ANIMAL WELFARE LAW SYLLABUS
(updated July 25, 2021)

Delcianna J. Winders, Donald C. Baur, & Dr. Heather Rally
Vermont Law School, Summer Session Term 4
July 26 – August 5, 2021
1:00 – 4:00 PM ET

Hybrid Synchronous Course
In Person: Oakes 208
Virtual:
https://us02web.zoom.us/j/88648003052?pwd=ckJkSWI0Zjh0aVdoVEtnK04yZzVQdz09
Meeting ID: 886 4800 3052
Passcode: 417445
One tap mobile: +16465588656,,88648003052#,,,,*417445#

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Required Text: Supplemental Materials (SM) Reader available at
https://bit.ly/AnimalWelfareLawReader2021 (Because this is a
large file, we recommend that you download and save the
document for ready access.)

Office Hours: Immediately after class, and by appointment

Exam: Open-book, take-home, anonymous grading, posted on TWEN
8:00AM, Friday, August 6, due 3:00PM, Sunday, August 8

Grading: Your grade will be based on your exam, with a potential bump
up of .33 grade points for class participation (e.g., a bump from
a B to a B+, or from a B+ to an A-)

In addition to extra credit for in-class participation you can
earn extra participation credit by emailing Prof. Winders 1-2
paragraphs reflecting on the day’s reading no later than one
hour before class.

Required Reading: Advance reading required for first class

Volunteer Students: Requested to brief cases marked by an asterisk
Week One: July 26 – 29

CLASS I:
Monday, July 26: Course Introduction: Overview Animal Ethics and the Pursuit of Enhanced Welfare

Required Reading:

Recommended Reading:
- Peter Singer, ANIMAL LIBERATION (1975).

CLASS II:
Tuesday, July 27: The Captive Animal Condition, Sentience, and Cognition

Required Reading:
- SM00063 Carl Safina, BEYOND WORDS: WHAT ANIMALS THINK AND FEEL 1-35 (2016).

Required Viewing:

Recommended Reading:
- David Fraser, Animal Ethics and Animal Behavior Science: Bridging the Two Cultures, 65 APPLIED ANIMAL BEHAVIOUR SCI. 171 (1999).
- Victoria Braithwaite, DO FISH FEEL PAIN? (2010).
- Culum Brown, Fish Intelligence, Sentience and Ethics, 18 ANIMAL COGNITION 1 (2015).
CLASS III:

Guest Speaker: Elizabeth L. Lewis, Associate, Eubanks & Associates, PLLC

Required Reading:
Marine Mammal Protection Act:
SM00099* Strong v. Secretary of Commerce, 5 F.3d 905 (5th Cir. 1993). (John K.)
SM00101* United States v. Hayashi, 5 F.3d 1278 (9th Cir. 1993).
SM00138 Tilikum’s Public Display Permit (October 7, 1992).

Endangered Species Act:
SM00202 Mark Beckoff, Compassion in Conservation: Don’t Be Cruel to Be Kind, NEW SCI. (June 8, 2014).

Recommended Reading:
Alan Green, ANIMAL UNDERWORLD: INSIDE AMERICA’S BLACK MARKET FOR RARE AND EXOTIC SPECIES (1999).
ETHICS ON THE ARK: ZOOS, ANIMAL WELFARE, AND WILDLIFE CONSERVATION (Bryan G. Norton, Michael Hutchins, Elizabeth Stevens, & Terry Maple, eds., 1995).

CLASS IV:
Thursday, July 29: Federal Conservation Statutes, Continued

Mandatory Hot Topics Lecture:

Required Reading:
SM00226* People for Ethical Treatment of Animals, Inc. v. Miami Seaquarium, 879 F.3d 1142 (11th Cir. 2018).
SM00233* Kuehl v. Sellner, 887 F.3d 845 (8th Cir. 2018).
Recommended Reading:

Week Two: August 2 - 5

CLASS V:
Monday, August 2: The Animal Welfare Act

Required Reading:
SM00285 Skim Petition for Rulemaking to Establish Criteria to Promote the Psychological Well-Being of Primates as Required by the Animal Welfare Act (May 7, 2014).

Recommended Reading:
David Degrazia, On the Ethics of Animal Research, in PRINCIPLES OF HEALTHCARE ETHICS 689-95 (2d ed. 2007).
### CLASS VI:
**Tuesday, August 3:** The Animal Welfare Act, Continued: Accreditation

**Guest Speaker:** Ron L. Kagan, Executive Director & Chief Executive Officer, Detroit Zoological Society

**Required Reading:**

**Recommended Reading:**

### CLASS VII:
**Wednesday, August 4:** Common Law Personhood Recognition for Animals?

**Guest Speakers:** Sasha Petrova, Associate, & Julia Markley, Partner, Perkins Coie

**Required Reading:**
Recommended Reading:

CLASS VIII:
Thursday, August 5: Statutory or Constitutional Personhood for Animals?: Where to from Here?

Guest Speaker: Carole Baskin, Founder & Chief Executive Officer, Big Cat Rescue

Required Reading:
SM00451* Naruto v. Slater, 888 F.3d 418 (9th Cir. 2018).

Recommended Reading: