



LEGAL FOOD HUB
A project of Conservation Law Foundation



LEGAL FOOD HUB YEAR IN REVIEW





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 **\$3 million** in pro bono services.

163

**FIRMS
IN OUR
NETWORK**

460

**CASES
PLACED
SINCE
2014**

**MORE THAN
3K**

**HOURS
DONATED BY
VOLUNTEER
ATTORNEYS**

ANOTHER MILESTONE YEAR

Five years, five states, and 460 cases placed – and we're still growing.

A surprising statistic prompted CLF to launch the Legal Food Hub five years ago. In a survey, only 10 percent of farmers reported using legal services, compared with nearly 70 percent of other small businesses.

We launched the Hub to give the movers and shakers in our local food system – our small farmers, startup food businesses, and local nonprofits – access to legal services to lower the barrier to entry and help sustain and grow farm and food businesses in New England.

As we celebrate five years of this work, we're happy to report that the Hub's services are making a difference to the 460 participants we've served. A recent survey revealed that most of our participants wouldn't have access to legal services if not for our program.

Most respondents agreed that the help they received through the Legal Food Hub freed up time and money for their business. This suggests that pro bono legal assistance helped break down critical barriers to their success. Our survey also showed that a majority of respondents believe they would not have been able to achieve the same results without the Legal Food Hub.

The evidence is clear: Five years in, we've made an impact for the better – which spurs us to keep working for a more sustainable, just food system in New England.



DISTINGUISHED SERVICE AWARDS

Mina Makarious

Anderson & Krieger



Mina Makarious, a partner at Anderson & Kreiger in Boston, has been a champion of the Legal Food Hub since our launch in 2014. Mina has provided invaluable legal counsel to Hub participants, including assisting an incubator kitchen with an insurance issue and working through a complex contract question with a gardening organization that supports incarcerated people.

Mina's deep expertise in municipal, land use, and environmental law has been especially critical. And, thanks to his leadership, Anderson & Kreiger has become a key partner for the Hub.

Beyond the cases Mina has handled, he has provided important advice to the program, helping guide us as we have grown in Massachusetts.

We are grateful to Mina for his generous pro bono service to the Legal Food Hub.

Gina DiCenso

Formisano & Co.



Gina DiCenso, an attorney at Formisano & Company in Rhode Island, has made a huge impact on the Legal Food Hub. She uses her considerable expertise in employment law to help Rhode Island farmers navigate the complex web of laws and regulations they need to understand when bringing on staff.

Gina drafted an easy-to-read employment law guide for Rhode Island farmers, helping to demystify the process of hiring and managing. She also presented a Legal Food Hub webinar on employment law "rules of the road" to help make these complicated topics more accessible.

Thanks to her work, Legal Food Hub participants can more easily manage the system of employment laws governing farms.

We thank Gina for her significant contributions to the Legal Food Hub.

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LATEST NEWS

Legal Food Hub Launches in the Green Mountain State

We have teamed up with our friends at Vermont Law School's Center for Agriculture and Food Systems (CAFS) to offer the Legal Food Hub's free legal services in the Green Mountain State. "Vermont is home to many innovative, sustainable farms that not only provide delicious and healthy local food but also sequester carbon and provide other invaluable environmental benefits," says Jen Duggan, director of CLF Vermont. "We are eager to support our farmers, small food businesses, and Vermont's local food system."

Sophia Kruszewski, CAFS clinic director, also expressed excitement about the opportunities the Legal Food Hub will provide to Vermont Law School students. "Many of our students are passionate about supporting farmers and building the local food economy," Kruszewski says. "Hosting the Hub at CAFS is a great way to give them hands-on experience working with farm and food business clients."

Starting a farm or food-related business comes with many associated legal needs, such as acquiring or transferring land and entering contracts. Farmers or food entrepreneurs sometimes go without legal services or pay more than they can afford. In the worst-case scenario, they may leave the profession due to these hurdles.

"A thriving local food system depends on the success of farms and food businesses," says Kruszewski. "Yet many of these businesses lack legal support. Our goal is to connect them with the assistance they need to be resilient and grow."

