



**Thank you for joining us in Charlotte, North Carolina, for the 44th Annual  
AALA Agricultural Law Educational Symposium!**

## **2023 Sessions**

## Thursday, November 9, 2023

**8:00 am: Registration in Symphony Foyer**

**10:00 - 11:30 am: State Agency Attorneys Meeting** (invitation only; not a public session)

**Hosted by the National Association of State Departments of Agriculture**

**For more information, please contact Cort Jensen at [cojensen@mt.gov](mailto:cojensen@mt.gov)**

**Room: Mecklenburg 1**

**1:00 - 4:00 pm: Farm Bureau LINC Meeting** (invitation only; not a public session)

**Room: Mecklenburg 2**

**Thursday sessions will be at Johnson C. Smith University, 100 Beatties Ford Rd, Charlotte, NC 28216  
(You will be responsible for your own transportation. Directions will be available at registration. There will not be a separate registration at the University.)**

**1:00 - 2:00 pm: Session #1: Urban Agriculture & Food Issues**

**Speakers:** Jennifer Zwagerman, Drake Agricultural Law Center, Des Moines, IA

Mark Dugo, Johnson C. Smith University, Charlotte, NC

Producing agricultural products in urban settings presents unique challenges, but interesting opportunities. This panel will discuss the legal and practical considerations associated with urban agriculture and forecast the future of growing food and fiber in urban environments.

**2:00 - 3:00 pm: Session #2: Legal Issues Involving Pipeline Projects**

**Speakers:** Amber Miller, Crenshaw, Dupree & Milam, Lubbock, TX

Jim Bradbury, James D. Bradbury, PLLC, Austin, TX

Jared Mark, North Carolina Chamber, Raleigh, NC

Oil and gas pipeline projects have the potential to provide reliable energy to agribusinesses, farms, and rural communities throughout the United States. However, the pipeline construction process is fraught with challenges, including but not limited to securing various permits from government agencies, dealing with legal challenges from pipeline opponents, and working with landowners to acquire access to property on which the pipeline will run. Panelists will cover the legal basics associated with pipeline projects with a particular focus on agricultural impacts.

**3:00 - 3:15 pm: Networking Break**

**3:15 - 4:15 pm: Session #3: The 1890 Land-grant University System: A National Treasure**

**Speaker:** Ray McKinnie, North Carolina Agricultural & Technical State University, Greensboro, NC

The 1890 land-grant universities have a profound historical and educational significance in the United States. This session highlights their enduring role as vital national assets, emphasizing their contributions to agriculture, science, and the empowerment of their students and alumni. Participants will gain a deep understanding of the rich legacy and contemporary relevance of these institutions in shaping America's educational and agricultural landscape.

**4:15 - 5:15 pm: Session #4: Tour of Greenhouses and Student Panel (NOT FOR CLE)**

**6:00 - 6:45 pm: New Member and Student Welcome – How to Get the Most From the Symposium**

**Room: Mecklenburg 1**

**Sponsored by Waggoner Law Firm**

**6:45 - 8:15 pm: Reception at Le Meridien**

**Room: Symphony Foyer**

Program Key			
Policy Track	Private Practitioner Track	Food Law Track	In-House / Corporate Counsel Track
Ethics			

## Friday, November 10, 2023

**7:00 am: Registration in Symphony Foyer**  
**7:00 – 8:00 am: Breakfast in Symphony Foyer**  
**Sponsored by National Pork Board and American Egg Board**

**All morning sessions will be in Symphony 4-7**

**8:00 – 8:15 am: Introduction and Welcome**  
**Speaker:** *Jake Parker, North Carolina Farm Bureau, Raleigh, NC*

**8:15 - 8:45 am: Session #5A: Food Law Update**  
**Speaker:** *Susan Schneider, University of Arkansas School of Law, Fayetteville, AR*

**8:45 - 9:15 am: Session #5B: Ag Policy Update**  
**Speaker:** *David Grahn, Arlington, VA*

### 9:15 – 10:15 am: Session #6: Ethics - The Changing Landscape of the (Un)Authorized Practice of Law

**Speaker:** *Ellen Murphy, Wake Forest School of Law, Winston Salem, NC*

The unauthorized practice of law is likely an area you have given little thought. It's time. Calls for disruption to our profession, and to our regulatory framework, are increasing in quantity, volume, and source. Recent focus has come from access to justice advocates, many of whom assert that nonlawyer individuals and technologies can help meet the legal needs of the public, without compromising consumer protection. We'll consider the rapidly changing landscape of what nonlawyers (human and machine!) are permitted to do today without running afoul of the UPL regulations. And, we'll take a peek into the future.

