1988). These offices supported alternative dispute resolution that included parties other than government early in the policy-making process (McKinney & Spears, 1993). The underlying logic was democratic: alternative dispute resolution enabled citizens to participate more fully in creating the policies that governed them, presumably resulting in better-quality, more widely accepted outcomes, and less litigation. Advocates of public policy state dispute resolution offices envisioned them as solutions to the growing complexity of social policy making related to population growth, transportation, water rights, public housing, environmental controls, and land use (Bingham, 1986; Susskind, 1986). As part of the "reinventing government movement," these offices represented efforts to increase the responsiveness and effectiveness of government. Lacking the autonomy and resources of the state judiciary and the ABA, their advocates promoted public policy alternative dispute resolution through the National Institute for Dispute Resolution (NIDR). NIDR offered grants to create "statewide offices of mediation" (NIDR, 1987) to foster the use of alternative dispute resolution during public policy creation or revision. Alternative dispute resolution practitioners in the public policy offices were typically educated in the social sciences or in peace studies and belonged to nonjudicial professional societies such as the Society of Professionals in Dispute Resolution (SPIDR) or the Academy of Family Mediators (AFM).

A third type of state office of dispute resolution, the comprehensive type, embraced both logics and offered both judicial and public policy services.

Dispute Resolution in 1986 and a full-fledged section of the ABA in 1993.

The emerging practice of alternative dispute resolution was posed as a common solution to the field-level problems identified in various branches of state government, despite the fundamental differences in the logics underlying the judicial and public policy dispute resolution offices.

The first judicial state office of dispute resolution was established in 1982, and the first public policy state office of dispute resolution was launched in 1984. Table 1 provides data for all 42 state offices of dispute resolution launched between 1982 and 2004, including founding date, mission, location, supporters, and enabling legislation, if any. Eighteen of these offices had state legislation that formalized their missions. However, legislation did not guarantee a secure resource stream, and many of the offices operated without either the guarantee of long-term funds or the legitimacy of state authorization. Since alternative dispute resolution was an emerging field lacking clear institutional expectations, each dispute resolution office's formation was dependent upon local conditions within its state. Alternative dispute resolution supporters within each state (e.g., judges, attorneys, law faculty, state governors, legislators, state agency administrators, mediators, and academics) sought to identify resources and create organizations to provide or oversee alternative dispute resolution at the state level. As Table 1 illustrates, the initial mission of each office was strongly linked to the types of advocates who were instrumental in its creation. Generally, judicial dispute resolution offices formed in states where primary advocates were judges, attorneys, court administrators, and law faculty; public policy dispute resolution offices formed in states where primary advocates were governors, legislators, state agency staff, and state university faculty or administrators; and comprehensive dispute resolution offices formed in states having diverse coalitions of alternative dispute resolution supporters. Most advocates of state offices of dispute resolution were embedded in either the judicial or the executive branches and were not themselves mediators. Four states (Florida, Ohio, Delaware, and New York) initiated both a judicial and a public policy dispute resolution office within the same one- or two-year period.

The conflicting logics upon which the state offices of dispute resolution were founded had direct repercussions for their operations and their legitimacy with peers, state supporters, and national constituents. Previous research has shown that in fields with conflicting logics, one dominant logic eventually prevails and is diffused throughout the field (Garud et al., 2002; Greenwood et al., 2002; Lounsbury, 2002; Thornton, 2002, 2004). In the

TABLE 1
Characteristics of State Offices of Dispute Resolution

State[a]	Year Founded	Initial Mission	Initial Location	Judges	Attorneys	Court Administrator	Law Faculty	Legislator	Governor	State Agency	University Faculty	Mediator	Enabling Law
Maine	1982	Judicial	Judiciary	Yes	Yes	Yes		Yes					1975
Colorado	1983	Judicial	Judiciary	Yes		Yes	Yes	Yes					1983
Oklahoma	1983	Judicial	Judiciary		Yes		Yes	Yes					1983
Florida	1986	Judicial	Judiciary	Yes		Yes							1987
Ohio	1989	Judicial	Judiciary	Yes	Yes		Yes						
Michigan	1990	Judicial	Judiciary	Yes		Yes	Yes	Yes			Yes		1988
Virginia	1991	Judicial	Judiciary	Yes		Yes							1993
Delaware	1992	Judicial	Judiciary	Yes									
Nebraska	1992	Judicial	Judiciary	Yes	Yes		Yes	Yes		Yes			1991
Georgia	1993	Judicial	Judiciary	Yes	Yes						Yes		1992
Alabama	1994	Judicial	Judiciary	Yes	Yes								
Kansas	1994	Judicial	Judiciary	Yes									1994
Tennessee	1996	Judicial	Judiciary	Yes	Yes								
Maryland	1998	Judicial	Judiciary	Yes	Yes	Yes	Yes			Yes			
New York	1998	Judicial	Judiciary	Yes		Yes	Yes	Yes				Yes	
South Carolina	2002	Judicial	Judiciary	Yes	Yes	Yes	Yes						
Alaska*	1984	Public policy	Agency				Yes	Yes	Yes	Yes			
Wisconsin*	1984	Public policy	Agency							Yes		Yes	
Minnesota*	1985	Public policy	Agency						Yes	Yes		Yes	
Washington*	1993	Public policy	Agency						Yes	Yes		Yes	
North Dakota	1990	Public policy	Independent	Yes					Yes				
New York*	1992	Public policy	Independent			Yes			Yes		Yes	Yes	
Maine*	1993	Public policy	Independent	Yes							Yes		
Montana	1994	Public policy	Independent				Yes	Yes	Yes	Yes	Yes		2003
Florida	1987	Public policy	University								Yes	Yes	1996
New Hampshire	1990	Public policy	University								Yes		
California	1992	Public policy	University				Yes	Yes			Yes		
California	1992	Public policy	University								Yes		
Texas	1993	Public policy	University		Yes		Yes		Yes		Yes		1995
Delaware	1994	Public policy	University								Yes	Yes	
North Carolina	1995	Public policy	University								Yes		
Alaska	1996	Public policy	University								Yes		
New York	1997	Public policy	University				Yes	Yes		Yes		Yes	
Indiana	1997	Public policy	University						Yes		Yes	Yes	
Virginia	1997	Public Policy	University					Yes			Yes		
Washington	2003	Public Policy	University					Yes		Yes			
Massachusetts	1984	Comprehensive	Agency				Yes	Yes	Yes		Yes	Yes	1990
New Jersey	1984	Comprehensive	Agency		Yes					Yes			1974
Hawaii	1985	Comprehensive	Judiciary	Yes		Yes							1989
Ohio	1989	Comprehensive	Agency	Yes					Yes				1989
Oregon	1989	Comprehensive	Agency	Yes	Yes		Yes	Yes			Yes	Yes	1989
Arkansas	1995	Comprehensive	Judiciary	Yes	Yes	Yes					Yes	Yes	1995

[a] An asterisk (*) indicates an organizational death.

population studied here, however, three distinct factors inhibited this kind of resolution. First, the state offices of dispute resolution drew support from different institutional entrepreneurs who disagreed about the purpose of alternative dispute resolution. Judicial advocates like law professor Frank Sander saw alternative dispute resolution as a means of handling large volumes of routine cases, in order to "save the courts for cases at the heart of liberal political order, namely constitutional disputes" (Sander, 1976: 133). In contrast, the professor Lawrence Susskind and advocates at NIDR saw alternative dispute resolution as a tool to "to resolve a variety of complex conflicts arising in the course of policymaking . . . to help state policymakers make and implement tough decisions" (Dillon, 1993: ii) and ultimately, to "change a paradigm of hundreds of years which has stressed going to court" (Dillon, 1993: 11).

Second, the two conflicting logics led the state offices of dispute resolution to adopt vastly different practices and actions. The bureaucratic, rights orientation of judicial logic was translated into concern for procedural rules and standardization of mediation training and practice among the judicial offices. Conversely, the public policy offices, reflecting the democratic logic's emphasis on equality and needs satisfaction, tried to instill process integrity through careful mediator selection and custom process design (PCI, 1999) instead of procedural rules.[5] State offices of dispute resolution also implemented alternative dispute resolution principles differently depending upon whether they were operating in a judicial or administrative context. Judicial dispute resolution offices typically relied on a traditional mediation process in which the two parties presented their concerns and attempted to reach agreement with the assistance of an appointed mediator. The public policy dispute resolution offices used a broad range of alternative dispute resolution techniques, including negotiation, facilitation, mediation, collaborative problem solving, and consensus building (PCI, 1998) to "bring diverse stakeholders together to seek consensus or agreement in an open, informal setting, enabling parties to craft solutions in which all gain" (Dillon, 1993: ii).

Third, each state office of dispute resolution faced different expectations and requirements from its state. Such differences required organizational practices to be tailored to the idiosyncrasies of the local

institutional environment, illustrating the importance of local environments for how new organizational forms develop (Hays, 1996; Lounsbury, 2007). These factors prevented a single dominant logic from emerging for the population during the period studied. Below, we describe in chronological order how actions promoting and contesting the two logics for state offices of dispute resolution were played out across levels and in varying arenas over time.

Population-Level Responses to Field-Initiated Conflicts, 1985–94

In 1985, NIDR began sponsoring annual meetings of the state offices of dispute resolution aimed at sharing knowledge about the challenges they faced (e.g., limited staffing, uncertain funding, and the enormous task of educating their constituents about alternative dispute resolution) (Drake & Fee, 1990). The meetings highlighted four tensions between the public policy and judicial state offices of dispute resolution. The first centered on whether these offices should inform policy or adjudicate disputes. Staff in public policy dispute resolution offices suggested judicial alternative dispute resolution did little to improve dispute resolution because the judiciary retained its authority and legitimacy in resolving disputes. One of our interviewees noted this:

> I believe for the future of the practice of dispute resolution, it's very important that it not be viewed as a judicial process. I mean it isn't. It is outside of the purview of the court . . . if you start to be viewed as a tool of any particular agency or government, your effectiveness is so damaged that it wouldn't be a good thing.

