

COMMITTEE NEWS



Animal Law

Legal and Policy Issues Surrounding Vulnerable Populations and their Pets

Lawyers Can Play a Vital Role in Facilitating Refuge for Humans and Animals Impacted by Domestic Violence

A criminal case involving the beating death of Mona, a domestic abuse victim's companion dog, gained national attention last year after the Washington Supreme Court held that animal cruelty can constitute domestic violence.¹ This judicial recognition is important, and it echoes what domestic abuse victims already know: abusers routinely use animal abuse and threats of animal abuse to exercise power and control.

This article begins with an overview of the link between domestic violence and animal cruelty and suggests three ways for lawyers to facilitate refuge for victims.

Domestic Violence and the Link

Domestic violence (also referred to as intimate partner violence (IPV)) is "a pattern of behaviors used by one partner to maintain power and control over another partner

[Read more on page 24](#)

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Megan Senatori is the Associate Director at the Center for Animal Law Studies at Lewis & Clark Law School. She has more than two decades of experience working on the link. In 2001, she co-founded a volunteer-based nonprofit organization (Sheltering Animals of Abuse Victims, or SAAV) in Madison, Wisconsin, that arranges for the safe harbor of animals when a domestic abuse



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Chair Message

The Spring 2023 Animal Law Committee (ALC) newsletter holds a special place in my heart. The human-animal bond is a universal experience and has been since the early settlements of humans. From a legal standpoint, the human-animal bond is deeply rooted in our nation's history, making it an issue ripe for examination in various areas of practice. When a state enacts an arbitrary law that affects the family dog, or someone is seeking asylum in the United States and is bringing their pet, a survivor of interpersonal violence needs protection for their family, or there are barriers to access basic human rights like housing, there are attorneys ready to zealously advocate for their clients.

This newsletter is a collection of the tremendous work being done for the protection and dignity of people and their animals. This level of innovation, scholarship, and advocacy is found throughout the ALC from our members' work in the over 80 law schools that teach animal law to our ALC resolutions and reports used to advance law and policy for Congress, state, local, and tribal governments.

Two such resolutions were heard by the ABA House of Delegates in early February at the midyear meeting and passed with overwhelming support. Resolution 508, submitted by the International Law Section, urges parties to the United Nations Convention against Transnational Organized Crime to adopt a wildlife crime protocol that defines wildlife crime and identifies measures to strengthen domestic laws around this crime. Defining "wildlife crime" sounds simplistic, but for animal law practitioners, we understand how crucial definitions are in an area of law that is often ill-defined and inconsistent by jurisdiction. The resolution was co-sponsored by the Criminal Justice Section, Section on Environment, Energy and Resources, and of course the Tort, Trial, and Insurance Practice Section.

Also passing with tremendous support was Resolution 509 which urges Congress and the United States Department of Agriculture to incentivize the safeguarding of the environment, human health, food safety, animal welfare, and farmers by providing natural disaster preparedness training and guidance to farmers and other animal producers who seek federal government payments including, but not limited to, those through the Livestock Indemnity Program. Our TIPS Council representative and former ALC Chair, Daina Bray, presented the resolution to the House of Delegates. This resolution marks the first time the ABA has adopted a resolution focused on farmed animals. Several other ABA Sections supported these resolutions which no doubt contributed to the successful passage by the ABA House of Delegates.

Later this Spring, the TIPS Tort Source magazine will feature animal law and committee member contributions including California's Proposition 12, argued in front



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of the Supreme Court this past Fall, pet custody disputes, and breed discrimination in insurance (a topic with bills currently pending in six states). This issue will spotlight the incredible work of our committee members and demonstrate the depth of our practice area.

This work doesn't just happen in the office or court room. One of the exciting ways our ALC members affect change is through our public services projects. We look forward to our public service project in New York city in May of 2023 at Animal Haven! Animal Haven is a nonprofit organization that finds homes for abandoned cats and dogs throughout the Tri-State area and provides behavior intervention when needed to improve chances of adoption through its shelter in Manhattan.

Once again, our subcommittees are the life force of the Animal Law Committee and our subcommittee chairs are poised to continue to do great work. If you would like to join a subcommittee please reach out to the subcommittee chair! Alex Cerussi and Molly Armus (Policy & Alliances); Tom Mugavero (Companion Animals Subcommittee); Irina Anta and Michael Swistara (Agriculture); Raj Reddy and Cynthia von Schlichten (International); Rebecca Critser (Science & Technology); Kimberly Fullerton and Deepti Bansal Gage (Wildlife); and Margrit Parker and Elaine Fresch (Equine).

The impact our practice has on our respective communities is immeasurable. I hope everyone enjoys this newsletter issue and we continue to grow to support the most vulnerable and underserved. 

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Headline Animal Law News

ANIMALS IN AGRICULTURE

Animal Rights Activists Who Took Piglets from Utah Farm Acquitted

By: Irina Anta

Last fall, a jury acquitted two animal rights activists of felony burglary and theft for taking two piglets from an industrial pig facility in Utah. [Animal Rights Activists Are Acquitted in Smithfield Piglet Case](#), N.Y. TIMES (Oct. 18, 2022). This case stemmed back to 2017, when members of the animal rights group Direct Action Everywhere conducted an investigation at Circle Four Farms, a giant pig facility owned by Smithfield Foods, the world's largest pork producer. In addition to filming the poor conditions of the animals and the continued use of gestation crates, the activists took with them two piglets deemed sick and in need of veterinary care. The group then released its video and found homes for the piglets in sanctuaries in Utah and Colorado.

The case took a bizarre turn when the FBI raided the sanctuaries, looking for the missing piglets and even slicing a piece off an ear of one of the animals for DNA evidence. [FBI Raids Animal Shelters, Searching for Piglets Rescued From Factory Farm](#), WASH. POST (Sept. 14, 2018). But no federal charges were filed. The state prosecutors, on the other hand, charged DxE members with felony burglary and theft. The two DxE members who did not take a plea deal—leader Wayne Hsiung and member Paul Darwin Picklesimer—were looking at years in prison. During their trial, which garnered national attention, the judge refused to let the jury hear any testimony of animal welfare, see the footage or photos from the investigation, or hear why the activists had targeted the farm and taken the sick piglets. Yet the jury still found the two men not guilty.

In response to the acquittals, the Utah legislature has recently introduced Anti-Rescue Bill HB 114, which would prohibit someone from raising as a defense to theft that the animal was “sick, injured, or a liability to the owner.” The bill passed the House and is currently moving through the Senate.

