

# What is Mediation? When to Use it And How it Works for Farmers

*By Laura Hardie of the California Agricultural Mediation Program*

As a farmer, you've likely encountered situations requiring conflict resolution. Whether it is a disagreement with a neighbor, a feed dealer regarding a debt, or a landowner over a lease agreement, conflicts can arise out of nowhere.

As someone who depends on the success of the farm, it is important to know how to find solutions. One effective method farmers can use is mediation, a free service provided by [the California Agricultural Mediation Program](#) (CALAMP).

One farmer shared about the mediation process, "I tried to resolve my dispute on my own for 18 months but was shot down on every avenue I tried. Once we got into mediation, they really started to listen to me for the first time, and we were able to resolve the dispute quickly."

## How Farmers Can Use Mediation

Mediation is a confidential process where a neutral third party, the mediator, helps two or more parties resolve a dispute through facilitated communication and negotiation. Mediation is a voluntary process, meaning the parties are not required to agree to a settlement.

Unlike a court trial, the mediator makes no decisions or rulings. Instead, the mediator guides the parties toward an acceptable resolution for everyone involved. Farmers often say mediation is a faster and less stressful way to get to a desired outcome than legal avenues.

"I was struck by how fast it went. The mediation was set up right away, and the dispute was resolved within a week. If you want to fight, hire an attorney. If you want to get something done and reach an agreement, hire a mediator," a farmer wrote of the process.

The list of agricultural issues eligible for free mediation varies by state. In California, free mediation is available for debt issues, farm loans, family-farm transitions, farmer-neighbor disputes, land and equipment leases, organic certification, pesticide issues, USDA farm and conservation programs, USDA rural development loans, and wetlands determinations.

## How Mediation Works

Mediation sessions begin with a meeting with all participants present. This can be done in person or virtually. The purpose is to define the issues, interests, and concerns of all parties. The mediator begins by welcoming the participants and explaining the process. Then each participant can make a brief opening statement to provide their perspective on the problem.

Agricultural mediators are often lawyers or attorneys who specialize in conflict resolution. Many have worked on farms, for agricultural businesses, or owned their own operations. Before becoming an attorney and an agricultural mediator, Mary Campbell of CALAMP worked as a farm apprentice and drove tomato trucks.

Jenna Muller is also an agricultural mediator with CALAMP who brings her experience as a lawyer and a farm owner to discussions. Muller and Campbell say mediation helps relieve stress and can even improve relationships.

"More often than not, we find that the issue was stressing the relationship between the parties. Once we help the parties find some common ground, they can reconnect with one another as business partners, neighbors, or community members. Having that neutral person, the mediator, to moderate the discussion and ask good questions makes a difference," Campbell said.

On average, it takes one to three meetings to resolve a dispute. During the meetings, the mediator will ask questions, listen to the parties, and help them communicate effectively. The mediator's role is to help the parties understand each other's needs and interests, evaluate options and develop an agreement that meets everyone's needs.

### **How Mediation Can Help Farmers Become Better Communicators**

Mediation provides several benefits to farmers. First and foremost, it can help farmers avoid long and drawn-out legal battles that can consume significant amounts of money and resources. It can also restore relationships. Additionally, mediation can help farmers learn how to be better communicators.

"Mediation is all about learning to listen," Campbell said. "Before you share your point of view, you want to listen to understand the other person and acknowledge their concerns. If you can show someone you see how an issue has affected them, they'll be more open to solving it."

### ***Need help navigating your specific challenges with a difficult conversation or topic?***

You can set up a free call with the California Agricultural Mediation Program to learn more about mediation and how agricultural mediators can help you create the solutions you desire.

Fill out the request for mediation form at [www.CALAMP.org](http://www.CALAMP.org), email [matts@emcenter.org](mailto:matts@emcenter.org), or call (916) 330-4500. Services are confidential and free to farmers.