

AALA TURNS 40

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“In the late 1970s and early 1980s, “Ag Law” was HOT!”¹ As a result, and due to the vision and dedication of its founding members, the American Agricultural Law Association (AALA) was born. Today, 40 years later, agricultural law remains a field that is full of unique and interesting issues, significant challenges, compelling stories, and engaging clients who demand—and deserve—effective representation. This year, AALA members will gather together in our nation’s capital to celebrate our 40th Annual Educational Symposium. Our founding members were right when they assumed that there was a need for a high quality annual educational symposium with opportunities for professional growth and collaboration. AALA has a strong 40-year history of serving as the premier association for agricultural law and policy professionals. Today, I am proud to report that AALA is stronger than ever before and is ready to serve its growing membership for the next 40 years.

PRESIDENTIAL ADDRESS

A number of years ago, we shifted our annual conference programming away from including an actual AALA President’s Address. Previously, the address had been given as a luncheon speech during the annual educational symposium (that was typically captured in writing in the *Drake Journal of Agricultural Law*). Instead, the AALA President now provides a written address to the membership in the *Journal’s* symposium issue.

In preparing these written remarks, I shall attempt to adhere to the sage advice of the Honorable Justice Quinn, currently the Chief Justice of the Seventh Court of Appeals for the State of Texas:

Words are our trade, whether spoken to juries, memorialized in a document, or printed in a motion... With too many words, I lose the reader. With too few, I lose the reader. The game and goal lie in the balance, and the reader’s time is important enough to strive for that balance. I’d hope that would be the game and goal of every lawyer.²

1. Don Uchtmann, *American Agricultural Law Association: Past, Present, and Future*, 12 DRAKE J. AGRIC. L. 1, 5 (2007).

2. Honorable Judge Brian Quinn, *Musings from the Seventh Court of Appeals*, 34 LUBBOCK L. NOTES, Apr. 2019, at 5.

With that, please allow me to provide you with an update on AALA business over the last year, and a few thoughts on how we, as agricultural lawyers, can continue to contribute to the success of the field of agricultural law and to AALA for the next 40 years.

AALA IN 2019

As former AALA President Jennifer Zwagerman highlighted in her 2018 Presidential Address,³ AALA's leadership prepared and launched a new Strategic Plan in 2016. That plan set forth six key goals pertaining to AALA's operation and service to its members. Today, AALA's leadership team (including its Board of Directors and eleven committees) continues to successfully implement that plan. More specifically, the AALA Board has identified and developed several tasks and goals that further our strategic plan. The Board has been working with our eleven committees to accomplish those tasks and achieve the goals, with all of those initiatives geared toward providing more value and benefits to our members. The Board and the Strategic Planning Committee will soon begin the process to revise and launch a new Strategic Plan. By continuing to reshape and refine our Strategic Plan, we will continue to serve our members and fulfill our mission of informing and engaging the law and policy professionals who serve all facets of the agricultural and food communities.

Over the past year, we witnessed robust membership renewals and new memberships. We have also seen new levels of annual conference attendance, record-breaking sponsorship dollars, and strong and consistent committee member participation from nearly a quarter of our membership. At the time of this writing, we have over 470 active members, and our Board has established a goal of reaching 500 members in 2019. This number is achievable, and we look forward to expanding our footprint across disciplines, practice areas, and in every region of the country. The 2018 Annual Educational Symposium in Portland saw over 340 registrations, over 90 speakers, and over \$84,000 in sponsorships. These were all record-breaking numbers for AALA, and we only hope to shatter those statistics with our 40th Annual celebration and annual educational symposium in Washington, D.C.