Other staff members whom we interviewed saw judicial alternative dispute resolution as an expansion of the judicial profession: "They [the attorneys] are trying to create a new area of practice." In return, interviewees at judicial programs critiqued the public policy state offices, noting "those programs are risky. . . . [They are] without any of the safeguards built into the court system." They criticized the public policy state offices of dispute resolution for haphazard selection and handling of disputes and a lack of governance by either professional standards or legal rules.

A second tension focused on whether state offices of dispute resolution should resolve disputes themselves, train and certify private alternative dispute resolution practitioners to resolve disputes, or simply provide case management. As one of the "doors" of the multidoor courthouse, all judicial dispute resolution offices offered case manage-

---

[5] This approach was reinforced by NIDR's 1995 publication, *Performance-Based Assessment: A Methodology for Use in Selecting, Training, and Evaluating Mediators.*

ment, but some also offered mediator certification and/or training. In contrast, the staff members of public policy dispute resolution offices usually undertook all three tasks. Many favored personal involvement in resolving disputes, as doing so was consistent with their training and also afforded professional legitimacy, which was based primarily on individual mediator experience and ethics rather than on alternative dispute resolution systems (Simon, 2002).

A third source of tension, especially for public policy state offices of dispute resolution, stemmed from resistance to their mission from state governments. Proponents hoped the state offices of dispute resolution would build a pipeline for alternative dispute resolution services by creating demand for them within government. However, elected officials evaluated the public policy offices in terms of their success in resolving difficult, high-profile conflicts. In response, these offices targeted state agencies that often generated high-profile disputes (e.g., housing, education, disability, or environmental issues) for their programs and raised awareness about alternative dispute resolution and garnered needed resources by training state employees. Judicial state offices of dispute resolution also incurred some tensions over mission when they set up dispute resolution systems to evaluate and select cases for mediation. Court administrators seeking expedience in case resolution and some attorneys who viewed mediators as usurping their practice often resisted the establishment of the dispute resolution systems (Ray, 1982a).

A final source of tension was the dispute resolution offices' attempts to measure their own effectiveness. Lacking uniform measures with which to evaluate the effectiveness of alternative dispute resolution, these offices struggled to justify their work. The judicial offices utilized evaluation criteria that stressed technical efficiency by reporting the number of cases settled via alternative dispute resolution and estimates of direct and indirect cost savings gained with use of alternative versus traditional dispute resolution. For example, Alabama's program maintained "statistical data and other information necessary to evaluate on a continuing basis the effectiveness of alternative dispute resolution . . . including . . . at what stage in the resolution process matters or causes are settled" (Alabama Supreme Court, 1994: 2). In contrast, the public policy dispute resolution offices faced considerably more difficulty developing concrete measures to document their success in transforming state-level disputing procedures. Most felt that "producing accurate

cost-benefit studies was a goal plagued with theoretical and practical pitfalls" (PCI, 1999: 6).

Population-Level Efforts to Impose a Dominant Logic, 1994–97)

In 1991, NIDR stopped funding the state office of dispute resolution annual meetings and, after providing eight million dollars to start ten state offices of dispute resolution, discontinued supporting such offices completely in 1994. Despite this, the state dispute resolution offices continued to meet and, in 1992, they created a governing body, the National Council of State Dispute Resolution Programs (hereafter, the Council), whose mission was to "promote the design and use of collaborative dispute resolution processes for the prevention, management and resolution of disputes involving all branches of government" and "to encourage and support the creation and growth of regional and statewide offices of dispute resolution" (NIDR, 1994: 2). Membership was open to all state offices of dispute resolution, but few judicial offices chose to participate, focusing instead on managing their increasing caseloads.

The Council became the primary source of information and norms for the state offices of dispute resolution, for example, sharing models of successful state-level alternative dispute resolution legislation passed in Oregon and Massachusetts. The older, more established dispute resolution offices with comprehensive missions and the human and financial resources to organize, convene, and attend national meetings dominated the Council. As one interviewee acknowledged in 1994, "These offices are or have the potential of being fairly significant forces in terms of the manner in which dispute resolution gets developed in any particular state." The Council began to impose a dominant logic for state offices of dispute resolution, an "ideal model" that dictated "best practices" for their operations. The director of a newer public policy dispute resolution office said, "There definitely is a preferred model, toward a more systematic way of doing things, and less . . . dictated by individual personnel. It's a subtle thing."

Three tenets of the ideal model reinforced the logical schism between the public policy and judicial state offices of dispute resolution. First, following democratic logic, the model advocated that they be located in a neutral agency within the state that provided strong access to all branches of government. For example, the director of another state dispute resolution office criticized the location of New Jersey's office within that state's Office of the

Public Advocate (perceived as an internal watchdog): "One of the things that New Jersey is an illustration of, is maybe where not to put an office in government." Facing similar disapproval, the Minnesota dispute resolution office moved from a minor state agency into the state's Bureau of Mediation Services. And the situation of Hawaii's dispute resolution office in the judiciary was viewed as "very distressing" by advocates of the ideal model.

Second, the ideal model also dictated that educating about alternative dispute resolution, developing capacity for it, and designing alternative dispute resolution systems should take priority over directly resolving disputes, so as to stimulate widespread knowledge of and demand for alternative dispute resolution. Some state offices of dispute resolution objected to this tenet, as the following interviewee statement exemplifies: "There's the state office model where they're saying, 'Well, we won't necessarily do the cases, we'll farm it out or import it.' But the feeling here is that [staff] people really want to get involved themselves." Third, the ideal model urged state offices of dispute resolution to secure their survival, success, and legitimacy by creating advisory boards of influential government leaders and promoting the passage of state legislation mandating alternative dispute resolution and an office dedicated to it. The director of the Ohio public policy state office of dispute resolution noted that "legislation requiring alternative dispute resolution provides a concrete incentive for people in government to use mediation. In the absence of the legislation, there is so much else on people's plates that they don't get to mediation." Finally, program activities could be used to build support; as an NIDR staff member said, "Ohio's growth links directly to the fact they have a school mediation program, and that's what legislators wanted for their constituents."

In addition to introducing norms for the population of state offices of dispute resolution, the Council spearheaded field-level professionalization of alternative dispute resolution by working with other professional bodies (e.g., ABA, AAA, SPIDR) to create national qualifications for mediators. These national self-regulatory standards reinforced the Council's emphasis on systems design by enabling state offices of dispute resolution to use rosters of qualified mediators to resolve disputes and helped to stave off judiciary criticism of the questionable quality of public policy alternative dispute resolution—thereby enhancing the offices' legitimacy. Nonetheless, certification continued to plague the dispute resolution office population,

which remained divided through 2004, mirroring field-level schisms among the main professional alternative dispute resolution practitioner organizations (the National Association for Community Mediation, the Association for Conflict Resolution [ACR], and the ABA), each of which separately set national certification standards for mediators in 2003. Ironically, the ACR report appealed for unity while extolling its own model as the field standard: "It is hoped that other groups may endorse the design of the proposed Mediator Certification Program. . . . A certification program must be embraced by, and representative of, the wider mediation field if is to become truly national in scope and widely accepted both by mediators and the public as a valuable credential" (ACR Task Force, 2004: 5–6).

Further evidence of the lack of a dominant logic among the state offices of dispute resolution is the fact that all new public policy dispute resolution offices founded after 1994 were located in universities, and two others subsequently moved from agency to university homes. At the same time that the Council was promoting the ideal model and seeking national credibility for the state offices of dispute resolution, state universities were facing pressures from their legislatures to demonstrate greater community responsiveness (Kellogg Commission on the Future of State and Land-Grant Universities, 1999; Lounsbury & Pollack, 2001). A symbiosis emerged because faculty viewed the state offices as an opportunity to link research and practice, while the offices themselves viewed state universities as more hospitable institutional hosts that could buffer them from the increasing accountability pressures and vicissitudes of state government. As one staff member of California's state office of dispute resolution commented in 2003, "You want to be in a home that's as neutral as possible. In California, partisan politics are so intense. If we were linked to the executive branch, we would have been in trouble."

The university-located offices enjoyed relatively stable funding and in-kind contributions of office space from their host universities and were less dependent upon the whims of their state legislatures or court administrators than those in executive agencies; yet, as forms of public outreach, these state offices of dispute resolution could still adeptly serve these branches of government. The public university context, with its emphases on educational access for students and academic freedom, was also a good fit with the democratic logic dominant in the public policy dispute resolution offices. However, the entry of universities as another institutional home for state offices of dispute

FIGURE 2
Institutional Context for State Offices of Dispute Resolution, 2004
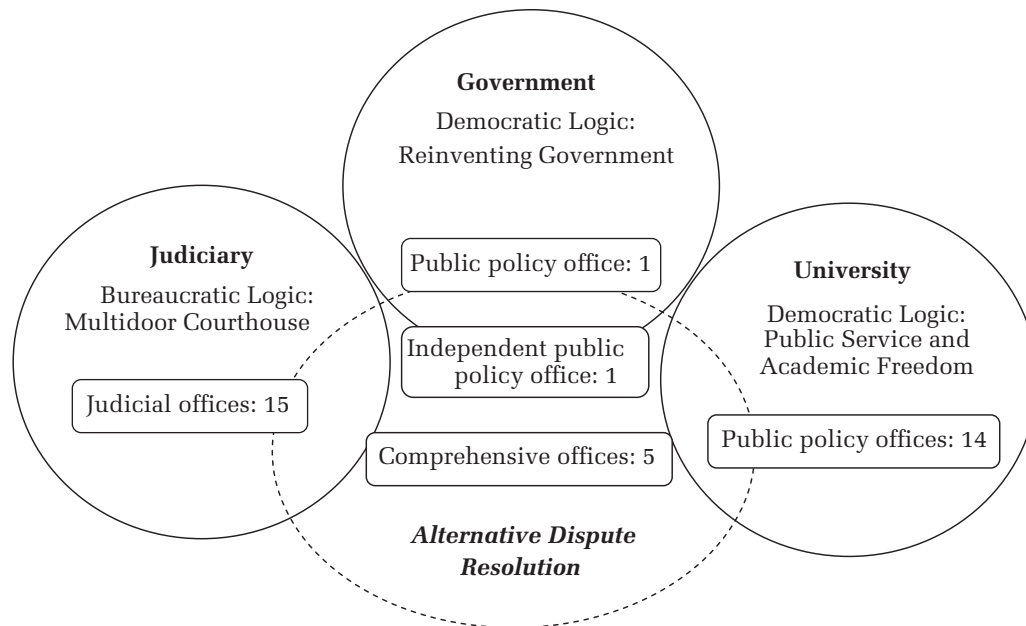
resolution further diversified the population. Figure 2 illustrates this diversity.

