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INTRODUCTION
NORTH DAKOTA LAW REVIEW
AGRICULTURAL LAW SYMPOSIUM ISSUE

NEIL D. HAMILTON*

The American Agricultural Law Association (AALA) held its Twelfth Annual Meeting and Agricultural Law Conference in Atlanta, Georgia, on November first and second, 1991. The AALA is the only professional organization in the United States devoted to issues of agricultural law and practice. The over 900 members of the AALA are located throughout the country and are involved in all aspects of legal practice. The common threads uniting AALA members are a recognition of the importance of the role of law in shaping agriculture and an appreciation for the need to stay informed of legal developments affecting agriculture. The AALA strives to provide members with timely information on agricultural law topics in many ways, including publishing the monthly newsletter, *Agricultural Law Update*. The AALA's most significant activity is sponsoring an annual two-day educational conference. More than one-hundred and eighty agricultural lawyers—professors, practitioners, students, and government attorneys—attended the 1991 conference, which featured over forty-five different speakers organized around seven topics. The fourteen articles published in this issue are drawn from presentations made at the conference.

Each year the AALA selects a law review to publish a symposium on agricultural law, based on the proceedings of the annual meeting. Copies of the symposium are sent to all the members of the Association. This year the AALA is proud to have selected the North Dakota Law Review to publish the 1991 proceedings. The members of the AALA greatly appreciate the cooperation and hard work of the Board of Editors of the North Dakota Law Review in publishing this issue.

The articles in this issue are drawn from the seven different substantive sessions of the 1991 meeting. These were: The annual review of agricultural law developments; legal issues in forestry and timber production; federal farm programs and the 1990 Farm Bill; new opportunities in agricultural production; impact of envi-

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ronmental liability on farmland; issues in agricultural law practice; and international development and trade issues.

The issue begins with two special features. First is the President's Address by Professor Margaret Grossman from the University of Illinois, in which she focuses on the role of the AALA in helping shape the future of agricultural law. The second article reflects the remarks of James Moseley, who was the Assistant Secretary of Agriculture for Natural Resources and the Environment. Mr. Moseley, who has since left government service, spoke at the Friday luncheon and focused his remarks on the pivotal role environmental issues, such as wetlands and protecting endangered species, will have on agriculture in the United States.

The next two articles are drawn from the annual agricultural law update session of the conference. Professor Mary Beth Matthews, from the University of Arkansas College of Law, reviews recent developments in the law affecting agricultural cooperatives. Susan Schneider, an independent scholar from North Dakota who was formerly with the National Center for Agricultural Law Research and Information, addresses the interaction of agricultural law and bankruptcy in an article surveying recent case developments.

The issue continues with one article from each of the next four sessions of the conference. First, Professor J. Owen Smith, from the University of Georgia Institute of National Resources, addresses current environmental issues in forestry production. Second, Alan R. Malasky, a practitioner from Washington, D.C., shares insights gained from representing farmers in farm program disputes to address the ASSC appeals system and the payments limitation revisions of the 1990 Farm Bill. Third, Gordon Bones, a lawyer from Sacramento, California, considers the role state and federal organic certification laws might play in developing new marketing opportunities for agriculture. Fourth, Professor Michael Olexa from the University of Florida's Institute of Food and Agricultural Sciences addresses pesticide use and related regulator issues in exploring possible liability from owning agricultural property.

One prominent feature of the AALA's success has been the ability to blend the work of agricultural law academics with the interests and experiences of practicing lawyers. The next four articles in the symposium are drawn from a session focused on issues in agricultural law practice. First, Patrick Wheeler from Canton, Missouri, the dean of Missouri's rural practitioners, shares his expe-

rience with right-to-farm law defenses in representing livestock producers sued for nuisance. Second, Roger McEowen, a recent Drake Law School graduate who now practices in North Platte, Nebraska, provides his views on tax planning when liquidating and reorganizing farm and ranch corporations. Next, Beverly Clark, a corporate counsel for Pioneer Hi-Bred International, Inc. of Des Moines, Iowa, addresses the increasingly important topic of agricultural labor law by sharing her experiences in developing the Iowa migrant ombudsman project, an innovative response to farm worker claims. The use of alternative dispute resolution (ADR) methods to resolve legal disputes is a major development in the U.S. legal system. The AALA has created a special committee to consider the role of ADR in agriculture. In the next article, David Barrett, public affairs counsel with the National Grain and Feed Association (NGFA) in Washington, D.C., discusses the NGFA's experience in arbitrating agricultural disputes.

The final session of the conference concerned international trade and development issues. In their article, James F. Smith and Marilyn Whitney of the University of California at Davis address the dispute settlement mechanism contained in the proposed North American Free Trade Agreement (NAFTA) and its relation to agricultural trade. For many years the Association has sponsored a student writing competition to provide students interested in agricultural law with an outlet for their writing. Each year the association selects two papers for awards and invites the authors to attend the conference. As part of the award, the winning paper is published in the Association's proceedings. This year, the AALA is proud to publish the first prize paper, by John Markle, formerly a student at Georgetown University Law Center, who now practices as a Law Clerk to Administrative Law Judges of the Federal Energy Regulatory Commission in Washington, D.C. His article concerns the current round of GATT negotiations on agricultural trade and is titled, "Slaying the Sacred Cow: Looking for Consensus in the Reformation of World Agricultural Trade."

The Association thanks all those who participated in the 1991 annual meeting in Atlanta. A special thanks is due to members who took the time to prepare presentations and to those who went the extra step and prepared articles to share with the whole legal community through this symposium issue.

