

Pushing the Pivot—How Mediation Can Help Prevent a Crisis

By Leslie Forstadt, PhD, Director, [Maine Agricultural Mediation Program](#)

You've survived the multiple pivots and challenges this season and your operation may be thriving, or it may be struggling. You've navigated multiple layers of additional policies, applied for assistance, adapted internal SOPs, and found new ways to meet customer demand. It has not been easy. And here you are, perhaps you can take stock of your plans for 2021, and maybe get a chance to pause and breathe.

If there's uncertainty in your future about maintaining organic certification and you'd like help talking with MOFGA, or if there's a pivot on the horizon that may be hard to talk with your business partners about, the Maine Agricultural Mediation Program (MAMP) can support you in making decisions and having difficult conversations, including where there is conflict or dispute.

How does Agricultural Mediation work?

The purpose of mediation in the MAMP is to have a neutral party (someone who does not have a stake in the game) sit with and facilitate a conversation between two or more people who may be in conflict or having trouble making a decision. Agricultural and aquaculture producers (farmers of the land or the sea) can participate in the MAMP. Agricultural mediation is not arbitration, and does not involve lawyers, although there are some lawyers who work with the MAMP. Some of the MAMP mediators are farmers and want to support other farmers make decisions that they feel in control of.

Agricultural mediation is voluntary, confidential, and free.

Who runs the Maine Agricultural Mediation Program?

The University of Maine Cooperative Extension operates the MAMP in collaboration with the non-profit Family and Community Mediation.

Why would someone use agricultural mediation?

The MAMP can support conversations, decision making, and conflict resolution about:

Lease issues (land and equipment)

- Meet with someone from the MAMP if there is difficulty or a need to renegotiate leases of land and/or equipment.

Family farm transition

- Many conversations just need someone to start them. The MAMP can support a variety of issues that affect farm transition, including just getting the conversation started.

Neighbor conflicts

- Smell complaints? Water issues? Fencing? Meet with your neighbor to discuss the concerns. Even if your neighbor isn't willing to come to mediation, the MAMP can coach you about how to handle conflicts.

Credit issues

- A range of credit counseling services are available through the MAMP, and referrals can be made to other organizations, depending on your needs.

Workplace (employee/employer) issues

- A session with the MAMP can be requested by employees and employers, members of family farm, and members of a farm team.

Agricultural mediation is available in the case of an adverse decision with a USDA entity like FSA or NRCS, or organic certification. You can request mediation in ADVANCE of an adverse decision or conflict in the following areas:

- Agricultural loans (USDA or commercial lenders)
- USDA actions on farm/conservation program; wetland determination; rural water loan programs; grazing on national forest system lands; pesticides, rural housing, and business loans; crop insurance
- National Organic Program established under the Organic Foods Production Act of 1990

The MAMP is available to you and your farm as you manage, juggle, pivot, problem solve, create, and envision the future of your business.

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