

VERMONT LAW SCHOOL

Vermont Law School Uses E-Contracting to Safeguard Farmers' Rights and Support Sustainable Food Systems

Industry: Legal

Geographies: North America

Goal:

Empower farmers and promote agricultural sustainability with expanded land access.

Solutions:

CLM Advanced

Results:

Launched a complimentary Farmland Access Legal Toolkit with a Coupa-powered self-service lease builder.

Vermont Law School's Center for Agriculture and Food Systems (CAFS) trains law students in food and agricultural policy and provides various legal resources to small and medium-sized farms. One of CAFS' goals is to support the success of sustainably-oriented farms, which in turn can drive progress toward a more sustainable and just food system, combat climate change, and advance public health. Farmland access is one of the greatest challenges facing new and beginning farmers, and those attempting to expand their operations, and many farmers rely on leasing arrangements. CAFS set out to provide resources for easy-to-use, free-of-charge, and browser-based lease generation to control legal costs and replace traditional handshake agreements with formalized leases, so that both farmers and landowners can better protect their rights and their businesses while supporting conservation practices and a resilient food supply.

Many farmers who manage small areas of land, often between 10 and 50 acres, don't own the land but instead lease from those who do. Due to the high costs of engaging legal counsel and cultural norms regarding trusting neighbors, small-scale farmers often forgo lease contracts and rely instead on informal agreements with the landowners. This lack of documentation specifying the terms of the lease can cause devastation for farmers. CAFS saw this play out time and time again as landowners reduced the length of leases because a more lucrative offer came along, issues arose that were not covered by informal understandings, or landowners simply misremembered the exact terms of the deal. And because it can require years to fully develop and enrich soil, the need to start from scratch on new farmland can ruin a business.

Solving the Land Access Challenge

To help farmers negotiate formal leases that would protect their rights and allow farms to flourish, and to cut down legal costs, CAFS saw an opportunity to use standardized agreements. With funding from the National Agricultural Library at the United States Department of Agriculture, and in partnership with BCM Environmental & Land Law and Heyman Legal, CAFS created the Farmland Access Legal Toolkit (famlandaccess.org), a comprehensive online resource where farmers can read about common issues related to land access. Within the toolkit is the Farm Lease Builder, a tool to help farmers and landowners develop lease agreements

CAFS quickly realized that simple paper forms can't address all of the legal needs of farmers across the country (for example, water rights may be more of an issue in the Western US). Because of this complexity, the team needed an interactive online solution to let farmers without legal training and with different levels of tech-savvy to quickly and easily enter their specific

information and generate their own agreements. For this, CAFS turned to Coupa's Contract Lifecycle Management (CLM) solution, an industry-leading contract-generation tool. The tool CAFS created using Coupa allows farmers to go through a simple TurboTax®-style wizard, which prompts them to answer questions and then automatically generates a complete lease agreement based on their answers. The draft lease agreement can be taken to a lawyer for simple review and finalizing, dramatically cutting legal costs for farmers.

For CAFS, this approach provides the perfect balance of ease-of-use and flexibility. Contract templates are set up so that questions can be added if necessary (for example, lease provisions can be added for regional needs). New templates can be created to help farmers create LLCs or land leases for animal raising, grazing, or even solar arrays.

Good for the Earth and Those Farming It

Beyond the social good of helping farmers engaging in good agricultural practices succeed, CAFS's work also supports sustainability in the food supply. Sustainable farmers use less fertilizers containing fossil fuels and chemicals that pose both short- and long-term hazards. Small, local farmers create a more robust local food system that reduces food-transportation miles. The Farm Lease Builder allows farmers and landowners to add lease provisions requiring sustainable practices, which can help reduce the impact of climate change and land degradation by building soil health, using less pesticides and fertilizers, and practicing regenerative agriculture.

In a time when many are evaluating the pros and cons of global supply chains, supporting smaller and more sustainability-oriented farms is an important way to increase resilience in the nation's food supply. In the words of Francine Miller, Senior Legal Fellow at the Vermont Law School, "A shorter chain reduces the possibility of weak links."

A Free, Easy-to-Use Tool to Ensure Legal Rights

Vermont Law School's Center for Agriculture and Food Systems recognized that gaining access to land was one of the most difficult challenges facing new and beginning farmers, and those attempting to expand their operations, and that simplifying land lease agreements could help. By employing Coupa's contract generation platform, CAFS has provided a powerful tool, free of charge, to help farmers build their businesses on a solid, legally-binding foundation.

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