Jennifer Rushlow, who now serves as director of Vermont Law School's Environmental Law Center, established the nation's first Legal Food Hub in Massachusetts in 2014 as director of CLF's Food & Farm Program. Since then, Hubs have expanded to Maine, Rhode Island, and Connecticut. We have placed more than 460 clients with attorneys, leveraging more than \$3 million in pro bono legal assistance. CAFS will serve as the primary administrator of the Vermont hub, the first of its kind in the state.

"We're proud to bring the Legal Food Hub to Vermont," says Duggan. "Supporting local farmers and food businesses leads to vibrant communities and a healthier environment for everyone."

The Vermont hub has already recruited attorneys from 10 law firms and placed two pilot cases. One involves a group aiming to protect land for a farmers market and community garden in Putney.

"Forming a nonprofit is complicated, but applying to the Vermont Legal Food Hub was simple," says client McKenna Hayes. "We were quickly paired with a pro bono attorney who is helping us navigate the process, ensuring the longevity of our farmers market and community garden."

The Hub also benefits attorneys. By working with the local food sector, law firms gain access to a quickly growing practice area. In other states, nearly half of surveyed Hub attorneys reported continued relationships with their clients, often on a paid basis, as businesses have grown.

"Providing legal services on a pro bono basis offers our firm the possibility of a long-term relationship," says Jeff Bernstein, an attorney with BCK Law, who is representing Hayes. "And it's satisfying to help establish a new venture that will enrich the local community."

The Hub is currently recruiting additional attorneys and accepting applications for legal assistance from Vermont farmers, food entrepreneurs, and related organizations.

Interested attorneys should contact us at legalfoodhub@clf.org to get involved!



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LATEST NEWS

The State of Agriculture in New England

The most recent U.S. Department of Agriculture Census, released in 2019, gives us a snapshot into big trends in New England agriculture over the past five years. The data shows us that, on the one hand, farmers face significant headwinds to viability as farms and farmland continue to disappear. On the other hand, we see a few bright spots in farming, including an increase in conservation practices on-farm and vibrant direct-to-consumer markets.

In our region, farmers and our local food supply are confronting some real challenges, including that we are losing farmland at the highest rate in the country. Maine, for example, lost 573 farms and 10% of its farmland over the last five years alone. This loss of our agricultural land base puts more pressure on the farmers who are left. It also makes it even harder for beginning farmers to access land to get a foothold in the agricultural sector.

Despite this worrying trend, the census offers some more hopeful signs for New England's farms. The number of small farms, under 10 acres, is on the rise here. Despite the hurdles, more young farmers are coming to the land. And we see upticks in the use of sustainable practices, such as low- and no-till, cover cropping, and converting to organic. Also, more farms



are using on-farm renewable energy. Farmers are vital caretakers of our environment, building soil health and protecting water resources, so we cheer the news that more on-farm conservation is happening around the region.

Plus, our region's local farm economy continues to grow. New England states lead the nation in total direct-to-consumer farm sales. Twenty-six percent of New England farms sell directly to consumers, compared to just 6.4 percent of farms nationwide. That means more nutritious local food being consumed while it is fresh, less pollution and fewer fossil fuels used to transport food, and more dollars staying in the local economy.

We have more work ahead to ensure that farm businesses in our region can thrive, grow healthy food for our communities, and protect open space.

PHOTO: ©ECOPHOTOGRAPHY

OUR WORK



New Online Resource Library Launched

Farmers, small food businesses, and community nonprofits have a few things in common. One is that the hardworking people who run them do not have much time on their hands. “Taking time to think through the legal risks of a farm operation or meet with an attorney might be the last thing on a long to-do list,” says CLF Senior Fellow Mary Rose Scozzafava. “That’s why the Legal Food Hub has launched a new resource library with quick and easy legal guides, called Lightning Guides, that will help save time and provide solutions for the busy farmers and entrepreneurs shaping our food system.”

Our Lightning Guides will help you quickly understand the legal essentials of an issue and how they apply to your operation. You also can easily see how an area of the law applies to you and whether you need to invest more time to get legal help.

