Agricultural Mediation Program

Background

The U.S. Department of Agriculture’s (USDA) Agricultural Mediation Program helps agricultural producers, their lenders, and other persons directly affected by the actions of USDA resolve disputes. Through mediation, a trained, impartial person (mediator) helps participants review their conflicts, identify options, and agree on solutions.

Mediation is a valuable tool for settling disputes in many different USDA program areas. These include farm loans, farm and conservation programs, wetland determinations, rural water loan programs, grazing on national forest system lands, and pesticides. The program, reauthorized by the United States Grain Standards Act of 2000, is administered by USDA’s Farm Service Agency (FSA).

How Mediation Works

Persons disputing USDA actions that directly affect them are offered the opportunity to request mediation services as part of the Department’s informal appeals process. However, parties must request mediation before an appeals hearing is held with USDA’s National Appeals Division. USDA customers may accept or decline the offer to participate in mediation.

If mediation is requested, FSA mediation officials suggest steps participants should take to prepare for mediation. Mediation officials then assign one or more mediators to the case. Participants may accept or eliminate these mediators. Once a mediator is accepted, all potential parties are advised that a mediation process is underway and given a chance to participate.

The mediator schedules a time and place to meet that is convenient to all parties. Mediation length can vary from a few hours to several days, depending on the complexity of 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 or legal actions.

Mediation services can also include counseling and financial analysis to prepare parties for the mediation session. These services are performed by USDA staff. In addition, many states provide mediation training and consultation services for producers, lenders, and USDA agencies.

Mediators

Unlike a judge or arbiter, a mediator has no decision-making authority, but is there to help participants resolve problematic issues and settle disputes. Successful mediation is based on the cooperation and involvement of all participants.

Mediation Benefits for Lenders and Borrowers

Successful mediation benefits participants in the following ways:

- Mediation may settle disputes within a participant’s financial means, providing a low-cost alternative to appeals or to 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.
- The program has a high success rate of 73 percent and is well supported by government officials and community leaders.
- Mediation is confidential. Documents are not used for any other legal action against the participants.
- Mediators can also provide referrals for producers and lenders and informally discuss with them issues or concerns.

Mediation Cost to Participants

Some states charge mediation participants a nominal fee. As fee amounts vary from state to state, please check with your local FSA office.
State Mediation Program Contacts

Certain states have a certified mediation program. This means that, at the request of the Governor, FSA has helped the state develop a mediation program authorized or administered by a state government agency or by the Governor. When mediation services are needed in a non-certified state, FSA contracts with a reputable mediator in the general public. A list of certified states and their mediation contacts are provided below. If your state is not listed, please contact your local FSA office.

Alabama
Lana M. Harms
Alabama Agricultural Mediation Program
Alabama Department of Agriculture and Industries
P.O. Box 1554
Montgomery, AL 35902-1554
Tel: (256) 927-3257 or voice mail (334) 240-7301 mail box #1000
Fax: (334) 240-7270
E-Mail: alagmedharms@tds.net

Arkansas
Richard S. Johnston
Farm/Creditor Mediation Program
Arkansas Development Finance Authority
P.O. Box 8023
Little Rock, AR 72203
Tel: (501) 682-5895
Fax: (501) 682-5893
E-Mail: rjohnston@adfa.state.ar.us

California
Carolyn Penny
Common Ground: Center for Cooperative Solutions
UC Davis Extension
1333 Research Park Dr.
Davis, CA 95616-4852
Tel: (530) 754-7060
Fax: (530) 754-5105
E-Mail: commonground@unexmail.ucdavis.edu

Colorado
Mark Gallegos
Colorado Department of Agriculture
2331 West 31st Avenue
Denver, CO 80211
Tel: (303) 480-9236
Fax: (303) 480-9236
Email: Mark.Gallegos@ag.state.co.us

Florida
Larry Arrington
Florida Cooperative Extension Service
University of Florida
1038 McCarty Hall
Gainesville, FL 32611-0210
Tel: (352) 392-0582 or (352) 392-0412
Fax: (352) 392-0414
E-Mail: larrington@uf.edu

Idaho
Suzanne McCorkle
Office of Conflict Management Services
Boise State University
1910 University Drive
Boise, ID 83725-1900
Tel: (208) 426-3776
Fax: (208) 426-4318
E-Mail: suzanne.Mccorkle@boisestate.edu

Illinois
Alicia Hill Ruiz
Southern Illinois University School of Law
104 Lesar Law Building
Carbondale, IL 62901
Tel: (618) 453-5181
Fax: (618) 453-8727
E-Mail: aruiz@siu.edu

Indiana
Linda Gray
Indiana Agricultural Mediation Program
Office of the Commissioner of Agriculture
150 W. Market Street
ISTA Center, Suite 414
Indianapolis, IN 46204
Tel: (317) 232-8770
Fax: (317) 232-1362
E-Mail: lgray@commerce.state.in.us

Iowa
Michael L. Thompson
Iowa Mediation Services
6200 Aurora Ave., Suite 608W
Urbandale, IA 50322
Tel: (515) 331-8081
Fax: (515) 331-8085
E-Mail: iamed8@netins.net
Kansas
Forrest Buhler
Kansas Agricultural Mediation Service
KState Research & Extension
2A Edwards Hall
Manhattan, KS 66506
Tel: (785) 532-6958
Fax: (785) 532-6532
E-Mail: fbuhler@oznet.ksu.edu

Louisiana
John K. Pierre
Louisiana State Agricultural Mediation Program
Southern University Law Center
P.O. Box 9294
Baton Rouge, LA 70813
Tel: (225) 771-4900 or (225) 925-2383
Fax: (225) 771-2474
E-Mail: jpierre@sulc.edu

