



LEGAL FOOD HUB
A project of Conservation Law Foundation



LEGAL FOOD HUB YEAR IN REVIEW



2017

OUR FOCUS

The Legal Food Hub provides pro bono legal assistance by matching farmers, food entrepreneurs, and related organizations with qualified attorneys in our network.



FARMERS



FOOD ENTREPRENEURS



& THE ORGANIZATIONS
THAT SUPPORT THEM

BY THE NUMBERS

Since 2014, we have leveraged more than **\$1.5 million** in pro bono services.

126

**FIRMS
IN OUR
NETWORK**

230

**CASES
PLACED
SINCE
JUNE 2014**

3K

**HOURS
DONATED BY
VOLUNTEER
ATTORNEYS**

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WE'RE GROWING

The Legal Food Hub is so successful in New England that we are now planning to replicate this model nationwide.

The Legal Food Hubs in Massachusetts and Maine have continued to grow. We've placed 84 cases over the previous year and have also expanded geographically. In November, we launched our third Legal Food Hub in Rhode Island and we will be kicking off our fourth in Connecticut in collaboration with Yale Law School this winter.

With New England at the core of our program, we intend to work with local partners around the country to establish a national alliance of legal food hubs to support small farmers and food businesses. In this way, we will help build a sustainable food system across the country from the ground up.



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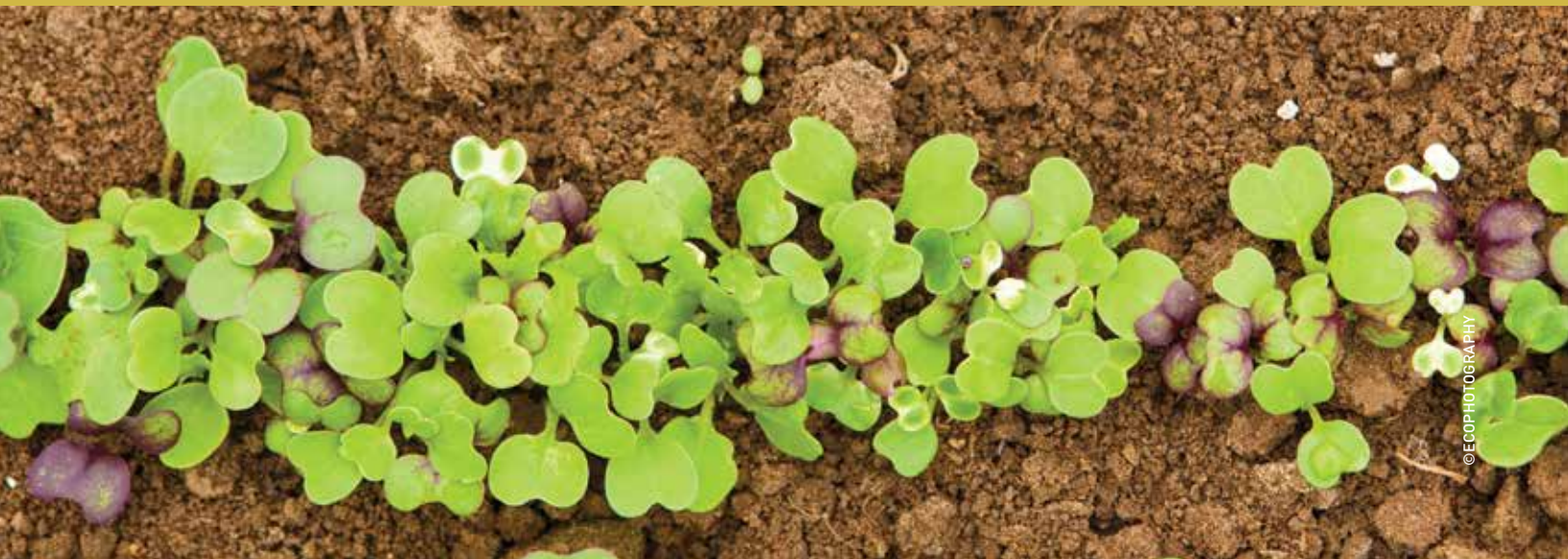
WORKSHOPS, SEMINARS, AND CLE EVENTS

Over the past year, we have expanded our educational offerings for farmers, food entrepreneurs, and attorneys. This has included providing key legal information to farmers at conferences large and small and increasing our output of written educational materials.