ANIMALS IN SCIENCE AND TECHNOLOGY

Student Choice Laws for Alternatives to Animal Dissection in K-12 Schools

Animal dissection has long been a staple of curriculum in science courses in K-12 schools. The Animal Welfare Institute reports that more than 12 million animals,

By: Gregg Morton



including frogs, cats, rats, fetal pigs, fish, and other invertebrates are dissected in classrooms every year. [Dissection Alternatives](#), ANIMAL WELFARE INSTITUTE (last visited Feb. 20, 2023) However, in recent years, technology has allowed for more humane and less expensive alternatives to dissection. In many instances, these alternatives [are superior to dissection](#) as a learning method for teaching anatomy, biology, physiology, and other related sciences. [Comparative Studies of Animal and Non-animal Methods in Teaching](#), SOCIETY FOR HUMAN SCIENCE (last visited Feb. 20, 2023).

While the debate on the value of dissection continues and new technologies slowly supplant dissection, many parents and students are seeking humane alternatives and ways to opt-out of increasingly obsolete dissection course requirements. As a result, many jurisdictions now provide a mechanism for students and parents to choose not to participate in dissections. The National Anti-Vivisection Society (NAVS) has published a list of states, [Student Choice Laws and Policies](#), NAVS (last visited Feb. 20, 2023), with laws as well as a model student choice law. [Model Law: An Act Providing for a Student's Choice to Use Alternatives to Dissection](#), NAVS (last visited Feb. 20, 2023). Moving toward universal adoption of student choice laws would be ideal and NAVS has encouraged parents, students, and teachers to send its model law to policy makers such as school boards, state boards of education, and state legislators.

A survey of existing laws and policies reveals wide variations from state-to-state. Nevertheless, from looking at the best state laws and the NAVS model law, several key features include adequate notification and instructions on how to opt-out, prohibitions on penalizing students who choose to opt out, and capturing statistics on trends in opting out. Jurisdictions with no laws or inadequate laws should move toward laws that allow students and their parents to choose alternatives to dissection.

EQUINE LAW

[Oregon Supreme Court Petition for Review: Oregon Court of Appeals Rejects Guardian Theory for Negligence *Per Se* Claim of Horse](#)

In August 2022, the Oregon Court of Appeals in [Justice v. Vercher](#), 518 P.3d 131 (Or. App. 2022), decided whether a horse could sue to vindicate rights in court based upon a guardian theory asserted by the executive director of a rescue organization. The court determined that a horse did not have capacity to sue,

By: Amanda Weaver



upholding the trial court's dismissal of the complaint with prejudice. However, the case has a pending petition for review to the Oregon Supreme Court.

Justice (formerly Shadow) was a horse whose owner voluntarily surrendered him to an organization providing equine care in 2017. The Court of Appeals' opinion describes him as "300 pounds underweight, lethargic, weak," with "significant difficulty walking," suggesting that "he had been malnourished for several months." [Id. at 132](#). He was treated for "lice, rain rot, and a penile infection caused by prolapse and frostbite." [Id.](#)

Justice's former owner subsequently pleaded guilty to first-degree animal neglect under Oregon law. [Id. at 133](#). In May 2018, Mosiman, the executive director of the rescue organization, filed a complaint against Justice's former owner naming "Justice, an American Quarter Horse" as plaintiff, and asserting a single claim for relief for negligence *per se*, based on the defendant's violation of the animal neglect statute. [Id.](#)

The defendant moved to dismiss the complaint on the grounds that a horse lacks legal capacity to sue and for failure to state a claim. [Id.](#) The trial court granted the motion to dismiss with prejudice, concluding in a written opinion that "a non-human animal such as Justice lacks the legal status or qualifications necessary for the assertion of legal rights and duties in a court of law," including through a guardian, and stating that "[t]here are profound implications of a judicial finding that a horse, or any non-human animal for that matter, is a legal entity that has the right to assert a claim in a court of law." [Id.](#)

The Court of Appeals upheld the trial court's ruling and, in doing so, discussed the Ninth Circuit's analysis of next-friend status in [Naruto v. Slater, 888 F.3d 418 \(9th Cir. 2018\)](#), which addressed PETA's case in federal court on behalf of a monkey named Naruto for copyright infringement. [Justice, 518 P.3d at 135-36](#). The court further reasoned that, "[i]n accordance with that understanding of persons and rights under the English common law, it has long been the rule that only a natural or artificial person may bring a legal action to redress violation of rights." [Id. at 137](#). The court concluded that "[u]nder Oregon law, a person with the right to sue to redress a violation of rights is and always has been a human being or an entity created by human law," and that "[a]nimals have so far not been considered persons—either natural or artificial—capable of holding and asserting rights under the law." [Id. at 137-38](#). The court, while it acknowledged that its decision did not foreclose Oregon law from recognizing an animal as a person or legal entity in the future, concluded that "Justice the horse is neither a human being nor a legal entity and therefore does not have legal rights or the capacity to sue to vindicate ostensible rights in



an Oregon court.” *Id.* at 141 (further stating that “[u]nder Oregon law, animals are property, albeit of a unique kind”).

Mosiman, through Justice, filed a petition for review with the Oregon Supreme Court on December 5, 2022. On February 23, 2023, the Oregon Supreme Court denied review.

INTERNATIONAL ISSUES

The Biggest Pig Farm in the World Is Here: A 26-story Dystopian Nightmare for Animals, Farm Workers, and the World at Large.

“All animals are equal, but some animals are more equal than others.” [GEORGE ORWELL, ANIMAL FARM](#) (William Collins, 2021). In an Orwellian world, this may be a triumph for many animals. However, in today’s world, the erection of a 26-story skyscraper pig farm is an Orwellian nightmare. Erected on the outskirts of Ezhou City, in China’s Hubei province, at 800,000 square feet, the farm can host up to 650,000 animals at any time, with the capacity to slaughter 1.2 million pigs annually. While the company behind the farms touts the development of biosecurity and robust waste management systems, given China’s history of being decimated by pandemic after pandemic from Covid-19 to H1N1 Swine Flu and the African swine fever, the farm is a nightmare for farm workers, animal residents, and the world at large. [China’s 26-storey pig skyscraper ready to slaughter 1 million pigs a year](#), [THE GUARDIAN](#) (Nov. 25, 2022).

By: Altamush Saeed

The African swine fever has led to 200 million pig deaths annually. In December 2022, through an internal estimate by China’s top health officials, over 250 million people in China may have contracted COVID-19. [Chinese city seeing half a million Covid cases a day – local health chief](#), [THE GUARDIAN](#) (Dec. 24, 2022). While the company behind the farm aims to use the pig waste for biogas, such a farm will require multiple disinfection checks, making it impossible for workers to leave and vulnerable to several diseases. For the neighboring community, the farm will produce gaseous fumes and odors that may become a breeding ground for more significant animal outbreaks in China and eventually lead to another global pandemic.