**Track:** *Ethics*

**Room:** *Symphony 4-7*

**Session #6**

**10:15 - 10:30 am: Networking Break**  
**Sponsored by Steffes Group**

**10:30 - 11:30 am: Prop 12 / Sackett Panel**  
**Speakers:** *Ray Starling, NC Chamber, Raleigh, NC*  
*Tim Bishop, Mayer Brown, Chicago, IL*  
*Damien Schiff, Pacific Legal Foundation, Sacramento, CA*  
*Jennifer Dickey, U.S. Chamber Litigation Center, Charlotte, NC*

Earlier this year, the Supreme Court of the United States issued two monumental opinions relating to agriculture. In May, the Court ruled in *National Pork Producers Council v. Ross* that California's Proposition 12 did not violate the U.S. Constitution's Commerce Clause. A couple of weeks later, it issued *Sackett v. E.P.A.*, narrowing the federal government's authority to regulate wetlands. Tim Bishop, a partner at Mayer Brown, represented National Pork Producers Council in the Proposition 12 case, and the Pacific Legal Foundation's Damien Schiff presented argument in *Sackett*. Joined by Ray Starling of the North Carolina Chamber, Tim and Damien will talk about their experiences advocating in the nation's Highest Court and share insight on what the cases mean for American agriculture. Jennifer Dickey of the U.S. Chamber Litigation Center will join the discussion and preview some cases pending in the Supreme Court and other appellate courts that may have an impact on agriculture.

**Room:** *Symphony 4-7*

**Session #7**

11:30 am – 1:00 pm: Lunch on Own

1:00—4:00pm NEW TIME 9:00 – 10:30am: Student Trivia Competition

**Room: Mecklenburg 1**

**1:00 - 1:30 pm: Session #8A: Ag Finance Update**

**Speaker:** Jeff Peterson, Winthrop & Weinstine, P.A., St. Cloud, MN

**Room: Symphony 4-7**

**1:30 - 2:00 pm: Session #8B: General Session**

**Speaker:** Chief Justice Paul Newby, Supreme Court of North Carolina, Raleigh, NC

**Room: Symphony 4-7**

**2:05 – 3:05 pm: Session #9: Concurrent Breakouts**

**Gene Editing and Agriculture: The Importance of Flexible and Adaptable Regulatory Frameworks**

**Speakers:** Karen Carr, ArentFox Schiff, LLP, Washington, DC

Timothy Gruenisen, Corteva Agriscience, Johnston, IA

Dan Jenkins, Pairwise, Durham, NC

This panel of outside and in-house counsel will provide perspectives of what we've seen from US and international regulators on application of gene editing to agriculture; some approaches appear to be overly narrow and prescriptive that will make it difficult for regulatory systems to keep up with technology advances. Panelists will describe regulatory history, examples of current frameworks and approaches, share examples of new directions on science, offer thoughts on ways to make policy less prescriptive and more "future-proof."

**Track: Policy**

**Room: Symphony 1**

**Session 9A**

**Beyond the Boilerplate: Drafting and Negotiating Producer and Grower Services Agreements**

**Speaker:** Joel McKie, Hall Booth Smith PC, Atlanta, GA

This session will explore some of the reasons producers and product distributors alike often desire someone other than the person growing a crop or livestock to have the risk of loss, including the Fair Labor Standards Act agricultural overtime exemption. Because such custom service agreements are often outside the scope of laws intended to ensure prompt payment to sellers of produce and livestock, such as PACA and the PSA, this program will explore payment terms, applicability of fair practice regulations, and other key contractual provisions important in drafting and negotiating grower and producer services agreements.

