

Agricultural Mediation Program



The Massachusetts Office of Dispute Resolution (MODR) is certified by the U.S. Department of Agriculture to administer an Agricultural Mediation Program for the Commonwealth's farm community.

The Agricultural Mediation Program has the full support of the Massachusetts Department of Agricultural Resources and growers associations throughout the Commonwealth. The program addresses the need for mediation of adverse determinations by the USDA and other agricultural issues.



"The Agricultural Mediation Program operated by MODR addresses a pressing need to provide dispute resolution services to farmers and growers in the Commonwealth... MODR's authority and experience make it highly suitable to operate an Agricultural Mediation Program for the Commonwealth."

- Jane Swift, Former Governor of Massachusetts

"Using MODR, a trusted and experienced neutral, to assist in this process will be a giant step forward for many longstanding disputes, and for agriculture in general."

- Jonathan Healy, Past Commissioner Mass. Dept. of Food and Agriculture

For more information, please contact:

Loraine M. Della Porta
Deputy Director
Massachusetts Office of Dispute Resolution
UMass Boston -100 Morrissey Blvd
Boston, MA 02125
phone: 617/287-4048
fax: 617/287-4049



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Brochure Revised 08/03



Commonwealth of Massachusetts Agricultural Mediation Program



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Dispute Resolution***

***UMass Boston
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Boston, MA 02125
617/287-4048
617/287-4049 (fax)***



What is Mediation?

Mediation is a *voluntary, confidential* and *flexible* process in which a neutral mediator assists negotiations between two or more disputing parties. Agreements reached in mediation often meet the needs of all involved parties and are more likely to be upheld.

Mediation is NOT a determination of who is right or wrong, and the mediator is not a decision-maker. Mediation is not an end point -- other rights, responsibilities, and options are still available.

What are the Benefits of Mediation?

Parties are able to devise *creative solutions*, often in *less time*, at *less cost*, and with *greater satisfaction* than through litigation.

Because the parties craft a mutually acceptable solution together, mediation is often successful in producing *high quality* settlements and *durable agreements* which help preserve on-going relationships between the parties.

What Does Mediation Cost?

Mediation is available at little or no cost to the Commonwealth farming community. Mediation services for agricultural loans, agricultural credit, farm program compliance, and other agricultural related issues are funded by the U.S. Department of Agriculture through a grant to MODR.

Who is MODR?

The Massachusetts Office of Dispute Resolution (MODR) is a state agency providing alternative dispute resolution (ADR) services to public agencies, municipalities, the courts, and citizens of the Commonwealth on issues which involve a public nexus. MODR works with these groups to identify conflicts and to create effective and collaborative ADR programs.

MODR operates and administers the Agricultural Mediation Program for the Commonwealth. Services are provided through qualified and experienced mediators on MODR's panel who have backgrounds and training in agricultural issues.



For over 14 years, MODR has successfully mediated wetlands, conservation, hazardous waste, land use, coastal access, and other environmental disputes affecting the Commonwealth and its citizens. In addition, MODR has extensive experience mediating banking and commercial loan disputes.

When Can Mediation be Requested?



USDA agencies issuing an "adverse determination" offer the option of mediation and must participate in mediation if requested. Additionally, mediation may be requested for agricultural credit issues by borrowers or their creditors when a borrower is delinquent or is at risk of becoming delinquent.

Early mediation may prevent potential difficulties or adverse determinations.

Note re: Time of Appeals: Where a borrower is appealing an adverse determination by the USDA, the borrower should request mediation immediately after receiving notice of the adverse determination(s) in order to stay the period of appeals. If the matter is not resolved in mediation, the borrower may proceed with the appeal.

