

**The 24th Annual Educational
Symposium
of the
American
Agricultural Law
Association**

October 17-18, 2003

Menger Hotel
San Antonio, Texas

The Expanding Practice of Agricultural Law

Agricultural law has traditionally involved many of the basic elements of a rural practice – finance and credit, land use and real estate transactions, tax and estate planning. Today’s agricultural lawyer needs to stay on top of these issues, while also mastering a wide array of new issues. Environmental concerns, biotechnology, food safety, federal farm program planning, specialized production issues, labor law and immigration law concerns, and the impact of international trade on U.S. farm policy are but a few of the new issues facing today’s agricultural lawyer. Never before has agricultural law expertise been so important.

This year’s annual educational conference focuses on the expanding scope of agricultural law - providing solid information in the traditional areas as well as providing important new information in the emerging areas. Whether you are in practice, agribusiness, government, academia, or non-profit work, this conference will provide agricultural law information of interest to you.

Susan A. Schneider
AALA President-elect

Thanks to our Sponsors

Jackson Walker, L.L.P.
Farm Foundation
Sommer Barnard Ackerson. P.C.
The Waggoner Law Firm
The University of Arkansas School of Law
Drake University School of Law
The Agricultural Finance Subcommittee of the ABA Business Section

Friday, October 17

- 7:00 - 8:30 Conference Registration and Continental Breakfast
Sponsored by The Waggoner Law Firm, Hillsboro & Corsicana, Texas and the American Agricultural Law Association.
- 7:30 - 8:30 **ABA Business Section, Ag Finance Subcommittee:
Presentation on the Transfer of Water Rights**
Phillip L. Kunkel, Gray Plant Mooty, Chair of the Ag Finance Subcommittee
Rhonda Jolley, Matthews & Branscomb
Susan Butler, San Antonio Water System
- 8:30 - 9:00 **AAALA Annual Business Meeting**
John C. Becker, AAALA President, Penn State University
- 9:00-12:00 **Annual Update of Developments in Agricultural Law**
Moderator: Maureen Kelly Moseman, Schramm, Williams & Associates, Inc.
- 9:00 - 9:20 UCC Developments and Agricultural Interests
Keith G. Meyer, University of Kansas School of Law
- 9:20 - 9:40 Update on Agricultural Bankruptcy
Allen H. Olson, Allen H. Olson Law Firm
- 9:40 - 10:00 Tax Law Developments Affecting Agriculture
Roger A. McEowen, Kansas State University
- 10:00-10:20 Break
- 10:20 - 10:40 Food Production and Marketing: Legal Issues
Neil D. Hamilton, Drake University School of Law
- 10:40 - 11:00 Administrative Law and Agriculture
Christopher R. Kelley, University of Arkansas School of Law
- 11:00 - 11:20 Environmental Law and Agriculture
Anne Hazlett, U.S. House Agriculture Committee
- 11:20 - 12:00 Emerging Issues in Agricultural Law
Neil E. Harl, Iowa State University
- 12:00-1:00 Lunch served in the magnificent three-story Victorian lobby of the Menger Hotel

1:00-3:00

Concurrent Sessions: Break out sessions with alternative choices available

(A) The Regulation of Concentrated Animal Feeding Operations

Challenging issues confront the livestock industry today. This panel will address one of the most compelling issues: environmental regulation. The discussion will focus on the new federal CAFO regulations.

Moderator: David Waggoner, The Waggoner Law Firm, Hillsboro & Corsicana, Texas
Theodore A. Feitshans, North Carolina State University
Barclay Rogers, Sierra Club
Terence J. Centner, University of Georgia

(B) Agricultural Labor & Immigration Law

Many agricultural operations are dependent on seasonal labor, and a large percentage of these workers are illegal aliens. This panel will provide an update regarding agricultural employment law and a discussion of immigration law as applied to agricultural workers.

Moderator: Elizabeth J. Vann, Elizabeth Janie Vann, P.C.
Richard G. Garza, Jackson Walker
Donna Lipinski, Lipinski and Associates
Charlene Giles, Ag Labor Certification, ETA, Department of Labor

(C) International Trade

This panel will discuss international trade as it impacts U.S. agriculture. Issues discussed will include Brazil's WTO challenge to the upland cotton program and U.S. efforts to force European Union acceptance of GMO's.

Moderator: Michael Knipe, Office of General Counsel, and Harrison Pittman, National Center for Agricultural Law Research & Information
William A. Gillon, Butler, Snow, O'Mara, Stevens & Cannada
Debra Henke, Foreign Agricultural Service
Kevin Brosch, DTB Associates

3:00-3:15

Break

3:15-5:15

Concurrent Sessions: Break out sessions with alternative

choices available

(A) Legal Disputes Involving Federal Farm Programs

Federal farm program and disaster payments are a critical source of income for many farming operations. This panel offers practical tips for assisting farm clients when a program dispute arises.