**Track: Private Practitioner**

**Room: Symphony 2**

**Session 9B**

**FDA Final Rule on Food Traceability: A Heavy Burden on Industry**

**Speaker:** Natalie Rainer, K&L Gates, San Francisco, CA

FDA released its final rule on traceability of certain high-risk foods (including many fresh produce items, such as leafy greens) in November 2022. The final rule is intended to facilitate the rapid recall of affected foods back to the farm level. The rule places a high administrative burden on entities along the supply chain, including farmers and distributors. FDA estimates that the cost of compliance will be in the range of \$700 million to \$24.6 billion over the next 20 years.

This presentation will provide an overview of how the rule works and what obligations apply to different entities along the supply chain, starting at the farm level.

**Track: Food**

**Room: Symphony 3**

**Session 9C**

## **Understanding and Avoiding Antitrust Issues with Food and Ag Companies and Associations**

*Speakers: John Dillard, OFW Law, Washington, DC  
Lance Lange, Faegre Drinker, Des Moines, IA*

Agriculture has often been the focus of antitrust laws and enforcement. The Biden Administration has made addressing concentration and antitrust in the food and agriculture industries a White House priority. This session will provide an update from a seasoned litigator on federal policy changes' as well as recent price-fixing litigation involving food and agricultural industries. The session will also address the antitrust considerations unique to agricultural trade associations with practical pointers on representing farm groups.

**Track: In-House**

**Room: Mecklenburg 3**

**Session 9D**

**3:05 - 3:15pm: Networking Break – Ice Cream Social**

**Sponsored by Brick Gentry (with special thanks to Julie Vyskocil and Eldon McAfee)**

**3:15 – 4:15 pm: Session #10: Concurrent Breakouts**

**CAFO Permitting After Maui-- What Happens Now?**

*Speaker: Lawson Fite, Marte Law LLP, Portland, OR  
Mary-Thomas Hart, National Cattlemen's Beef Association, Washington, DC  
William Goodfellow, Jr., Exponent, Alexandria, VA*

The Supreme Court's Maui decision reoriented federal jurisdiction over groundwater, but at the same time created some confusion about who regulates potential CAFO impacts to groundwater. This panel will discuss potential enforcement and litigation under the Clean Water Act, Safe Drinking Water Act, and Resource Conservation and Recovery Act, from the perspective of private practice, industry, regulators, and NGOs.

**Track: Policy**

**Room: Symphony 1**

**Session 10A**

**Long-Term Care Implications for Farming Operations**

*Speakers: Robert Moore, Ohio State University, Delaware, OH  
Evin Bachelor, Wright & Moore Law Co. LPA, Delaware, OH*

Long-term care costs can exceed \$100,000/year. Many farm operations do not have adequate income to absorb these substantial long-term care costs. When savings run out, farm assets may need to be sold, which jeopardizes the farming operation for the current owners and future generations. This session will discuss long-term care issues for farm operations and address strategies that can be used to help mitigate the risk of long-term care costs.

**Track: Private Practitioner**

**Room: Symphony 2**

**Session 10B**

**Practical Implications of USDA's Proposed "Strengthening Organic Enforcement" Rule by the Nation's Leading Organic Labeling Practitioners**

*Moderator: Kim Bousquet, Davis Wright Tremaine LLP, St. Louis, MO  
John Dillard, OFW Law, Washington, DC*

Walk through the USDA's proposed Strengthening Organic Enforcement rule and discuss practical implications.

The Strengthening Organic Enforcement rule is the biggest update to the organic regulations since the original act in 1990, providing a significant increase in oversight and enforcement authority to reinforce the trust of consumers, farmers, and those transitioning to organic production.

**Track: Food**

**Room: Symphony 3**

**Session 10C**

## **Regulatory Top 2023 Ag Finance Decisions**

*Speaker: Michael Fielding, Husch Blackwell LLP, Kansas City, MO*

Finance is the backbone of the ag world. This program will address the most prominent and noteworthy 2023 ag finance decisions from around the country. Less noteworthy but still important cases will be addressed in the written supplemental materials.