POLICY AND ALLIANCES

There Are Just Too Many Horses and That's Unacceptable

By: Altamush Saeed

In January 2023, Rep. John Winter (R-Thermopolis) has spearheaded a joint house resolution in Wyoming to amend the Wild horses and burros-best management practices. Mike Koshmrl, [Resolution calls for gathering, slaughter of wild horses for meat](#), WYOFILE.COM (Jan. 23, 2023). Rep. Winter states that there are just too many horses, they cost our taxpayers over \$77 million a year and that is unacceptable. *Id.*

The resolution calls on the federal government to amend the Wild Free-Roaming Horses and Burros Act of 1971 and other policies so that wild horses can be gathered, slaughtered, processed, and shipped to market domestically or abroad. *Id.* The resolution has garnered support from powerful figures in the Wyoming Legislature including Rep. Albert Sommers (R-Pinedale), the House speaker, and Sen. Ogden Driskill (R-Devils Tower), the Senate president. The AVMA has also introduced new updated guidelines endorsing horse slaughter. [Updated guidelines for the humane slaughter of animals](#), AM. VETERINARY MED. ASS'N. (last visited Feb. 20, 2023).



Credit: Christine Mendoza

Just South of Wyoming, a bill has been introduced in the Colorado General Assembly to criminalize horse slaughter for meat consumption. Tamera Twitty, [Eating horses? Bill aims to ban equine slaughter for human consumption in Colorado](#), OUTTHERECOLORADO (Jan. 17, 2023). As horse slaughter for meat is not allowed in the U.S. under the appropriations bill, which has been the case since 2007, there is a need for a federal law that bans horse slaughter for meat consumption in perpetuity.

Save America's Forgotten Equines (SAFE) Act of 2021, which must be reintroduced again to Congress, aims to prohibit the transporting, receiving, possessing, purchasing, selling, or donation by a person of an equine that the person has reason to believe will be slaughtered for human consumption. Currently, with theoretical political alliances forming with the AVMA and Wyoming on one side and Colorado and Safe Act coalition on the other, it is impossible to predict the future of the horse industry.



WILDLIFE

United States and South Africa Create Task Force against Wildlife Trafficking

Wildlife trafficking is now the fourth largest form of illegal trade globally after narcotics, human trafficking, and counterfeit products. See *Wildlife*, U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (Dec. 6, 2022). Transnational criminal organizations have increased their focus on the trafficking of abalone, rhino horns, pangolins, ivory, and other wildlife products. See *Secretary of the Treasury Janet L. Yellen Announces U.S.-South Africa Task Force to Combat the Financing of Wildlife Trafficking*, U.S. DEP'T OF THE TREASURY, (last visited Jan. 26, 2023).

By: Deepti Bansal Gage

On January 25, 2023, U.S. Treasury Secretary Janet Yellen announced the formation of a task force between the U.S. Treasury Department and the South Africa National Treasury to combat illicit finance related to wildlife trafficking. *Id.* The task force plans to share financial red flags and indicators related to wildlife trafficking cases involving the countries' financial systems. *Id.* The task force will increase information sharing between financial intelligence units to support law enforcement agencies in both countries. *Id.* The task force will also convene the relevant authorities, regulators, law enforcement, and private sector in order to improve controls to prevent money laundering related to wildlife trafficking. *Id.*

The European Wildcat Is Finding a Long-Term, Sustainable Home in Southwest England

In the United Kingdom, the Wildlife Trusts reintroduces once native and prolific, but now vulnerable, apex species into environments that support their long-term survival. Helena Horton, *Wildcats could be released in England for first time in hundreds of years*, THE GUARDIAN (Nov. 25, 2022, 7:37 AM EST). The organization reintroduced beavers and is now reintroducing the European wildcat. This rare mammal once existed in Southern England. However, the species is now only located in remote areas of Scotland. The European wildcat's population count is currently so low, the International Union for Conservation of Nature determined Scotland's wildcat population is no longer viable.

By: Jessica Chapman

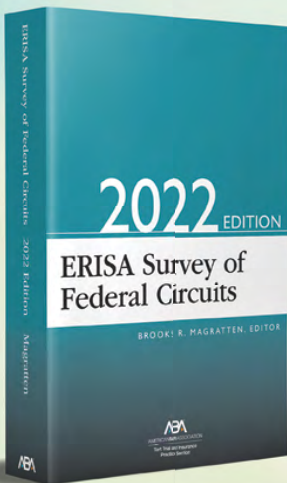




The Wildlife Trusts will reintroduce the European wildcat in Southwest England, pursuant to the Department for Environment, Food and Rural Affairs' code for species reintroduction and with anticipated governmental support. Since the wildcat is a native species, few regulations inhibit the project. *Id.* However, the Wildlife Trusts must conduct habitat assessments and comply with environmental regulations for this effort. A significant concern for the species' survival is its ability to procreate with house cats, which results in species hybridization, undermining perpetuation of the wildcat's distinct genetics, although the wildcats tend to avoid domestic cats. *Id.* The Wildlife Trusts will work to alleviate this concern by finding and avoiding nearby feral cat colonies. The Wildlife Trusts anticipate reintroduction by 2025. ➤



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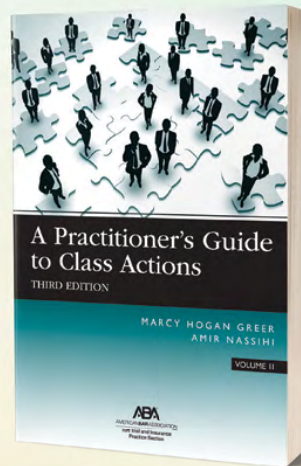
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Legislative And Regulatory Developments Affecting Animals

ANIMALS IN AGRICULTURE

Two Bills Introduced Target Some of the Worst Practices on Factory Farms and in Slaughterhouses

In November 2022, Senator Cory Booker (D-NJ) introduced [the Industrial Agriculture Accountability Act, S. 5138](#) (117th Cong. 2021-2022). This bill, if passed, would expand the Humane Methods of Slaughter Act to finally apply to birds, eliminate the fastest line speeds that danger animals and workers alike, create new protections for non-ambulatory (“downer”) pigs in slaughterhouses, amend the 28-hour law to afford expanded protections for animals during transport, and require high-risk CAFOs to both submit disaster preparedness plans and pay for disaster response, among other reforms to the industrial agricultural system.