Our committees continue to take on new tasks, attract new and excited members, and think of innovative ways that we can provide meaningful member benefits and services as the premier association for agricultural law and policy professionals. We salute our Ag Law Update and Distance Education committees

3. See Jennifer Williams Zwagerman, *Presidential Address*, 23 *DRAKE J. OF AGRIC. L.* 1 (2018).

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and their efforts to provide high quality, year-round information through the revitalized newsletter and periodic webinars that provide member education on specific topics of interest to agricultural lawyers. The Marketing Committee has done a remarkable job of telling our story, keeping its members informed of events of interest, highlighting AALA members in the news, and more. Our Student Committee continues to do a phenomenal job of hosting special and specific events for law students at the annual conference and providing assistance and advice to the many new agricultural law associations that are being launched in law schools across the country. We fully recognize that AALA's future depends on capturing the interest of law students and keeping young lawyers engaged. It is thanks to their efforts that we continue to see fresh faces in our student members and annual meeting attendees.

The 2019 Annual Conference planning committee has been at work for many months now, and under President-Elect Mike Traxinger's leadership, the 40th Annual Educational Symposium and CLE will certainly be an event that agricultural and food lawyers will not want to miss. This event will be a special time to recognize many of our members for their significant contributions to agricultural law, and we thank our Awards Committee members for the countless hours they spend reading and analyzing journal articles and considering submissions for the individual awards. From an operations standpoint, our Membership, Nominations, Finance, Strategic Planning, and Financial Development/Strategic Partnerships Committees are critical to ensuring that AALA maintains a strong membership base and leadership team, continues to reshape and refine its strategic vision, and conducts its operations in a financially sustainable manner. Our strong committees demonstrate that our members are engaged and committed to the mission and vision of AALA.

During the past twelve months, the Board has overseen two Executive Director transitions. Last fall, after receiving notification of Maureen Kelly Moseman's intent to step down from the position, the Board unanimously agreed that it was important to conduct a national search for the position, given the importance of the Executive Director role to operations. In order to do so, the Board was also faced with the task of filling the Executive Director role on an interim basis. Dillon Law, P.C., in Sumner, Iowa, led by AALA members Pat Dillon and Jill Dillon, served as AALA's Interim Executive Director for five months this year, providing assistance and administrative support to the Board of Directors and its membership during this transition period. We are grateful to both Pat and Jill for their service.

In January 2019, the Board of Directors launched a national search for an Executive Director. We received an incredible amount of interest with 43 applications submitted for the position. The Board conducted an initial round of

virtual interviews, followed by a final round of in-person interviews earlier this spring.

At the time of this writing, I am pleased to report that we have just hired Scott Heidner as our new Executive Director. Scott Heidner brings his experience in association management to the AALA, and we look forward to working with him and his association management firm. Scott Heidner is the Senior Vice President of Braden Heidner Lowe & Associates, working in their headquarters in Topeka, Kansas. Scott has almost twenty years of experience as an Executive Director for not-for-profit professional and trade associations. He received a B.S. in Political Science from the University of Kansas and his J.D. from the University of Kansas School of Law. Scott has extensive experience in all aspects of association management, including onboarding large associations undergoing a leadership transition—just like AALA. He has extensive experience in almost every aspect of association management.

Braden Heidner Lowe is a full-service association management and government affairs firm. They represent clients throughout North America, including state, regional, national, and international associations. They have been serving clients for several decades in all aspects of association management, including membership retention and growth, event planning, financial and strategic planning, websites and social media, and much more. In addition to their headquarters in Topeka, they also have offices in Jefferson City, MO.

Throughout our search for a new Executive Director, I have been reminded why I joined AALA in the first place. Our members are passionate about agricultural and food law, and that passion includes a desire to do what is best for AALA and its diverse, growing membership. Your Board worked tirelessly to identify the candidates who were suited to take AALA into its next 40 years, while still adhering to our financial goals and budgetary constraints. Today, in an era when many lawyers choose to obtain their CLE credit via online courses or other, and decline to join or maintain association memberships, AALA is nevertheless in a period of growth. This is an important time for our organization, as we seek to continue that growth without sacrificing the value that we provide to our members. I look forward to watching Scott Heidner and his firm assist us to enter our next 40-year period.

