

Title:	Legal Aid of Nebraska Beginning Farmers and Ranchers Development (BFRD) Project		
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Program Code: BFRDP

Program Name: Beginning Farmer and Rancher

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Recipient Organization

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{NO DATA ENTERED}

Non-Technical Summary

OUTPUTS - OUTCOMES/IMPACTS Year 1 - Access line 1275 beginning farmers and ranchers served 475 landowners served - Learn and access programs, resources, tools, workshops, materials; identify and analyze wishes, needs and risks; understand regulations; clarify options and action plans, workshops, clinics, mentoring - 9 workshops - 9 clinics - 20 at-home mentoring sessions. Prepare business plans and cash flows; analyze, tailor and adopt model provisions for leasing land, livestock, and/or equipment; analyze, tailor and adopt plans for transferring estates; assistance in family analysis, communication and decision making for succession and/or new enterprise development; assist beginning and retiring farmers/ranchers in structuring their transition arrangements, including leases, estate documents, and use of entities. Educational Materials: new and revised educational materials, presentation (workshop), written and on-line, materials covering: federal and state beginning farmer support programs; current estate planning model alternative structures for transferring estate to heirs and to unrelated successors; local food and direct marketing licensing and regulatory compliance; legal structures/documents for new enterprise and direct marketing/local food; development of materials relating to role of beginning farmers and of successful transitions to 8. Year 2 Access line 1475 beginning farmers, 600 landowners. As in year 1, but also to include ongoing and follow-up efforts with new enterprise start-ups and beginners in early years of transition; Workshops, clinics, mentoring: 11 Workshops, 12 Clinics, 20 Mentoring. See Year 1; plus continuing and follow-up consultations with beginners and with start-ups Educational Materials: same as year 1; also to include modification of material for legal and regulatory changes, and modifications based on experience with successes and failures. Year 3 - Access line same as year 2, workshops, clinics, mentoring same as year 2 Educational Materials: Same as years 1 & 2

Accomplishments

Major goals of the project

The long-term goal of the Legal Aid of Nebraska BFRD Project is to increase the number and enhance the sustainability of farm and ranch enterprises in Nebraska and South Dakota by providing land, skills, and education to beginning farmers and ranchers; estate and transition planning to retiring landowners; and by matching beginning producers who need land with retiring landowners who need a successor. The project will address the following Priority Topics for Standard Grants: Business management and decision support strategies that enhance the financial viability of beginning farmers and ranchers, marketing strategies that enhance the competitiveness of beginning farmers and ranchers, legal strategies that assist beginning farmers with farm or land acquisition and transfer. Program objectives: 1. Provide to beginning farmers and ranchers and retiring landowners individual consultation for legal matters that include contracts, structure of enterprise, use of

entities, including model provisions for adoption and modification; estate and transition planning for owners and beginners; flexible model lease provisions, and other contractual agreements, such as options and installment contracts; and regulatory compliance, including licensing, for "local food" marketing and production. 2. Provide to beginning farmers and ranchers and retiring landowners, individual consultation for financial and business planning, including cash flow and balance sheet preparation and analysis; and review and assistance in preparation of business plans. 3. Provide beginning farmers and ranchers and retiring landowners individual consultation on Nebraska Beginning Farmer Tax Credit and Personal Property exemption programs, including assistance in preparation and review (prior to submission to approving board) of applications for participation in tax credit programs by beginners and owners of assets (land, machinery, livestock); assistance in addressing novel structures for use in these programs; and assistance in meeting the transition planning requirements. 4. Provide beginning farmers and ranchers individual consultation on federal beginning farmer and rancher development programs, database and staff access for information on federal beginning farmer and rancher development programs, and current information on Federal agricultural programs and benefits. 5. Provide beginning farmers and ranchers individual consultation for beginning farmer and ranchers with novel enterprises such as small scale direct marketing businesses, local food endeavors such as farm-to-school, as well as access to conventional agriculture through family ties, federal and state programs, and responsible succession planning.