We have also developed great partnerships with farm organizations seeking legal education opportunities. Currently, we are working with New Entry Sustainable Farming Project to hold a series of labor law workshops across Massachusetts. The workshops will be supplemented with concise and useful materials for farmers to help navigate the labyrinth of labor laws and regulations affecting small farms. We are also working with Nuestras Raíces, a grassroots urban agriculture organization in Holyoke, Massachusetts, to create farmer-friendly materials on a variety

of legal topics: leases, entity formation, contracts, taxes, and more.

In addition to educating farmers and food entrepreneurs, we have increased educational opportunities for attorneys. We are working to develop food safety legal expertise in New England, after identifying a notable gap in this area. Filling this gap is especially important as compliance with the new Food Safety Modernization Act regulations is uncharted territory for farmers and lawyers alike. We recently held continuing legal education workshops on the Act in Portland, Maine, and Providence, Rhode Island, and are working to develop a series of webinars so that our volunteer attorneys will be able to skillfully assist Legal Food Hub participants with food safety questions.



WHAT OUR PARTICIPANTS SAY

“

Beth and Kate did some wonderful work helping us with two key staff positions that were going to be the most affected by the new labor law....Thank you for your help in placing us quickly. We were well ahead and very prepared to comply with the new law because of your services. I expect you will hear from us again, when we need help.

Shannon
**Waltham Fields
Community Farm**

Matched with:
Beth O'Neal and
Kate O'Toole,
Conn Kavanaugh



“

[W]e LOVE our lawyers at Beveridge & Diamond. We work with Brooke and Marc and they are exceptional, accountable, funny, and very smart. We've thoroughly enjoyed working with them and having nothing but amazing things to say about them. We feel very lucky that we were paired up with them!

Dera and Geoff
Round the Bend

Matched with:
Brooke Detterman
and Marc Gold-
stein, Beveridge &
Diamond



“

I just wanted to send a HUGE thank you your way for linking me up with an attorney! It's really something that would be unrealistic for me at this point in my farm business and I am so grateful that you made it a reality for me!

Katie
Deep Roots Farm

Matched with:
Michael Goldberg,
M. Goldberg Law LLC



OUR WORK



Waltham Fields Community Farm

About: Waltham Fields Community Farm is a 501(c)(3) organization dedicated to promoting local agriculture and hunger relief through farmland preservation and education. Based in Waltham, Massachusetts, the farm practices socially, ecologically, and economically sustainable agriculture and provides farming, cooking, and science-based programs for children and adults alike. With a goal of distributing \$80,000 worth of fresh produce in 2017 through emergency food programs, subsidized community supported agriculture shares, farm-to-school distribution, and the Waltham Fields Outreach Market, the organization explicitly seeks to provide low-income and disadvantaged communities with fresh, nutritious, and sustainably produced foods.

Legal Need: As both a farm and a nonprofit, Waltham Fields Community Farm has a unique mix of employees. Executive Director Shannon Taylor sought legal assistance through the Legal Food Hub to understand new overtime law requirements, particularly with deciphering what category certain employees fall into.

Relationship: The Legal Food Hub connected Waltham Fields Community Farm with Mary “Beth” O’Neal and Kathleen O’Toole at Conn Kavanaugh, who each specialize in employment law. Mary and Kate successfully prepared the organization to comply with the new law.



OUR WORK



Lost Art

Background: Kaylyn Keane, owner of Lost Art Cultured Foods, LLC, produces and sells wholesale fermented vegetables, including sauerkraut and pickles, to local markets and retailers. Since launching her business in November 2015, Kaylyn has used the shared kitchen space provided by culinary incubator Hope & Main, located in Warren, Rhode Island.

Legal Need: Kaylyn needed trademark advice for her logo as well as assistance ensuring her LLC filing was completed properly.

Relationship: The Legal Food Hub matched Kaylyn with the Business Law Legal Clinic at Roger Williams University School of Law. The Clinic was a great fit for Kaylyn as the Law Clinic students seek to get exposure to a range of issues that arise for new businesses. The students were able to hone their skills and gain experience, and Kaylyn was able to get the legal assistance necessary to take her food business to the next level.



OUR WORK



Nomad Cheese

Background: Kristen has been making cheese for about five years. For the past year, she has been employed by two dairy farmer friends, Caitlin Frame and Andrew Smith, who own The Milkhouse creamery in South China, Maine. Now, Kristen is ready to start her own cheesemaking business, so she contacted the Legal Food Hub for assistance in making it happen.