Moderator: Christopher R. Kelley, University of
Arkansas School of Law
William C. Bridgforth, Ramsay, Bridgforth,
Harrelson and Starling LLP
William E. Penn, Agricultural & Rural Advocates,
PLC
David R. Bridgforth, Ramsay, Bridgforth, Harrelson
and Starling LLP
Gary D. Condra, Condra & Condra

(B) Emerging Issues involving Agriculture & the Environment

This panel will discuss developing environmental law issues affecting agriculture. The discussion will include air pollution concerns, wetlands, and bio-solid land application.

Moderator:
SAVE SPACE
Martha Noble, Sustainable Agriculture Coalition
Barclay Rogers, Sierra Club
Jesse J. Richardson, Jr., Virginia Tech

(C) The Attorney's Role in Farm Business Development & Funding

This panel considers how attorneys can help their clients develop their agricultural business and how providing this help can build a law practice. Access to federal grant funds for agricultural business activities will be discussed.

Moderator: Brian Oakey, Idaho Attorney General's
Office assigned to the Department of Agriculture
James R. Baarda, Cooperative Resources
Management Division, USDA
Michael T. Roberts, National Center for Agricultural
Law Research & Information
Mark Hanson, Lindquist & Vennum

5:30 - 7:00

Reception Sponsored by the Law Firm of Jackson Walker

Jackson Walker L.L.P. is one of the largest Texas-based law firms, with over 300 attorneys in Austin, Dallas, Fort Worth,

Houston, Richardson, San Angelo, and San Antonio. Jackson Walker attorneys provide a wide range of legal services to members of the agricultural industry. The Agriculture Practice Group is comprised of attorneys who have experience in varied practice areas, including regulatory, business transactions, litigation, real estate, environmental, labor and employment, tax, and oil and gas.

Saturday's Session

- 7:30-8:30 Breakfast Discussion Groups: Practitioners and General Counsel, Government attorneys, Educators, and Students.
- 8:30-8:40 Presentation of Awards
Susan Schneider, AALA President-elect, University of Arkansas School of Law
- 8:40-9:00 Presidential Address
John Becker, AALA President, Penn State
- 9:00-9:30 **Farm Policy Challenges: A Perspective from Washington and from Texas**
The Honorable Charles W. Stenholm, U. S. House of Representatives (invited)
- 9:30-10:30 **Ethics and the Agricultural Lawyer**
This panel will discuss some of the challenging ethical problems confronted by attorneys representing agricultural interests, as submitted by the membership.
Moderator: The Honorable Judge Jake Looney, Eighteenth Judicial Circuit Court, Arkansas
Drew Kershen, University of Oklahoma
Phillip L. Kunkel, Gray Plant Mooty
Dale Reesman, Williams, Reesman & Tate
- 10:30-10:45 Break
- 10:45-12:15 **Farm Policy: Report from Washington**
This panel will discuss hot topics in U.S. farm policy - concentration, implementation of the farm bill, food security issues, and the all-important issue of appropriations.
Moderator: Anne Hazlett, U.S. House Agriculture Committee
Doug O'Brien, U.S. Senate Agriculture Committee
Anne Simmons, U.S. House Agriculture Committee
Mason Wiggins, National Food Processors Association

Michael Knipe, Office of General Counsel, USDA

12:15-1:00 Lunch served in the magnificent three-story Victorian lobby of the Menger Hotel

1:00-3:00 Concurrent Sessions: Break out sessions with alternative choices available

(A) What's That Smell? Livestock Nuisance Litigation

This panel will report on nuisance litigation brought against livestock facilities, providing a practical discussion of legal strategies. Appreciation is extended to the ABA Business Section, Ag Finance Subcommittee for assistance in organizing this panel.

Moderator: T. Randall Wright, Baird Holm
Edward C. Small, Jackson Walker
Kelly R. Dahl, Baird Holm
Eldon McAfee, Beving, Swanson & Forrest

(B) Food Labeling, Food Safety, and Check-off Marketing

Agricultural law includes emerging issues in consumer labeling, food safety, and product marketing. This panel will discuss the Country of Origin Labeling law and other labeling issues, food safety law issues and provide an update on litigation involving the various "check-off" programs.

Moderator:
SAVE PLACE
Neil D. Hamilton, Drake University School of Law
Janie Hipp, University of Arkansas
Susan E. Stokes, Farmers' Legal Action Group, Inc.

(C) Agricultural Interests & Groundwater Usage

The panel provides an overview of water use issues, addressing issues of significant concern in Texas and introducing the water banking projects used in California.

Moderator:
SAVE PLACE
Norman D. Morrison, Young Wooldridge
John R. Pitts, Akin Gump Strauss Hauer & Feld
Jesse J. Richardson, Jr., Virginia Tech

3:00-3:15 Break

3:15-5:15

Concurrent Sessions: Break out sessions with alternative choices available

(A) Farm Taxation: Current Developments

This panel will discuss reporting government payments, problems with like-kind exchanges, co-ownership discounts, 2032A and 2057 issues, the Mizell saga, wages in kind, taxation of easements and basis for joint tenancy property. The presentation will then turn to discuss family limited partnerships and valuation discounts - planning tips to reduce risk of IRS challenge; shareholder dissenters' rights provisions; entity selection and federal farm program payment limitation rules; health and accident plans; and tax issues upon corporate formation..