What was accomplished under these goals?

IMPACT: "I am a farmer's daughter who is wanting the next generation to continue farming." We learned "how we can best help our son with decisions on coming back to the farm by encouraging an enterprise." The workshop gave us idea "especially for non-successor scenarios." "They gave me a number of options that I can and will consider for estate planning." "I appreciate the availability of this service to farm families of Nebraska. Thank you. Invaluable." These comments, among many others, demonstrate the need met by Legal Aid of Nebraska's Beginning Farmer and Rancher Development Program in Nebraska and South Dakota's agricultural families and communities.

Legal Aid of Nebraska and its partners have been on the forefront of increasing the number of beginning farmers and ranchers in Nebraska through its efforts under this grant. Our Program has served over 2,000 farmers and ranchers in Nebraska, South Dakota, Colorado, Iowa, and Missouri. We've assisted over 300 Program participants in starting to farm, as well as increased the number of farmers and ranchers accessing state and federal farming programs. The 2012 Census of Agriculture indicates the beginning farmer numbers are on the rise in Nebraska and holding steady in South Dakota. Furthermore, farmers under the age of 34 increased in South Dakota and the average age of Nebraska farmers (55.4) is one of the lowest in the nation.

WORKSHOPS: Legal Aid and its partners held 51 workshops with 2,133 participants during the grant period. Workshops were held in Nebraska (43), South Dakota (3), Iowa (3), Colorado (1), and Missouri (1). Workshop topics focus upon legal matters relevant to beginning farmers and ranchers and transitioning landowners, including contracts/leases, structure of enterprise, use of entities, estate and succession planning, options and installment contracts, federal and state programs and services, and family communication. Workshop topics and information is continually evolving to meet the needs and wants of participants and statutory and case law updates. Workshop evaluations include the following across the grant period:

Total number who plan to start farming: 268

Number who are farming: 1,697

Number who plan to continue farming: 1,371

Number who plan to stop farming: 307

Change in knowledge: 1,783

Change in attitude: 1,343

Change in skills: 1,125

Plan a change in behavior/approach: 1,511

Plan to continue participating in training: 1,356

Number who started farming: 225

Number who did not start farming: 27

Number who continued farming: 1,381

Number who changed business practices: 1,414

Number who changed marketing plans: 765

Number who developed a farm plan: 1,032

CLINICS: Legal Aid held 116 clinics with 971 participants during the grant period. Clinics were held throughout Nebraska (114), South Dakota (1) and Colorado (1). Clinic consultations cover a wide variety of topics, both legal and financial, and are intended to build upon information provided in workshops. Clinic participants complete written evaluations, which indicate the following:

Total number who plan to start farming: 128

Number who are farming: 851

Number who plan to continue farming: 723

Number who plan to stop farming: 237

Change in knowledge: 884

Change in attitude: 562
Change in skills: 494
Plan a change in behavior/approach: 577
Plan to continue participating in training: 760
Number who started farming: 120
Number who did not start farming: 9
Number who continued farming: 640
Number who changed business practices: 726
Number who changed marketing plans: 429
Number who developed a farm plan: 877

ONE-ON-ONE MENTORING: Mentoring is ongoing, with 23 clients. The one-on-one sessions are aimed to providing at-home sessions to individuals requesting extended assistance with legal questions and, if appropriate, drafting legal documents.

For example, one-on-one mentoring assisted two beginning farmer families with establishing an LLC and drafting land, livestock, and machinery leases. We also assisted with applying for the Nebraska Beginning Farmer Tax Credit and Personal Property Tax Exemption. The two families now lease, and eventually own, an approximately 400-head grass-fed cattle herd in northeast Nebraska.

We have also assisted multiple families with educating about legal options for succession planning. For example, a father and beginning farmer daughter in Lancaster County, Nebraska decided to employ Nebraska's transfer on death deed after a one-on-one session. Similarly, a father in southeast Nebraska with eleven children and one on-farm successor had multiple in-person and telephone sessions to discuss succession planning, family communication, and tax strategies. The father now has a plan to bring his on-farm heir into the operation while also providing opportunities for his other children to inherit.

