

MISSOURI AGRICULTURAL MEDIATION PROGRAM

The Missouri Agricultural Mediation Program assists farmers and ranchers, their creditors and others directly affected in resolving disputes. This service helps in reducing participants' costs associated with administrative appeals and litigation. Mediation services for agricultural related issues are available to all farmers and ranchers. Situations including tenant/landlord, borrower/lender and neighbor/neighbor may be settled using mediation as a form of dispute resolution. All U.S. Department of Agriculture (USDA) program participants who have disputes with USDA agencies may utilize mediation to help solve the dispute.

WHAT IS MEDIATION?

Mediation is a process, outside the court systems, in which a trained, impartial person helps participants identify their mutual problem, consider possible solutions and agree on a resolution. This process, which generally can be completed in one meeting, is designed to provide a low-cost alternative to expensive, lengthy litigation.

Mediation does not favor one side or the other, but helps both consider the situation. Unlike a judge or an arbitrator, a mediator cannot decide what is right or require any specific action. Since the involved parties control the results of the mediation, the potential for satisfaction with results is greater than if the case is handled in the court system. Successful mediation is always based on the voluntary cooperation and participation of all parties.

How does agricultural mediation work?

Mediation must be requested within 30 days of a specific USDA decision ruling, but can be requested at any time in the appeals process. However, mediation will be most effective if utilized in the early stages of problematic situations. Mediation is generally used prior to any formal legal action by the USDA. An individual may request mediation or waive the opportunity to use the service.

- Step 1** Officials from the Missouri Agricultural Mediation Program contact the requesting party to compile a complete list of potential participants. One or more mediators are then assigned.
- Step 2** The mediator will advise participants that the mediation process is underway. When a meeting is scheduled, parties are informed of the time, place and nature of the mediation process. Mediators set ground rules that all participants are required to follow.
- Step 3** If an agreement is reached, the mediator assists parties in preparing a written agreement. If an agreement is not reached, the case will be closed and participants are free to pursue other appeals in accordance with the rules and regulations of the USDA.



Missouri Agricultural Mediation

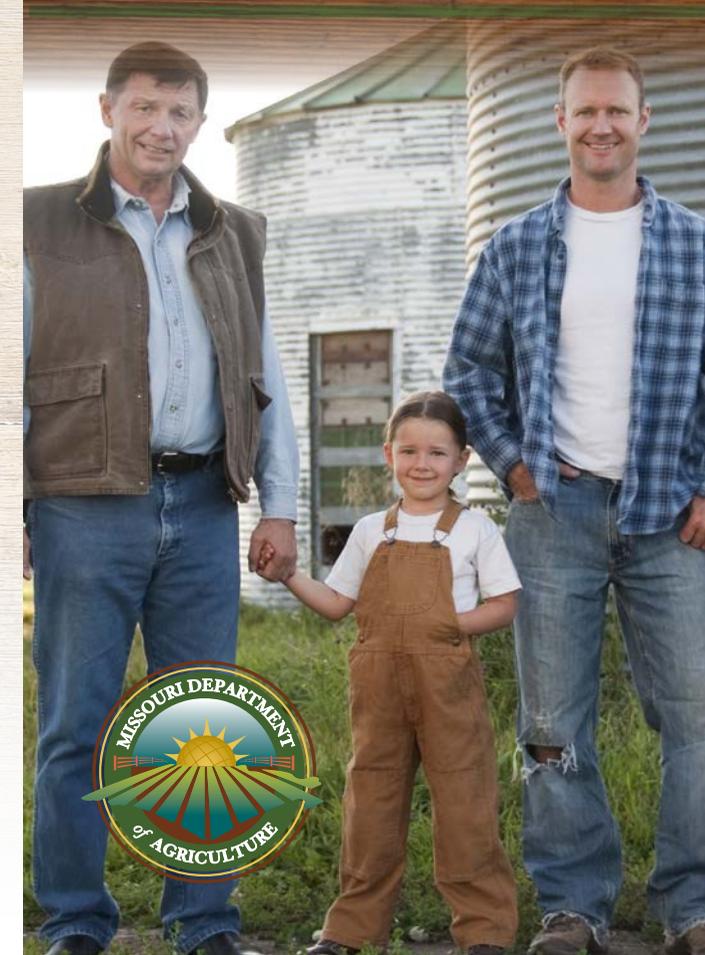
P.O. Box 630
1616 Missouri Blvd.
Jefferson City, MO 65102
(573) 751-5520

mediate@mda.mo.gov
Agriculture.Mo.Gov

1606-GIW

MISSOURI AGRICULTURAL MEDIATION

Finding common ground for farmers & ranchers





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WHAT ARE THE BENEFITS OF AGRICULTURAL MEDIATION?

When trying to settle disputes, Missouri farmers and ranchers have resources available to help. One way is to utilize the Department of Agriculture's mediation service as a low-cost alternative to appeals and expensive litigation. Nationwide, the mediation process has a success rate of more than 75 percent, meaning both parties involved reach a mutually acceptable and fair resolution.



Low-Cost Alternative to time-intensive and costly appeals and litigation



Resolution Driven mediators focus parties to reach an acceptable and fair resolution

Missouri's farmers and ranchers now have additional support:
Agricultural Mediation

WHAT ISSUES CAN BE MEDIATED?

The Missouri Agricultural Mediation Program may be used to settle disputes involving issues between two farmers, a farmer and lender or with USDA programs including:

- Farm loans
- Farm and conservation programs
- Wetland determinations
- Rural housing loan program issues and rural water disputes
- Grazing on national forest system lands
- Pesticide issues
- As a USDA program participant, any issue that may cause financial impact



HOW DO I PARTICIPATE?

If you wish to have a USDA decision mediated, please submit a written request for mediation as soon after the occurrence as possible, but no later than thirty days from receipt of the adverse decision letter from USDA.

USDA is Equal Opportunity

The USDA prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal Relay) or (800) 845-6136 (Spanish Federal Relay). USDA is an equal opportunity provider and employer.

Success Stories



The Missouri Agricultural Mediation Program is administered by the Missouri Department of Agriculture and partially funded by a continuing grant from the USDA Farm Service Agency.

- **Crop Insurance:** A Missouri producer was denied a preventive planting claim by a crop insurance company. Mediation between the producer and the insurance company resulted in a payment of approximately \$13,000 to the producer.
- **High-Risk Farmland:** USDA Risk Management Agency had considered a Missouri producer's land behind a levee as high risk. During a mediation session, the producer was able to provide new levee elevation readings and the land was removed from the high-risk category, which saved the producer money.
- **Rural Housing:** A borrower was nearing foreclosure on their home. Through mediation, the borrower was able to show a change in their income and a new payment schedule was made, allowing the borrower to remain in their home.
- **Contractual Agreements:** In a USDA Natural Resources Conservation Service case, a producer's contract was canceled based on non-performance of a stewardship program. The producer was allowed to re-plant the acres in question, the contract was reinstated and fines were waived as a result of the mediation process.



A PROGRAM OF THE
Missouri Department of Agriculture