A few weeks later, Representative Pramila Jayapal (D-WA-07) introduced the [Transparency in Depopulation Act, HR 9552](#) (117th Cong. 2021-2022). This bill would require agricultural operations to disclose their killing methods publicly and would restrict federal funding from going towards the worst killing methods—specifically, ventilation shutdown, which involves turning off airflow into large housing sheds on factory farms. This raises the temperature to as high as 120 degrees and suffocates the animals inside the barn.

By: Michael Swistara



Credit: Slavcho Malezani

ANIMALS IN SCIENCE AND TECHNOLOGY

Envigo Beagle Case Raises Concerns About Enforcement of the Animal Welfare Act and Brings Attention to the Adoption of Animals Bred for Laboratory Use

In May 2022, the Department of Justice filed suit against Envigo RMS a privately held company that breeds dogs for research, alleging that the company was failing to meet the Animal Welfare Act’s minimum standards at its Cumberland Virginia facility. US Department of Agriculture documented nearly 75 welfare violations over 10 months but did not confiscate the dogs, issue fines or revoke or suspend their license at that time. Rachel Fobar, [Hundreds of Beagles Died at Facility Before](#)

By: Monica Engebretson



[Government Took Action](#), NATIONAL GEOGRAPHIC (May 20, 2022). Envigo RMS voluntarily agreed to shut down the Virginia facility and to relinquish the remaining beagles in a consent decree entered on July 15, 2022, by the U.S. District Court for the Western District of Virginia. [Justice Department Secures the Surrender of Over 4,000 Beagles from Virginia Breeder of Dogs for Research](#), JUSTICE NEWS (July 18, 2022). The 4,000 beagles were adopted into private homes through multiple rescue organizations across the US.

In September 2022, seven of the adopted beagles released from Envigo joined Congressman Tony Cárdenas on Capitol Hill to promote his bill, [the Companion Animal Release from Experiments \[CARE\] Act, HR 5726](#) (117th Cong. 2021-2022) to require research facilities that receive funding from the National Institutes of Health to implement adoption policies for unwanted dogs, cats, and rabbits. Jennifer Shutt, [Beagles Rescued from Virginia Dog-Breeding Facility Get the Star Treatment in D.C.](#), KANSAS REFLECTOR (Sept. 22, 2022). Currently, the Public Health Services Policy and the Animal Welfare Act are silent on the issue of private adoption of animals no longer desired for use in research while fifteen states have passed legislation concerning adoption of dogs (some states include cats) from laboratories. [Homing Companion Animals from Laboratories in the United States](#), CRUELTY FREE INT'L (Oct. 2021).

COMPANION ANIMALS

New York State Assembly Busy with Companion Animal Bills

A slew of bills that were introduced in the New York State Assembly have been referred to the appropriate committees for review. These include:

By: Tom Mugavero

[Assembly Bill 41](#), which would establish that animals are sentient, and would direct courts to treat animals as victims of crimes in cruelty cases.

[Assembly Bill 269](#), which would allow a court to assign joint or sole ownership of a companion animal by considering the well-being of the animal.

[Assembly Bill 54](#), which would prohibit tethering of animals in cruel or dangerous conditions.

Senate Bill 294/[Assembly Bill 433](#), which would prohibit anyone convicted of aggravated animal cruelty from possessing a companion animal. Senate Bill



673, by contrast, would require psychiatric testing of anyone so convicted before they could own an animal.

[Assembly Bill 39](#) which would allow courts to issue custody orders for companion animals and include animals in protective orders in domestic violence cases.

[Assembly Bill 1372](#) which would establish criteria for awarding damages for negligent, reckless or intentional harm caused to a companion animal, and which would allow the courts to consider, inter alia, the bond between the companion animal and its owner.

This is not the full list of bills being considered by the New York State Assembly, however, is a fair indication of the legislature's recognition of the importance of companion animals to their humans, and the need to ensure that these animals are treated properly.

By contrast, Iran is proposing legislation that would prohibit the "import, purchase and sale, transportation and keeping" of a number of animals, including dogs, cats, and turtles. These animals are seen as "impure" and a symbol of Westernization.

POLICY AND ALLIANCES

Two Major Retail Pet Sales Bans Passed in New York and Washington DC

Both New York and Washington D.C. enacted retail pet sales bans at the end of 2022. In New York, [S.1130/A.4283](#) prohibits the sale of dogs, cats, and rabbits at pet stores beginning in 2024. Instead, pet stores can work with legitimate animal shelters and rescues to showcase animals awaiting adoption. Pet stores are further permitted to charge rent to shelters and rescues using their space. California, Maryland, and Illinois have comparable laws. Additionally, Washington state and Maine prohibited retail cat and dog sales in 2021 and 2020 respectively but exempted existing pet stores.

The passage of the Washington D.C. law presages a potential shift in retail pet sale bans. Retail pet sales bans have traditionally applied only to dogs, cats, and sometimes rabbits, excluding most of the animals sold in U.S. pet stores today. However, D.C.'s [Animal Care and Control Omnibus Amendment Act of 2021](#) bars pet stores from selling mammals, amphibians, arachnids, birds, and reptiles. The rationale for the ban included poor welfare conditions at breeding facilities as well

By: Elizabeth Cabrera Holtz



as the impact of sales on shelters. Cambridge, Massachusetts is the only other city with a similarly expansive law.

The retail ban was part of a larger omnibus bill that also bans cat declawing, empowers animal shelters to recover the cost of care for animals seized in cruelty investigations and allows courts to consider the well-being of companion animals in divorce proceedings, among other significant updates to D.C.'s animal protection laws.

WILDLIFE

Proposed Rule to Relax Permit Regulations Under the Bald and Golden Eagle Protection Act

The Maryland's 2023 General Assembly is considering a bill which would ensure that the Department of Natural Resources considers advice from the academic community on wildlife issues. [HB188/SB320](#) would require the Governor to appoint an academic researcher with relevant experience to the Wildlife Advisory Commission; in addition to requiring the membership of the nine member Commission to include representation from the farming, hunting or fishing, wildlife preservation, and passive wildlife recreation communities. The Maryland State Bar Association provided support to the sponsors of this bill. [➤](#)

By: Kimberly Fullerton

F I N D Y O U R C O M M U N I T Y



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ANIMAL LAW DOCKET

Practice Tips For Animal Law Cases

Addressing the Limited Access to Veterinary Care for Shelters and Their Communities

A Nation in Veterinary Crisis

“How does it feel to be on your own, with no direction home?”¹ These iconic words from an author who won both the Pulitzer and Nobel Prizes, are sadly appropriate today, specifically with respect to the onslaught of threats to underserved pet-owning populations across America by the severe lack of veterinary services. It is a concern on the minds of shelter directors, legislators, local protective services agencies, and social justice organizations who focus on the important details of the lives of those for whom they advocate. Because when you don’t have much, or you are in a position of vulnerability in your life, your companion animal becomes one of the most valuable assets you own. And that asset is under fire from forces and sources of power directly related to the laws governing veterinary care—an essential component of the human-animal bond—that limits the availability of care to pet owners.

