

AAALA 2001 CONFERENCE SCHEDULE

Colorado Springs, Colorado

Thursday, October 11

- 1:00 - 6:00 p.m. **AAALA Board Meeting** Fremont Room
- 5:00 - 8:00 p.m. **Preregistration** Conference Center Lobby

Friday, October 12

- 7:00 - 5:00 p.m. **Registration** Conference Center Lobby
- 7:00 - 8:00 a.m. **Light Continental Breakfast** Pikes Peak Concourse
- 7:30 - 8:30 a.m. **ABA Agriculture Finance and Agribusiness Subcommittee and Meeting Program** Pikes Peak Ballroom
- Recent Developments In Insurance Coverage for Farmers**
 Steven W. Sanford, Cadwell Sanford & Diebert, Sioux Falls, SD
- 8:30 - 9:00 a.m. **AAALA Membership Meeting** Pikes Peak Ballroom
 Steven C. Bahls, AALA President; Dean and Professor, Capital University School of Law, Columbus, OH
- 9:00 - 12:00 p.m. **Agricultural Law Update (Session A)** Pikes Peak Ballroom
 Moderator: *L. Leon Geyer, AALA President-Elect; Professor, Virginia Tech, Blacksburg, VA*

2001 Update: Commercial Law - Keith G. Meyer, Professor, University of Kansas School of Law, Lawrence, KS

Recent Developments Concerning Environmental Law and Agriculture - Linda A. Malorie, Professor, William and Mary School of Law, Williamsburg, VA

Recent Developments in Federal Economic Regulation of Agriculture - Christopher R. Kelley, Assistant Professor of Law, University of Arkansas, Fayetteville, AR

- 10:15 - 10:45 a.m. **Break** Pikes Peak Concourse

Agricultural Law Update [Continued]

Recent Developments in Agricultural Tax - Phillip E. Harris, Professor, University of Wisconsin; Director, Tax Insight, LLC, Madison, WI

Recent Bankruptcy Developments - Susan A. Schneider, Assistant Professor, University of Arkansas School of Law, Fayetteville, AR

U.S. Farm Crisis: Farmers, Bankers and Bankruptcy - Manjula V. Guru, Kerr Center for Sustainable Agriculture, Poteau, OK

12:00 - 1:30 p.m. Luncheon Summit Ballroom, 4th Floor
Presidential Address and Awards Presentation
Steven G. Bahls, President; L. Leon Geyer, President-Elect

Concurrent Sessions

**1:30 - 3:00 p.m. Estate and Retirement Issues Planning for
Farmers (Session B) Pikes Peak Ballroom**
Moderator: Phillip E. Harris, University of Wisconsin

*Intuitive Planning Facing Uncertainty and the "Death Tax" - Donald H. Kelley, Kelley,
Scritsmier & Byrne, Highland Ranch, CO*

*"Pension Plan and IRA Changes Under the 2001 Tax Act" - M. Gayle Packer, Sonnenschein,
Nath & Rosenthal, Kansas City, MO*

1:30 - 3:00 p.m. International Issues (Session C) Centennial Room
Moderator: James A. Baarda, The Ackerson Group, Washington, D.C.

*Multifunctionality and Non-Trade Concerns in Agricultural Trade - Margaret Rosso
Grossman, Professor, University of Illinois at Urbana-Champaign and Wageningen, The
Netherlands*

*The Unique Role of State Trading Enterprises in World Agricultural Trade: Sifting Through
the Rhetoric - Michael T. Roberts, Van Cott Bagley Cornwell & McCarthy, Salt Lake City, UT*

*The New Paradigm in Toxic Torts: Beware the Genome Gnomes - Thomas P. Redick, Gallop
Johnson & Neumann, St. Louis, MO*

*A Canadian Perspective on the Law Relating to State Trading Enterprises - Mel Annand,
Professor and Law Director, Centre for Studies in Agricultural Law and the Environment,
University of Saskatchewan, Saskatoon, Saskatchewan, Canada*

3:00 - 3:30 p.m. Break Pikes Peak Concourse

Concurrent Sessions

3:30 - 5:30 p.m. Coping with Revised Article 9 (Session D) Pikes Peak Ballroom
Moderator: Phillip L. Kunkel, Hall & Byers, St. Cloud, MN

The Panel:

Richard Brunett, Sheppard Mullin Richter & Hampton, Los Angeles, CA
T. Randall Wright, Baird Holme McEachen Pedersen, Omaha, NE
Brooke Shumm, III, Daneker McIntire Schumm Prince, Baltimore, MD

The Topics:

1. Making the Transition to Revised Article 9
2. Nonuniform Substantive Provisions

3. The Effect of Nonuniform Effective Dates
4. The Different Treatment of Ag Liens and Security Interests
5. The Effect of Revised Article 9 in Workouts and Bankruptcy

3:30 - 5:30 p.m. Concentrated Animal Feeding Operations
(Session E) Centennial Room
 Moderator: Terence J. Centner, Professor, University of Georgia, Athens, GA

