



Spotlight: Mediator/Attorney Patrick L. Rodgers

Patrick L. Rodgers, a mediator and attorney, is a man of few words, but strong convictions. Asked why he works in alternative dispute resolution, his answer is simple: "I love it!" Rodgers is currently Mediator/President of Smith Kearns Mediation, a mediation firm with offices in Long Island, New York, Washington, Boston, and Philadelphia (<http://www.smith-kearns.com/>).

Like many attorneys, Rodgers came to ADR over time, beginning in 1998 when he completed 40 hours of mediation training with the Education and Assistance Corporation (<http://www.eacinc.org/>) a CDRC on Long Island. Prior to that, he obtained his BA in Political Science at SUNY Plattsburgh in 1984 and his JD from New York Law School in 1989. From 1990 until 2005, he was in private law practice in the fields of criminal law, civil litigation, domestic relations, elder law issues, real estate, trusts and estates, and zoning. It was during this time that things began to shift for him.

Between 1998 and 2004, he worked as a volunteer mediator. "My area of interest in mediation began while working as a volunteer at the Education and Assistance Corporation's Community Mediation Project," said Rodgers. Rodgers eventually began to focus specifically on real estate and elder law, two areas of ADR that are growing. "They are both emerging fields. Many states have started to make mediation mandatory with the consumer and the banks in real estate foreclosure actions. With respect to elder law issues, I have been speaking with elder care providers and explaining at what point mediation works. I have begun to market my mediation services to elder law attorneys when they are faced with the children of their clients."

As Americans grow older elder law issues have become prevalent. To help families navigate the issues involved in planning for an elderly parent, Rodgers and his fellow mediators focus on health care proxies, living wills, durable powers of attorney and the transfer of property. "I was brought to elder law issues from personal experience with the difficulties of families dealing with elderly parents or terminally ill family members," said Rodgers

Rodgers noted that his exposure to mediation fit well with his core strengths. "Initially I was brought to the ADR field as a volunteer to give back to the community while practicing law. Once I began working as a mediator I discovered that it fit my belief that my law school education gave me a unique skill set to be a problem solver." To continue to be a competent problem solver, Rodgers has been adding to his training. In 2003, he completed 36 hours of intensive mediation training at the Center for Understanding in Conflict and the Center for Mediation in Law (<http://www.mediationinlaw.org/>). In 2009, he attended the NYS DRA training, "Having Difficult Conversations in the Workplace".

In 2008 Rodgers founded “Dynamic Conflict Resolution,” a division of Smith-Kearns Consulting devoted to the resolution of conflict. He credits two people in particular as guides along the way. “The teachings of Gary Friedman and Jack Himmelstein and the Understanding in Conflict model played a major influence on my career,” said Rodgers. Of course, “A vision for mediation and hard work,” also played a part. So what’s next? Rodgers is interested in making mediation the norm. “To bring mediation to the forefront of conflict resolution so when people become embroiled in a conflict with a friend, family or business associate, the first thing they think to say is, ‘I am really mad at you.... let’s call a mediator to work through our conflict.’ Rather than, ‘I am really mad at you and I am going to sue you or you’ll be hearing from my lawyer.’”

A NYSDRA member since 2008, Rodgers finds his affiliation with NYSDRA very beneficial. “Your organization adds credibility to my business and professional profiles. “Rodgers keeps one quote in mind as he works each day: “Conflict is inevitable, but combat is optional.” Truly, the words of a mediator.