Legal Need: Kristen plans to produce her own Nomad Cheese Company cheese using The Milkhouse's infrastructure, but needed legal assistance to choose and form an appropriate business entity and to draft a contract for use of The Milkhouse's facilities.

Relationship: The Legal Food Hub matched Kristen with Patrick Brady and Wendy Paradis at Bernstein Shur, who brought their deep expertise in startups and commercial strategy to Kristen's business. Patrick and Wendy continue to work with Kristen to set Nomad Cheese Company on the path to success.



OUR WORK



Earth Care Farm

Background: Jayne Merner-Senecal runs her family's farm, Earth Care Farm, located in Charlestown, Rhode Island, and plans to take over ownership of the farm in the future. Started 40 years ago by Jayne's father, Mike Merner, Earth Care Farm has a diversified production of produce, meat, and compost. They use organic practices though they are not certified organic (fun fact: Mike Merner wrote the original organic standards for Rhode Island).

Legal Need: Jayne and Mike sought legal assistance to better understand how best to transition the farm to Jayne from a tax and estate planning standpoint. They also wanted guidance on when to make this transfer and help determining the optimal relationship between the farm business LLC and the land.

Relationship: The Legal Food Hub matched Jayne and Mike with attorney Deb Foppert of Archer & Foppert. Deb and her partner specialize in tax planning, small business and corporate work, estate planning, and real estate. Through their work with Archer & Foppert, Jayne and Mike were able to make a succession plan suited for their needs.



OUR WORK



The Whole Almond

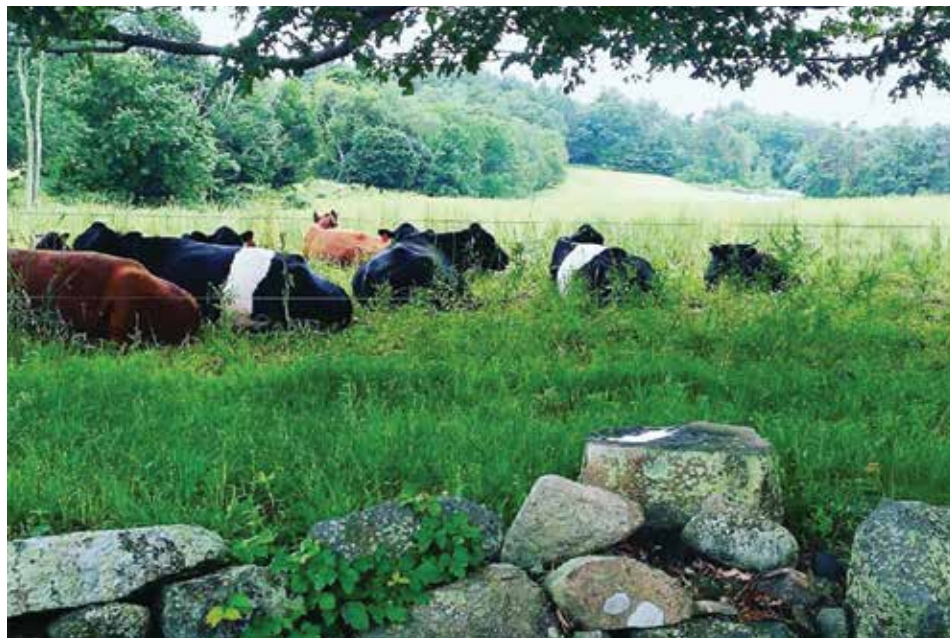
Background: Myranda has been experimenting with and making her own almond milk for over 15 years, constantly tweaking her recipes and testing them on willing friends. Now, she is slated to begin producing her sprouted almond milks at Fork Food Lab in Portland, Maine, with the goal of providing the state with the highest-quality almond milk. In addition to her organic almonds, she will use locally grown strawberries and blueberries in her flavored almond milks. She plans to later produce milk from local grains, as well.

Legal Need: Myranda contacted the Legal Food Hub for assistance with forming a single member LLC and trademarking her business name, The Whole Almond.

Relationship: The Legal Food Hub connected Myranda with Andrew Kraus at Opticliff Law. Andrew specializes in trademark law and startup business strategy, and with his help, Myranda is off on strong legal footing.