Case Study: The Massachusetts Office of Dispute Resolution

We now trace the evolution of one state office of dispute resolution with a comprehensive mission, the Massachusetts Office of Dispute Resolution (MODR). This case highlights the multilevel interplay between entrepreneurial efforts to launch individual state offices of dispute resolution, population-level pressures for conformity, and resistance from existing institutions as the alternative dispute resolution field evolved. After enjoying financial incentives and support from both the administrative and judicial sectors in the state, MODR appeared to be successfully institutionalizing. However, suppressed contradictions in the new field (Seo & Creed, 2002) eventually surfaced and invoked institutional resistance from both branches of government, forcing this office to shift to a university home while perpetuating multiple logics and field fragmentation.

MODR (originally the Massachusetts Mediation Office) began in 1984 as one of the first four state offices of dispute resolution funded by NIDR; it was funded in part because of Massachusetts Institute of Technology professor Lawrence Susskind's advocacy of alternative dispute resolution for public policy disputes. Initially housed in the state's Ex-

ecutive Office for Administration and Finance, MODR offered mediation of statewide public policy disputes referred to it by the governor, the attorney general, or a cabinet officer. In 1986, at the request of the state's chief justice, Robert Steddman, MODR began to offer mediation in the Suffolk Superior Court to relieve the court's backlog of cases. Spurred by success in the Superior Court and a positive NIDR-sponsored evaluation, MODR shifted its emphasis to creating dispute resolution programs to systematically "identify and manage the flow of cases to carefully selected and trained mediators" (MODR, 1993: 10). MODR also provided public policy mediation and training for housing, environmental, and public utility agencies. In 1990, legislation established MODR as the state's dispute resolution agency (Massachusetts General Law, chapter 7, section 51), and it soon expanded its court mediation program to two other counties. A key to its success was its formal procedure for channeling cases from a court docket into mediation. A 1997 evaluation noted high levels of satisfaction with MODR's mediation programs among attorneys and disputants (Maiman, 1997), which inspired the state's chief justice to note that the evaluation offered "strong encouragement not only for the need to support existing programs but for seeking funding to create mediation programs systemwide" (Adams, 2004: 37).

Although the state reformed its procurement process and systemized the hiring of mediators in

the mid 1990s, MODR, which was prequalified to handle alternative dispute resolution work through a professional services contract, was exempt from this change. However, this exclusive arrangement (with the state's Land Court in particular) produced resentment from private alternative dispute resolution contractors, who were effectively shut out of these opportunities, and from judges who, despite the backlog, preferred trials over mediation for civil cases. The passage of the Uniform Rules on Dispute Resolution by the Massachusetts Supreme Judicial Court in May 1998 solidified MODR's hold on mediation services in the judiciary. Intended to ensure quality in and consistent standards for alternative dispute resolution services and to stimulate the use of mediation in the courts, these rules allowed the chief justice of the Massachusetts Superior Court to select MODR as the single provider of alternative dispute resolution services in the three counties it served (Adams, 2004). The passage of the uniform rules in Massachusetts mirrored a federal executive order at the field level and reflected the efforts of the broader alternative dispute resolution field to establish practice standards for judiciary-based work. However, when a new chief justice, Suzanne Delveccio, took over in 1999, she objected to MODR's exclusive arrangement and to the qualification standards set out by the Superior Court's Standing Committee on Dispute Resolution. She switched to a multiple-provider arrangement and argued for relaxed criteria. Private alternative dispute resolution providers also objected to MODR's subsidization (it received a yearly state allocation rather than fees for its work) and to the precedent it set for keeping fees low. In the Superior Court, the situation became especially contentious because retired judges and lawyers were barred from doing alternative dispute resolution. Consequently, "The outside providers became unified around the issue of court-connected ADR [alternative dispute resolution] interfering with their financial interests" (Adams, 2004: 41), and a group of private providers challenged MODR's exclusive hold on alternative dispute resolution services and its state funding. MODR's director, Susan Jeghelian, characterized this as a "fight over market share." The minority leader of the Massachusetts House joined the fight against MODR, temporarily cutting its legislative allocation in 2002. The Senate restored MODR's funding, but with an 80 percent budget cut in 2003 and migration of its training and systems design projects to contractual funding because of incoming governor Mitt Romney's preference for privatization. Nonetheless, MODR retained its line item in the state budget.

The backing that MODR received from Governor Dukakis, a Democrat, and Governors Weld, Cellucci, and Swift, moderate Republicans, from the office's early years through 2003, disappeared when Governor Romney took office. In 2004, arguing that MODR's educational efforts provided a public service, Director Jeghelian averted a Romney-inspired veto with the promise that MODR would seek a new institutional home at the University of Massachusetts–Boston. Consequently, MODR retained its line item appropriation but moved its administrative home from state government to the university in August 2004. There, it continued its training and public policy facilitation under a 1999 executive order "to facilitate the use of alternative dispute resolution and consensus building by government agencies on public policy issues important to the Commonwealth" (MODR, 2000: 24) and embarked on dispute system design with a number of state agencies. When MODR ceased running the court-based programs in 2002, the result was an erosion of the careful case-screening procedures it had established (Adams, 2004) and a restriction of its judicial work to consultation with the Superior Court's Standing Committee on Dispute Resolution, which regulated alternative dispute resolution in the Trial Court.

What appeared to be a successful effort to institutionalize MODR in the state government and courts ultimately created significant challenges for it by surfacing suppressed contradictions in the new field (Seo & Creed, 2002) and invoking resistance from other institutional players (Holm, 1995; Rao et al., 2000). The very occasion of institutionalization—MODR's victory in getting uniform rules passed and winning a sole provider contract—contained the seeds of its demise by causing other institutional stakeholders to challenge the legitimacy of the rules and MODR's exclusive control over the provision of these services. A third, market, logic then surfaced within the emerging field, with attorneys insisting they were entitled to a share of the alternative dispute resolution work. This claim reflected a larger debate in the judiciary about whether or not alternative dispute resolution constituted the practice of law (cf. Menkel-Meadow, 1984; Welsh, 2001), but by this time the ABA had condoned dispute resolution as a legitimate domain of legal practice, pressured in part by the oversupply of attorneys looking for work (Potts, 1996). Thus, MODR's apparent institutionalization was short-lived. Resistance from institutions within the alternative dispute resolution field forced the agency to search for legitimacy in yet another institutional field—universities.

TOWARD A MULTILEVEL MODEL OF DIFFUSION IN EMERGING FIELDS

In this section, we draw together our data on field-level events and the specific state-level events illustrated in the Massachusetts Office of Dispute Resolution case to theorize about the mechanisms of diffusion and the conditions that account for the evolution of the population of state offices of dispute resolution. These agencies illustrate a population of new organizations in an emerging field that, after 22 years, has yet to converge around a single dominant logic. To answer our first research question, we consider the mechanisms the state offices of dispute resolution adopted to situate themselves with respect to existing institutions in the emerging field as the practice of alternative dispute resolution diffused, borne by multiple logics.

Multiple Strategies for Situating New Organizations vis-à-vis Existing Institutions

Organizations need to determine from which institution(s) they want to seek legitimacy (Tolbert, 1988). This task is difficult in a complex and emerging field with multiple sources of legitimization. Our data revealed four distinct mechanisms through which the state dispute resolution offices situated themselves and garnered legitimacy from existing institutions: transformation, grafting, bridging, and exit. These mechanisms differed by the field they targeted for legitimacy and the intended nature of the relationship between a state office of dispute resolution and the targeted field.

Transformation. In keeping with their goal of empowering disputants and changing how public disputes were handled, some dispute resolution offices situated themselves within state government and attempted *transformation* of the government field. These organizations tried to replace existing practices for resolving public policy conflicts with approaches that democratized dispute resolution. Although several of the public policy state dispute resolution offices initially achieved such transformations, their efforts to reform practice were difficult to sustain, as the case of Minnesota's dispute resolution office illustrates. After years of success, in 1994 this public policy office was forced to move into the Bureau of Labor Mediation to ensure its survival. However, dominated by its host agency's focus, the public policy aspects of its mission narrowed to labor disputes, and by 2000 it was completely subsumed into the traditional labor mediation activities of that agency. On the other hand, a few public policy state offices of dispute resolution appeared to have successfully transformed

the way public policy disputes were handled, "bringing ADR into the mainstream of government consensus building and conflict resolution" (CPR Institute for Dispute Resolution, 2000). Montana's initially independent dispute resolution office gained statutory legitimacy in 2003 and moved to new quarters within the Office of the Governor.[6] North Dakota's state office of dispute resolution, a nonprofit corporation, enjoys continuing pan-partisan support from political, private, and nonprofit leaders. Overall, eight state offices of dispute resolution started with this strategy, of which six had died and two retained the strategy as of 2004.