**Track: In-House**

**Room: Mecklenburg 3**

**Session 10D**

**4:15 - 4:30 pm: Networking Break**

## **4:30 – 5:30 pm: Session # 11: Concurrent Breakouts**

### **Meeting the Needs of the Growing Agritourism Industry**

*Speakers: Peggy Kirk-Hall, Ohio State University Agricultural & Resource Law Program, Columbus, OH*

*Jesse Richardson, West Virginia University College of Law, Morgantown, NC*

*Kristine Tidgren, Center for Agricultural Law & Taxation, Iowa State University, Ames, IA*

Farm revenues from agritourism tripled between 2002 and 2017 in the U.S., and indications are that the next Census of Agriculture will see even more significant increases in agritourism revenues. How are we addressing the legal and policy needs of this growing sector of agriculture? We'll present an overview of the current state of agritourism, then will discuss legal issues for agritourism operations and litigation trends, followed by an interactive discussion on meeting the legal and policy needs for continued growth of the agritourism industry.

**Track: Policy**

**Room: Symphony 1**

**Session 11A**

### **If Chapter 12 Cannot Be Used, There Is Always Chapter 11: Small Business Reorganization Act - Bankruptcy Options for Distressed Farms**

*Speakers: Bud Stephen Tayman, Maryland State Bar Association Agriculture Law Section, Germantown, MD*

*Jeff Peterson, Winthrop & Weinstine, P.A., St. Cloud, MN*

This program will discuss qualifications for both Chapter 12 and Chapter 11 Small Business Reorganization Act bankruptcy options. Not all farms will qualify for Chapter 12 relief. If so, the Chapter 11 Small Business Reorganization Act presents a viable alternative for debt relief. Chapter 12 offers the best relief available by the bankruptcy code. The Small Business Reorganization Act offers the second-best relief available and was modeled in part after Chapter 12. This program will explore both options to enable practitioners to understand the debt relief options available for their farm clients.

**Track: Private Practitioner**

**Room: Symphony 2**

**Session 11B**

### **When Carbon Markets Make the Food Label: The Impact of Environmental Claims Being Added to Food Products**

*Speakers: Kitt Tovar, Center for Agricultural Law and Taxation, Ames, IA*

*Jennie Zwagerman, Drake Law School, Des Moines, IA*

*Alli Condra, Davis Wright Tremaine LLP, Portland, OR*

Climate Neutral, Reduced Emissions, Low Carbon Footprint, Fights Climate Change, and more! What do all of these labels mean from a regulatory perspective? This panel will discuss how to navigate food labeling laws as these new food labels are starting to show up on grocery store shelves across the country.

**Track: Food**

**Room: Symphony 3**

**Session 11C**

## **Welcome to the ICE Age: H-2A Pointers and Pitfalls**

**Speakers:** J. Larry Stine, Wimberly, Lawson, Steckel, Schneider & Stine PC, Atlanta, GA  
Misty Wilson Borkowski, Hall Booth Smith, P.C., Little Rock, AR

The H-2A program that allows US employers to legally hire non-immigrant foreign agricultural workers offers a great opportunity to meet seasonal labor needs that locals can't fill but, as they say, it's complicated. This program will cover the basic requirements of the H-2A visa program but will focus on common missteps and how to avoid them -- and what to do when inspectors from the Wage & Hour Division of OSHA come to call.

Farming employers all over the US apply for H-2A Visa for agriculture workers to come into the U.S. to work. The Regulations governing what is required for H-2A Compliance can be onerous. Farmers often do not keep track of daily hours, hours offered, nature of work - all violations of H-2A Regulations. Record keeping violations and failure to pay AEWR are huge problems for most farmers. This training is intended to give farmers the tools needed to get in compliance and avoid a costly learning experience from a DOL Audit.