OUR WORK



Neighborhood Farm

Background: In 2008, with no suitable traditional farmland available and inspired by World War II victory gardens, Kate Canney started farming in 11 private backyards in Needham, Massachusetts. She later leased five acres, which allowed her to greatly expand production. Today, The Neighborhood Farm sells its produce at farmers' markets, through a CSA, and to restaurants in the greater Boston area. With the farm's increasing success, Boston.com highlighted its early years, and FarmAid named Kate a Farmer Hero in 2013. Now, after several seasons of searching, Kate is moving her entire operation to a single location and plans to expand her production while remaining deeply embedded in her local community.

Legal Need: Kate sought legal assistance through the Legal Food Hub to review the property lease with Mainstone Farm in Wayland, where The Neighborhood Farm will be relocating. She also sought advice about and assistance with transitioning the business from a general partnership to an LLC with her wife, Jude.

Relationship: The Legal Food Hub matched Kate with Archstone Law Group's Lori Yarvis, who is deeply experienced in providing general counsel services to startup businesses and food industry companies. With Lori's help, the new iteration of The Neighborhood Farm is off to a great start with a written lease and business entity.



OUR WORK



Wolf Meadow Farm

Background: Luca Mignogna missed the flavor of fresh mozzarella cheese from his native Italy so much that he decided to start making his own. Born in Campobasso, Luca boasts that he imported the cheesemaker, not the cheese. Luca founded Wolf Meadow Farm in 2010 in Amesbury, Massachusetts, and today creates all his cheeses by hand using only fresh milk from three local dairies. He and Wolf Meadow Farm have been highlighted twice in the *Boston Globe*, as well as in *Edible Boston*, which praised his “beautiful and delicious cheeses” that give an authentic taste of Italy.

Legal Need: Luca and his business manager, Christina Barbieri, sought legal assistance to establish the business’s future development. They wanted to trademark Wolf Meadow Farm’s name and logo, to explore adding Christina as a co-owner of the LLC or transitioning to another business entity, and to draft contracts with their local milk suppliers to guarantee their continued partnership.

Relationship: The Legal Food Hub matched Luca and Christina with Josh Fox at WilmerHale. Josh brings his deep experience in counseling startups and other emerging companies to bear as he continues to help Wolf Meadow Farm plan for the future. Josh is joined in WilmerHale’s representation of Wolf Meadow Farm by attorneys Eric French, Bill Caporizzo, and Mike Bevilacqua.



OUR WORK



Pumpkin Vine Family Farm

Background: Kelly and her husband, Anil, founded Pumpkin Vine Family Farm in Somerville, Maine, in 2008, keeping six-generation farmland in production and building a beloved resource for their community. The farm produces milk and cheese from its purebred goats and cows, as well as pastured pork, hay, garlic, and daffodils. Kelly and Anil also hope to begin an apprenticeship program to help educate a new generation of farmers. In addition, the family hosts three weeks of farm camp each summer, inviting children ages 4–10 to come and learn about plants and animals while helping with farm chores and other related activities.

Legal Need 1: Kelly and Anil are planning to hire employees and contacted the Legal Food Hub for help in reviewing their personnel policy and employment application and to ensure that they are in compliance with other employment-related requirements.

The Relationship: The Legal Food Hub connected Kelly and Anil with Rudman Winchell's Anne-Marie Storey, who specializes in employment and human resources law. Pumpkin Vine Family Farm is now ready to hire its first employee thanks to Anne-Marie's extensive experience in small businesses hiring and labor issues.



OUR WORK



Newton Community Farm

Background: Operating on 2.5 acres of town-owned land, the nonprofit Newton Community Farm in Newton, Massachusetts, provides year-round educational opportunities to the local community while also selling its produce through an 80-member CSA, a farmers' market, and a farm stand. In addition, the farm donates a portion of their produce to local food pantries. With the farm now in its eleventh season, farm manager Greg Maslowe and the Board of Directors are focusing anew on sustainability measures to carry it through its second decade.

Legal Need: Greg wanted to install solar panels on the barn's roof but had questions about panel leasing, financing, and licensing as a 501(c)(3). Additionally, several community members had expressed interest in providing loans to fund the solar panel project. Greg sought legal assistance to determine what approach to installing the solar panels would best suit the farm's needs, whether loans from the community members were possible, and, if so, to finalize the arrangement.

The Relationship: The Legal Food Hub connected Greg with Brook Detterman at Beveridge & Diamond. Brook has helped address Newton Community Farm's questions and concerns and continues to work with them to bring the project to fruition.