Grafting. Other state offices of dispute resolution also sought to change an institutional field (the judiciary) from within; however, they tried to integrate alternative dispute resolution with existing practices rather than to replace them. We label their strategy *grafting.* Housed within court administrative structures, judicial state offices of dispute resolution served the bureaucratic logic of the judiciary by establishing a direct conduit for case referrals, ensuring that mediators were certified and administrative rules for court-connected mediation were followed, and adopting standards for evaluation that were strongly influenced by the judiciary. This close affiliation with the courts ensured that the integrity of the judicial system in terms of due process was maintained, but it also meant that such dispute resolution offices were subordinate to state- and field-level dynamics. Staff at Maine's judicial office of dispute resolution clearly recognized this position: "Our mission is to create and maintain mediation rosters . . . provide direct mediation and other ADR services *as authorized.*" Essentially, alternative dispute resolution practices had to coexist with traditional judicial proceedings (Virginia Judiciary Futures Commission, 1989). The Florida Office of Dispute Resolution, a judicial organization, exemplifies a successful graft (Press, 1997). Sixteen state offices of dispute resolution began with this strategy, and 15 retained it as of 2004.

Bridging. The few state offices of dispute resolution that adopted a comprehensive mission attempted to satisfy the expectations of both the judiciary and the government fields—a strategy we refer to as *bridging.* Alternative dispute resolution as an identity was the top priority for these organizations, and it allowed them to operate credibly in both the judicial and policy fields. As the director of the New Jersey office of dispute resolution

---

[6] In light of Minnesota's experience, however, it still may be too soon to argue that Montana has institutionalized.

stated, "Our goal is to become the clearinghouse and the prime provider of alternative dispute resolution services for the state. . . . [The state office of dispute resolution] has been appointed a special master-mediator by both the state and federal courts, trained hundreds of public officials and community volunteers in mediation, [and] facilitated policy dialogues and executive councils and commissions." A staff member from Hawaii's office of dispute resolution described a similarly broad mission linking the branches of government: "Our office assists with the design and implementation of dispute resolution systems in the judicial, legislative and executive branches. We also work on a limited number of complex policy or litigation issues referred by public officials."

Organizations adopted the bridging strategy to garner legitimacy from a wide array of government branches whose constituents valued the sorts of exchanges the dispute resolution offices could provide (Ashforth & Gibbs, 1990; Suchman, 1995) while disengaging from other institutional pressures that could disrupt them. Seven state offices of dispute resolution started with this strategy, and five still embraced it in 2004. These organizations appear to have straddled the administrative and judicial arenas of their states and successfully negotiated change in both fields. In many cases, however, this straddling required a state dispute resolution office to decouple its informal practices from formally sanctioned policies (Westphal & Zajac, 2001), as in the case of Hawaii, which defied the ideal model advanced by the public policy dispute resolution offices. We note that, as of 1999, we would have labeled MODR as successfully bridging; however, by 2004 its influence in both branches of government had eroded, along with the practices it sought to instantiate.

Exit. The *exit* strategy describes state offices of dispute resolution that abandoned the institutional field they initially tried to influence to align with another. Suchman argued that "managers may attempt to locate a more amicable venue, in which otherwise dubious activities appear unusually desirable, proper, or appropriate" (1995: 589). Dispute resolution offices that adopted the exit strategy avoided the institutional pressures of both state agencies and the judiciary, and instead found fertile institutional homes within public universities that already had templates for hosting centers and acquiring external support, as well as an overall public policy mission. However, for university-based dispute resolution organizations, the label of "state office" was problematic, as one director noted: "I was told by someone in Virginia that they do not consider themselves a state office, and the New Hampshire office considers itself a service center." While retaining statewide policy missions, the university-based dispute resolution offices were usually named "centers" or "programs" to better align them with their university contexts. For example, Alaska's office, named "Resource Solutions," was founded with an emphasis on environmental issues based on both state need and faculty research interests.

In states where "small government" was favored, such as New Hampshire (Dillon, 1993: 7), supporters recognized the need to situate state offices of dispute resolution outside the government rather than within it. Twelve state offices of dispute resolution were founded in universities with the mission of transforming their states' policy-making processes through alternative dispute resolution. Toward the end of the period studied, the dispute resolution offices in Massachusetts and Oregon left the increasingly hostile field of state government to seek legitimacy in a university. Ironically, these programs had been among the first and most successful state offices of dispute resolution funded by NIDR in the 1980s. As of 2004, 14 of the studied offices had employed the exit strategy.

Unlike organizations conforming to other models of diffusion, in which institutionalization involves replication of a dominant theorization (Garud et al., 2002; Morrill, 2007; Strang & Meyer, 1993), the state offices of dispute resolution adopted several mechanisms that enabled them to garner legitimacy in different niches from different institutional homes as the alternative dispute resolution field evolved. Although some mimetic diffusion processes were at work (e.g., new state offices of dispute resolution were modeled after existing ones), the four mechanisms used by our focal organizations reflected different ways of situating their organizations with respect to both the emerging institutional field and existing ones (see Figure 2). These strategies were fueled by a need for both legitimacy and for resources, as the state offices of dispute resolution sought to respond strategically (Oliver, 1991) to the resource demands of embedding alternative dispute resolution practices in existing institutional fields.

Our data extend Morrill's (2007) model of the structuration stage of field emergence. According to Morrill, the structuration stage of institutionalization "occurs to the extent that alternative practitioners are able to carve out legitimated social spaces for their practices through the establishment of professional organizations and various symbolic, cultural, and normative boundaries" (2007: 8). We demonstrate how multiple logics were institutionalized among the population of state offices of

TABLE 2
Field-, Population- and Organization-Level Influences on
the Evolution of State Offices of Dispute Resolution

Item	Date	Level(s)	Event	Supporting Data
1	1976	Field—Judiciary	The Pound Conference identifies alternative dispute resolution as a solution to problems in judiciary.	Alternative dispute resolution was proposed to reduce court backlogs and delay, save time and expense (Hedeen & Coy, 2000), and improve the quality of agreements (Sander, 1976).
2	1982	Organization	First state office of dispute resolution created in Maine.	"Legislation encouraging alternative dispute resolution had been in place since 1975, but time was needed to figure out how best to implement it within the state courts." (Maine state office of dispute resolution staff)
3	1981	Field—Alternative dispute resolution	NIDR founded.	"The National Institute for Dispute Resolution was established by a consortium of foundations (Ford, Hewlett, MacArthur, et al.) in 1981 in order to foster dispute resolution experimentation across the nation." (McGillis, 1997: 36)
4	1983	Field—Judiciary	Rule 16 of the Federal Rules of Civil Procedure.	Granted judges the explicit authority to facilitate settlement decisions.
5	1983	Field—Alternative dispute resolution	NIDR creates a grant program to initiate nonjudicial state offices of dispute resolution.	"The NIDR committee set several goals for its program to establish statewide offices of mediation: to increase the capacity within each state for the provision of mediation services; to make those services more readily available; to provide a stable and neutral source of funding for mediation of public disputes . . . and to increase both the supply of and demand for mediation services" (Haygood, 1988: 1).
6	1984	Population	First public policy state offices of dispute resolution created.	NIDR's funding initiative resulted in attempts to create six state dispute resolution programs in 1984 and 1985, four of which succeed.
7	1986	Field—Judiciary	ABA forms its Standing Committee on Dispute Resolution.	"The Committee grew out of the Special Committee on Resolution of Minor Disputes . . . the breadth of its topic coverage began to mirror the growing range of applications of dispute resolution." (McGillis, 1997: 36)
8	1992	Population	National Council of State Dispute Resolution programs formed.	"These offices are or have the potential of being fairly significant forces in terms of the manner in which dispute resolution gets developed in any particular state." (Minnesota state office of dispute resolution staff, 1993)
9	1993	Organization	Enabling legislation sought.	"Legislation requiring alternative dispute resolution provides a concrete incentive for people in government to use mediation. In the absence of the legislation, there is so much else on people's plates that they don't get to mediation." (Ohio state office of dispute resolution staff, 1993)
10	1993	Field—Judiciary	ABA forms its Section of Dispute Resolution.	Among the section's first activities is to create model standards of conduct for mediators.
11	1994	Population	Ideal model for state offices of dispute resolution promoted.	"There definitely is a preferred model, toward a more systematic way of doing things, and less . . . dictated by individual personnel. It's a subtle thing." (New Jersey state office of dispute resolution staff, 1994)

TABLE 2
(Continued)

Item	Date	Level(s)	Event	Supporting Data
12	1994	Field—Alternative dispute resolution	NIDR ceases to support state office of dispute resolutions.	NIDR's influence as the "center of a network of alternative dispute resolution funders, users, expert practitioners, teachers and commentators" quickly declined. (Szanton Associates, 1988: 11)
13	1994	Field—Alternative dispute resolution	Model Standards of Conduct for Mediators created.	Jointly created by the American Bar Association, the Society for Professionals in Dispute Resolution, and the American Arbitration Association.
14	1996	Field—Government	Administrative Dispute Resolution Act passed.	Federal law requires federal agencies to promote the use of alternative dispute resolution for a variety of administrative purposes.
15	1997	Population	State offices of dispute resolution search for evidence of effectiveness to establish legitimacy.	"We need research which establishes the direct cost-effectiveness of Alternative dispute resolution for courts and disputes (how alternative dispute resolution will save money for the state and for the legislators' constituents) . . . . and creates increased credibility for state government in general and judicial branch in particular." (Colorado state office of dispute resolution staff, 1997)
16	1997	Field—Alternative dispute resolution	Policy Consensus Initiative created.	PCI is funded by the Hewlett Foundation to support collaborative governance and advise state governments on alternative dispute resolution.
17	2000	Field—Government	Alternative dispute resolution in state government agencies growing common.	Twenty-four states have formal programs for using alternative dispute resolution to resolve environmental disputes. (O'Leary & Yandle, 2000).
18	2001	Field—Alternative dispute resolution	Association for Conflict Resolution (ACR) created.	Unites three smaller alternative dispute resolution associations, including the Academy of Family Mediators, Society for Professionals in Dispute Resolution, and Conflict Resolution Education Network. ACR's mission is to "better serve all its members and offer greater leadership in the public policy, legislative, and public awareness arenas."
19	2001	Field—Judiciary	Uniform Mediation Act created.	Developed by the American Bar Association and National Conference of Commissioners on Uniform State Laws, these standards could be enacted in each state to create nationwide similarity in alternative dispute resolution laws.
20	2003	Field—Alternative dispute resolution	ACR attempts to establish national mediator certification standards.	"As the task force convened, other national alternative dispute resolution groups had already begun to consider the increasing demands for quality of practice and credentialing of practitioners. . . . Not wanting to speak for other groups, and in light of different paths chosen by others, the task force continued to carry out its task of recommending a plan of action for ACR. Simultaneously, the ABA Credentialing Task Force focused on proposals for accreditation of mediator training programs, and NAFCM focused on initiatives within community programs for its own cadre of mediators." (ACR Task Force, 2004: 5)

dispute resolution and how their diffusion process was not at all uniform. We identified a variety of mechanisms the new organizations used to gain legitimacy within the emerging field resulting from field-level dynamics that supported the diffusion of multiple logics.

