

SUBJECT TO CHANGE
Transactional Approach to Animal Law
Professor Rebecca Huss
Summer Session 2011

Required Text

All material for the course will be available on the TWEN page for the class.

Course Requirements

Final grades will include two components. The first component will be worth 1/3 your final grade (“class participation component”). This component includes your quality class participation, including but not limited to, any assignments administered throughout the course and a short writing assignment. The remaining 2/3 of your grade will be a closed book final examination.

As animal law issues can be both evocative and provocative, students are reminded to be respectful of each other, and everyone’s opinions and beliefs. Students who consistently volunteer throughout the course and whose participation illustrates that they are prepared for class will receive a higher mark for the class participation component of their final grade.

Day 1 (May 31) Introductory Material

Sentell v. New Orleans & C.R. Co., 166 U.S. 698 (1897).

MO. REV. STAT. § 67.140 (2010).

American Veterinary Medical Law Association, *Ownership of Animals vs. Guardianship of Animals: The Effect of a Change in the Law on Veterinarians in California*, March 14, 2002, Cal. Vet. May/June 2002 at 10.

Rebecca J. Huss, *Separation, Custody, and Estate Planning Issues Relating to Companion Animals*, 74 U. Colo. L. Rev. 181 (2003). [Only Pages 181-203]

Day 2 (June 1) Custody/Lost and Found

American Bar Association, *Model Act Governing Standards for the Care and Disposition of Disaster Animals* (Adopted by the ABA House of Delegates on February 8, 2010).

Rebecca J. Huss, *Separation, Custody, and Estate Planning Issues Relating to Companion Animals*, 74 U. Colo. L. Rev. 181 (2003) [Only Pages 203-230 and 239-240]

Day 3 (June 2). **Housing Issues**

Nahrstedt v. Lakeside Village Condominium Assn., 878 P.2d 1275 (Cal. 1994).

Rebecca J. Huss, *No Pets Allowed: Housing Issues and Companion Animals*, 11 Animal L. 69 (2005).

Day 4 (June 3). **State and Local Ordinances – Dangerous Dogs and Feral Cats**

Katie Barnett, *Science Over Subjectivity in Breed Discriminatory Legislation*, ABA, TIPS, ANIMAL LAW COMMITTEE, COMMITTEE NEWS, Summer 2010.

Verne Smith, *The Law and Feral Cats*, 3 J. ANIMAL L. AND ETHICS 7 (2009).

Ledy VanKavage & John Dunham, *Fiscal Bite & Breed Discrimination: Using Scientific Advances and Economic Tools in Lobbying*, Mid Atlantic Animal Law Symposium (2010).

Illinois Compiled Statutes Chapter 510 Animals (Selected Provisions).

Day 5 (June 6). **Service Animals**

ADA Regulations Implementing Title II and III (Effective March 15, 2011) and Guidance from the Department of Justice regarding the ADA Regulations.

Rebecca J. Huss, *Why Context Matters: Service Animals Under Federal Law*, 37 Pepperdine L. Rev. 1163 (2010). [Only Pages 1163-1174 and 1189-1216]

Rebecca J. Huss, *Canines in the Classroom: Service Animals in Primary and Secondary Educational Environments*, 5 J. OF ANIMAL L. AND ETHICS __ (2011).

Day 6 (June 7). **Estate Planning**

In re Estate of Russell, 444 P.2d 353 (Cal.1968).

Gerry W. Beyer, *Estate Planning for Non-Human Family Members*, Last Updated Jan. 20, 2011.

Jane Desmond, *Animal Deaths and the Written Record of History: the Politics of Pet Obituaries*, in LINDA KALOF & GEORGINA MONTGOMERY, EDS., MAKING ANIMAL MEANING. Michigan State University Press (forthcoming 2011)

Day 7 (June 8). **Valuation Issues and Veterinary Malpractice – Legislative vs. Common Law Approaches to the Issue**

Lachenman v. Stice, 838 N.E.2d 451 (Ct. App. Ind. 2005).

Leith v. Frost, 899 N.E. 2d 635 (Ill. App. Ct. 2008).

CONN. GEN STAT. § 22-351 (2010) Theft, Killing or Injuring of Companion Animal.

510 ILL. COMP. STAT. § 70/16.3 (2010) Civil Actions.

MD. CODE ANN. CTS & JUD. PROC. § 11-110 (West 2010) Pet Injuries; damages.

American Veterinary Medical Association Policy, *Compensatory Values for Animals Beyond Their Property Value*.

Rebecca J. Huss, *Valuation in Veterinary Malpractice*, 35 Loyola U. Chic. L. J. 479 (2004).

Day 8 (June 9). **Shelter Issues**

DEL CODE, Tit. 3, § 8001 *et. seq.* (2011) Animals Held in Shelter

Asilomar Accords & Declaration of the No Kill Movement in the United States.

Rebecca J. Huss, *Rescue Me: Legislating Cooperation Between Animal Control Authorities and Rescue Organizations*, 39 Conn. L. Rev. 2059 (2007).

Day 9 (June 10). **Supporting Criminal Prosecutions**

N.C. GEN. STAT. Chapter 19A. Prosecution of Animals.

American Bar Association, *Recommendation and Report Relating to the Seizure of Animals* (Adopted by the ABA House of Delegates on February 14, 2011)

Selected Court Filings from the Civil Action relating to Bad Newz Kennels.

Day 10 (June 13) **Final Examination**