A View of the Evidence - Terence J. Centner, University of Georgia

Animals, Permits and Agriculture: EPA's Proposed Concentrated Animal Feeding Operation Regulations - Faith Burns, Nat'l Cattlemen's Beef Association, Denver, CO

Engineering AFOs for Environmental Protection: We Hold These Truths To Be Self-Evident - Brent W. Auvermann, Texas A&M, Agricultural Engineering, Amarillo, TX

Incongruity Created by Applying the Agriculture Stormwater Exemption to CAFOs - Barclay Rogers, Associate Attorney, Sierra Club Environmental Law Program, San Francisco, CA

Community Conflict Over Intensive Livestock Operations: A Research Report on How and Why Such Conflicts Escalate - John C. Becker, Professor, Penn State University, University Park, PA

Management of Large Livestock Facilities of the New Ohio Law: A Mooving Experience - Kristi L. Ford, Counsel, Ohio Department of Agriculture, Livestock Environmental Permitting Program, Reynoldsburg, OH

3:30 - 5:30 p.m. Successfully Serving Agricultural Clients (Session O) Fremont Room
 Moderator: Paul L. Wright, Wright & Logan, Dublin, OH

Managing a Financially Sound Law Practice - Patrick K. Costello, Muir Costello & Carlson, Lakefield, MN

Developing a Desired Client Base - David W. Pryor, Gallagher Gams Pryor, Columbus, OH

Starting and Developing a New Agricultural Practice - M. Gayle Packer, Sonnenschein Nash & Rosenthal

Employment Contracts - Paul L. Wright, Wright & Logan Co.

6:30 Reception Summit Ballroom

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Saturday, October 13, 2001

**7:00 - 8:00 a.m. Continental Breakfast and Discussion Groups Pikes Peak
Concourse**

Practitioner *Thomas A. Lawler, Lawler and Swanson, Parkersburg, IA* **El Paso Room**
Government *Patricia Allen Conover, U.S. Department of Justice,*
Montgomery, AL **Fremont Room**
Educator *Gerald E. Harrison, Professor of Ag Economics, Purdue University,*
W. Lafayette, IN **Pikes Peak I & II**
AAALA Committees *Chair of each committee* **Pikes Peak III & IV**

Concurrent Sessions

8:00 - 10:00 a.m. Cooperatives and Water Issues (Session F) Pikes Peak III & IV
Moderator: Gary D. Condra, Condra & Condra, Lubbeck, TX

Cooperatives in the 21st Century - James B. (Jim) Dean, Dean & Stern, Denver, CO

**Value Added Cooperatives: Issues for Organization - Jeffrey A. Mollet, Bruegge & Mollet,
Edwardsville, IL**

**Endangered Species Act and Water Law - Joseph H. Hobson, Jr., National Center for
Agricultural Law Research and Information, Fayetteville, AR**

**Current State and Federal Issues in Settling Tribal Water Rights Claims - Richard N.
Morrison, Salmon Lewis, Phoenix, AZ**

**8:00 - 10:00 a.m. Contemporary Legal and Policy Issues and
Agricultural Biotechnology (Session G) Pikes Peak I & II**
**Moderator: Drew L. Kershen, Professor, University of Oklahoma School of Law,
Norman, OK**

**StarLink: Case Study of Legal and Regulatory Issues in Biotechnology - Donald L.
Uchtmann, Professor, University of Illinois, Urbana, IL**

**Biotechnology and International Trade - David S. Johanson, Stewart & Stewart, Washington,
DC**

**Antibiotic Use in Agriculture: The Evolution of EU and U.S. Regulatory Oversight - Michael
T. Olexa, Director of the Ag Law Center, University of Florida, Gainesville, FL**

Entity Preservation and Passport Agriculture: EU v. USA - Eluned Jones, Professor, Ag and Applied Economics, Virginia Tech, Blacksburg, VA

10:15 - 10:30 a.m. Break Pikes Peak Concourse

Concurrent Sessions

**10:30 - 12:00 p.m. Producer Protection Act and Contract Agriculture
(Session H) Pikes Peak III & IV
Moderator: Neil E. Harl, Professor, Iowa State University, Ames, IA**

Producer Protection Act and Contract Agriculture - Stephen E. Reno and Steve Moline, Farm Division, Office of the Iowa Attorney General, Des Moines, IA

A Critical Look at Contract Legislation - Keith Luchtel, Nyemaster Law Firm, Des Moines, IA

Legal and Economic Justifications for Legislative Intervention - Roger A. McEowen, Associate Professor, Kansas State University, Manhattan, KS

**10:30 - 12:00 p.m. Smart Growth Farm Land and the Environment
(Session I) Pikes Peak I & II
Moderator: Christine H. Kellett, Professor, Dickinson School of Law, Penn State University, Carlisle, PA**

Downzoning, Fairness and Farmland Protection - Jesse J. Richardson, Jr., Assistant Professor, Virginia Tech, Blacksburg, VA