Conditions Supporting
Diffusion/Institutionalization of Multiple Logics

Our second research question asks what conditions encourage the diffusion of multiple logics rather than the institutionalization of a single dominant logic. We identify five conditions that encouraged multiple logics to persist. First, field characteristics, including the emerging nature of the alternative dispute resolution field, its relatively low degree of urgency, and its lack of unified goals, helped perpetuate multiple logics. The contrast between the latter two attributes and the attributes of another studied emerging institutional field, HIV/AIDS advocacy, is particularly notable: The attributes of urgency and goal singularity helped the latter field quickly coalesce around a dominant logic (Maguire et al., 2004). Second, the organizational population we studied had multiple local contexts into which practices had to diffuse. During the diffusion stage, state offices of dispute resolution had to be translated to fit the local environment of each state to gain legitimacy, creating local variation (Lounsbury, 2007; Zilber, 2006). Given variation in the logics and receptivity existing in different branches of different state governments, as well as state politics, dispute resolution offices were created in judicial, administrative, and later, public university settings. Hays (1996) called this adaptation to local environment during diffusion "reinvention." Third, the presence of multiple resource pools associated with different institutional actors enabled a wide range of funding schemes to emerge and persist for the population as a whole. This diversity limited the ability of elites in any one established institution to coerce organization-level actions by withholding resources, as Greenwood and Suddaby (2006) suggested occurred in the field of accounting. Fourth, despite concerted efforts to promote uniform funding formulas, enabling legislation, and agreed-upon technical practices in the alternative dispute resolution field, resistance from various institutional actors at the state and field levels impeded traditional diffusion processes. Finally, the emerging field lacked a dominant, overarching regulatory or professional framework that could impose field-level standards. Instead, competing attempts by existing professional associations to create standards for the practice of alternative dispute resolution and for professionals marked this field. We describe these conditions in greater detail below.

To fully explain these conditions and determine whether the field as a whole and the population of state offices of dispute resolution in particular have successfully institutionalized, we must examine the interplay of actions at multiple levels over time. We argue that actions at the individual and organization levels recursively interact with field-level dynamics to affect field evolution. Because actors in emerging fields are navigating among multiple institutional pressures, our theorizing must be robust enough to capture how institutional changes in one part of an emerging field may prompt population- or organization-level reactions from other parts of the field. Capturing this dynamic interplay is difficult because it requires simultaneous attention to longitudinal developments and to multiple levels of analysis: the field level (including established fields and the emerging field); the population level; and the organization level (where state-level influences are in play) (Thornton & Ocasio, 2008). Thus, to answer our second research question, we arrayed our data in two ways: Table 2 summarizes key institutionalization processes relevant to the emergence of state offices of dispute resolution across the field, population, and organization levels, and Figure 3 illustrates the interplay of these levels over time. We refer to these data as we discuss the five contextual conditions that encourage the diffusion of multiple logics.

Field characteristics. Emerging fields represent a different context for diffusion processes than existing institutional fields undergoing change for several reasons. First, in contrast to existing fields undergoing change, where old practices have to be deinstitutionalized (Oliver, 1992), emerging fields provide "green fields" for creating new practices and organizations that didn't exist before. Second, imitation is a less likely diffusion mechanism given the relative paucity of examples to follow and indicators for evaluating whether new forms have garnered sufficient resources and legitimacy to be worthy of duplication. Third, diffusion in fields where normative innovations are introduced may differ from that in fields with economic innovations because garnering pragmatic legitimacy for normative innovations rests on acceptance of their normative prescriptions rather than on their anticipated economic benefits (Greenwood et al., 2002).

Finally, emerging fields are more susceptible than mature fields to the influence of myriad institutional entrepreneurs—ideological activists who combine hitherto unconnected beliefs and norms into an *organizational* solution to a problem (Becker, 1963)—who try to import logics from other institutional fields (Oliver, 1992). In the emerging field of alternative dispute resolution, different logics were advanced by institutional entrepreneurs (such as Lawrence Susskind and Frank Sander) who promoted alternative dispute resolution's public policy and judicial logics, respectively, at the

FIGURE 3
Multilevel Model of the Development of the Emerging Alternative Dispute Resolution Field
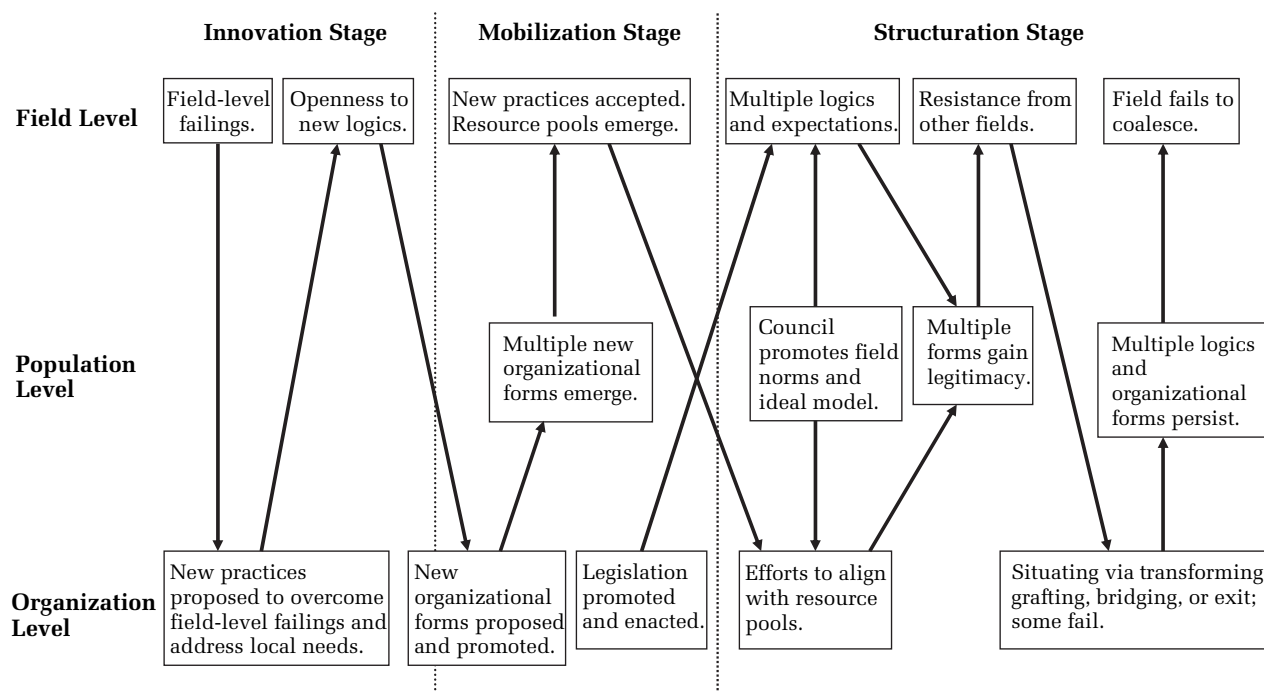
field level. As these logics attracted adherents, new organizational forms, such as the state offices of dispute resolution, were proposed. Absent a sense of urgency and goal similarity among alternative dispute resolution proponents, the state offices grew out of a combination of beliefs about the ineffectiveness of existing institutions in handling societal problems (field level) and the actions of field- and local-level entrepreneurs who advocated a variety of principles and specific practices to solve these problems. We depict these dynamics in the first column of Figure 3, which corresponds to Morrill's (2007) innovation stage for emerging fields. We label the activities of institutional entrepreneurs by the organizations or institutions they represent and the level at which their efforts are targeted. Concurrently with promotion of new logics at the field level, institutional entrepreneurs from extant institutions (such as state judiciaries, executive offices, and legislative agencies) began to tailor these national logics to the needs of their states, as illustrated by judges who advocated the launch of the first judicial state office of dispute resolution in Maine.

Multiple local contexts. As other scholars have noted, uncertainty at the field level creates greater discretion for organizations in their local contexts to modify practices (Goodrick & Salancik, 1996), and misalignment of field boundaries creates openness to alternative logics and ripeness for entrepre-

neurial activities (Greenwood & Suddaby, 2006). As the state offices of dispute resolution moved into the mobilization stage (Morrill, 2007), in which alternative logics gain critical masses of adherents, their pattern does not reflect the type of uniform diffusion path articulated by Strang and Meyer (1993) or Morrill (2007). As the number of state offices of dispute resolution grew, they began to constitute a new population of organizations within the emerging field of alternative dispute resolution—albeit a population with clear subdivisions. The second column of Figure 3 depicts these activities.

