

## What Are the Benefits of Mediation?

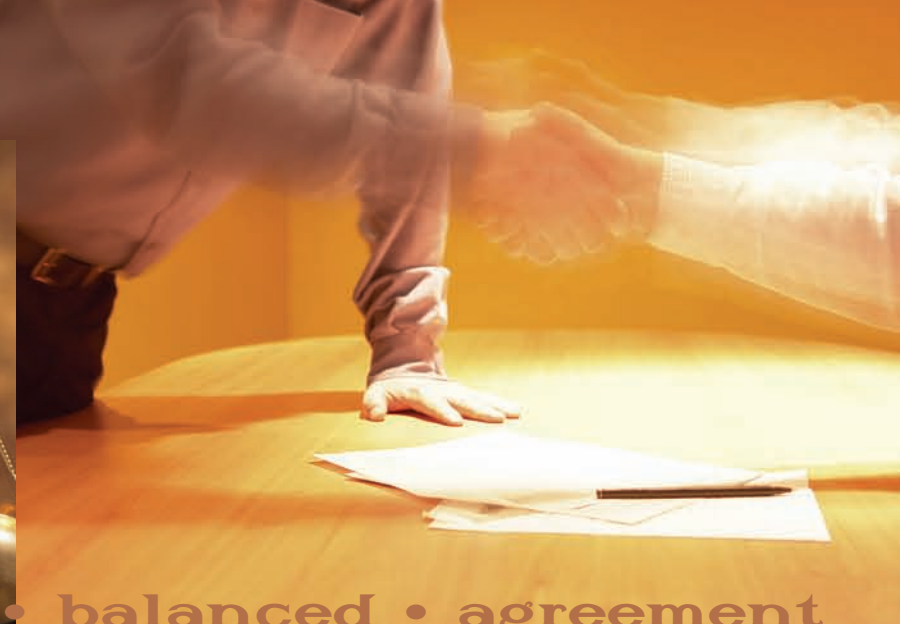
When trying to settle disputes, Missouri farmers, ranchers and producers can utilize the department's Mediation service as a low-cost alternative to appeals and expensive litigation. This process has a 73 percent success rate nationwide, meaning both parties involved reach a mutually acceptable and fair resolution.

It is also an opportunity for participants to resolve an issue within their financial means and reduce the stress often caused by lengthy litigation. While it can take years for a case to filter through the court system, mediation generally takes only a few meetings to complete. In addition, communications related to and made by the participants during the resolution process are confidential. **Missouri's farmers, ranchers and producers now have an additional support tool which offers many benefits – Mediation.**

## What Issues Can Be Mediated?

The Missouri Agricultural Mediation Program may be used to settle disputes involving 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
- **Any issue that may cause a financial impact as long as you are a USDA program participant**



fair • balanced • agreement



**Have you received an adverse decision from a USDA agency?**

## How Do I Participate?

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

## Who Should I Contact?

For more information, contact the Missouri Agricultural Mediation Program at

573-751-5520 or via e-mail at [Mediate@mda.mo.gov](mailto:Mediate@mda.mo.gov)

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

### **The Missouri Agricultural Mediation Program**

A Service of the Missouri Department of Agriculture

1616 Missouri Blvd., P.O. Box 630

Jefferson City, MO 65102

Phone: 573-751-5520

E-mail: [Mediate@mda.mo.gov](mailto:Mediate@mda.mo.gov)

Web site: [www.mda.mo.gov](http://www.mda.mo.gov)

# The Missouri Agricultural Mediation Program

## A Service of the Missouri Department of Agriculture Division of Grain Inspection and Warehousing

The Missouri Agricultural Mediation Program assists agricultural producers, their creditors and other persons directly affected by the actions of the U.S. Department of Agriculture (USDA) resolve disputes, thereby reducing participants' costs associated with administrative appeals and litigation. Mediation services are available to all participants of USDA programs including non-USDA situations that would have an adverse financial effect on the participant. This could include tenant/landlord, borrower/lender and neighbor/neighbor disputes.

### What is Mediation?

Mediation is a process, outside the court systems, in which a trained, impartial person helps participants look at and 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 their situation. Unlike a judge or an arbitrator, a mediator cannot decide what is right or make anyone do anything. Since the parties control the results of the mediation, the potential for satisfaction with mediation 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 Mediation Work?

With USDA adverse decisions mediation must be requested no later than thirty days of the USDA adverse 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 problem 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.

When mediation is requested, officials with the Missouri Agricultural Mediation Program contact the requesting party to get a complete list of potential participants. Officials will provide necessary information to assist participants in preparing for mediation. One or more mediators are then assigned to the case.

Once a mediator is assigned, the participants are advised that the mediation process is underway. When a meeting is scheduled, the parties are informed of the time, place and nature of the mediation process. Mediators set ground rules that all participants are required to follow.

If an agreement is reached, the mediator assists the parties in preparing a written agreement. If an agreement is not reached, the case is closed and all parties are advised of the outcome. At that time participants are free to pursue other appeals in accordance with the rules and regulations of the USDA.



Missouri Department of  
agriculture

Ag Mediation



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