NEBRASKA NETWORK FOR BEGINNING FARMERS: We lead the Nebraska Network of Beginning Farmers, which is comprised of stakeholders in Nebraska agriculture, specifically those beginning farmer stakeholders. Participants include the University of Nebraska-Lincoln, Nebraska College of Technical Agriculture (NCTA), Nebraska Department of Agriculture, Nebraska Investment Finance Authority, Farm Credit Services of America, Nebraska Cattlemen, The Nature Conservancy (TNC), Center for Rural Affairs, Nebraska FSA, and Nebraska NRCS. The Network meets quarterly to discuss issues pertaining to beginning farmers in Nebraska.

Network meetings provided the impetus for a recent expansion of NCTA's 100 Cow Program; NCTA and TNC entered into an agreement to allow NCTA's student cattle herd to use TNC lands in west-central Nebraska for summer grazing. TNC requires heavy grazing to assist with the conservation of blowout penstemon as well as generally maintaining the grasslands in good health. This agreement allows NCTA students hands-on learning about a range of topics, from transporting the herd, horsemanship skills, grazing cattle, and conservation planning.

BLOG/WEBSITE: Our website is growing. The blog received 12,660 views, with approximately 10,000 of those views from the U.S. We posted 184 blog posts and 20 articles, covering topics such as farm bill programs, state and federal beginning farmer programs and resources, financing, grant opportunities, estate and succession planning, local food/cottage food laws, marketing, leases, crop insurance, disaster preparation and designations, use of entities, tax concerns, inheritance, family communication, and emerging legislation and regulations.

NEBRASKA BEGINNING FARMER TAX CREDIT: Our program disseminates information and assist with applications for the Nebraska Beginning Farmer Tax Credit. The 2013 - 2014 annual report from the Nebraska Beginning Farmer Board shows submitted applications increased almost 50% from 2012 to 2013 and the total monetary value of the tax credit increased by 8%. Moreover, we assisted 17 beginning farmers in grant year 3 with preparing leases for the Program and anticipate those beginning farmers will submit applications prior to December 31, 2015.

What opportunities for training and professional development has the project provided?

This project has provided formal continuing legal education instruction and individual learning and development. Angie Miller attended multiple CLE presentations on estate and business planning, farm succession planning, and ethics. Ms. Miller has also engaged in individual learning and development on state and federal estate planning, state and federal tax policy for beginning and transitioning farmers and ranchers, contracts, leases, and general agricultural law and policy.

Additionally, the members of the Nebraska Network for Beginning Farmers, through the quarterly Network meetings, have learned and developed skills in federal and state policies and programs (especially regarding the 2014 Farm Bill), sustainable farming methods, urban agricultural/local food production, and conservation policies and practices.

How have the results been disseminated to communities of interest?

Workshops and clinics are advertised via newspaper, newsletters, listservs/email, the websites of Legal Aid of Nebraska, Nebraska Department of Agriculture, Center for Rural Affairs, and Dakota Rural Action, conferences/shows such as Husker Harvest Days, and through our Nebraska Network of Beginning Farmers partners. Word-of-mouth from previous participants and participants who wish for a "refresher" also discuss the topics with the community at large.

What do you plan to do during the next reporting period to accomplish the goals?

{Nothing to report}

Participants

Actual FTE's for this Reporting Period

Role	Non-Students or faculty	Students with Staffing Roles			Computed Total by Role
		Undergraduate	Graduate	Post-Doctorate	
Scientist	0	0	0	0	0
Professional	1	0	0	0	1
Technical	0	0	0	0	0
Administrative	0.6	0	0	0	0.6
Other	0	0	0	0	0
Computed Total	1.6	0	0	0	1.6

Student Count by Classification of Instructional Programs (CIP) Code

{NO DATA ENTERED}

Target Audience

Target audience(s) reached during the grant include:

- Beginning farmers and ranchers
- Transitioning/retiring farmers and ranchers
- Socially-disadvantaged beginning farmers and ranchers, including women and Hispanic farmers and ranchers
- Military veteran farmers and ranchers

Products

{Nothing to report}

Other Products

Product Type

Educational Aids or Curricula

Description

Written curricula written by Joe Hawbaker on Buy-Sell Agreements. Curricula uploaded to farmanswers.org.