We designed the series to address the questions we hear most often from farms and food businesses. For example, when deciding to form a business entity, farmers and food businesses are often unsure of what type is right for them. Should they form an LLC? Is it better to form a corporation? Our business flowchart walks through the options in an easy-to-follow way, so you can understand the options before meeting with a lawyer.

You can check out our Lightning Guides and the rest of our legal resources at www.legalfoodhub.org.

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OUR WORK



Old Crow Ranch

Old Crow Ranch is a pasture-based livestock operation in Durham, Maine. Farmer Steve Sinisi and his family raise hogs, cattle, and chickens using rotational pasturing to allow fresh grass and forage for the animals. Steve is committed to sustainability across his operation, from putting an agricultural easement on his property to working to build soil health on the farm.

Old Crow Ranch has been leasing a field down the road for 10 years, and the landowner was interested in selling it to Old Crow. Steve has been working with the landowner and the Royal River Conservation Trust to purchase the land and put an agricultural easement on it. Steve reached out to the Legal Food Hub for help negotiating the transaction. Ryan Almy of Bernstein Shur worked with him to successfully navigate the deal, allowing Old Crow Ranch to grow and, at the same time, preserving 12 acres of farmland in Durham for future generations.

“I can’t say enough about this service,” Steve says. “There was no way we could have paid for the services of our lawyer. Our Hub attorney, Ryan, was great to work with.”

OUR WORK



Bellicchi's Best Biscotti

Kathleen Bellicchi launched Bellicchi's Best Biscotti with the help of Hope & Main, an incubator for small food entrepreneurs in Rhode Island. Kathleen prepares her biscotti, which is available in a variety of tasty flavors, with many locally sourced ingredients, including cage-free eggs, flour, and butter. She started by selling primarily at local farmers markets in Rhode Island and has expanded to retail stores.

When a food buyer approached Kathleen with interest in purchasing her biscotti on a large scale, she knew that she needed legal help. To increase her production, she needed to enter into an agreement with a co-packer to bake her cookies at its facilities, using her ingredients and recipes. Kathleen wanted to be sure that her interests were protected in the agreement and that her recipes were kept confidential. She and her Legal Food Hub attorney, Cheryl Allen-Ricciardi of Pierce Atwood, got to work.

"Cheryl has been outstanding support, providing helpful education and clear explanations about the legal issues we are addressing," Kathleen reports.

OUR WORK



Shovel and Spoon

Shovel and Spoon is a farm and catering business in Limington, Maine. The farm uses sustainable, high-intensive production methods, relying on human-powered equipment, forgoing harmful sprays, and focusing on building soil health. The farmers, Tomer Kilchevsky and Courtney Jean Perry, use their vegetables, herbs, and other locally sourced, organic ingredients to prepare seasonal, delicious food in their farm-to-table catering business.

With their dual businesses growing, Tomer and Courtney reached out to the Legal Food Hub for help with several legal questions. The issues they encountered demonstrate the range of legal challenges that a beginning farm or food business may need to navigate, many of which the Legal Food Hub can help to support.

For example, they sought help with forming an LLC to protect them from personal liability as their company grows, working with Durward Parkinson of Bergen Parkinson. When they were ready to buy a 30-acre parcel of farmland, attorney Lee Lowry of Jensen Baird worked with them on contract, zoning, and title matters throughout the deal. Concerned about protecting their brand, they teamed up with attorney Bob Mittel of MittelAsen to understand the trademark process.

“The Legal Food Hub has provided invaluable assistance to help our business grow,” Courtney says.

OUR WORK



New Pond Farm

Providing children and their families with opportunities to explore and learn outdoors can foster a lifelong commitment to protecting the environment. New Pond Farm in Redding, Connecticut, seeks to do just that, working with children and youth to “plant seeds for a lifetime of active engagement with the natural world.” The nonprofit farm’s programming includes farming, gardening, astronomy, and much more. Founded over 30 years ago, the farm now serves more than 5,000 school children each year. When the board of directors realized it was time to update the organization’s bylaws to ensure that the organization will continue to thrive in the future, they reached out to the Legal Food Hub.