**Track:** *In-House*

**Room:** *Mecklenburg 3*

**Session** *11D*

**6:00 - 7:30 pm: AALA Uptown Reception – K&L Gates, 300 S Tryon St Suite 1000, Charlotte, NC 28202**

**Sponsored by K&L Gates**

## Saturday, November 11, 2023

**7:15 am: Registration in Symphony Foyer**

**7:15 – 8:15 am: Breakfast in Symphony Foyer**

**Sessions 12 and 13 will be in Symphony 4-7**

**7:45 – 8:15 am: Session #12A: Land Use and Resource Law Update**

**Speaker:** *Jesse Richardson, West Virginia University College of Law, Morgantown, WV*

**8:15 - 8:45 am: Session #12B: Tax Law Update**

**Speaker:** *Kristine Tidgren, Center for Agricultural Law & Taxation, Iowa State University, Ames, IA*

**8:45 - 9:15 am: Session #12C: Environmental Law Update**

**Speaker:** *Anthony Schutz, Nebraska College of Law, Lincoln, NE*

**9:15 - 9:30 am: Networking Break**

**Sponsored by Goosmann Law Firm**

**9:30 – 10:30 am: Session #13: Ethics: “Telelaw” – The [Next] Frontier**

**Speakers:** *Garrett Coutts, Brady & Hamilton, Lubbock, TX*

Let’s talk about our two favorite topics – ethics and technology [insert copious amounts of sarcasm here]! I know “change is hard,” but it can be good also. Technology is everywhere these days – our watches, our phones, our cars, our homes, and our law practices. With the growth of technology, our ethics obligations have grown as well. In this session, we’ll discuss various tech advances affecting the practice of law – including e-signatures, documents, notaries, and recordings; cloud computing; and transmission of private/sensitive information – and the ethics obligations that have arisen along the way.

**Track:** *Ethics*

**Room:** *Symphony 4-7*

**10:30 – 11:00 am: AALA President’s Address**

**11:00 am – 12:00 pm: Session #14: Concurrent Breakouts**

**Credit Civil Rights Developments at USDA**

**Speakers:** *Stephen Carpenter, Farmers Legal Action Group, St. Paul, MN*

*Savi Horne, Land Loss Prevention Project, Durham, NC*

*Dania Davy, Federation of Southern Cooperatives, Atlanta, GA*

The panel reviews recent developments concerning civil rights issues at USDA. It will (1) briefly describe the legacy of discrimination and the several discrimination cases; (2) summarize the American Rescue Plan Act (ARPA) provisions affecting farm debt and subsequent litigation; (3) summarize the Inflation Reduction Act (IRA) actions that provide for debt payments and for a discrimination payment program and the implementation of these programs; (4) USDA efforts to address problems caused by heirs property; and (5) other newer developments.

**Track:** *Policy*

**Room:** *Symphony 1*

**Session 14A**



## **Farming the Sun: What Landowners Look for in Contracts and Impacts on Farmland**

*Speakers: Shannon Ferrell, Oklahoma State University, Stillwater, OK  
Elizabeth Thilmany, University of Maryland, College Park, MD  
Paul Goeringer, University of Maryland, College Park, MD*

As states increase their renewable energy portfolios with solar, what are landowners looking for in utility-scale solar agreements? Collaborative multi-state work has been done to understand these issues better. This session will discuss findings from the focus groups conducted in New York, Maryland, and Oklahoma looking at the needs of landowners with solar contracts. At the same time, the session will feature a case study of solar's impact on farmland in Maryland. Finally, we will highlight tools and resources available to attorneys looking to negotiate their first solar lease or experienced attorneys in the field.

**Track: Private Practitioner**

**Room: Symphony 2**

**Session 14B**

## **In-House and Outside Counsel Perspectives on Food Origin Claims: USDA's Proposed "Product of USA" Label Claim Rule, the FTC's "Made in USA" Rule, & Litigation and Enforcement Trends**

*Speakers: Kim Bousquet, Davis Wright Tremaine, St. Louis, MO  
Alli Condra, Davis Wright Tremaine, Portland, OR  
Blake Jackson, Tyson Foods, Springdale, AR*

Kim Bousquet and Alli Condra of Davis Wright Tremaine LLP's F+B team and Blake Jackson, Corporate Counsel at Tyson (speaking in personal capacity), present in-house and outside counsel perspectives on food origin claims, including USDA's March 2023, proposed rule defining when "Product of USA" and "Made in the USA" label claims can be made on meat, poultry, and egg products, the FTC's 2021 final rule on "Made in USA" claims applicable to non-USDA regulated food products, and trends in consumer class action litigation and competitor enforcement of these claims. The USDA's proposed rule allows the voluntary "Product of USA" or "Made in the USA" label claim to be used on meat, poultry, and egg products only when they are derived from animals born, raised, slaughtered, and processed in the U.S. The FTC's rule allows a product to bear an unqualified "Made in USA" claim only if all or virtually all of the ingredients are sourced from the U.S., among other requirements. Consumer class action litigation applies a broader standard of how a reasonable consumer interprets origin claims.