The bifurcated logics undergirding the evolution of state offices of dispute resolution began to be institutionalized in the alternative dispute resolution practices they sought to instill, and two clearly distinct normative templates for these organizations (and a third, hybrid, one) emerged. As Table 1 reflects, the field affiliations of state supporters aligned closely with the dispute resolution offices' initial locations. At least three different patterns of institutional support emerged to differentiate the judicial, the public policy, and the comprehensive organizations. Thus, the evolution of each state office of dispute resolution depended on the pattern of the institutional support it could garner from local champions. These differences correlate with the two logics adopted by local institutional entrepreneurs. For example, Florida faced catastrophic

degradation of the Everglades and the demands of a rapidly growing population in the mid 1980s, problems that the director of Florida's public policy dispute resolution office specifically positioned it to address, while other institutional entrepreneurs were promoting the need for a judicial dispute resolution office in the state both in response to field-wide initiatives and local pressure for case resolution. In Massachusetts, national and local advocacy converged to launch MODR as a public policy office in 1984, and within two years, at the urging of the state's chief justice, its mission expanded to include judicial alternative dispute resolution. Thus, the state offices of dispute resolution did not follow a traditional or uniform trajectory of diffusion.

Limited resource pools. The establishment of new institutional logics requires the attraction of resources to support and provide legitimacy for the attendant new practices (Greenwood & Suddaby, 2006; Oliver, 1991) and to enable structuration within a field (Morrill, 2007). The availability of material resources influences which logics are advanced and which are constrained. For example, central actors from extant fields can influence the development of a field by funding practices that align with their interests (Hinings et al., 2004). Within the alternative dispute resolution field, contests over logics persisted among the state offices of dispute resolution throughout the 22-year period we examined, and these often manifested as contests for operational resources. None of the resource pools secured by the state offices of dispute resolution (e.g., lines in state budgets, contracts with specific court administrators) afforded certain and stable funding. Even those state offices of dispute resolution initially funded by NIDR (see entry 6 in Table 2) were launched with a clear expectation that they would eventually migrate to other funding sources. To survive financially, the dispute resolution offices needed to remain flexible, opportunistic, and creative about how to garner resources. Some, such as Florida's public policy dispute resolution office, adopted self-funding strategies in which its personnel justified its existence by aligning with specific state-level rhetoric that already had legitimacy, as Suddaby and Greenwood (2005) recommended. Others, like MODR, encountered institutional challenges to their sources of funding and were forced to exit the field to remain viable.

Attracting resources for the state offices of dispute resolution centered on legitimizing alternative dispute resolution as a practice and signifying the offices' value as service providers. The Council promoted a normative template as voluntary standards, essentially establishing legitimacy via self-regulation (see entry 11 in Table 2). At the organizational level, institutional entrepreneurs mobilized around alternative dispute resolution as a new logic by securing legislation (entry 9 in Table 2) and by framing their accomplishments to match local expectations to ensure a continuing flow of resources (entry 15 in Table 2). This interplay between logics and resources differs from that described by Greenwood and Suddaby, who contended that organizations bridging institutional fields have greater awareness of and openness to alternate logics and that an abundance of resources provides motivation to adopt alternate logics and allows elite organizations to overcome regulatory pressures (2006: 42).The nature of the emerging alternative dispute resolution field created conditions of awareness and openness for most state offices of dispute resolution; however, for them the motivation to adopt alternate logics was linked to resource scarcity rather than plenty. In an effort to ensure survival, many state dispute resolution offices sought resources from multiple institutional fields, resulting in an array of accountability pressures from a variety of institutions. The multiplicity of logics in the field was re-created within the population of dispute resolution offices because no single institutional field appeared to offer sufficient resources and legitimacy for their long-term survival. These factors contributed to the fragmentation of the population, perpetuating conflicting logics and hindering coalescence around a single organizational form. Figure 3 depicts these dynamics as occurring in the structuration (Morrill, 2007) stage of field emergence.

Resistance from existing institutions. As the state office of dispute resolution population grew, its presence in the emerging field of alternative dispute resolution proved to be a threat to existing institutions. This generated resistance from groups such as attorneys, who saw the state dispute resolution organizations as challenging the existing order between the judicial and legislative fields (Ray, 1982b). The MODR case is illustrative. Although new state-level standards for alternative dispute resolution practitioners gave MODR a virtual monopoly on court mediation, the standards also precipitated resistance from the bar and spurred other mediation practitioners to challenge MODR's exclusive mediation contract. Withdrawal of support by a central institutional figure (the incoming supreme court justice), resistance due to shifts in state-level politics from Democratic to Republican dominance, and a concomitant move toward less rather than more government, all helped to unravel

MODR's earlier institutional gains and forced it to reconsider its institutional home.

Lack of field-level regulation. A final condition supporting the perpetuation of multiple logics was ongoing competition among professional associations to establish normative conditions for the focal field. Despite a collective effort among fields to develop uniform standards for the practice of mediation (entry 13 in Table 2), professional associations in the judicial and social services fields continued separate efforts to impose their norms and requirements on the alternative dispute resolution field as a whole. For example, the ABA drafted the Uniform Mediation Act (entry 19 in Table 2) that was finalized in 2001 but didn't allow non-ABA members to have input in drafting it. It was adopted in eight states, but at the same time, several smaller nonjudicial alternative dispute resolution associations merged to create the Association for Conflict Resolution (entry 18 in Table 2), which then developed its own national standards for certifying mediators (entry 20 in Table 2).

These conditions enabled diverse logics and different practices to persist across the state office of dispute resolution population, but not every individual office institutionalized to the same degree. Although the logic of the judicial state dispute resolution offices was accepted, and their practices became standardized within the courts (Morrill, 2007), the stability of some public policy and comprehensive state dispute resolution offices can still be questioned. Some, like those in Florida and Hawaii, have accepted roles and established practices within their state government or university homes. Others, like MODR and some more recently established offices, may best be described as semi-institutionalized (Tolbert & Zucker, 1996), since their practices are not yet uncritically accepted as the definitive methods (Tolbert & Zucker, 1996) for resolving disputes within their states, and their survival is not yet assured.

CONCLUSION

Our study provides insight into the conditions that contributed to continued fragmentation of an organizational population and supported the diffusion and institutionalization of multiple logics within it. For the state offices of dispute resolution, structuration unfolded in a considerably more fragmented way than implied by the usual mimetic, normative, and coercive processes (DiMaggio & Powell, 1983) that lead to objectification and a so-cial consensus (Greenwood et al., 2002). Our findings suggest that standard institutional diffusion models may be inadequate to account for how new populations of organizations establish themselves in emerging institutional fields. In contrast to reports of how conflicting alternative logics gradually give way to one dominant logic that is diffused, particularly in mature fields (Greenwood & Suddaby, 2006; Lounsbury, 2002; Strang & Meyer, 1993), our data provide evidence of the diffusion of conflicting logics, in that the population of state dispute resolution offices neither coalesced nor collapsed in the 22-year span of our study. Our model illustrates that in some contexts, diffusion can follow different mechanisms (Strang & Soule, 1998) that enable multiple logics to persist within a field—challenging the assumption that a single dominant logic must eventually prevail.

Our study also suggests that understanding the institutionalization of logics in emerging fields requires a multilevel model of the forces working for and against institutionalization. Constructing legitimacy for a new organizational form is particularly challenging because it means crafting both the institutional and the material environments in which the new form seeks to embed itself by wrestling with multiple (and often competing) logics (DiMaggio, 1991; Lounsbury, 2007) and performing both micro- and macro-level political action (Rao et al., 2000; Thornton & Ocasio, 2008). New organizational populations must find champions and dissuade detractors embedded in established institutions at multiple levels of society (Holm, 1995), attract diverse resource pools as means of legitimation (Oliver, 1991), and locate hospitable institutional homes. Thus, institutional fields are not created in isolation. Instead, they must coevolve with related fields that can provide both material and symbolic support, as illustrated by the state offices of dispute resolution that exited to the public university domain, which offered resources and supported the logic in which their practices were embedded.

Finally, our work helps to illuminate how institutions both enable and constrain the advent of new populations and new organizational forms and cautions against assigning too much credit to institutional entrepreneurs. Others have considered how field characteristics shape institutionalization processes (Dorado, 2005; Rao et al., 2000); our work reveals how field structure and field dynamics shape the diffusion stage, highlighting the interplay of entrepreneurial actions and institutional forces. Although acknowledging a role for institutional entrepreneurs, we also

emphasize the "institutional" part of institutional entrepreneurship by demonstrating that institutional entrepreneurs do not have carte blanche to launch new organizational forms. For example, entrepreneurial efforts at theorization by one group may be contested by other institutional actors promoting alternative new logics, by those striving to preserve existing institutions (institutional resistors), or by those trying to corral new resources to serve their own extant institutional ends. In the case of the state offices of dispute resolution, these contests were magnified because the offices attempted to diffuse new alternative dispute resolution practices across a plethora of different state-level environments that offered higher-order levels of constraint and opportunity for individual action (Holm, 1995). Field-level conflict among the state dispute resolution offices' different alternative dispute resolution factions was exacerbated by the actions of other professional organizations, interest groups, and educational institutions all trying to affect how disputes were resolved within state government. Our approach recognizes both the structural impact and social fact quality of institutions (Goodrick & Salancik, 1995) and their influence on the "sensemaking" of individual actors, while simultaneously recognizing the collective impact of actors and actions at the lower-order levels that create disruption and change at the field level (Holm, 1995). Thus, new logics are transmitted by individuals (institutional entrepreneurs), enacted as new organizational practices or as new organizations, but ultimately ratified by existing institutions. Instead of suggesting a linear trajectory, our data suggest that models of institutionalization need to reflect the complex pattern of political moves and countermoves across levels of action that comprise these processes. For MODR, for example, the effort to gain legitimacy by centralizing and controlling alternative dispute resolution services statewide ultimately proved untenable for a state agency in a context where over time, a market for alternative dispute resolution services developed. Our findings reinforce Holm's observation that "diffusion efforts need to account for actions guided by existing institutions and action aimed at changing institutions" (1995: 417–418).