It is generally understood that the value of living with another being, and of the interspecies relationship that develops, is multifaceted and huge. Having a companion animal increases self-worth by our being responsible for another weaker, more vulnerable being—for being their protector and supplicant, and results in the endless reward of connection, friendship, and “love” that develops when these relationships flourish.

Yet there may be “no direction home” for these animals back to, or to stay with, their human companions if the veterinary profession is not given a major boost in its ability to serve the public. The severe lack of veterinary services began with the pandemic, with many veterinary offices closing for a time, or limiting visits—which led to serious consequences. But even as the pandemic lessened somewhat,² the problem has escalated and we are currently experiencing a veterinary shortage of unanticipated proportions.³ The impact of the current veterinary shortage is being disparately felt by communities that are typically the most underserved, and those who live in areas where veterinary appointments are few and far between, or in what are colloquially called

[Read more on page 28](#)

Bruce A. Wagman

Riley Safer Holmes & Cancila

Bruce Wagman is a lawyer with Riley Safer Holmes & Cancila with an almost exclusive practice in animal law (litigation, legislative drafting, education, and counseling), representing both individuals and animal protection organizations. He teaches animal law at three Bay Area law schools, is coeditor of the Animal Law casebook, soon to be in its sixth edition, and the 2017 book Wildlife Law and Ethics, and coauthor of A Global Worldview of Animal Law, published in 2011.



The Dogs of War, Plague, and Pestilence: Anatomy of A Real-Time Regulatory Response

Introduction

The Russian invasion of Ukraine on February 24, 2022 has affected animals and humans all over the world. One effect of the war in Ukraine is the increase of people in the United States seeking to help evacuate pets from Ukraine. People and organizations who seek to do so must become familiar with, among other things, the CDC requirements for entry of companion animals into the United States. Since early 2020 animals and humans have been affected by COVID-19. Current entry requirements were affected by the disruption in global public health caused by the COVID-19 pandemic. The requirements address the need to prevent the spread of rabies from countries at high risk for rabies such as Ukraine.

Centers for Disease Control Requirements

The requirements were first set forth in a notice from the Centers for Disease Control and Prevention published in the Federal Register in mid-June 2021 titled, "Temporary Suspension of Dogs Entering the United States from High-Risk Rabies Countries."¹ The suspension was extended and modified on June 1, 2022,² and extended on January 27, 2023 through July 31, 2023.³ The notices were issued under the CDC's authority under the Public Health Service Act (PHS Act).⁴ In July 2021 the CDC implemented a CDC Dog Import Permit during the temporary suspension to verify documentation of imported dogs before they are flown to the United States.⁵ Effective March 1, 2023, the CDC requires use of a standardized rabies vaccination form.⁶

Rabies Risks

Regulation of entry of animals into the United States is influenced by public health concern risks to humans and animals. Stricter entry requirements apply if an animal is coming from a country at high risk for rabies or has been in such a country during the last six months.⁷ Rabies poses dangers to human health and domesticated and wildlife animals. It is one of the world's most dangerous zoonotic diseases.⁸ Rabies causes over 59,000 deaths a year around the world.⁹ Bites from dogs with dog mediated rabies virus variant (DMRVV) cause 98 to 99 percent of global deaths from rabies.¹⁰ Rabies is virtually always fatal.¹¹

[Read more on page 31](#)

Fiona Farrell

Fiona Farrell is admitted to the Vermont and New York bars. She has a solo law practice focused primarily on horses. In 2019 Fiona earned a Distinguished Service Award from Legal Aid Society of Northeastern New York for her pro bono work. Fiona is an active member of the Legislative Subcommittee of the New York State Bar Association's Committee on Animal Law and is a member of the ABA TIPS Animal Law Committee.



Pets And Housing: Acknowledging the Intersectionality of Barriers to Housing and Increasing Shelter Intakes

Introduction

About 52% of households in Los Angeles have pets¹ and it is estimated that with 182,400 renters in Los Angeles County currently behind on rent², 260,832 pets and their humans face eviction within the next thirty to ninety days.³ In 2022, there was an estimated 20,000 owner surrenders to the Los Angeles City and county animal shelters.⁴ A recent study from HARBRI & Michelson Found Animals shares 14% of owner surrenders to shelters are housing related, with 24% of these specifically avoiding eviction as the reason for surrendering their pet.⁵

With rising rents and cost of living increasing, while wages are stagnant, it is absurd to consider the additional obstacles tenants with pets face while finding housing, and yet they are far too real. Pet deposits, pet rent, breed, size, and limit restrictions only scratch the surface of the barriers to housing for people with pets. And as tenants battle with finding housing, the other half of tenants battle with keeping their housing.

To inform our policies, we need to make a proper assessment. With our assessment we strategize and from there we can dream of what needs to change to truly keep people and their pets together. This article will address the status of policies affecting people with pets, the gaps that still need to be filled, and what the future can look like acknowledging the sanctity of the human-animal bond.

Status of Pet Laws and Policies in Housing

Federal/State Fair Housing Laws

The main policy across the nation providing protection for tenants with pets are fair housing laws, which provide that a housing provider cannot discriminate against a tenant with a disability who has an assistance animal.⁶ A nexus needs to be shown between the tenant's disability and the assistance animal alleviating the symptoms of the person's disability. Federal fair housing laws provide the floor of protections⁷, and each state has its own fair housing laws which provide the same or stronger protections. A rental owner has an obligation to always abide by fair housing laws and engage in the interactive process when the tenant with a disability requests a change or modification to a rule or policy.

[Read more on page 35](#)

By: Dianne Prado

Dianne Prado is the Founder and Executive Director of the Housing Equity & Advocacy Resource Team (HEART LA), a legal non-profit that helps ensure people and their pets remain housed. Dianne started her career as a staff attorney with the Eviction Defense Network, and later joined Inner City Law Center in 2012 where she defended tenants in evictions and sued slumlords in affirmative litigation suits. Dianne is an appointed public member of the CA Veterinary Medical Board, trainer and consultant for the Stay Housed Los Angeles (SHLA) eviction defense program, and Lecturer in Law for UCLA Law School teaching Los Angeles Housing Law and Policy.



Student Spotlight

A Call To SALDFs For Racial Justice In Companion Animal Work

I recently had a friend ask me, “Why are white people so obsessed with dogs?” As a Black woman who has a healthy obsession with her two 60-lb pit bulls, my immediate response was pushback. But upon only one moment’s reflection, it made perfect sense to me why my friend, who also happens to be a Black man, had this question. It was a genuine question that reflects a large gap that I see in companion animal advocacy.

