ANIMAL WELFARE LAW - 2018

Delcianna J. Winders, Dr. Heather Rally, Donald C. Baur
Vermont Law School, Summer Session Term 3
July 9 – 19, 2018
1:00 pm – 4:00 pm

SYLLABUS

Supplemental Materials are available online and by request at the Bookstore

Recommended Reading: On reserve in Library or URLs*

Office Hours: 4:30-5:30 p.m., Mondays - Thursdays

Exam: Open-book, take-home, anonymous grading, due 3:00 pm, July 21

Required Reading: Advance reading required for first class

Week One: July 9 - 12

CLASS I: Monday, July 9: Course Introduction: Overview of the “Animal Condition”

Required Reading:
Bekoff, Marc & Daniel Ramp.

Recommended Reading:

Donald R. Griffin, Animal Minds: Beyond Cognition to Consciousness.
Victoria Braithwaite, Do Fish Feel Pain?

* RR is not necessary for the class. These materials provide additional information and legal authority for the issues discussed in the corresponding class.
CLASS II:
Tuesday, July 10:  Property Status and the Evolution of Rights

Required Reading:
- Richard A. Epstein, Animals As Objects, or Subjects, of Rights, AR Chapter 6.

Recommended Reading:

CLASS III:
Wednesday, July 11:  International Law, Trafficking, Treaties and Animal Welfare

Required Reading:
- Compassion in conservation: Don’t be cruel to be kind. New Scientist. (2014).

Recommended Reading:
- U.S. House of Representatives, House Committee on Natural Resources, Democratic Staff Report, Missing the Mark: African Trophy Hunting Fails to Show Consistent Conservation Benefits (June 13, 2016).

CLASS IV:
Thursday, July 12:  The Federal Animal Welfare Act

Required Reading:
- USDA Office of Inspector General, Inspections of Problematic Dealers (May 2010).

Recommended Reading:


Week Two: July 16 - 19

CLASS V:
Monday, July 16:
Federal Wildlife Laws and Animal Welfare

Required Reading:

Committee for Humane Legislation v. Richardson, 540 F.2d 1141 (D.C.Cir.1976).
Hill v. Coggins, 867 F.3d 499 (4th Cir. 2017)
Kuehl v. Sellner, 161 F. Supp. 3d 678 (N.D. Iowa 2016)

Recommended Reading:


CLASS VI:
Tuesday, July 17:
Federal Avian Protection Laws and Animal Welfare

Required Reading:

Defenders of Wildlife v. EPA, 882 F. 2d 1294 (8th Cir.1989)
United States v. Apollo Energies, Inc., 611 F. 3d 679 (10th Cir. 2010)
### Recommended Reading:


### CLASS VII:
**Wednesday, July 18:** Legal personhood responses for animals.

#### Required Reading:
- Nonhuman Rights Project, on behalf of Beulah, Minnie, and Karen, Petition (Nov. 13, 2017).
- The NonHuman Rights Project, on behalf of Tommy v. Patrick Lavery, Petition.
- The NonHuman Rights Project, on behalf of Tommy v. Patrick Lavery, Memorandum of Law.
- The NonHuman Rights Project, on behalf of Tommy v. Patrick Lavery (Opinion and Order, State of New York, Supreme Court, Appellate Division, Third Judicial Department 2014).
- Decision in Legal Action by AFADA Regarding Chimpanzee Cecilia, (3d Guarantee Court, Judicial Power, Mendoza 2016) (translation).

#### Recommended Reading:
- Steven M. Wise, Rattling the Cage (2011).

### CLASS VIII:
**Thursday, July 19:** Emerging Legal Strategies

#### Required Reading:
- Tilikum ex rel. People for the Ethical Treatment of Animals, Inc. v. Sea World Parks
Naruto v. Slater, Complaint.
Naruto v. Slater, Settlement Agreement.

Recommended Reading:

Jessica Eisen, Animals in the Constitutional State, ICON (forthcoming 2018).