



Spotlight: Andrew Thomas

When you discuss mediation and its history in New York, certain names always come up. One of those names is Andrew Thomas, a mediator, who, in his lengthy career, has mediated or facilitated more than 800 cases. Thomas helped to establish the [Center for Dispute Settlement](#) in Rochester, NY, which in 1973, was the first ever mediation center in the state and only the third one in the entire United States. He was also a founding member of NYSDRA and our first president. How he came to be an ADR pioneer is best told in his words.

“In 1971, the Rochester City School District (RCSD) requested assistance from the American Arbitration Association, National Center for Dispute Settlement to assist with its crisis caused by the de-segregation and reorganization mandate from the federal court. The Mediator assigned by the American Arbitration Association to spearhead the design and facilitation of a mediation process for the (RCSD) was a long time friend and well known Mediator named Howard Rowley. Howard, a local Executive in the Public Utility Company and active on the Board of Directors of the YMCA was called upon frequently by the Governor of New York and the US Department of Interior, Bureau of Indian Affairs to mediate Native American land disputes and other issues. At the time of the Rochester City School District’s riots, I was working with the YMCA of Rochester as the Assistant Youth Director for the Central Branch.

“In my capacity as the Assistant Youth Director, I was responsible for YMCA related programs in the schools hit the hardest by the mandate. Consequently, I had a relationship with the various school administrators, many of the students and their parents and a history with the community. Having worked with Howard on other youth problems in the community, he thought my prior training in law enforcement and youth work combined with my young age (23) made me a good fit for working with the youth on this project. So, Howard asked me if I would be willing to assist him with the project, I said yes, and the YMCA assigned me to assist Howard with mediating the RCSD crisis.

“Following the successful conclusion of the school crisis mediation, the community appreciated and valued the dispute resolution process so much that efforts quickly got underway to establish an office in Rochester. The community’s efforts were successful and the Rochester office was opened in June of 1973. Subsequently, in 1974, I was recruited by the office to participate in training to become a mediator.

“In 1976, I accepted the position of Director of Human Services Planning for the City of Rochester, and immediately began working with the local AAA Dispute Services office to secure additional funding to expand ADR services in the Greater Rochester community. Over the next several years with grant support from federal and state agencies, along with national foundations, the ADR services provided by the AAA steadily grew and expanded.

“In 1978 as the federal and national grant support for the Center began to end, I was again asked to assist with securing long term funding. Believing strongly in the value of ADR processes, I took a leave of absence in February of 1979 from my position with the City of Rochester to become Director of the AAA Rochester Dispute Services Office with the goal of finding long term funding to institutionalize ADR services in the Rochester community.”

Thomas served as director of the center from 1979 until his retirement in 2005. Recognizing that its work and mission were significantly different from those of the American Arbitration Association, the Center for Dispute Services of Rochester changed its name to the Center for Dispute Settlement and became, in October of 1979, a separate nonprofit organization. After 1983, its services expanded to the counties of Livingston, Ontario, Wayne; in 1985 to Seneca and Yates counties. Steuben County is the newest addition — joining in 1997.

From his lengthy tenure in Rochester, Thomas has come to private practice. “In 2005, I established [ALT Associates Conflict Management Consultants](#) based in Lake Mary, Florida.” Here, he has changed his practice somewhat and broadened his scope. “My current focus is on providing a variety of constructive, collaborative ADR processes for peacefully resolving differences, disputes and conflicts between groups, neighborhood associations, organizations, businesses and police/community relations. I continue to provide a variety of third-party neutral training activities; as well as diversity management, organization and board development and team-building.”

Of course, the question arises as to why after so much time in public service, why the switch to private practice. “Having dealt with a variety of disputes associated with public policy as well as organizational development, community based planning, police/community relations and community development; I have decided to concentrate my practice in this area.”

As much as Thomas has provided leadership and inspiration to many in the field, he was inspired early on in his career by someone else. “Howard Rowley, a Mediator with AAA was a major influence in getting me into the field of ADR. Also, when I decided to leave my career in law enforcement it was because I believed it was possible to create a court of first resort for resolving interpersonal disputes. A court of first resort is predicated on people taking responsibility for their behavior. I believe that through empowerment and capacity building, individuals can resolve the majority of their interpersonal disputes before they escalate into more violent situations requiring the intervention of the formal judicial system.”

After almost 40 years in the field, many people, especially someone now living in Florida, might think in terms of taking it easy. Thomas feels differently. “I have a passion for working with people by assisting them in building their capacity to manage conflicts and resolve disputes peacefully. I believe in preserving individual interests, strengthening relationships and building bridges between people, organizations and communities to improve communication and fostering cooperation and collaboration,” he said.

In light of that, he even has plans for the future. “I plan on continuing to promote the philosophy of creating conflict-resolving communities to foster improved communication, cooperation and collaboration between people and organizations. I have a particular interest in providing processes that enhance police-community relations; particularly in communities of color.”

When you have a long history in any field, you get a unique perspective on the changes and growth. Thomas indicated that our field has seen a lot of improvement in many areas. “A real plus for ADR has been the institutionalization of the processes and the adoption and stable funding from the courts. Today some form of ADR exists at all levels of the courts and administrative proceedings. More and more cases are being resolved by ADR processes than ever before.”

However, he does have a word of caution. “With the growing acceptance of ADR processes as a normal prerequisite of the judicial system; “normalizing” the process is the source of my concern. As ADR becomes more accepted it will become more regulated and systematized, thus marginalizing the original promise of mediation. That promise being the opportunity for people to get to know each other in a different way, gain clarity and understanding of their issues and to change their human interaction towards each other if they so chose.”

With these concerns in mind, the future of ADR, according to Thomas, looks like one of growth, but decided change. “I see ADR headed toward greater use, increase credentialing, and increase in mal-practice law suits and a decrease in community mediation. In addition I see the field being influenced more by law and individual rights and less by human dynamics and human interaction. From my point-of-

view, the more widespread ADR becomes the greater the push for ADR practitioners to view the process as a science rather than an art.”

The view of ADR as an art as opposed to a science isn't surprising when you consider Thomas' general philosophy on ADR as summed up by a quote from Dr. Martin Luther King, Jr. “People fail to get along because they fear each other; they fear each other because they don't know each other; they don't know each other because they have not communicated with each other.”

As noted earlier, Thomas has been involved with NYSDRA since the early days and he continues that involvement today. “NYSDRA has been a springboard for connecting ADR practitioners around New York State and the country. Through this connection the scope of ADR services has expanded tremendously in NYS and has been the catalyst for opening new territory for the exploration of ADR processes nationally.”