

Arkansas Agricultural Mediation Program

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Overview

The U.S. Department of Agriculture's (USDA) Certified Mediation Program (CMP) provides agricultural producers, creditors, and others impacted by USDA decisions with a neutral process to resolve disputes. Administered by the USDA Farm Service Agency (FSA), mediation helps participants negotiate a mutually acceptable resolution in several USDA program areas. Eligible applicants include agricultural producers, creditors, and other stakeholders involved in disputes related to farm loans, USDA program decisions, rural housing loans, and other agricultural program issues. Mediation is available to any party seeking to resolve conflicts through a neutral and confidential process. Producers and stakeholders are encouraged to check with their local FSA office or certified state mediation program for specific requirements, application procedures, and program details.

Arkansas Farmer/Creditor Mediation Program

Farmer/Creditor Mediation is
the FSA certified state mediation

program in Arkansas. The program is open to farmers with secured indebtedness totaling \$20,000 or more. The program was established in 1989 and is now part of the Arkansas Department of Agriculture. To use the mediation program, an applicant submits a request for mediation, identifying the issues at hand, and works with a neutral mediator to facilitate discussions and negotiations. Some states charge mediation participants a nominal fee. For detailed instruction or to request mediation through the Certified Mediation Program, agricultural producers and other stakeholders must contact their state-certified mediation program contact.

For more information or assistance
with the Arkansas Farmer/Creditor
Mediation Program, please
contact:

Cami Davis

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Benefits of Mediation

Successful mediation benefits participants in the following ways:

- Neutral mediator facilitates communication and negotiation
- Helps parties reach mutually agreeable solutions
- Improves relationships and understanding among parties
- Provides cost-effective resolution: Mediation provides a more affordable alternative to litigation, saving time and resources for all parties involved.
- Enhances communication: The mediation process encourages open communication and collaboration, leading to better understanding and long-term relationships.
- Voluntary and confidential: Mediation is a voluntary process, and discussions are confidential, creating a safe environment for parties to express their concerns and negotiate solutions.

Mediation allows farmers more time to develop available options to settle their debt issues. It allows for an initial dialogue between farmers and the creditors to resolve disputes prior to mediation and allows for a full discussion of all potential options without anyone feeling targeted, ashamed or embarrassed. Creditors gain assistance from an independent third party to help them resolve the credit matter at hand.

It is mandatory that a creditor offers mediation to a farmer to settle credit issues prior to taking any type of legal action. This is accomplished

through Creditor Notice to Farmer of Right to Request Mediation. However, participation in the Farmer/Creditor Mediation Program is completely voluntary. This means that no one is forced to accept mediation, and if mediation occurs, no one must agree to anything they do not want.

Upon notice of a creditor's Offer of Mediation to a farmer, the mediator sends an additional notice to the farmer confirming receipt of the creditor's notice and reminds the farmer that they have two weeks to complete and return a Farmer Request for Mediation. This mediation meeting offers the potential for beneficial changes between the farmer and the creditor(s). The program must receive the farmer's request for a mediation meeting (recommend certified return receipt mail). Once the request for mediation is received, the mediator has 21 days to schedule the mediation. Mediation must take place within 42 days after receiving the request.

For more information:

Arkansas Farmer/Creditor Mediation Program <https://agriculture.arkansas.gov/arkansas-department-of-agriculture-services/arkansas-farmer-creditor-mediation-program/>

FSA Local Service Centers <https://www.farmers.gov/working-with-us/service-center-locator>

Sources

USDA – FSA Certified Mediation Program (CMP). <https://www.fsa.usda.gov/resources/programs/certified-mediation-program>

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