PDR's and TDR's: Land Preservation Tools in a Universe of Voluntary and Compulsory Land Use Planning Tools - Theodore A. Feitshans, Lecturer/Extension Specialist, North Carolina State University, Raleigh, NC

Efficiency, Equity and Farmland Protection: An Economic Perspective - Lawrence W. Libby, Professor, AED Economics, Ohio State University, Columbus, OH

**10:30 - 12:00 p.m. Should Policy Makers Promote An Agriculture-Specific Antitrust Analysis? (Session P) Centennial Room
Moderator: Jon K. Lauck, Davenport Evans Hurwitz & Smith, Sioux Falls, SD**

Applying Competition Law and Policy to Agricultural Issues: General Rules and Special Circumstances - Peter C. Carstensen, Young-Bascom Professor of Law, University of Wisconsin School of Law, Madison, WI

Congress and the Problem of Agricultural Concentration - Jonathan Lehman, Asst. to U. S. Senator Tom Daschle, Washington, DC

An Historical Analysis of Antitrust Law as Applied to Agriculture - Roger A. McEowen, Associate Professor, Kansas State University, Manhattan, KS

**12:00 - 1:30 p.m. Luncheon Summit Ballroom
Presentation by Dr. Florine P. Raitano, Center for the New West, Dillon, CO**

Concurrent Sessions

1:30 - 3:00 p.m. Bio Security (Session J) Pikes Peak I & II
Moderator: Stephen E. Reno, Office of the Iowa Attorney General.

Bio Security - James D. McKean, Extension Service, Iowa State University, Ames, IA

Tools for Managing Risk of Animal Disease - Suzanne Griffin, ContiBeef, Boulder, CO

International Perspective - Catherine E. Woteki, Former Assistant Secretary of Agriculture; University of Maryland, College Park, MD

The US Department of Agriculture's Authorities to Control and Eradicate Plant and Animal Diseases and Pests - Thomas Bundy, Deputy Assistant General Counsel, Regulatory Division, U.S. Department of Agriculture, Washington, DC

1:30 - 3:00 p.m. Emerging Legal Issues in Agriculture (Session K) Pikes Peak III & IV
Moderator: Moderator: Leon Geyer, Virginia Tech

Web-Based eCommerce and the Farm and Agribusiness Sector - Scott E. McFarland, McGrath North Mullin & Kratz, Omaha, NE

The Legal Battles Over Commodity Checkoff Programs - David Moeller, Farmer's Legal Action Group, St. Paul, MN

Nighttime Gardening with Elves: The Rise of Eco-Terrorism - Jeffrey A. Feirick, L.L.M. Student, University of Arkansas School of Law, Fayetteville, AR

Is There a Role for State Food Policy? Neil D. Hamilton, Professor, Drake University School of Law, Des Moines, IA

Applying FIFRA to the Realm of Pesticide-Related e-Commerce - Michelle C. Yaras, Agriculture Division, Office of Enforcement and Compliance Assurance, Environmental Protection Agency, Washington, DC

3:00 - 3:15 p.m. Break Pikes Peak Concourse

Concurrent Sessions

3:15 - 4:30 p.m. Litigating Damages in an Agricultural Law Case
(Session L) Pikes Peak I & II
Moderator: Steve A. Halbrook, Farm Foundation, Oak Brook, IL

Illustrative Agricultural Damage Cases - Roger A. McEowen, Kansas State University

Litigating Damages in Agricultural Cases: A View from the Bench - Judge Robert Schmisser, District Judge, 30th Judicial District, Pratt, KS

Pigford v. Veneman – So Far - Stephen Carpenter, Senior Counsel, Farmers' Legal Action Group, St. Paul, MN

3:15 - 4:30 p.m. Farm Bill (Session M) Pikes Peak III & IV
Moderator: David P. Grahn, USDA, Washington, DC

A View from the Senate I - Michael Knipe, U.S. Senate Committee on Agriculture, Washington

A View from the House I - Anne Hazlett, U.S. House Committee on Agricultural, Washington

A Practitioner's View - David R. Bridgforth, Ramsay Bridgforth, Pine Bluff, AR

A View from the Senate II - Mark Halverson, U.S. Senate Committee on Agriculture, Washington

A View from the House II - Ann Simmons, U.S. House Committee on Agriculture, Washington

Plenary Session

4:30 - 5:30 p.m. Ethics (Session N) Pikes Peak Ballroom
Moderator: Leon Geyer, Virginia Tech

Plucking Chicken Farmers – A Legal Analysis of Broiler Contracts - Neil D. Hamilton, Drake University School of Law

Ten Ways That Using E-Mail Raises Ethics Issues Online - Thomas A. Lawler, Lawler and Swanson, Parkersburg, IA

Duty to Turn In A Fellow Member of the Bar - L. Leon Geyer, Virginia Tech

6:00-7:00 p.m. Refreshments Garden Room