**Track: Food**

**Room: Symphony 3**

**Session 14C**

## **On the Move, the Age of Autonomous Agricultural Equipment**

*Speakers: Nicole Tupman, Raven Industries, Sioux Falls, SD  
Casey Watkins, Ballard Spahr LLP, Mount Laurel, NJ*

This session will discuss the legal issues for manufacturers, retailers and agricultural producers as autonomous agriculture equipment is being tested and rolled out in the marketplace for retailers, and farmers and ranchers to utilize in their operations. Topics to be discussed will include autonomous agricultural equipment standards, risks, liabilities, insurance, contract terms, and more. This will be an opportunity to all learn about the latest agricultural technology advancement and key issues attorneys will need to discuss with their clients.

**Track: In-House**

**Room: Mecklenburg 3**

**Session 14D**

**12:00 - 1:30pm: Awards Luncheon in Symphony 4-7**

**Sponsored by Mayer Brown, North Carolina Pork Council, and Iowa Pork Producers Association**

## 1:30 – 2:30 pm: Session #15: Concurrent Breakouts

### **Next Farm Bill: Thoughts From the Hill**

**Speakers:** Justin Benavidez, House Ag Committee, Washington, DC  
Bart Fisher, TAMU Ag and Food Policy Center, College Station, TX  
Caleb Crosswhite, House Ag Committee, Washington, DC  
Tom Sell, Combest Sell & Associates, LLC, Washington, DC

This group brings in the expertise from the Hill to discuss possible changes for the next Farm Bill and what practitioners need to be aware of in the ongoing debates. At the same time, practitioners will be able to ask questions of ongoing concern they are seeing representing clients on issues related to farm policy.

**Track:** Policy

**Room:** Symphony 1

**Session 15A**

### **Buying Distressed Farm and Food Assets**

**Speakers:** Margaret Westbrook, K&L Gates, Raleigh, NC  
Brandy Sargent, K&L Gates, Portland, OR  
Skye Root, Root Ag Advisory, Boise, ID

Bankruptcy, receivership, and foreclosure sales are an increasingly common avenue for acquisition of food and agriculture assets. However, the price, process, and protections available for purchasers differ greatly from non-distressed sales. This session will focus on the key concepts applicable to purchasing assets in distressed proceedings.

**Track:** Private Practitioner

**Room:** Symphony 2

**Session 15B**

### **Precision Fermentation in Agriculture: The Legal Issues**

**Speakers:** Karen Carr, ArentFox Schiff, LLP, Washington, DC  
Tony Pavel, Perfect Day Company, Washington, DC  
**Moderator:** Drew Kershen, University of Oklahoma, College of Law, Norman, OK

This panel will provide a high-level overview of precision fermentation, a food production technique being used in new and innovative ways, and a discussion regarding the regulatory pathways and other considerations related to product approval and marketing in the United States and abroad.

**Track:** Food

**Room:** Symphony 3

**Session 15C**

### **Total Technical Diligence: Advanced Topics in Deal Due Diligence: Pre-IP, IP, and Pitfalls All Around**

**Speakers:** Jerry Duff, AgriThority, LLC, Kansas City, MO  
Richard Kottmeyer, FTI Consulting, McLean, VA  
Christopher Austin, Michael Best & Friedrich LLP, Milwaukee, WI

The scope of due diligence in corporate transactions is rapidly changing, especially in cases where technology and IP are important. In this presentation, we will explore advancements in the analysis and application of scientific data, market knowledge, and development skills for accelerating technologies into agriculture. We will also examine leading-edge tools and processes for IP strategic analysis that are becoming critical to the full picture of such transactions. Presented by those with deep experience in the food and agricultural value chain, our three-member presentation team illuminates what is becoming the gold standard of legal and technical due diligence.

