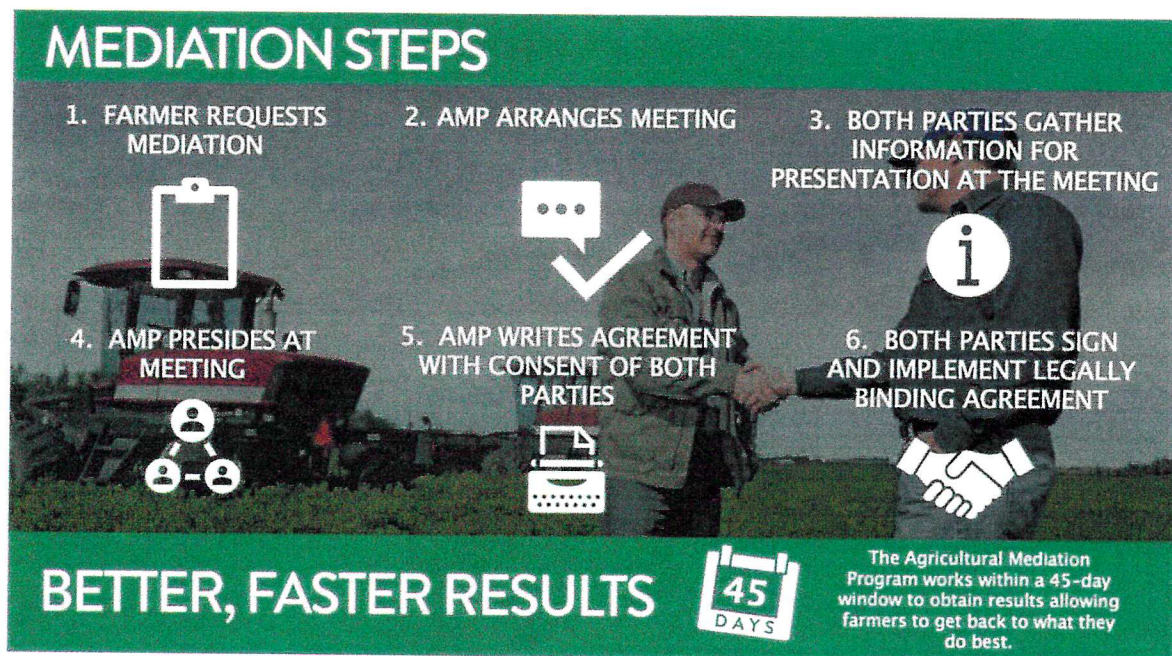


How do I request mediation or get more information about mediation? Call 800-616-7863 and ask for Kate or email [inquire@agmediation.org](mailto:inquire@agmediation.org) Kate will listen to you, explain the mediation process, and answer any questions you might have. She can also suggest other resources 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/>











## Lansing Office

### Michigan Agricultural Mediation Program

516 S. Creyts Rd, Suite A

Lansing, MI 48917

Phone: 800-616-7863

Fax: 800-283-7531

Email: [inquire@agmediation.org](mailto:inquire@agmediation.org)

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MICHIGAN AGRICULTURAL  
MEDIATION PROGRAM

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02/2020

## Michigan Agricultural Mediation Program

*Farming on agreeable terms.*

### About the Agricultural Mediation Program

If you have an agricultural dispute, the Michigan Agricultural Mediation Program (MAMP) is here to help you.

The program was created by the U.S. Congress in 1987, when farming faced tough times. The MAMP today can help address an expanded range of agricultural challenges. The MAMP brings participants in a dispute together to seek solutions within the law that work for all concerned.

#### Mediation is:

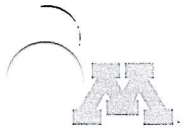
- Successful most of the time
- Voluntary and confidential
- Speedy and flexible
- Provided at no cost to participants

### When to Use Mediation

Mediation is available when issues arise involving:

- Agricultural loans
- Agricultural credit
- Wetland determinations
- Compliance with farm programs, including conservation programs
- Crop insurance
- Pesticides
- Rural development loans
- Organic certification
- Leases
- Family farm transitions
- Farmer-neighbor disputes
- Other agriculture-related topics deemed appropriate by USDA or the state department of agriculture

[agmediation.org](http://agmediation.org)



Extension is expanding its **online education** and resources to adapt to COVID-19 restrictions.

## Farmer-Lender Mediation



### Seeking solutions in difficult times

**Credit is essential to farmers.** In fact, the need for investments in land and equipment requires most farmers to carry debt. Unfortunately, debt can lead to farm foreclosures and major lifestyle changes.

### About Farmer-Lender Mediation

#### What is Mandatory Farmer-Lender Mediation?

**Mediation is the use of a trained neutral facilitator** — a mediator — to assist in the negotiations of parties in a dispute. Mediation is an informal and confidential process that generally requires less cost and time than adversarial court litigation.

**A farmer in debt has the opportunity to renegotiate, restructure, or resolve farm debt through Mandatory Farmer-Lender Mediation. During a 90-day period, creditors in mediation may or may not collect on the debt. The use of the term mandatory does not mean that the farmer must use mediation. It means that no creditor can start a proceeding to collect debt against a property until the offer of mediation has been extended and, if the farmer so chooses, completed.**

**The goals of Farmer-Lender Mediation are to:**

- achieve open communications between the parties in order to resolve differences
- create a non-hostile environment
- define the rights and responsibilities of the debtor and creditor
- treat all parties with dignity and respect
- produce agreements that are acceptable to all the parties involved

#### How does mediation work?

**Starting on August 1, 2017, a creditor with a secured debt of more than \$15,000** against an agricultural property must offer Farmer-Lender Mediation before proceeding with foreclosure, repossession, cancellation of contract, or collection of a judgment.