We connected New Pond Farm with attorneys Bill Rock and Greg Muccilli of Shipman & Goodwin, who helped to review and update the farm’s bylaws. The attorneys’ range of experience and their expertise working with nonprofits were instrumental in ensuring that the organization was well-positioned moving forward.

“We feel that we are in great shape as an organization to serve generations of children to come,” says board member Mary Dale Lancaster.

OUR WORK



The Neighborhood Developers

Community gardens have the power to transform urban neighborhoods. They can offer health benefits through access to fresh produce, social benefits by bringing neighbors together, and environmental benefits, including a cooling effect on the area, among other positive impacts. That's why the Legal Food Hub was thrilled to support The Neighborhood Developers (TND), a nonprofit community development and affordable housing organization, to help set up a community garden on an overgrown lot.

TND serves the communities of Chelsea and Revere, Massachusetts, to promote healthy, affordable homes, financial mobility, and enriching community connections. A group of residents in Chelsea asked TND if they could turn a vacant lot owned by the organization into a garden, which would serve as a focal point for gathering community members, growing healthy food, and beautifying the neighborhood. "This project is making a big difference for our residents," says Sharon Fosbury of TND. "We wouldn't have been able to get it across the finish line without the Legal Food Hub."

TND turned to the Legal Food Hub to find attorneys to help them start the garden off on firm legal footing. A team of attorneys at WilmerHale, including Mike Heyison, Avery Reaves, and Paloma Naderi, helped TND draft a liability waiver to allow residents to use the garden. As plans for the garden have grown, the organization has teamed up with another local nonprofit to provide urban agriculture programming. The WilmerHale attorneys also drafted an agreement between the two organizations to lay out the terms of their collaboration, which will help ensure the project's success and durability.

OUR WORK



200th Case Placed in Massachusetts

The Legal Food Hub celebrated a milestone in Massachusetts this past year. We have now placed 200 cases for farmers, small food businesses, and nonprofits around the Commonwealth. Since our launch in 2014, we've served an array of participants with a variety of legal needs:

- Countless small businesses and beginning farmers have received help forming an LLC and navigating transactions that help their operations get off the ground.
- Our work with some wonderful nonprofits has supported New American communities in getting a foothold in farming in their new homes.
- Several small businesses have called on our services as they scaled up and hit their stride, seeking help with co-packing and distribution contracts, hiring employees, and more.

These are just a few examples of the kinds of cases we've placed. But none of this work would have been possible without our tireless attorneys, who volunteer their time because of their passion for a more sustainable, resilient food system in Massachusetts. We are also grateful to our participants, who put their trust in us to help them navigate tricky issues.

We feel like we're just hitting our stride, too, and look forward to the next 200 cases in the Commonwealth.

THE LEGAL FOOD HUB TEAM



**AMY LAURA
CAHN**

**Interim Vice President,
Healthy Communities &
Environmental Justice**

Amy Laura joined CLF after six years advocating on environmental, land, and food justice at the Public Interest Law Center in Philadelphia.



**SARA
DEWEY**

**Director of Farm &
Food Initiative**

As Director of CLF's regionwide Farm & Food Initiative, Sara oversees CLF's food and agriculture advocacy.



**PHELPS
TURNER**

Senior Attorney

Phelps works in CLF's Clean Energy & Climate Change and Healthy Communities & Environmental Justice programs.



**ELENA
MIHALY**

Senior Attorney

Elena Mihaly helped to launch CLF's first Legal Food Hub. Today, she works in our Vermont office, focused on climate resilience and equity.



**MARY
LOVELL EGAN**

Regional Coordinator

Mary brings great experience as a farm team member and food entrepreneur to her work with the Hub.



**MARY ROSE
SCOZZAFAVA, ESQ.**

Senior Fellow

Mary Rose Scozzafava, Esq., is a former partner at Wilmer Cutler Pickering Hale and Dorr interested in sustainable agriculture and local food systems.



LEGAL FOOD HUB

A project of Conservation Law Foundation

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FRONT COVER: NEW POND FARM
BACK COVER: SHOVEL AND SPOON