

Kansas State University/Washburn University School of Law

Agribusiness Symposium

7:40 a.m. Registration

8:00 a.m. Introductions & Welcome

Roger McEowen

Kansas Farm Bureau Professor of Agricultural Law and Taxation,
Washburn University School of Law

Wendee Grady

Assistant General Counsel, Kansas Farm Bureau

8:15 a.m. Ag-Related Provisions in the Tax Cuts and Jobs Act (TJCA)

Roger McEowen

Mark Dikeman

Associate Director, Kansas Farm Management Assn

Practical examples of how the changes in the law apply to agricultural clients will be provided and analyzed. This includes the application of the new qualified business income deduction; the change with respect to like-kind exchanges; new depreciation rules and related planning implications; rate bracket planning; commodity gifting; family and individual tax credits; remaining Schedule A deductions – fleshing out the myths vs. truths (property tax; interest expense; cooperative sales, etc.); charitable gift planning; changes with respect to personal casualty and theft losses; new tax rules associated with alimony; alternative minimum tax; handling moving expenses; loss limitation rules for non-corporate taxpayers; handling business interest; cash accounting rule changes; new rules surrounding business-provided meals; handling partnership losses; immediate expensing of assets; modified education-related provisions; changes concerning retirement-related provisions.

9:55 a.m. Break

10:15 a.m. Farmer Financial Distress, Mediation and Farm Bankruptcy

Session 1: Services and Observations of the Kansas Agricultural Mediation Services

Forrest Buhler

Staff Attorney, Kansas Agricultural Mediation Services

This session will review the agricultural credit mediation provided by the Kansas Agricultural Mediation Services (KAMS), the USDA Certified State Agricultural Mediation Program for Kansas since 1988 at Kansas State University. KAMS Staff Attorney Forrest Buhler will discuss the mediation and preparatory services (legal and farm financial counseling) available to work with producers and their creditors, as well as the extent and nature of the cases being mediated.

Session 2: Approaches to Handling Farm Clients in Financial Distress and Those Facing a Possible Chapter 12 Filing

Dan Forker

Attorney, Forker Suter LLC, Hutchinson, KS

Joseph A. Peiffer

Attorney, Ag & Business Legal Strategies, Hiawatha, Iowa

This session will explore the approaches of two attorneys with substantial farm bankruptcy practices in two different states. How do they each approach client financial distress situations? What are the differences in procedures under state law? Are there common similarities in the

approaches? What should a farmer in financial distress do to assist their legal counsel in representing their interests?

Session 3: The Bankruptcy Trustee's Role

Carl B. Davis

Standing Bankruptcy Trustee, District of Kansas

This session will discuss the bankruptcy trustee's role in the process, and his duties and responsibilities related to the administration of a Chapter 12 Bankruptcy.

Noon **Lunch**

1:00 p.m. **Agricultural Policy Issues**

Allie Devine and John Donley

Devine, Donley & Murray Governmental Affairs

Ryan Flickner

Kansas Farm Bureau Senior Director of Public Policy

This session will cover the many changes in state and federal law that could impact the way farmers and ranchers must operate their businesses in order to comply with the law, and the advice practitioners give their agricultural clients. Issues driving the crafting of a new Farm Bill will also be discussed.

1:50 p.m. **Leasing the Land and the Water - Agricultural Leasing
Issues Involving Water Rights**

Wendee Grady

This session will cover the importance of water right provisions in agricultural leases. Water right basics will be discussed, as well as pertinent contract provisions that should be considered when a water right is involved in an agricultural lease.

2:40 p.m. **Break**

3:00 p.m. **Agricultural Law Update**

Roger McEowen

This session will involve an update on Agricultural Law that touches on issues, cases and decisions in agriculture, finance, agricultural taxation, and other related legal practice areas for attorneys and will highlight legal issues and opportunities that farmers, ranchers and rural landowners should be aware of.

3:50 p.m.. **Are You an Ethical Attorney Negotiator?
A Live Exercise Based on the "American Pickers" Show!**

Shawn Leisinger

Executive Director, Centers for Excellence, Washburn University School of Law

This session will blend an initial live negotiation exercise with discussion and application of ethical issues and related rules arising out of that exercise. The initial exercise is based on the negotiation style and examples found on the "American Pickers" show and seeks to get participants to evaluate their personal negotiation style and how that affected the outcome of the "negotiation" session as compared to other participants. Participants will be paired off for the first half of the session to negotiate and then a series of questions and related discussion will take the participants through the applicable legal ethical rules. Participants will be challenged to contemplate whether they feel they complied or may need to adjust their style and negotiation tactics.

4:45 p.m. **Adjourn**