First of all, white people are definitely not the only ones who are obsessed with dogs. People of all races and ethnicities melt over cute little puppies. Having a dog companion that you love dearly, spoil with treats and toys, and take on long walks is not unique to white people. But white people and Black folks, Indigenous folks, and other people of color have unique experiences in this country because of their racial identities and those experiences color the way they interact with every part of society, including companion animals. And the companion animal advocacy community needs to recognize this and actively incorporate this fact into their work.

According to the American Veterinary Medical Association’s data from 2016, white households are twice as likely to have a pet than Black households.¹ There are many factors that contribute to this disparity. Black and Latinx households in the United States are about two times as likely than white households to rent rather than own their homes.² However, only about 55% of landlords allow pets, and approximately 67% of those landlords limit pets based on their breed and size.³ And even if you can find a landlord that allows your pet, many buildings have pet deposits (ranging from \$200-\$500), non-refundable pet fees (an average of \$400), and/or monthly pet rent (ranging from \$10-\$50 per month).⁴ All of these function as class and racial barriers to having a companion animal.

Both pet fees, deposits, and rent and breed restrictions are utilized by landlords to protect themselves financially. Landlords defend their numerous pet fees as a way to ensure that any damage caused by pets is already paid for by the renter. Moreover, breed restrictions in apartments are often the result of landlords and management companies complying with insurance companies’ requirements. Many major insurance companies refuse to insure housing for certain “dangerous” breeds because they have determined the risk of insuring them is too high.⁵ These policies are supported by long-shared myths that breeds such as German Shepherds, Rottweilers, Doberman Pinschers, and a collection of breeds lumped together as “Pit

Kailey McNeal

The George Washington University Law School

Kailey McNeal (she/her) is a second-year law student at The George Washington University Law School. She is the Student Vice Chair for the Animal Law Committee and for the TIPS committee on Diversity, Equity, and Inclusion. She has worked in animal protection since she was 12 years old and is particularly passionate about the intersection between animal protection and racial justice.

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THE ANIMAL LAW CONVERSATION

An Interview with Akisha Townsend Eaton

The Animal Law Conversation is a short column designed to engage and inspire lawyers working in, or aspiring to work in, the animal law field. The purpose of this column is to present practitioners' best practices for personal and career development, and to discuss trends in animal law and opportunities to get involved with the TIPS Animal Law Committee. For this issue, we interviewed Akisha Townsend Eaton, Chief of Policy, Environmental Justice Division at Companions and Animals for Reform and Equity (C.A.R.E.)



Akisha Townsend Eaton

Companions and Animals for Reform and Equity

Akisha Townsend Eaton is the Chief of Policy, Environmental Justice Division at Companions and Animals for Reform and Equity. Prior to joining C.A.R.E., Akisha worked at the Animal Legal Defense Fund. She graduated from Stanford University with distinction before obtaining her law degree from Georgetown University Law Center. Akisha is an AmeriCorps alumni, and is currently an active contributor to the Black Appalachian Coalition (BLAC) as well as the legal redress, environmental justice, and economic development committees of her local NAACP chapter, which recently awarded her the Prince and Cora Mack Humanitarian Award. She is also the former Diversity Vice-Chair for the TIPS Animal Law Committee.

**Interview By:
Michael Swistara**

Michael Swistara is a Litigation Fellow at the Animal Legal Defense Fund. He serves as Young Lawyer Representative for the TIPS Animal Law Committee, Co-Chair of the Animals in Agriculture Subcommittee, and Newsletter Vice Chair for the ABA International Animal Law Committee. Please email michael.swistara@gmail.com with questions or suggestions for future interviews.

What does your role entail? What is a typical day like for you?

I wear a couple of official hats at C.A.R.E., but, because we are small, we all participate in most aspects of the work of the organization. As chief of policy in the environmental justice division, I work to elevate the conversation around environmental justice and companion animals. Examples of the intersection between the two range from having equitable access to warming and cooling centers during times of extreme weather, to reducing barriers to the reunification of pets and people during natural disasters, to highlighting and working to address day-to-day environmental justice issues that often disrupt the human-animal bond in BIPOC communities.

I also advocate for progressive policies that positively impact animals and the people who care for them. One of the best parts about my role is that there is no typical day. I put a heavy emphasis on participatory policymaking, listening deeply to those impacted by animal welfare laws and policy in order to shape the best outcomes for people and animals alike. One day I may be making a public comment before a regulatory agency while the next day I might be directly assisting a community member get connected to legal and social services. At C.A.R.E., we believe that proximate leaders exist in every zip code and are in the best position to address the unique needs of their own communities. We simply provide the tools and resources to assist them in carrying out their excellent work toward human and animal well-being.

What jobs and other experiences led you to your current position?

I have been working in animal law and advocacy for over a decade, enjoying many incredible experiences drafting and advocating for progressive advancements in animal law as a legislative attorney at several animal organizations. One wonderful thing about my career is that I have had the chance to work on both the animal-cruelty and lifesaving ends of animal advocacy. On the animal cruelty side, I was able to draft laws that protected animals from abuse or neglect. On the lifesaving side, I



had the opportunity to advance laws that reduced barriers to lifesaving outcomes for healthy and adoptable dogs and cats, many of whom were in the sheltering system.

At C.A.R.E., I take this work a step further by centering human and animal-well being, a critical and inextricable link, to ensure that the vast majority of people, especially those with an under- resourced background, have every opportunity to keep their animals safe at home and in their communities. While there is a dearth of BIPOC leaders and staff at some of the biggest animal advocacy organizations, there is a myth that our movement is not diverse. In truth, our movement is as diverse as our communities. When I first came to C.A.R.E. I was astonished to see a whole world of other BIPOC advocates working to help their communities in very unique ways. I had to ask myself why I'd never heard of them or their work. At C.A.R.E., we seek to uplift these leaders and elevate their work.

What is the best/most challenging aspect of your job?


One of the best parts of my job is combining policy advocacy with direct service and partnership—having the opportunity to interact directly with community leaders, cross-sector partners, policymakers, and ordinary citizens to effect positive and meaningful change for people and animals. Those relationships are mutually beneficial. Pet ownership is the window through which people come to me, but I care about the whole person. I partner with social service agencies, legal aid, faith-based and veteran-serving organizations. In turn, when someone comes directly to me for pet assistance but has other life challenges, I offer these organizations as potential resources. It is such an amazing feeling when someone reaches out to me, thinking all they are going to get is pet food, but end up leaving with places to get affordable housing assistance, human groceries, and job placement leads. It is so rewarding when a pet owner says that I've helped them get back on their feet again. It's even more rewarding to watch that person help another pet owner by volunteering their own unique skills to help the next person facing a difficulty. I recently helped someone with food and veterinary assistance and connected him with a number of community organizations. He now has stable employment. Just last week, he offered his large vehicle to deliver doghouses to a woman across town who could not afford them and was facing a potential citation. In doing so, he was a help to us both. That woman, who spoke Spanish, is now translating materials for pet owners. Through their love for animals, these recipients of direct care build their own networks and friendships with each other.