Maryland
Jane Storrs
Agricultural Mediation Program
Maryland State Department of Agriculture
50 Harry S. Truman Parkway
Annapolis, MD 21401
Tel: (410) 841-5770
Fax: (410) 841-5987
E-Mail: storrssjm@mda.state.md

Massachusetts
Susan M. Jeghelian
Executive Director
Massachusetts Office of Dispute Resolution
One Ashburton Place, Room 501
Boston, MA 02108
Tel: (617) 727-2224
Fax: (614) 727-6495
E-Mail: susan.jeghelian@state.ma.us

Michigan
Laura Bassein
Michigan Agricultural Mediation Program
State Court Administrative Office
P.O. Box 30048
Lansing, MI 48909
Tel: (517) 373-4839
Fax: (517) 373-5748
E-Mail: basseninl@courts.mi.gov

Minnesota
Rodney B Hamer
Farmer Lender Mediation Program
Director
467 Coffey Hall
1420 Eckles Avenue
St. Paul, MN 55108-6090
Phone: (612) 625-1782
Fax: (612) 625-1955
E-Mail: hamer009@umn.edu

Missouri
J. Chris Klenklen
Administrator
Missouri Department of Agriculture
1616 Missouri Blvd., P.O. Box 630
Jefferson City, MO 65102
Tel: (573) 751-5514
Fax: (573) 751-5516
E-Mail: Chris_Klenklen@mail.mda.state.mo.us

Nebraska
Marian Beethe
Nebraska State Department of Agriculture
P.O. Box 94947
Lincoln, NE 68509-4947
Tel: (402) 471-2341 or (800) 446-4071
Fax: (402) 471-6876
E-Mail: marianjb@agr.state.ne.us

Nevada
Don Henderson
Deputy Commissioner
Nevada Department of Agriculture
350 Capitol Hill
Reno, NV 89502
Tel: (775) 684-5333
Fax: (775) 882-5121
E-Mail: henderson@govmail.state.nv.us

New Jersey
David Kimmel
State of New Jersey Department of Agriculture
P.O. Box 330
Trenton, NJ 08625-0330
Tel: (609) 984-2504
Fax: (609) 633-2004
E-Mail: david.kimmel@ag.state.nj.us

New Mexico
Patrick Sullivan
New Mexico Cooperative Extension Service
P.O. Box 3003, Department 3AE
Las Cruces, NM 88003
Tel: (505) 646-2433
Fax: (505) 646-3808
E-Mail: pasulliv@nmsu.edu

New York
Tom Buckner
NYS Unified Court System
State Office of Alternative Dispute Resolution Programs
98 Niver Street
Cohoes, NY 12047
Tel: (518) 238-2888 ext. 234 (Collins); ext. 238 (Buckner)
Fax: (518) 238-2951
EMail: tbuckner@courts.state.ny.us
Fact Sheet
Agricultural Mediation Program

North Dakota
Jeff Knudson
North Dakota Agricultural Mediation Service
North Dakota Department of Agriculture
600 East Boulevard, 6th Floor
Bismarck, ND 58505
Tel: (701) 328-4769 or 328-2231
Fax: (701) 328-4567
E-Mail: jknudson@state.nd.us

Utah
Kyle R. Stephens
Deputy Commissioner
Utah Department of Agriculture and Food
P.O. Box 146500
Salt Lake City, UT 84114
Tel: (801) 538-7102
Fax: (801) 538-7126
E-Mail: kylestephens@utah.gov

Oklahoma
Mac McCrory
Director
Institute for Issues Management & ADR
Oklahoma State University
2302 W. 7th Street
Stillwater, OK 74074
Tel: (800) 248-5465 or (405) 744-6477
Fax: (405) 377-1048
E-Mail: macwell@okstate.edu

Washington
Jack Hebner
Mediator Director
Fulcum Institute
905 W. Riverside, Suite 304
Spokane, WA 99201-1099
Tel and Fax: (509) 838-2799
E-Mail: hebnerj@worldnet.att.com

South Dakota
Shanon Nowell
South Dakota Agricultural Development
Joe Foss Building, 523 E. Capitol
Pierre, SD 57501-3182
Tel: (605) 773-5436 or (800) 228-5254
Fax: (605) 773-3481
E-Mail: shanon.nowell@state.sd.us

Wisconsin
Jo Ann Prust
Wisconsin State Farm Mediation and Arbitration
Wisconsin Department of Agriculture, Trade and Consumer Protection
2811 Agriculture Drive
P.O. Box 8911
Madison, WI 53708
Tel: (608) 224-5052
Fax: (608) 5110 or 224-5111
E-Mail: jo.prust@datcp.state.wi.us

Texas
D. Gene Valentini
Texas South Plains Association of Governments
Dispute Resolution Center
1323 58th Street, P.O. Box 3730
Lubbock, TX 79452-3730
Tel: (806) 762-8721 or (800) 858-1809
Fax: (806) 765-9544
E-Mail: spag.drc@juno.com

Wyoming
Lucy Hansen
Wyoming Agriculture and Natural Resources Mediation Program
2219 Carey Avenue
Cheyenne, WY 82002-0100
Tel: (307) 777-7323
Fax: (307) 777-6593
E-Mail: lhanse@state.wy.us

National Office Contact
Chester A. Bailey
Farm Service Agency
USDA Agricultural Mediation Program
USDA/FSA/OS
Stop 0511/Room 3716-S
1400 Independence Ave., SW
Washington, D.C. 20250-0511
Tel: (202) 720-1471 or (202) 720-7619 (OS)
Fax: (202) 690-0644 or (OS) 690-4727
E-Mail: cbailey@wdc.usda.gov

The United States Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, sexual orientation, or marital or family status. (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 USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.