**Farm Analysts Role in KAMS Mediation Process**

1. **KAMS process before and during assignment and work of Farm Analyst.**
   1. The initial call is made to 800-321-3276 (FARM). Char or Gary will take that call and begin peeling the onion.
   2. Appointment made for Forrest to talk to client by phone to obtain:
   3. Client submits written request for mediation services
   4. KAMS sends client paperwork to sign
      1. Agreement to Mediate
      2. Request for Mediation Support Services identifying support service needed: Farm Analyst and or KLS. Permission to contact creditor(s).
   5. KAMS sends creditor paperwork to sign.
2. **Process of assigning a Farm Analyst to work with the client.**
   1. If a County/District Extension Agent will be involved as farm analyst:
      1. Agent will not work with clients in the County/District of the Agent unless both the Agent and the client consent.
      2. If the Agent will shadow a regular Farm Analyst then the time and service is considered professional development – no reimbursement from KAMS.
      3. If the Agent will take the lead on the referral, then the County/District will be paid for the Agent’s work by KAMS at the rate of $25/hour plus mileage at the state rate.
      4. An experienced Farm Analyst will be assigned to an Agent to consult with on KAMS cases.
   2. KAMS will send information to the Analyst/Agent about the client:
      1. A *referral memo* that outlines what information Forrest obtained from the client in the initial phone call.
      2. A *credit intake sheet* that lists the creditors, amounts owed, collateral, due dates, amount of land owned/leased, livestock and crop information.
         1. Clients do not always give detailed or accurate accounts of this information during the phone call with Forrest.
         2. KAMS needs to make a general assessment and will only ask for a rough estimate.
         3. Analysts should NOT rely on the credit intake sheet for FinPack analysis.
      3. A copy of the *referral letter to the client* setting out contact information for the analyst and the KLS attorney and an explanation of the.
   3. The client will be instructed to call the Analyst for the first contact and to set up an appointment for the FinPack. That is not arranged through KAMS.
   4. Analyst or KAMS send the client the FinPack input worksheets.
      1. Analysts have varying degrees of success to get clients to fill these out.
   5. The producer is charged $100 for the Farm Analyst’s work which needs to be paid at the first visit (check made payable to KSU), collected by the Analyst.
      1. This fee can be waived in hardship cases by the analyst calling KAMS/Forrest and explaining the situation.
      2. The client’s responsibility for $100 covers all efforts on the part of the analyst during the KAMS process for the initial visit, any return visits, meetings with creditors prior to mediation, time at a mediation, and any follow-up necessary before the case is closed.
      3. Once the case is closed any further work by the Analyst for the client will either need to be done on a private fee basis or to open a new case through KAMS.
3. **The role of the Analyst in the mediation process:**
   1. Organize and develop information for FinPack.
   2. Keep the client focused on preparation and developing options.
      1. It will help the client and keep the creditor satisfied.
      2. KAMS has deadlines to meet in processing certain ag credit cases.
         1. FSA loan restructuring or loan application denials – 120 days from opening of the mediation case.
      3. Banks will have deadlines. For example, FSA guaranteed loan restructure or liquidation requires plan within 120 days of delinquency.
   3. Communications with KAMS that would be helpful:
      1. Date(s) of meetings with client or lenders.
      2. Update on developing options and timeline for completion of FinPack.
      3. Information needed to schedule a mediation.
      4. When you are ready to proceed with mediation.
      5. When you conclude your work let KAMS know the results.
   4. Working with creditors in advance of the mediation to get their input and buy-in.
      1. Developing a relationship with the creditors.
      2. Avoiding adversarial advocacy.
   5. Assist in developing options and analyzing feasibility proposed by any party.
   6. Resolution prior to a mediation session is permissible and encouraged.
   7. Communicate and work with Kansas Legal Services attorneys to share information and develop strategies for negotiating with creditors and to use as a resource when legal questions arise.
   8. Appearing at mediation with the client to explain numbers and options, analyze alternatives that develop at mediation, and be a resource for information and ideas to help all parties in the process.
   9. Be a resource for the mediator at the mediation session.