Our finding of differing levels of institutionalization among the state offices of dispute resolution contrasts with Morrill's (2007) finding that alternative dispute resolution has fully institutionalized. An explanation for this apparent conflict is that our analyses focus on different levels. Thornton and Ocasio (2008) noted that the stability of logics may vary by level of analysis; we consider cross-level dynamics as they impact institutionalization at the population level, while Morrill's (2007) focus was on the field level. Another explanation concerns the definition of institutionalization and the question of how long a practice needs to persist to be considered institutionalized as opposed to a fad (Hinings et al., 2004). Scholars have framed institutionalization in terms of the pace of archetype adoption (Hinings et al., 2004), the number and density of actors who adopt structures and actions (Barley & Tolbert, 1997), whether or not logics become taken for granted (Greenwood et al., 2002), and historical continuity (Tolbert & Zucker, 1996). For emerging fields, however, since social movements need to be translated into ongoing enterprises, we argue that both the "taken-for-grantedness" of logics and the operationalization of practices as viable and persistent organizational forms are needed. Still, the question remains, Just how long is long enough? As others have suggested, our longitudinal study supports the view that institutionalization may be constantly in flux (Hinings et al., 2004; Thornton & Ocasio, 2008). Particularly in emerging fields characterized by the five conditions we have described, the degree of institutionalization may vary more widely in both density and continuity than when change occurs in mature fields. This is a question for future research to answer.

Future researchers should also consider how new organizations can gain legitimacy in emerging fields. Institutional changes in traditional fields may have a greater chance of acquiring moral legitimacy, while new practices in emerging fields may only achieve pragmatic legitimacy. To acquire moral legitimacy, organizations must secure positive normative evaluations of their actions; others must judge them as doing the right things (Suchman, 1995). For example, the introduction of a wider mission for accountants secured moral legitimacy by emphasizing the value basis of this innovation, which played a greater role in legitimizing it than pragmatic legitimacy (Greenwood et al., 2002). Pragmatic legitimacy, on the other hand, accrues to organizations when their policies are deemed to have the expected value for their constituents (Suchman, 1995). In our study, the state offices of dispute resolution developed multiple pragmatic solutions to address local problems but never achieved the status of moral legitimacy. As long as multiple conflicting logics persist in emerging contexts, satisfying the values imbedded in these institutional logics may be impossible.

REFERENCES

Abrahamson, E. 1991. Managerial fads and fashions: The diffusion and rejection of innovations. *Academy of Management Review,* 16: 586–612.

Adams, J. 2004. *A historical account of the Massachusetts Office of Dispute Resolution Superior Court ADR programs: The rise of ADR in the Massachusetts Superior Courts.* Working paper, University of Massachusetts–Boston, May.

Alabama Supreme Court. 1994. *Order establishing the Alabama Supreme Court Commission on Dispute Resolution.* Montgomery: Alabama Supreme Court.

American Bar Association. 1998. *The American Bar Association and ADR.* Section of Dispute Resolution. Posted April 14, 1998, at http://www.abanet.org/dispute/abapolicy.html.

Anand, N., & Watson, M. R. 2004. Tournament rituals in the evolution of fields: The case of the Grammy Awards. *Academy of Management Journal,* 47: 59–80.

Ashforth, B. E., & Gibbs, B. W. 1990. The double-edge of organizational legitimation. *Organization Science,* 1: 177–194.

ACR Task Force on Mediator Certification 2004. *Report and recommendations to the board of directors.* Washington, DC: Association of Conflict Resolution.

Bacharach, S. B., Bamberger, P., & Sonnenstuhl, W. J. 1996. The organizational transformation process: The micropolitics of dissonance reduction and the alignment of logics of action. *Administrative Science Quarterly,* 41: 477–506.

Barley, S. R., & Tolbert, P. 1997. Institutionalization and structuration: Studying the links between action and institution. *Organization Studies,* 18: 93–117.

Becker, H. 1963. *Outsiders: Studies in the sociology of deviance.* London: Free Press of Glencoe.

Beckert, J. 1999. Agency, entrepreneurs, and institutional change: The role of strategic choice and institutionalized practices in organizations. *Organization Studies,* 20: 777–799.

Bingham, G. 1986. *Resolving environmental disputes: A decade of experience.* Washington, DC: The Conservation Foundation.

Bourdieu, P. 1993. *The field of cultural production.* New York: Columbia University Press.

Bourdieu, P., & Wacquant, L. J. D. 1992. *An invitation to reflexive sociology.* Chicago: University of Chicago Press.

Brint, S., & Karabel, J. 1991. Institutional origins and transformations: The case of American community colleges. In W. W. Powell & P. J. DiMaggio (Eds.), *The new institutionalism in organizational analysis:* 337–360. Chicago: University of Chicago Press.

Covaleski, M., & Dirsmith, M. 1988. An institutional perspective on the rise, social transformation, and fall of a university budget category. *Administrative Science Quarterly,* 33: 562–587.

CPR Institute for Dispute Resolution. 2000. *17th annual CPR awards for excellence in ADR competition.* Retrieved from http://consensus.fsu.edu/CPRAward/CPRaward04.html.

Dacin, M. T. 1997. Isomorphism in context: The power and prescription of institutional norms. *Academy of Management Journal,* 40: 46–81.

Davis, G., & Marquis, C. 2005. Prospects for organization theory in the early twenty-first century: Institutional fields and mechanisms. *Organization Science,* 16: 332–343.

Dezalay, Y., & Garth, B. 1996. Fussing about the forum: Categories and definitions as stakes in a professional competition. *Law & Social Inquiry,* 21: 285–312.

Dillon, K. L. 1993. *Statewide offices of dispute resolution: Initiating collaborative approaches to dispute resolution in state government.* Washington, DC: National Institute for Dispute Resolution.

DiMaggio, P. 1988. Interest and agency in institutional theory. In L. Zucker (Ed.), *Institutional patterns and organizations: Culture and environment:* 3–22. Cambridge, MA: Ballinger.

DiMaggio, P. 1991. Constructing an organizational field as a professional project: U.S. art museums, 1920–1940. In W. W. Powell & P. J. DiMaggio (Eds.), *The new institutionalism in organizational analysis:* 267–292. Chicago: University of Chicago Press.

DiMaggio, P., & Powell, W. W. 1983. The iron cage revisited: Institutional isomorphism and collective rationality in organizational fields. *American Sociological Review,* 48: 147–160.

Dorado, S. 2005. Institutional entrepreneurship, partaking, and convening. *Organization Studies,* 26: 385–414.

Drake, W. R. 1989. Statewide offices of mediation. *Negotiation Journal,* 5: 359–364.

Drake, W. R., & Fee, T. A. 1990. NIDR's expanding program of statewide offices of mediation. *Consensus,* 5: 4.

Eisenhardt, K. 1989. Building theories from case study research. *Academy of Management Review,* 14: 532–550.

Fligstein, N. 1996. Markets as politics: A political-cultural approach to market institutions. *American Sociological Review,* 61: 656–673.

Friedland, R., & Alford, R. R. 1991. Bringing society back in: Symbols, practices and institutional contradictions. In W. W. Powell & P. J. DiMaggio (Eds.), *The new institutionalism in organizational analysis:* 232–263. Chicago: University of Chicago Press.

Garud, R., Jain, S., & Kumaraswamy, A. 2002. Institutional entrepreneurship in the sponsorship of common technological standards: The case of Sun Mi-

crosystems and Java. *Academy of Management Journal,* 45: 196–214.

Giddens, A. 1979. *Central problems in social theory: Action, structure and contradiction in social analysis.* Berkeley: University of California Press.

Glaser, B., & Strauss, A. 1967. *The discovery of grounded theory.* Chicago: Aldine.

Golden, B. R. 1992. The past is the past—or is it? The use of retrospective accounts as indicators of past strategy. *Academy of Management Journal,* 35: 848–860.

Goodrick, E., & Salancik, G. 1996. Organizational discretion in responding to institutional practices: Hospitals and cesarean births. *Administrative Science Quarterly,* 41: 1–28.

Greenwood, R., Suddaby, R., & Hinings, C. R. 2002. The role of professional associations in the transformation of institutionalized fields. *Academy of Management Journal,* 45: 58–80.

Greenwood, R., & Suddaby, R. 2006. Institutional entrepreneurship in a mature field: The Big 5 accounting firms. *Academy of Management Journal,* 49: 27–48.

Hargrave, T., & Van de Ven, A. 2006. A collective action model of institutional innovation. *Academy of Management Review,* 31: 864–888.

Haygood, L. V. 1988. Opportunities and challenges in providing state-level support for the mediation of public disputes. *Resolve,* 19: 1, 3–10.

Hays, S. P. 1996. Influences on reinvention during the diffusion of innovations. *Political Research Quarterly,* 49: 631–650.

Haveman, H., & Rao, H. 1997. Structuring a theory of moral sentiments: Institutional and organizational coevolution in the early thrift industry. *American Journal of Sociology,* 102: 1606–1650.

Hedeen, T., & Coy, P. G. 2000. Community mediation and the court system: The ties that bind. *Mediation Quarterly,* 17: 351–368.

Hedstrom, P., & Swedberg, R. 2001. Social mechanisms. *Acta Sociologica,* 39: 281–308.

Hinings, C. R., Greenwood, R., Reay, T., & Suddaby, R. 2004. The dynamics of change in organizational fields. In M. S. Poole & A. H. Van de Ven (Eds.), *Handbook of organizational change and innovation:* 304–323. New York: Oxford University Press.

Hoffman, A. 1999. Institutional evolution and change: Environmentalism and the U.S. chemical industry. *Academy of Management Journal,* 42: 351–371.

Holm, P. 1995. The dynamics of institutionalization: Transformation processes in Norwegian fisheries. *Administrative Science Quarterly,* 40: 398–422.

Kellogg Commission on the Future of State and Land-Grant Universities. 1999. *Returning to our roots: The engaged institution.* New York: National Association of State Universities and Land-Grant Colleges.

Laue, J. H. 1988. *Using mediation to shape public policy.* San Francisco: Jossey-Bass.