Another great part of my job is being able to bring my authentic self and experience as a BIPOC woman to this incredibly important work in a way in which my lived experience informs meaningful and sustainable change for people and animals

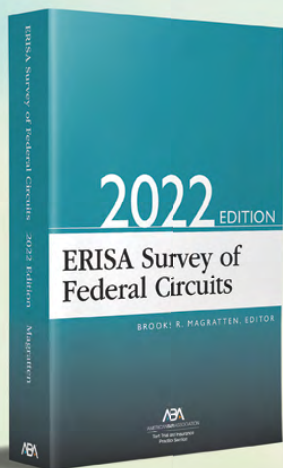


alike. It is also through this very personal lens that I am able to engage ordinary citizens in participatory policymaking in shaping. While DEI is a hot topic these days, the equity and inclusion portions are often overlooked. I am proud that C.A.R.E. offers its own Racial Equity Diversity and Inclusion (REDI) Course for advocates in all animal organizations wishing to make progress in this area.

How does C.A.R.E. work to advance animal protection through the legal system?

Being a human and animal well-being organization, C.A.R.E. takes an unconventional approach to protecting animals through the legal system by centering on the best outcomes for the people and communities who love them. When we only look at protecting the interests of the animal and not the person connected to the animal, we often risk making things worse for both. All of our policy positions are centered on human and animal well-being while acknowledging the social and economic realities of BIPOC communities as a central rather than tangential part of those positions. Because we have a shared experience, other BIPOC animal advocates feel comfortable coming to us with their needs, from help with a specific animal issue to assistance with nonprofit formation and governance. As a BIPOC-led and focused organization, C.A.R.E. is also uniquely positioned to step into the chasm that often exists between animal protection and human rights. Because our staff is involved with and personally impacted by matters of racial, economic, and environmental justice, we can bring these experiences to important areas outside of animal welfare with the trust of those who know we are sincere about our work for equity. In fact, many of us were already active as leaders in these areas before coming to C.A.R.E. or animal advocacy. 

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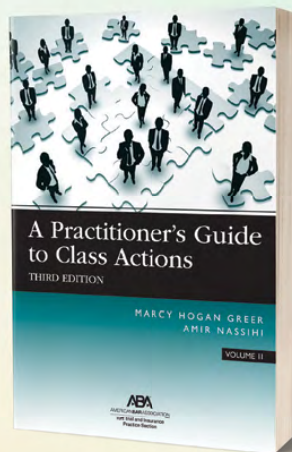
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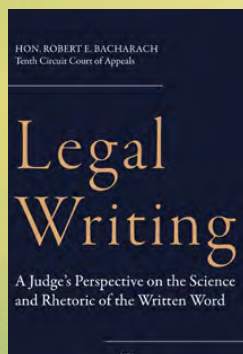
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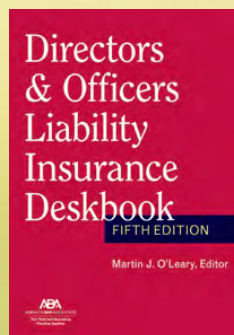
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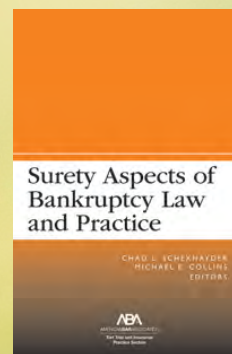
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in an intimate relationship.”² While it may include physical abuse, the dynamics of abuse are more complex, extending to emotional, economic, psychological, sexual, and animal abuse.³ The legal definition of “domestic violence” varies by jurisdiction.

Domestic violence exists regardless of the victim’s gender identity, race, national origin, sexual orientation, socio-economic status, education status, religious beliefs, or geography, and it impacts people of all abilities.⁴ Marginalized victims may face additional barriers to safety due to: interlocking systems of oppression; immigration status; distrust of law enforcement; fear of negative responses from the police, religious institutions, or social services; a desire for anti-carceral approaches to domestic violence, and more.⁵

Domestic abuse is also devastatingly common, as nearly 20 people per minute are physically abused by an intimate partner in the United States.⁶ This equates to more than 10 million women and men each year.⁷ Domestic violence is not limited to humans.

Research confirms that in an abusive household, animals become targets and pawns for abusers. Studies dating back to the late 1990s found that as many as 71% of victims reported that their abusive partner had threatened, harmed, or killed their animals.⁸ A recent study in the UK found that animals were abused in nearly 90% of households that experienced domestic violence.⁹

Animal abuse also commonly coexists with other forms of violence within the family. One study found that in homes where there was domestic violence or physical abuse of children, the incidence of animal cruelty was close to 90 percent.¹⁰

Fear and concern for the safety of animals is one factor that keeps human victims in harm’s way. An early study found that up to 48% percent of victims reported that concern for the safety and well-being of their animals prevented them from seeking shelter earlier, sometimes for more than two months.¹¹ How many never left?

Lawyers can play an important role in facilitating safe shelter for both human and animal victims of domestic violence. These roles are explored in the following sections.

Provide Legal Services to Create and Aid Foster Programs

Nationally, only a small number of domestic violence shelters currently provide shelter for animals.¹² As a result, foster programs often fill the vacuum.

Legal services are important for the success of these foster programs. Unlike a typical foster program where the animal rescue nonprofit legally owns the animals in their care, a domestic abuse victim is typically seeking only temporary care, not

victim seeks refuge from an abuser. She continues to serve as SAAV’s President. She teaches Companion Animal Law and Animal Law Trial Advocacy at Lewis & Clark Law School. She is a member of the TIPS Animal Law Committee and Companion Animal Subcommittee.

Allison Palmbach is a 2L at Lewis & Clark Law School. She is a law clerk for the Center for Animal Law Studies and is also on Lewis & Clark’s Environmental Law Review. Originally from Green Bay, WI, Alli is interested in many different components of animal law, including companion animal law and agricultural animal law. She is a member of the Animal Law Committee and the Student Chair for the Companion Animal Subcommittee.



a relinquishment of ownership. Legal paperwork should serve as the foundation for the foster program. This paperwork may include documents such as: a temporary shelter agreement; a waiver and liability release; authorizations to share confidential information amongst the participating organizations (while keeping applicable privileges intact); consent forms; foster parent contracts; and more.

