



## Legal Resources for Farmers

“On any type of farm or ranch, there may be times when problems are serious enough and the stakes high enough that farmers need legal advice. An experienced attorney should be able to explain how the laws affect a farmer’s individual situation, give legal advice on which choices best fit the farmer’s goals, draft the legal papers needed and, if necessary, represent the farmer in court, mediation, arbitration, or other proceedings intended to resolve disputes.” – Scott Carlson, Esq., Farmers’ Legal Action Group

“The best advice for new farmers is to treat your farm like a business. Every business should have its own accountant, its own specialized consultants and especially its own legal counsel. As a business entity, every agricultural enterprise needs a dedicated legal advisor to provide reliable counsel on the areas of law that would apply to any other business.” – Jason Foscolo, founding attorney of Jason Foscolo LLC, *Veteran Careers in Agriculture: A Resource Guide*, Farmer Veteran Coalition

Farmers can encounter a variety of issues requiring legal advice. The following list identifies some common categories and offers useful resources:

### ***Business Organization and Management***

- Tips About: Farm Business Structures, ATTRA
- Publications: Business Organizations/Cooperatives, National Agricultural Law Center
- Farm Incorporation, Beginning Farmers
- Planning for Profit in Sustainable Farming, ATTRA
- Financing Your Farm: Guidance for Beginning Farmers, ATTRA

### ***Farmland Transitions***

- Publications: Estate Planning and Taxation, National Agricultural Law Center
- Estate Planning and Taxation, National Agricultural Law Center
- Planning for the Future of Your Farm: Legal Tools for Farm Transition Planning, Ohio State University Extension
- Planning for the Future of Your Family Farm: Planning and Discussion Guide, Ohio State University Extension



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### ***Labor***

- Publications: Labor, National Agricultural Law Center
- Agricultural Labor Law 101: The Basics of Federal Governance, National Agricultural Law Center

### ***Easements***

- Property Rights, Right of Ways, and Eminent Domain, National Agricultural Law Center

### **Direct Marketing**

- Direct Marketing, ATTRA
- Publications: Local Food Systems, National Agricultural Law Center
- Farmers' Markets Rules, Regulations and Opportunities, National Agricultural Law Center

### **Contracts and Leases**

- Tips for Farm Leases and Contracts: Creating Smart, Effective Documents, ATTRA
- Publications: Livestock Marketing/Marketing Orders, National Agricultural Law Center
- Farmers' Guide to Organic Contracts. Farmers' Legal Action Group

### **Conservation**

- Federal Working Lands Conservation Resources for Sustainable Farming and Ranching, ATTRA
- Conservation Programs, National Agricultural Law Center

### **Water**

- Publications: Water Law, National Agricultural Law Center, National Agricultural Law Center

### **Pesticide Application**

- Publications: Pesticides, National Agricultural Law Center

### **Food Safety**

- Farm Food Safety Organic Federal Co-compliance Chart for Crop Producers, ATTRA
- Beyond Fresh: A Food Processing Guide for Texas Farmers, ATTRA
- Publications: Food Safety, National Agricultural Law Center

### **Food Labels**

- Publications: Food Labeling, National Agricultural Law Center

### **Right to Farm**

- Right-To-Farm: Typical Provisions, National Agricultural Law Center

### **Carbon Markets**

- Payments for Ecosystem Services, ATTRA
- Considering Carbon: A Farmer's Guide to Carbon Contracts, National Agricultural Law Center

### **Crop Insurance**

- Crop Insurance Options for Specialty, Diversified, and Organic Farmers, ATTRA
- Is Organic Farming Risky? Improving Crop Insurance for Organic Farms, ATTRA
- Publications: Disaster Assistance/Crop Insurance, National Agricultural Law Center

### **Foreclosure and Bankruptcy**

- Publications: Bankruptcy, National Agricultural Law Center

### **Taxes**

- Tips about: Farmer Income Tax, ATTRA

### **Agritourism**

- Publications: Agritourism, National Agricultural Law Center
- Getting Started with Agritourism, Cornell University Cooperative Extension
- Vermont Agritourism Collaborative, UVM

### **Civil Disputes**

- Publications: Alternative Dispute Resolution, National Agricultural Law Center

### **Fence Statutes**

- Fence Law, National Agricultural Law Center

### **Landowner Liability**

- Landowner Liability, National Agricultural Law Center

## **Further Resources**

- I'm a Farmer. When Do I Need a Lawyer?, ATTRA
- Veterans Programs, Farmland Access Legal Toolkit
- Farmers Legal Action Group
- Agricultural Law Information Partnership
- Government Resources Guide for Farmer Veterans, Farmer Veteran Coalition
- Farm Commons

#### **Legal Resources for Farmers**

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