Contact Information:

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Required Course Materials:


Materials Suggested for Use In Selecting and Researching Course Paper


Course Description:

Most classes in Animal Law are devoted primarily, if not exclusively, to the philosophical bases for advancing the cause of animal protection in the law. While those discussions are lively and interesting, I believe they do not adequately prepare students to practice law in this rapidly-growing field. While we will spend some time talking about the concept of “animal rights” and the ethical justifications for granting animals legal protection, most of our time will be spent talking about real cases, real fact patterns, and the real legal work a lawyer would undertake in practicing animal law.

I have a rich store of anecdotes from my 17 years of practice that will illustrate the legal concepts we will study. In addition, I will invite guest lecturers who have special experience and knowledge in the various areas of animal law. Prosecutors will speak on the application of criminal law and procedure to protect animals from neglect and intentional abuse; estate planning lawyers will discuss how they plan for a client’s animals upon the client’s death; civil litigators will lecture on tort law and liability in cases where animals are hurt or killed by the acts or omissions of others.

I may also call upon veterinarians, food animal producers, and other representatives of various animal industries to give their point of view. I feel this is the best way to encourage students to think critically about the issues in animal law and gain a better understanding of the real effects of the animal protection movement on those who make their living with animals. This too is a missing component in most other Animal Law courses, most of which are really devoted to “Animal Rights Law,” with little or no attention paid to alternative points of view.

All of these components will give the class an exciting and practical “real-world” quality that I believe is lacking in most of the Animal Law courses taught at other law schools. And, judging
from my students’ remarks to me last year, this is an approach that they really appreciate and enjoy.

Lectures will be enhanced by readings from David B. Favre’s book, Animal Law: Welfare, Interests and Rights. In my view, this is the best casebook on the subject, as it takes a more practical view of animal law, using fact patterns from real cases in addition to readings of court opinions that are instructive on the various points of law.

**Evaluation:**

Student grading will be based on attendance and participation (25%), completion of two writing assignments (50%), and in-class oral presentation (25%).

The writing assignments will call upon practical skills for drafting legal documents and pleadings that are commonly used by lawyers practicing in the field of animal law, such as animal adoption contracts and pleadings in civil proceedings. I will provide the fact patterns and other materials for students’ reference in completing these assignments.

Class attendance and participation are an important component of a successful academic and students will be expected to be ready to discuss the assigned reading for each session. The class will rely heavily on lively discussions of both the theoretical and philosophical underpinnings of animal law, as well as the real-world application of those ideas in the everyday work that an animal law attorney is likely to need.

The syllabus sets forth the basic reading assignments for class sessions, which may be supplemented each week with additional materials. Exact dates and assignments may change as the semester progresses, and there will likely be occasions where the subject from one class will carry over to the next.

**Schedule and Reading:**

August 22: No reading assignment; general overview of class.

August 29: Overview of important Oregon animal law – students will be assigned to lead discussions on the following cases and articles:

- **Oregon v. Fessenden**
- **Oregon v. Nix**
- **Oregon v. Newcomb**

September 5: Holiday – no class

September 12: Chapter 1, Introduction; discussion of the various classifications of animals and how they are viewed and treated as a matter of law.
Also: McWilliams, James: “Citizen Canine, Comrade Cow: Toward a New Kind of Animal Rights.”


September 19: Chapter 2: Ownership, Sales and Transfers

September 26: Chapter 2: Obligations of Ownership

October 3: Chapter 5: State Regulation of Ownership

October 10: Chapter 3: Veterinary Malpractice

October 17: Chapter 4: Torts

October 24: Chapter 4: Torts

October 31: Chapter 6: Criminal Law and Procedure in Cases of Animal Abuse and Neglect, Part 1

November 7: Chapter 7: Criminal Law and Procedure in Cases of Animal Abuse and Neglect, Part 2

November 14: Chapter 9: Access to Courts

November 21: Holiday – no class

November 28: Chapter 8: Animals in Agriculture

- Comments submitted in opposition to mega-dairy in eastern Oregon

December 5: Overview of Wildlife Issues in Animal Law

- CITES, Articles I-XXV, with Appendices I, II, and III

December 12: Class Overview and Discussion of Law Practice, Career Options, and Related Topics
Assignments:

First Writing Assignment, due September 12: Theoretical Bases for Animal Protection, Personal Philosophy on Animal Protection

Second Writing Assignment, due October 10: Animal Adoption Contract

Final Writing Assignment, due December 12: Summary Judgment Memorandum in Animal Law Tort Case

In-Class Oral Presentation: Lead discussion on case or topic, to be assigned during the semester.