Product Type

Educational Aids or Curricula

Description

Written curricula written by Joe Hawbaker on Charitable Giving. Curricula uploaded to farmanswers.org.

Product Type

Educational Aids or Curricula

Description

Written curricula written by Joe Hawbaker on Durable Power of Attorney. Curricula uploaded to farmanswers.org.

Product Type

Educational Aids or Curricula

Description

Written curricula written by Joe Hawbaker on Federal Transfer Taxes. Curricula uploaded to farmanswers.org.

Product Type

Educational Aids or Curricula

Description

Written curricula written by Joe Hawbaker on Future Interests and the Life Estate Deed. Curricula uploaded to farmanswers.org.

Product Type

Educational Aids or Curricula

Description

Written curricula written by Joe Hawbaker on Health Care Powers of Attorney and Living Wills and Advance Health Care Directives. Curricula uploaded to farmanswers.org.

Product Type

Educational Aids or Curricula

Description

Written curricula written by Joe Hawbaker on Intestacy and Spousal Elective Share. Curricula uploaded to farmanswers.org.

Product Type

Educational Aids or Curricula

Description

Written curricula written by Joe Hawbaker on Joint Tenancy and Tenancy in Common. Curricula uploaded to farmanswers.org.

Product Type

Educational Aids or Curricula

Description

Written curricula written by Joe Hawbaker on Nebraska Inheritance Tax. Curricula uploaded to farmanswers.org.

Product Type

Educational Aids or Curricula

Description

Written curricula written by Joe Hawbaker on Nebraska Transfer on Death Deed. Curricula uploaded to farmanswers.org.

Product Type

Educational Aids or Curricula

Description

Written curricula written by Joe Hawbaker on Options and Preemptive Rights. Curricula uploaded to farmanswers.org.

Product Type

Educational Aids or Curricula

Description

Written curricula written by Joe Hawbaker on Partition. Curricula uploaded to farmanswers.org.

Product Type

Educational Aids or Curricula

Description

Written curricula written by Joe Hawbaker on Personal Representative. Curricula uploaded to farmanswers.org.

Product Type

Educational Aids or Curricula

Description

Written curricula written by Joe Hawbaker on Personal Representative Checklist. Curricula uploaded to farmanswers.org.

Product Type

Educational Aids or Curricula

Description

Written curricula written by Joe Hawbaker on Probate. Curricula uploaded to farmanswers.org.

Product Type

Educational Aids or Curricula

Description

Written curricula written by Joe Hawbaker on Special Use Valuation. Curricula uploaded to farmanswers.org.

Product Type

Educational Aids or Curricula

Description

Written curricula written by Joe Hawbaker on Spousal Unified Credit Planning and The Portability Rule. Curricula uploaded to farmanswers.org.

Product Type

Educational Aids or Curricula

Description

Written curricula written by Joe Hawbaker on The Estate Planning Questionnaire. Curricula uploaded to farmanswers.org.

Product Type

Educational Aids or Curricula

Description

Written curricula written by Joe Hawbaker on Wills. Curricula uploaded to farmanswers.org.

Product Type

Educational Aids or Curricula

Description

Written curricula written by Joe Hawbaker on Trusts. Curricula uploaded to farmanswers.org.

Product Type

Evaluation Instruments

Description

Updated evaluation instrument in 2015 to account for further demographic and farming concerns.

Product Type

Evaluation Instruments

Description

Statistical evaluation of 2015 demographic data of workshop participants.

Product Type

Other

Description

Updated brochure for Nebraska Network for Beginning Farmers.

Changes/Problems

{Nothing to report}