Moderator: Lonnie R. Beard, University of Arkansas
School of Law
Neil E. Harl, Iowa State University
Roger A. McEowen, Kansas State University

(B) Crop Insurance: Mechanics, Issues in Practice, Policy Trends

Crop insurance is funded annually at approximately \$3.5 billion. This panel will discuss the mechanics of the insurance policies, the practical legal issues presented and the policy issues under debate.

Moderator:
SAVE PLACE
Merinda Condra, Condra & Condra
Elizabeth Haws, McLeod, Walkinson & Miller
David Grahn, Office of General Counsel, USDA

(C) Agricultural Biotechnology: New Legal Challenges

This panel presents an update on the legal issues raised by agricultural biotechnology. Issues discussed include litigation involving the unauthorized use of GMO seed, cross-pollination issues, GMO wheat and the Prodigene problem.

Moderator: Beth Crocker, South Carolina Department
of Agriculture
Don Uchtmann, University of Illinois, Urbana-
Champaign
Nels Ackerson, Sommer Barnard Ackerson
Paul Strandberg, Minnesota Department of
Agriculture

5:15-7:00

Reception

Sponsored by the law firm of Sommer Barnard Ackerson and the American Agricultural Law Association. Sommer Barnard Ackerson is a full-service business law firm serving local, national, and international clients. Attorneys in the firm's Agriculture Practice Group are ready to assist AALA members and agricultural clients in appellate practice, bankruptcy, biotechnology, employment and labor, environmental, food safety, governmental relations, international trade, litigation, real estate, regulatory matters, and transactions.

Continuing Legal Education Credit

Continuing Legal Education Credit (CLE) accreditation will be requested in all mandatory CLE states. This program will include 1 hour of ethics. In most cases, all costs associated with individual CLE accreditation are prepaid. In a few states attorneys must submit additional fees when applying for their individual credit. Be sure to indicate on your registration form the state(s) for which you wish to apply for CLE credit.

If you wish to receive educational credit for another profession, please indicate your interest on the registration form.

Hotel Information

The Historic Menger Hotel is located downtown immediately adjacent to the Alamo, the Rivercenter Mall, and Riverwalk. In addition to its significance as a historical landmark, the Menger offers unparalleled amenities including: the Colonial Room Restaurant, the Menger Bar, downtown San Antonio's largest swimming pool, a full service spa, fitness room, and Jacuzzi. The Menger has housed personalities such as Theodore Roosevelt, Babe Ruth, Mae West, Robert E. Lee, Ulysses S. Grant, and Sarah Bernhardt, to name a few. Teddy Roosevelt recruited many of his Rough Riders, volunteers for the American volunteer Cavalry in the Spanish-American War in the Menger Bar.

204 Alamo Plaza
San Antonio, TX 78205

Tel: (210) 223-4361 or (800) 345-9285
Fax: (210) 228-0022
Email: apunte.mengerhotel@gal-tex.com

Special Rates for the AALA Conference: Single or Double room \$125

To qualify for this special rate, contact the Menger directly by September 16, 2003 and request the AALA conference rate.

Registration Information

[Insert some of the information from last year]

Students are able to attend the conference at the special reduced fee of \$45. Special appreciation is extended to Farm Foundation for its continued support of our student scholarships. This year, we are also pleased to have received the support of the Waggoner Law Firm, Hillsboro & Corsicana, Texas for its support of scholarships for our Texas students.

The American Agricultural Law Association

While you do not have to be a member of the American Agricultural Law Association (AALA) to attend our symposium, membership is advantageous. By joining now, you can qualify for the member discount for the symposium and enjoy membership benefits for all of 2004.

The AALA is a national professional organization focusing on the legal issues affecting agriculture. It provides a network through which those with an interest in agricultural law — practitioners, educators, government attorneys, policymakers, researchers, and those in the industry can share information and ideas.

The AALA is incorporated as a nonprofit organization and stands as an independent forum investigating innovative, workable solutions to agricultural law problems.

AALA members receive a monthly newsletter, *The Agricultural Law Update* and are listed in our membership directory, an excellent source of information and referral in and of itself. But perhaps the most valued member benefit is the opportunity to network with agricultural law professionals throughout the United States.

Membership dues are \$90 for regular members, \$125 for regular members outside North America, \$30 for student members, \$175 for sustaining members, and \$250 for institutional members (includes 3 regular memberships). To join, complete the membership form included with the symposium registration form, call the AALA administrative office at (515)956-4255, or email aglaw@aaea.org.

Visit our website at www.aglaw-assn.org

San Antonio Attractions

San Antonio offers a wealth of opportunities for visitors.
[Examples of featured attractions can be inserted if there is room.]

The following site lists some of the many attractions that make this city one of the most popular destinations.

http://www.sanantoniocvb.com/visitors/things_attra.asp

For a free visitors' guide and coupons for area activities, click on the following link:

http://www.sanantoniovisit.com/visitors/com_vistrguide.asp

Travel Information

Airline Information

[Insert airline information such as was included in last year's brochure.]

Driving Information

Insert driving information such as was included in last year's brochure.]

[Back Cover set up for mailing]