Lincoln, Y. S., & Guba, E. G. 1985. *Naturalistic inquiry.* Beverly Hills, CA: Sage.

Lounsbury, M. 2002. Institutional transformation and status mobility: The professionalization of the field of finance. *Academy of Management Journal,* 45: 255–266.

Lounsbury, M. 2007. A tale of two cities: Competing logics and practice variation in the professionalizing of mutual funds. *Academy of Management Journal,* 50: 289–307.

Lounsbury, M., & Pollack, S. 2001. Institutionalizing civic engagement: Shifting logics and the cultural repackaging of service-learning in U.S. higher education. *Organization,* 8: 319–339.

Maguire, S., Hardy, C., & Lawrence, T. 2004. Institutional entrepreneurship in emerging fields: HIV/AIDS treatment advocacy in Canada. *Academy of Management Journal,* 47: 657–680.

Maiman, R. J. 1997. *An evaluation of selected mediation programs in the Massachusetts Trial Court for the Standing Committee on Dispute Resolution of the Massachusetts Supreme Judicial Court/Trial Court.* Boston: Massachusetts Supreme Judicial Court.

Marquis, C., & Lounsbury, M. 2007. Vive la résistance: Competing logics and the consolidation of U.S. community banking. *Academy of Management Journal,* 50: 799–820.

Massachusetts Office of Dispute Resolution. 1993. *Progress report.* Boston: MODR.

Massachusetts Office of Dispute Resolution. 2000. *Progress report.* Boston: MODR.

McEwen, C. A., Mather, L., & Maiman, R. J. 1984. Lawyers, mediation and the management of divorce practice. *Law & Society Review,* 28: 149–187.

McGillis, D. 1997. *Community mediation programs: Developments and challenges.* Issues and practices in criminal justice. Washington, DC: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice.

McKinney, M., & Spears, L. 1993. *A regional, transboundary approach to resolving environmental and other public disputes.* Unpublished report prepared for the Western Governors Association Environmental Policy Council.

Menkel-Meadow, C. 1984. Toward another view of negotiations: The structure of legal problem-solving. *UCLA Law Review,* 31: 754–842.

Merry, S. E. 1992. Popular justice and the ideology of social transformation. *Social and Legal Studies,* 1: 161–176.

Morrill, C. 2007. *Institutional change through interstitial emergence: The growth of alternative dispute resolution in American law, 1965–1995.* Unpublished manuscript. Retrieved 2007 from http://webuser.bus.umich.edu/organizations/smo/protected/resources/morrill.pdf.

National Institute for Dispute Resolution. 1987. *Grants program announcement and other NIDR initiatives.* Washington, DC: NIDR.

National Institute for Dispute Resolution. 1994. State offices of mediation create informal network. *NIDR News,* 2(4): 3.

National Institute for Dispute Resolution. 1995. *Performance-based assessment: A methodology for use in selecting and training mediators.* Washington, DC: NIDR.

O'Leary, R., & Yandle, T. 2000. Environmental management at the millennium: The use of environmental dispute resolution by state governments. *Journal of Public Administration Research and Theory,* 10: 137–155.

Oliver, C. 1991. Strategic responses to institutional processes. *Academy of Management Review,* 16: 145–179.

Oliver, C. 1992. The antecedents of deinstitutionalization. *Organization Studies,* 13: 563–588.

Ostrom, E. 1998. A behavioral approach to the rational choice theory of collective action. *American Political Science Review,* 92: 1–22.

Policy Consensus Initiative. 1998. *States mediating change: Using consensus tools in new ways.* Santa Fe, NM: PCI.

Policy Consensus Initiative. 1999. *Report on barriers to the use of ADR in states and approaches for overcoming them.* Santa Fe, NM: PCI.

Potts, R. 1996. Too many lawyers, too few jobs. *Chronicle of Higher Education,* 42(21): B3.

Press, S. 1997. Institutionalization: Savior or saboteur of mediation? *Florida State University Law Review,* 24: 903–917.

Rao, H., Morrill, C., & Zald, M. N. 2000. Power plays: How social movements and collective action create new organizational forms. In R. I. Sutton & B. M. Staw (Eds.), *Research in organizational behavior,* vol. 22: 239–282. Greenwich, CT: JAI Press.

Ray, L. 1982a. *Alternative dispute resolution: Bane or boon to attorneys?* Washington, DC: American Bar Association.

Ray, L. 1982b. *Alternative dispute resolution: Who's in charge of mediation?* Washington, DC: American Bar Association.

Reay, R., Golden-Biddle, K., & GermAnn, K. 2006. Legitimizing a new role: Small wins and microprocesses of change. *Academy of Management Journal,* 49: 977–998.

Ruef, M. 2000. The emergence of new organizational forms: A community ecology approach. *American Journal of Sociology,* 106: 658–714.

Sander, F. E. A. 1976. Varieties of dispute processing. *Federal Rules Decisions,* 70: 111–134.

Schneiberg, M., & Soule, S. A. 2005. Institutionalization as a contested multilevel process. In G. F. Davis, D. McAdam, W. R. Scott, & M. N. Zald (Eds.), *Social movements and organization theory:* 122–160. New York: Cambridge University Press.

Scott, W. R. 1992 *Organizations: Rational, natural and open systems* (3rd ed.). Englewood Cliffs, NJ: Prentice-Hall.

Scott, W. R. 2001. *Institutions and organizations* (2nd ed.). Thousand Oaks, CA: Sage.

Scott, W. R., & Meyer, J. W. 1983. The organization of societal sectors. In J. W. Meyer & W. R. Scott (Eds.), *Organizational environments: Ritual and rationality:* 129–153. Beverly Hills, CA: Sage.

Scott, W. R., Ruef, M., Mendel, P., & Caronna, C. A. 2000. *Institutional change and organizations: Transformation of a healthcare field.* Chicago: University of Chicago Press.

Seo, M. & Creed, D. 2002. Institutional contradictions, praxis and institutional change: A dialectical perspective. *Academy of Management Review,* 27: 222–247.

Siggelkow, N. 2007. Persuasion with case studies. *Academy of Management Journal,* 50: 20–24.

Simon, B. 2002. *In search of an occupation.* Retrieved from http://mediate.com/articles/simon2.cfm.

Strang, D., & Meyer, J. W. 1993. Institutional conditions for diffusion. *Theory and Society,* 22: 487–511.

Strang, D., & Soule, S. A. 1998. Diffusion in organizations and social movements: From hybrid corn to poison pills. In J. Hagan & K. Cook (Eds.), *Annual review of sociology,* vol. 24: 265–290. Palo Alto, CA: Annual Reviews.

Strauss, A., & Corbin, J. M. 1990. *Basics of qualitative research: Grounded theory, procedures and techniques.* Newbury Park, CA: Sage.

Suchman, M. C. 1995. Managing legitimacy: Strategic and institutional approaches. *Academy of Management Review,* 20: 571–610.

Suddaby, R., & Greenwood, R. 2005. Rhetorical strategies of legitimacy. *Administrative Science Quarterly,* 50: 35–67.

Susskind, L. 1986. NIDR's state office of mediation experiment. *Negotiation Journal,* 2: 323–327.

Szanton Associates. 1988. *Four state offices of dispute resolution: A report to the National Institute for Dispute Resolution.* Washington, DC: NIDR.

Thornton, P. H. 2002. The rise of the corporation in a craft industry: Conflict and conformity in institu-

tional logics. *Academy of Management Journal,* 45: 81–101.

Thornton, P. H. 2004. *Market from culture: Institutional logics and organizational decisions in higher education.* Palo Alto, CA: Stanford Business Books.

Thornton, P. H., & Ocasio, W. 2008. Institutional logics. In R. Greenwood, C. Oliver, K. Sahlin, & R. Suddaby (Eds.), *The Sage handbook of organizational institutionalism:* 99–129. Thousand Oaks, CA: Sage.

Tolbert, P. S. 1988. Institutional sources of organizational culture in major law firms. In L. Zucker (Ed.), *Institutional patterns and organizations: Culture and environment:* 101–113. Cambridge, MA: Ballinger.

Tolbert, P. S., & Zucker, L. G. 1983. Institutionalization of institutional theory. In S. Clegg, C. Hardy, & W. Nord (Eds.), *The handbook of organization studies:* 175–190. Thousand Oaks, CA: Sage.

Virginia Judiciary Futures Commission. 1989. *Report of the Commission on Virginia Courts in the 21st century.* Richmond: Supreme Court of Virginia.

Welsh, N. A. 2001. The thinning vision of self-determination in court-connected mediation: The inevitable price of institutionalization? *Harvard Negotiation Law Review,* 6: 1–96.

Westphal, J. D., & Zajac, E. J. 2001. Decoupling policy from practice: The case of stock repurchase programs. *Administration Science Quarterly,* 46: 202–228.

Wondolleck, J. 1985. The importance of process in resolving environmental disputes. *Environmental Impact Assessment Review,* 5: 341–356.

Yin, R. K. 2003. *Applications of case study research.* Thousand Oaks, CA: Sage.

Zilber, T. B. 2006. The work of the symbolic in institutional processes: Translations of rational myths in Israeli high tech. *Academy of Management Journal,* 49: 281–303.

Jill M. Purdy (jpurdy@u.washington.edu) is an associate professor of management and Academic Director of the Center for Leadership and Social Responsibility at the Milgard School of Business at the University of Washington, Tacoma. She holds a Ph.D. in management and organization from the Smeal College of Business at The Pennsylvania State University. Her research focuses on the tension between structures and human agency at multiple levels of analysis. Her current research interests include studying the impact institutional influences on business social practices, political processes, and collaborative governance.

Barbara Gray (b9g@psu.edu) is a professor of organizational behavior and Director of the Center for Research in Conflict and Negotiation at The Pennsylvania State University. She holds a Ph.D. in organizational behavior from Case Western Reserve University. Her research interests include multiparty collaborative alliances and partnerships, organizational and interorganizational conflict, intercultural and interdisciplinary team dynamics, and sensemaking.