

Ten Points to Understand about How to Use the Landowners Legal Guide

1. The guide was written to provide Iowa landowners with a basic set of rules and guidelines to keep in mind concerning how the law applies to you and your land. To get a driver's license the state requires us to take a test and gives us a book of rules to understand. There is no test for becoming a landowner but there are many laws and rules that do apply – and understanding them can make being a landowner more enjoyable.
2. Just owning land it doesn't make us an expert on what the law is. While we all might have some basic ideas about land law – such as using the right hand rule to divide fences – there is a lot we can all learn. My goal in writing this guide is to bring together in one place a thorough, comprehensive and understandable discussion of the key laws and legal issues Iowa landowners should know.
3. The guide is organized around the key legal topics most relevant to landowners – beginning with the basics of property law and the types of legal interests in land – and then continuing with specific chapters on a range of topics from fence law and drainage to farm leasing and USDA programs. The book also tries to present the issues in the context of family considerations.
4. The discussion is organized to set out the basic rules found in Iowa law – as interpreted by the our courts – and to include lists of steps to follow or key points to understand. Many chapters include lists of questions to ask or consider so you can better understand how the law might apply to your situation.
5. Many of the terms or words used for legal issues may be foreign to you or have a specialized legal meaning – this is why the book includes a glossary with definitions of over 200 terms used in connection with land law issues. Understanding these terms won't make you a lawyer but they are a start!
6. Most chapters include discussions built around commonly asked questions landowners might have – or which I have been asked over my 35 years of teaching agricultural law. The questions may not fit your circumstances exactly but they should be helpful in understanding the issues involved.
7. To make the materials in the book more accessible and in other formats, the Center has prepared a series of over one dozen short videos like this – which focus on “Ten Things you should know” about a range of legal topics. The videos were made possible with support from the Leopold Center for Sustainable Agriculture and the USDA Natural Resources Conservation Service.

8. Remember the purpose of the guide is to help you understand the law and to identify the questions you might want to ask of others – such as the lawyer, banker, or real estate agent – so you can better appreciate what you might face. The guide is not designed to be a substitute for legal advice but to equip you with questions to consider. Trying to be your own lawyer – can be a risky and expensive way to try to save money!
9. If you need legal advice you have several options. First, if you have used a lawyer for your family needs this is the best place to start. Most lawyers in Iowa have a good understanding of land law. If you do not have an attorney you can contact the Iowa State Bar Association for information on how to find a lawyer in your area. The Bar also has sections of the association for lawyers who focus their work on agricultural law and property issues so these are good groups to contact. Iowa State University also has a Center on Agricultural Law and Taxation which can offer information on legal topics.
10. Land ownership is often a family matter – not just an individual issue – so making decision about how to use the land and deciding how and when to transfer it in the future are important issues possible effecting many people. One purpose of the book is to provide a guide useful for not just landowners but other family members – and advisors. Helping the people who will someday become landowners understand the law is important to our future.