

**Animal Law Seminar**  
Fall 2009  
Professor Caroline Forell

**REQUIRED TEXTS**

Favre, *Animal Law: Welfare, Interests, and Rights* (2008)  
Handouts

**COURSE REQUIREMENTS & GRADING**

This course has three main components.

First, **attendance, preparation, and participation** are required. You are expected to come to class having read the assigned materials and being prepared to discuss your reaction to some aspect of that reading. In many classes, one or two students will be on-call to share their thoughts about the reading to launch class discussion. Any unexcused absences will result in no credit in the course. Also, to encourage students' engagement in and focus on class discussions, laptop use is prohibited in class except to facilitate student presentations.

Second, each student will write a major research **paper** for this course. That paper can satisfy the law school's writing requirement. A list of potential topics will be provided by the second class. Non-traditional or creative projects that are related to the course and that involve substantial research, analysis, and writing may also satisfy the paper requirement. Each student must select a topic by **Wednesday, September 23d**; submit a draft, detailed outline, or combination of the two, by **Wednesday, October 28<sup>th</sup>**, and submit a final paper by Friday, **December 4th at 5 p.m.**

Finally, each student will give a 30-minute **presentation** (including questions) on his or her paper topic. Students working on related topics may work cooperatively on a joint presentation, although students must work independently to produce separate papers. Students may use Powerpoint or another presentation tool to complement their oral presentations.

These three components will be weighted as follows in the final seminar grade:

|  |     |
|--|-----|
| Attendance, preparation, and participation | 20% |
| Paper                                      | 65% |
| Oral presentation                          | 15% |

## SCHEDULE

### I. Preliminary Concepts & Theory

#### Class 1: 8/26

##### Topics

Introduction to field: terms, concerns, controversies, key principles

##### Readings

###### Text:

Introduction: pp. 1-5; (omit section 3, 5-6); 7-32

##### Handout

### II. TOPICS

#### Class 2: 9/2

Topics: Animals as Personal Property  
Animal Law Practice

Guest Geordy Duckler  
Animal Law Attorney, Portland

##### Readings

###### Text:

Animal Ownership, pp.34-38; 41-44; 53-55; 67-69; 73-76

##### Handout

#### Class 3: 9/9

Topics: The Impact of the Ban on Horse Slaughter  
Equine Law Practice

Guest Katherine Bloomquist  
Equine Lawyer, Minnesota

##### Readings

Text: pp. 5-6, Horses As Food; 73-80, Gebert case re burdens of proof

##### Handout

##### Download:

Anti-Horse Slaughter Legislation: Bad for Horses: Bad for Society,  
84 Indiana L. J. 353-371 (2009)

Cavel Int'l, Inc. v. Madigan, 500 F.3d551 (7<sup>th</sup> Cir. 2007)

**Class 4: 9/16**

Topic: Veterinarian Practice and Malpractice

Guest Mark Cushing, Tonkin, Torp Law Firm  
Lobbyist for Veterinarians  
2:30-3:30pm

Readings

Text: 104-131

Handout

Download:

Sherman v. Kissinger, 195 P.3d 539 (Wash. App. 2008)

**Class 5: 9/23**

Topics: Domestic Violence and Animal Cruelty 2:30-3:20pm  
Torts Actions for Harm To and By Animals 3:30-4:20pm

Readings

Text: 134-161 (Torts)

Handout:

Glaspell, A Jury of Her Peers

News articles about bird abuse and domestic violence

News articles about torts involving animals

Download:

Joan Schaffner, Linking DV, Child Abuse, and Animal Cruelty (download at <http://ssrn.com/abstract=1001255>)

Lockett v. Hill, 182 Or. App. 377 (2002)

Allen v. Cox, 942 A.2d 296 (Conn. 2008)

Koivisto v. Davis, 745 N.W2d 824 (Mich. App. 2008)

**Class 6 (Part 1): 9/30 – 2:30-3:30pm**

Topic: Factory Farming

Readings

Text: 288-324

Guest Cadence (Barkhurst) Whiteley  
Family Farmer and Law Student  
3 to 3:30pm

Handout

View: [www.animalvisuals.org/data/slaughter/?y=2008](http://www.animalvisuals.org/data/slaughter/?y=2008)

10/1 – noon to 1pm, Room 142 (OPTIONAL)  
Professor Dale Jamieson, Minding Animals

**Class 6 (Part 2) :- Friday 10/2 10:30-11:30 Room 242**

Topic: Animal Rights and Factory Farming

Guest Professor Dale Jamieson  
Wayne Morse Chair of Law & Politics  
Director of Environmental Studies, NYU

Reading

Email: Humans and Other Animals

Text: pp.406-426

**Class 7: 10/7**

Topics: Lab Animals 2:30-3:20pm  
1<sup>st</sup> Amend v. Animal Cruelty 3:30-4:20pm.

Reading Text: pp.364-403 (Animal Welfare Act)

Handout

Download: US v. Stevens, 533 F.3d 218 (3d Cir. 2008) cert  
granted;

Amicus Brief by Animal Law Professors  
2009WL1681459

**Class 8: 10/14 Cancel and Substitute:**

**Lewis & Clark Conference, October 16-18 – Class attend Saturday, October 17<sup>th</sup> or  
Sunday, October 18<sup>th</sup>. You must attend at least one session unless previously excused.**

**Class 9: 10/21**

Topics Estate Planning for Companion Animals 2:30-3:30  
Wild Animals 3:40-4:20

Guest – Eden Rose Brown  
2:30 – 3:30

Reading

Text: pp. 69-72 (Estate Planning); 326-361 (Wild Animals)

Handout

**III. Student Presentations - Three Per Class**

**Class 10: 10/28**

**Class 11: 11/4**

**Class 12: 11/11**

**Class 13: 11/18**

**Class 14: 11/25 Cancelled (Thanksgiving)**

**Class 15: 12/2**

**PAPER DUE By 5 P.M. on December 4th in Professor Forell's Faculty Box**