**The first step is an orientation meeting** if the farmer chooses to take advantage of the mediation offer. The farmer, creditor, financial analyst and the mediator meet to explain the process and to determine if financial information needs to be prepared.

#### What is the role of the mediator?

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**The mediator leads and manages discussion as a neutral party without making decisions or judgments. Mediators are trained to use conflict resolution skills to facilitate effective negotiation.**

**The mediator ensures that all participants in mediation get to speak and be heard, helps to define issues, emphasizes common goals, keeps the discussion focused and moving forward, looks at all options, and reduces fault finding.**

**The mediator may advise, counsel and assist the parties on ways to come to an agreement, but does not tell the parties how they should conduct their business or personal affairs. The mediator does not take sides or decide how the dispute should be resolved.**

### **What are the outcomes of mediation?**

**Successful mediation requires compromise on the part of both debtor and creditor.**

**Farmers may have to:**

- change operation to make it profitable
- liquidate assets

**Creditors may need to:**

- restructure debt and security
- reschedule loan payments

**The parties involved retain control over the outcome of the negotiations in a joint decision-making process, regardless of the specific outcomes of the mediation.**

**Trust is built and solutions are uncovered when parties meet face-to-face to exchange information in an orderly way. The parties have strong incentives to make their agreements work, because they created the agreements themselves.**

**Those who have participated in mediation commonly report that the process resulted in:**

- the farmer becoming more prepared to make decisions about the future
- communication between lenders and borrowers being improved
- frustration and tension between parties being minimized

**If mediation does not result in an agreement, the parties are free to pursue whatever course of action is available to them - most often with a clearer understanding of the facts, the issues and the positions of the other parties.**

### **How does mediation begin?**


**Creditors begin the mediation process by sending our Farmer-Lender Mediation office a notice of debts of \$15,000. Our office then sends debtors information, including a Request for Mandatory Mediation Form. Debtors must return that form within 14 days if they want mediation. Make sure to identify all the creditors necessary for your farming operation.**

**Send the form to:**

Statewide Mediation Coordinator  
Mary Nell Preisler  
1526 170th Avenue  
Bejou, MN 56516

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If you do not return the request form within 14 days, you will waive your mediation rights.

Be as prepared as possible. Review your position carefully and the reasons you hold that position.

University of Minnesota Extension administers the Mandatory Farmer–Lender Mediation Program and has provided mediation services to more than 24,000 cases since 1986.

Remember, to take advantage of the mediation opportunity, the debtor must request services within 14 days of a creditor's notice.

## Other choices

Mandatory Farmer–Lender Mediation is one of four types of mediation services provided for under the Omnibus Farm Bill. Under certain circumstances, farmers/debtors may also choose to participate in:

- Voluntary Mediation
- Rural Dispute Resolution
- USDA **National Appeals Division (NADS)**. <<https://www.nad.usda.gov/>>

## Statute packet

Read the **Farmer–Lender Mediation Act – Statute Packet** <<https://drive.google.com/file/d/1EIM5kTQRNGNvdFKVwg2Q-lzwUMifKM7n/view>> .

## Program results



View 2016–2020 executive summaries below.

- **2020 Executive Summary** <<https://drive.google.com/file/d/1gha9I5FRHsyRxqQIEXRInJoT7YYOEU0N/view>>
- **2019 Executive Summary** <<https://drive.google.com/file/d/1noNYvFiJPjNuKvLmEa81uDXJ8RmM16/view>>
- **2018 Executive Summary** <<https://drive.google.com/open?id=0B9zpP3B4DDIpdGVhT3I1LVNPMGJORVU5RH1yaEVCQ0ZTYnNn>>
- **2017 Executive Summary** <<https://drive.google.com/file/d/11JAiooEoaVpJmFAaiYiSH9YJD3nm9URm>>
- **2016 Executive Summary** <<https://drive.google.com/file/d/1fxthI0VsAluQicXqxd516kA6mwKNusey/view>>


## Additional resources

Find **resources for difficult times** in Minnesota, including counseling, advocacy, legal and referral resources.

## For more information

If you have questions or would like more information about Mandatory Farmer–Lender Mediation, contact the Statewide Mediation Coordinator, **Mary Nell Preisler**.

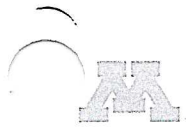
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## Farm financial counseling

Extension farm financial experts from areas like banking and farm business management education provide free, one-on-one financial counseling to farmers who are experiencing financial stress.

These analysts will help you understand your financial situation, explore options, and identify alternatives to help alleviate the financial stress caused by the current agricultural climate.

## Farm Information Line

For general questions or to set up a financial counseling session, contact the Farm Information Line. You'll get reliable, research-based answers from Extension agriculture and natural resources experts. It's a statewide service backed by a network of local educators, so you'll get information to meet your needs.

**Call:** 1-800-232-9077

**Hours:** 9 a.m. to 12 p.m., Monday through Friday.

**Afterhours:** Leave a voicemail and we'll return your call the next business day.

**Anytime:** Email us at [fil@umn.edu](mailto:fil@umn.edu).

