

## OVERVIEW

The U.S. Department of Agriculture (USDA) Agricultural Mediation Program makes grants to state-designated entities that provide alternative dispute resolution through mediation to agricultural producers, their lender and others directly affected by the actions of certain USDA agencies. In mediation, a trained, impartial mediator helps participants review and discuss their conflicts, identify options to resolve disputes and agree on solutions. This process helps to avoid expensive and time-consuming administrative appeals and/or litigation.

These grants are administered by the Farm Service Agency (FSA). Cases covered by the grants include agricultural loans, whether made by USDA or commercial lenders, and disputes involving USDA actions on farm and conservation programs, wetland determinations, rural water loan programs, grazing on national forest system lands, pesticides, rural housing and business loans, and crop insurance.

## HOW MEDIATION WORKS

USDA program participants are offered the opportunity to request mediation prior to a formal administrative appeal. If this option is requested, some state programs are able to provide assistance to prepare participants for the mediation session, which is held at a time and place convenient to all parties.

Unlike a judge or arbitrator, the mediator has no decision-making authority and is present only to help participants discuss and explore their issues in a useful, non-confrontational manner. Successful mediation is based on the cooperation and involvement of all participants.

Mediation can be accomplished in one meeting or may take several sessions depending on the complexity of the issues and the number of participants. If an agreement is not reached, the case is closed, and all parties remain free to pursue other available administrative appeals and/or legal action.

## MEDIATION BENEFITS

Successful mediation benefits participants in the following ways:

- Mediation may resolve disputes within a participant's financial means, providing a low-cost alternative to appeals or often expensive litigation and bankruptcy;
- The program may reduce stress caused by lengthy litigation. While it can take years for a case to filter through the courts, mediation generally takes only a few meetings to complete; and
- Mediation is confidential. Documents are not used for any other legal action against the participants.

## COST TO PARTICIPANTS

Some state programs charge mediation participants a nominal fee for mediation services. This varies from state-certified mediation programs designated by the Governor or Designee. When mediation services are needed in a non-certified state, FSA contracts with a reputable mediator in the general public. If your state is not listed, please contact your local FSA office.

## FOR MORE INFORMATION

For more information about FSA and its programs, visit your local FSA office or online at [www.fsa.usda.gov](http://www.fsa.usda.gov). To find your local FSA office, visit [www.fsa.usda.gov/state-offices/index](http://www.fsa.usda.gov/state-offices/index).

*USDA is an equal opportunity provider, employer, and lender.*

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