

USDA Certified State Agricultural Mediation Programs

Benefits of Mediation

- Mediation provides a confidential forum to discuss complex issues.
- Mediators are neutral — they do not make decisions — they help the parties find solutions.
- Mediation builds strong working relationships with producers, their lenders and government agencies they work with.
- Decisions are made rapidly by involved parties — streamlining government involvement.
- Mediation supports stability and diversity in rural economies.

Growth

- Since the program was reauthorized in 2000, seven more states have a USDA Certified State Agricultural Mediation Program, bringing the total to 32 states, a growth of nearly 30 percent.
- To maintain a successful program, funding must keep pace with the program's growth.
- This program is growing for a good reason—*it works*. The number of mediation clients has increased from approximately 3,300 in Fiscal Year 2001 to more than 4,600 in Fiscal Year 2004.
- Appropriations from Congress were \$3,974,000 in Fiscal Year 2004.

Key Components and Issues

- **Neutrality.** It is critical that mediation programs are neutral in practice as well as in perception. Producers must have confidence that the program settles disputes in a fair manner.
- **Confidentiality.** Confidentiality is vital to the integrity and success of the mediation process. Without its absolute guarantee, participants may be apprehensive, or unwilling, to discuss personal financial and emotional matters.
- **Autonomy.** USDA certified mediation is a *state and federal partnership*. State agricultural mediation programs are not “federal programs.” To address the differences in state needs, priorities and expectations, state program autonomy is essential and was in fact, intended by Congress.

Background

- In 1988 Congress authorized USDA to help develop and participate in Certified State Farm Mediation Programs under the USDA Farm Loan Mediation Program — part of the Agricultural Credit Act of 1987.
- In 1992 Congress increased federal matching funds to 70 percent in support of state programs.
- In 1994 Congress expanded the program under the USDA Reorganization Act, authorizing USDA to offer mediation as an option as part of the informal appeals process with respect to adverse decisions on USDA farm program issues.
- Mediation programs assist agricultural producers, their creditors and various USDA agencies to address loan problems, USDA adverse decisions and other disputes. The programs do this in a *confidential* and *non-adversarial* setting outside the traditional legal process of foreclosure, bankruptcy, appeals and litigation.

CAMP Mission Statement

The purpose of the Coalition of Agriculture Mediation Programs (CAMP) is to serve as a presence and voice for the use of mediation in rural disputes. CAMP serves as a clearinghouse and forum for sharing ideas; examining commonalities and differences; and for enhancing decisions about the conduct of rural mediation programs.

Participating States

Alabama, Arizona, Arkansas, California, Colorado, Florida, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, Nevada, New Jersey, New Mexico, New York, North Dakota, Oklahoma, South Dakota, Texas, Utah, Virginia, Washington, Wisconsin, Wyoming