**Track:** In-House

**Room:** Mecklenburg 3

**Session 15D**

**2:30 - 2:45 pm: Networking Break**

## 2:45 – 3:45 pm: Session #16: Concurrent Breakouts

### **Never a Dull Moment: A Right-to-Farm & Trespass Law Update**

**Speakers:** Tiffany Dowell Lashmet, Texas A&M Department of Agricultural Economics, Amarillo, TX  
Paul Goeringer, University of Maryland, College Park, MD  
Austin Vincent, Kansas Department of Agriculture, Manhattan, KS  
Jake Parker, North Carolina Farm Bureau, Raleigh, NC

Emerging from courtrooms in Kansas, Maryland, and North Carolina, and fueled by legislative action in Texas, the right-to-farm and trespass battlegrounds surge with vitality in American agriculture law. Brace yourself for an electrifying discussion as our expert panel dissects these pivotal developments, sparking a dynamic debate on their profound implications within the ever-evolving right-to-farm landscape.

**Track:** Policy

**Room:** Symphony 1

**Session 16A**

### **Ancillary Probate - "There's No Place Like Home"**

**Speakers:** Garrett Coutts, Brady & Hamilton, Lubbock, TX  
Emily Daniel, Texas Tech University School of Law, Lubbock, TX

Anyone working with Estate Planning has likely come across the basics – wills, trusts, etc. But things can take crazy turns when you cross state lines. Everyone knows Texas likes to do things the “Texas way.” But – turns out – most states like to do things the “[state] way,” or at least differently than their neighbor states. The same is true for the way each state handles the passing of property and assets at death. Probate and Estates law is largely controlled by individual states and can vary widely. Enter...the Ancillary Probate.

**Track:** Private Practitioner

**Room:** Symphony 2

**Session 16B**

### **Legalities of Direct Online Marketing - Helping Clients With Online Marketing & Sales Questions**

**Speakers:** Megan Todd, Agriculture Law Education Initiative, University of Maryland-Baltimore, Baltimore MD  
Nicole Cook, Agriculture Law Education Initiative, University of Maryland Eastern Shore, Princess Anne, MD  
Lauren Handel, Handel Food Law LLC, Fayetteville, AR

Online sales channels are an increasingly common source of income for agricultural and value-added producers. According to the USDA, in 2020, approximately \$312M of direct-to-consumer agricultural sales were made through online markets. This session will discuss the Federal and state laws and regulations that impact agricultural and value-added business' digital marketing activities, like advertising through social media and email subscriptions, as well as issues specific to e-commerce.

**Track:** Food Law

**Room:** Symphony 3

**Session 16C**

### **Regulatory, Rules and Requirements Revisited: Part II of a Discussion on Requirements Applicable to Foreign and Domestic Purchasers of U.S. Agricultural Property**

**Speakers:** Kari Larson, K&L Gates, Seattle, WA  
Marisa Bocci, K&L Gates, Seattle, WA  
Laurie Purpuro, K&L Gates, Washington, DC

This program will expand on the 2022 discussion of AFIDA and corporate farming regulatory requirements applicable to foreign owners and lessees of farmland in the United States and discuss the legislative landscape applicable to agricultural transactions including the Corporate Transparency Act, HSR Act, FinCen, CFIUS and other regulatory schemes.

**Track:** In-House

**Room:** Mecklenburg 3

**Session 16D**

**3:45 - 4:45 pm: Board Listening Session**

**Room:** Symphony 4-7

AALA will submit sessions deemed eligible for continuing legal education (CLE) credits to symposium registrants' states. CLE credits are granted based on individual attendance records and state CLE rules. **Note that approvals will vary** because each state has different CLE requirements and rules. For example, not every state calculates CLE credits based on the clock hour. Not every state will grant CLE credits for each session submitted by AALA. In all events, AALA is committed to providing top-quality, relevant CLE that will be approved for most states.

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We look forward to seeing you next year in  
Memphis, Tennessee, November 7 - 9!

