



How and when were the Michigan and Florida Agricultural Mediation Programs established? The Michigan and Florida Agricultural Mediation Programs (AMPs) are state-level affiliates of the Agricultural Mediation Program established by the U.S. Congress in response to the farm crisis of the 1980s. The Agricultural Mediation Program has independent affiliates in 42 states and has been periodically renewed by Congress, most recently in the Agricultural Improvement Act of 2018.

The Michigan and Florida AMPs are operated by Roundtable Strategies (RTS), a 501(c)3 non-profit organization whose mission is to facilitate and teach collaborative planning and problem solving that promotes individual and community well-being. RTS has operated the Michigan AMP since 2010 and the Florida AMP since 2017. The Agricultural Mediation Programs in other states are operated by Land Grant Universities and Extension Services or State Departments of Agriculture or non-profit organizations, like RTS.

Who can participate in the Agricultural Mediation Program? Farmers and their families; agricultural lenders, creditors, lessors, and lessees; farm neighbors; and those directly affected by actions of the USDA are eligible for no-cost mediation services through the AMPs. Most agricultural-related disputes are covered, whether requested by the farmer or someone involved in a dispute with a farmer.

How much does it cost? It is free! The AMPs can mediate covered disputes at no cost to the participants.

What kinds of disputes does the program cover?

- Wetland determinations
- Compliance with farm programs, including conservation programs and the National Organic Program
- Agricultural credit
- Rural water loan programs
- Grazing on National Forest System land
- Pesticides
- Lease issues, including land leases and equipment leases
- Family farm transitions
- Farmer-neighbor disputes
- Such other issues as the Secretary or the head of the department of agriculture of each participating State considers appropriate for better serving the agricultural community and persons eligible for mediation
- And more! Please contact us to find out if your issue is covered.

How successful is the mediation process? The AMPs have posted a 75-100 percent success rate in recent years. Even when an agreement proves elusive, the parties often benefit from the exchange of information and understanding. Many organizations including the USDA, State Departments of Agriculture, Farm Bureau, and University Extension encourage the use of mediation.

What is a mediator? A mediator is a person who has been trained to work with disputing parties to identify mutually acceptable solutions to shared problems. The mediator is not a judge but instead helps facilitate the mediation process and ensure productive communication between the involved parties. Through the process, there is no finding of right or wrong and the mediator does not impose a solution. The mediator will work with the parties to develop mutually acceptable and feasible options.

AMPs mediators have additional training related to the unique kinds of problems faced by farmers and other agriculturalists. They bring experience, fairness, and integrity to the process by helping farmers help themselves and each other. Participants arrive at their own solutions as efficiently and productively as possible.

Why mediate? Mediation is an alternative to taking a conflict to court and incurring burdensome legal expenses or to going through the formal USDA appeals process. Participants in the mediation process create their own solution because the mediator does not arbitrate the settlement. Flexibility in considering a full range of realistic options within the law is encouraged in the solution process. The fact that disputing parties are meeting together in the same room for the purpose of working out a solution to their specific challenge enables everyone to deal openly and knowledgeably with the full array of issues. Additional benefits of mediation are that it is collaborative, less stressful, less costly, and less time consuming than many other dispute resolution processes, and usually successful.

What is the role of a mediator? The mediator:

- Provides a safe environment for discussion
- Remains neutral, does not take sides
- Explains the mediation process
- Enables the parties to be heard, identify needs, and contribute solutions
- Caucuses (meets separately) with each party when confidentiality or an impasse warrants it
- Drafts agreements made by the parties

Before having my own dispute mediated, I'd like to observe someone else going through the process. Is that possible? No. Because mediation sessions are confidential, you cannot observe someone else's mediation. However, you can watch a very realistic dramatization of a mediation between a farmer and a feed company at <https://vimeo.com/31099078>

What does 'confidential' mean? It means that the mediator and the participants agree to not talk about what happens during mediation to others.

Where are mediation sessions held? In-person mediation sessions are held at a neutral and private location. To help ensure everyone's health and safety during the current pandemic, mediation sessions can be held via phone or an online video conference format.

We already tried to resolve this dispute. How will mediation help? The parties have usually tried to resolve the issue themselves but may not have been able to for various reasons. Mediation offers the opportunity to discuss the matter with a neutral third party, who can help to increase understanding among participants and focus the issues, as well as help to work through potential options for an agreement. Many find that a mediator assists in breaking down communication barriers and can get the parties to a point where they can productively explore possibilities for resolving the matter.

Do I need to bring my lawyer to mediation? You may bring a lawyer or other support person to mediation, but it is not required. Many parties attend mediation without attorneys.

What documents should I bring to mediation? You are not required to bring any documents to mediation. However, it can be helpful to bring information that will assist in describing your perspective of the issue or that may aid the parties in discovering a mutual solution.

Again, what do I need to know about AMPs mediation? It is:

- Voluntary
- Confidential
- Interest-based
- Party-driven in terms of:
 - Options
 - Decisions
- Binding once the written agreement is signed
- Enforceable in court
- Provided at no cost to either party
- Successful most of the time

How do I request mediation or get more information about mediation? Call 800-616-7863 and ask for Kate or email inquire@agmediation.org Kate will listen to you, explain the mediation process, and answer any questions you might have. She can also suggest other resources that may be helpful. If you request mediation, Kate will also communicate with the other party. If they agree to mediate, she will then arrange for a session with a mediator. If the process is successful, you will leave the mediation session with a written, signed, legally binding agreement. If the process is unsuccessful, you can still pursue other resolution or appeal options. At the end of the process, Kate will ask for your feedback and any suggestions for improving the process.

Additional information about AMPs is available at <https://www.agmediation.org/>

MEDIATION STEPS

1. FARMER REQUESTS MEDIATION
2. AMP ARRANGES MEETING
3. BOTH PARTIES GATHER INFORMATION FOR PRESENTATION AT THE MEETING
4. AMP PRESIDES AT MEETING
5. AMP WRITES AGREEMENT WITH CONSENT OF BOTH PARTIES
6. BOTH PARTIES SIGN AND IMPLEMENT LEGALLY BINDING AGREEMENT

BETTER, FASTER RESULTS  The Agricultural Mediation Program works within a 45-day window to obtain results allowing farmers to get back to what they do best.