AALA AND AGRICULTURAL LAW TODAY

It is not revolutionary to say that agriculture has changed in the last 40 years. A brief review of the past AALA Presidential Addresses will demonstrate that the topic of change in agriculture and agricultural law is a consistent and constant

theme.⁴ A quick review of recent headlines, periodicals, and our programming reveals that today's agricultural lawyers must provide legal services to clients who face issues regarding property rights, eminent domain, farm leases and purchases, denial of government program benefits, food safety, African swine flu, conservation easements, conservation program compliance, immigration and farm labor, water quality, international trade, renewable energy development and production, access to credit, declining net farm income, farmer demographic changes, commercial hemp production, bioengineered foods, nuisance actions and right to farm act protections, oil and gas production and its impact on farming, ranching, other surface operations, farm business and estate planning, employment law, spray drift claims, right to repair farm equipment, grazing and hunting leases, crop insurance claim denials, negotiating and litigating contractual disputes – and more!

For 40 years, AALA has provided high-quality CLE programming and has served as a forum for information and discussion on laws and public policies affecting agriculture and the food industry.⁵ In the coming years, there are two primary issues both for us as agricultural and food lawyers and as an organization. First, as agriculture continues to evolve, how do we remain relevant? Second, what can AALA do to assist our members?

One of the primary reasons AALA is celebrating 40 years is due to our diversity in background, thought, practice area, geography, ideology, and discipline. We are not the Plaintiffs' bar or the Defense bar. We are not corporate lawyers or personal injury lawyers. We are not Republican or Democrat. We are not corporate agriculture or subsistence farming. Just as agriculture cannot be easily defined or limited to one type of production practice, marketing strategy, or customer focus, neither can agricultural law (or its lawyers) be limited.

As the legal and policy professionals who serve all facets of agriculture and food production, we are often entrusted with the most important challenges and issues facing a business, a family farm, or an industry. Let us continue to do so with fairness and integrity and a desire to ensure that all of agriculture and food production is given the opportunity to grow and thrive. As AALA members, we must continue to inform and engage one another about the challenges our clients

4. See e.g. John Becker, *Presidential Address*, 9 DRAKE J. OF AGRIC. L.1 (2004); Steve Halbrook, *Presidential Address*, 13 DRAKE J. OF AGRIC. L.1 (2008); Theodore Feitshans, *The Importance of a Legal Education*, 16 DRAKE J. OF AGRIC. L.1 (2011); Uchtmann, *supra* note 1, at 1.

5. ABOUT, AALA, <https://www.aglaw-assn.org/about/> (last visited June 14, 2019).

now face, the emerging legal issues on the horizon, and the implications of draft legislation and proposed policies to address these challenges and issues.

To be sure, from a programming standpoint, meeting the educational needs and demands of our members can be a challenge. But it is a challenge I know we can meet head on, as the viability of our organization depends upon it.

CONCLUSION

Like each AALA President who has been given the opportunity to draft a Presidential Address, I too have taken time reflect upon my “AALA career” and the impact it has made on me personally and on my legal career. In 2003, as a Drake Law student, I attended my first AALA meeting in my home state of Texas. I was immediately captivated by the gathering of legal and policy professionals who represented a diversity of thought and practice areas, while still maintaining a strong sense of collegiality. Today, in 2019, I am still captivated.

For the past sixteen years, I have seen professional colleagues turn into close personal friends. I have debated agricultural policy and its implications with fellow AALA members. I have received expert witness recommendations, case referrals, and deal term tips. With great interest, I have listened to CLE presentations and webinars that have absolutely nothing to do with my area of practice—but, I know are important to agriculture and to our membership. I have poured over other presentations and webinars that have been my guide in handling a new matter or issue. For the past two years, as President-Elect and President, I have had the opportunity to see our members in action—dedicating their time, energy, leadership, thoughtfulness, and vision to this great organization.

It has been a distinct honor and privilege to serve AALA as your President. I am proud of the challenges we have faced, the changes we have made, and the successes that we have witnessed. Agricultural law remains a field that is full of unique and interesting issues, significant challenges, compelling stories, and engaging clients who demand—and deserve—effective representation. For 40 years, AALA has served as the premier association for agricultural law and policy professionals. While Ag Law continues to be “hot,” the American Agricultural Law Association is stronger than ever. I look forward to seeing what the next 40 years have in store for agricultural law and for AALA.