OUR WORK



Farm Fresh Rhode Island

Background: Founded in 2004, Farm Fresh Rhode Island's mission is to grow a local food system that values the environment, health, and quality of life for farmers and eaters of Rhode Island. Their programming ranges across areas, from access to education to distribution. They run 11 summer farmers' markets; operate a market mobile produce aggregator and distribution system; and provide training and employment for youth from the Department of Children, Youth, and Family's Juvenile Justice Corrections Services. They also offer bonus bucks SNAP incentives, Veggie Box subscriptions, farm-to-school programming, and education and access programming for low-income seniors. Farm Fresh is an integral component of the Rhode Island food system.

Legal Need: Farm Fresh came to the Legal Food Hub seeking legal assistance to review labor and employment policies and practices and ensure that they are up to speed on future expected changes in the law.

The Relationship: The Legal Food Hub connected Farm Fresh Rhode Island with labor and employment attorneys at Nixon Peabody to provide guidance as the organization works on updating employee handbooks and makes plans for its future practices. Nixon Peabody's Rhode Island office has special expertise in employment law, so it was a perfect fit, ensuring that Farm Fresh receives the legal support it needs.



OUR WORK



Cassie Seawell

Background: Cassie Seawell and her partner Michael Saucier have both worked on farms and are eager to start their own. Cassie and Michael identified 200 acres in Washington, Maine, that is ideal for their future vegetable and animal production.

Legal Need: Cassie reached out to the Legal Food Hub for assistance with reviewing and negotiating a lease. Cassie also wondered whether there should be two leases – one for the farmhouse and another for the farmland.

The Relationship: The Legal Food Hub matched Cassie with attorney Tom Kelly of Robinson, Kriger & McCallum. Tom specializes in real estate and helped Cassie and Michael redraft a lease that will allow their nascent farm, Leaf & Caul, to thrive.



OUR WORK



Simmons Farm

Background: Simmons Farm is a 120-acre family farm in Middletown, Rhode Island, specializing in traditional and heirloom produce, meat, dairy, eggs, cheese, and hay. The farm has been passed down within the Simmons family through several generations and for the past 20 years has been run by Karla and Bryan Simmons.

Legal Need: Karla and Bryan came to the Legal Food Hub looking for legal assistance to help them add a feature to their customers' experiences. They hope to open the farm for nature walks and picnics, and sought assistance of an attorney to create a liability waiver to present participants who sign up for these additional activities.

The Relationship: The Legal Food Hub matched Karla and Bryan with attorney Kristen Whittle from Barton Gilman's Rhode Island office. Kristen has extensive experience in insurance-related matters and brings a wealth of knowledge to her work with Simmons Farm, helping them to grow their business and supporting a farm that is part of our Rhode Island food system.



THE LEGAL FOOD HUB TEAM



**JENNIFER
RUSHLOW**

**Senior Attorney
Director, Farm & Food**

As a Senior Attorney for CLF Massachusetts and Director of CLF's regionwide Farm & Food program, Jenny directs CLF's food and agriculture advocacy.



**SARA
DEWEY**

**Legal Fellow/
Regional Legal Food Hub
Coordinator**

Sara Dewey is an incoming legal fellow with CLF's Healthy Communities and Environmental Justice program. She is excited to join the Legal Food Hub team.



**PHELPS
TURNER**

Staff Attorney

As a Staff Attorney for CLF Maine, Phelps coordinates our Legal Food Hub and works in our Clean Energy and Climate Change Program.



**SUMANA
CHINTAPALLI**

Legal Fellow/Attorney

Sumana launched the Legal Food Hub in Rhode Island in 2016 and is coordinating its continuing growth there.



**RAFAEL
MARES**

**Vice President & Director
Healthy Communities &
Environmental Justice**

Rafael directs CLF's work to end unfair environmental burdens on low-income and communities of color, modernize the region's transportation system, and grow New England's local food economy.



**SUSAN
TAMONEY**

Outreach Assistant

As CLF's Legal Food Hub Outreach Assistant, Susan talks with farmers and owners of fledgling food businesses to make them aware of the Hub's pro bono legal services.



**STEVE
MELTZER**

Senior Fellow

Steve recently joined CLF as a Senior Fellow. Steve has significant experience in real estate, zoning, and business law representing clients in the private, government, for-profit and nonprofit sectors.





LEGAL FOOD HUB

A project of Conservation Law Foundation

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BACK AND FRONT COVERS:
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