Clear legal documents help to ward against misunderstandings with the survivor of abuse, as well as to protect the participating organizations from liability. In addition to drafting legal documents such as those mentioned above, the participating organizations may need counsel as legal questions inevitably arise.¹³

Represent Victims to Help Them Protect Themselves and Their Animals

Victims may wish to seek a restraining order to protect themselves, to help retrieve their animals, and to protect their animals from an abuser. Historically, the law was inadequate to accomplish these objectives, as state-level domestic abuse restraining orders did not include specific provisions for the protection of a victim's animals.

In 2006, Maine became the first state in the nation to include animals in domestic abuse restraining orders.¹⁴ The ensuing change to the national legal landscape has been swift. Today, 38 states plus the District of Columbia and Puerto Rico now have laws that allow victims to include protections for their animals in domestic abuse restraining orders.¹⁵

These laws vary widely across jurisdictions. For example, the definition of "animals" who are protected is not uniform. Often these laws limit protections to companion animals (excluding farmed animals) and sometimes further limit protections for companion animals to those who are not kept for business or economic reasons.¹⁶ Another complexity is that even when the law provides protections for animals once the restraining order is issued, many of these laws do not (at least do not explicitly) permit animal abuse to qualify as an act of domestic violence for the purpose of obtaining the restraining order.¹⁷ Lawyers can help victims navigate these complexities.

Survivors of abuse also need lawyers to represent them in restraining order hearings. The process to obtain a domestic abuse restraining order hinges on clear pleadings, meeting legal requirements, evidentiary proof, and short timelines for action, all while the survivor is exposed to the trauma of confronting an abuser in court. While victims can and do handle these legal proceedings pro se or with the aid of a non-lawyer advocate, the process is far less daunting when survivors have the benefit of legal counsel.



Help Facilitate Co-Shelter Opportunities

A powerful bond exists between human and animal survivors of abuse, particularly companion animals. A 2021 survey found that just over 90% of callers to the National Domestic Violence Hotline reported that the “emotional support and physical protection” of their companion animal “was significant in their ability to survive and heal.”¹⁸ Given the stress experienced by animals when they are separated from their human family, co-living arrangements are also important for the well-being of animals.

Fortunately, federal legislation is expanding the availability of co-shelter options. The Pets and Women Safety Act (PAWS) of 2017 was signed as part of the 2018 Farm Bill.¹⁹ Its purpose is “To protect victims of domestic violence, sexual assault, stalking, and dating violence from emotional and psychological trauma caused by acts of violence or threats of violence against their pets.”²⁰ Among other important features, it directs the U.S. Department of Agriculture to award grants for shelter, housing assistance, and support services for domestic violence victims with pets.²¹

Lawyers can provide important services in this context too, such as helping shelters navigate the grant program requirements and facilitating the creation of co-shelter arrangements. The host of legal documents and legal services that aid foster programs as discussed above also help to facilitate the creation of more co-shelter arrangements.

Conclusion

Lawyers have a vital role to play helping those impacted by domestic violence, including working with survivors of abuse, domestic violence and animal protection organizations, and the many volunteers who aid both. Together, we can help pave the way for safety from abuse for *all* victims. ➤

Endnotes

1 Megan A. Senatori, *More Than a Link: Animal Cruelty is Domestic Violence*, LEWIS & CLARK LAW SCHOOL, CENTER FOR ANIMAL LAW STUDIES (Mar. 3, 2022), <https://law.lclark.edu/live/news/48038-more-than-a-link-animal-cruelty-is-domestic>

2 To learn more about the dynamics of abuse, visit the National Domestic Violence Hotline, formerly the National Coalition Against Domestic Violence, <https://www.the-hotline.org/identify-abuse/understand-relationship-abuse/>.

3 *Id.*

4 *Id.*

5 Natalie Sokoloff & Ida Dupont, *Domestic Violence at the Intersections of Race, Class, and Gender: Challenges and Contributions to Understanding Violence Against Marginalized Women in Diverse Communities*, 11 VIOLENCE AGAINST WOMEN 38 (2005), <https://doi.org/10.1177/1077801204271476>.

6 Jennifer O’Neil, *Domestic Violence Statistics: The Horrific Reality*, GOOD HOUSEKEEPING (Oct. 26, 2022), <https://www.goodhousekeeping.com/life/relationships/a37005/statistics-about-domestic-violence/>.

7 MICHELE C. BLACK ET AL., THE NATIONAL INTIMATE PARTNER AND SEXUAL VIOLENCE SURVEY: 2010 SUMMARY REPORT (Nov. 2010), https://www.cdc.gov/violenceprevention/pdf/nis-vs_report2010-a.pdf.

8 FRANK R. ASCIONE, CLAUDIA V. WEBER, AND DAVID S. WOOD, THE ABUSE OF ANIMALS AND DOMESTIC VIOLENCE: A NATIONAL SURVEY OF SHELTERS FOR WOMEN WHO ARE BATTERED (1997), <https://www.animalsandsociety.org/wp-content/uploads/2015/10/ascione.pdf>.

9 MARY WAKEHAM, ANIMAL ABUSE AS A STRATEGY OF COERCIVE CONTROL 59 (2021), https://research-information.bris.ac.uk/ws/portalfiles/portal/316598264/Final_Copy_2021_28_09_Wakeham_M_PhD.pdf.



10 Charles Siebert, *The Animal-Cruelty Syndrome*, N.Y. TIMES MAG. (June 2010), <https://www.nytimes.com/2010/06/13/magazine/13dogfighting-t.html>.

11 Sherry Ramsey et al., *Protecting Domestic Violence Victims by Protecting Their Pets*, TODAY: A PUBLICATION OF THE NATIONAL COUNCIL OF JUVENILE AND FAMILY COURT JUDGES (Spring 2010) <https://awionline.org/sites/default/files/uploads/legacy-uploads/documents/DV-NCJFCJArticleSpring2010-040611-1302122112-document-38932.pdf>.

12 Duncan Strauss & Karin Brulliard, *Little by Little, Domestic Violence Shelters Become Pet-Friendly*, WASH. POST (June 15, 2018), <https://www.washingtonpost.com/news/animalia/wp/2018/06/15/little-by-little-domestic-violence-shelters-become-pet-friendly/>.

13 Sheltering Animals of Abuse Victims (SAAV) provides an in-depth Resource Guide for starting a shelter program, including sample legal forms. The SAAV Resource Guide is available for free at https://static1.squarespace.com/static/5e7f68de9327941b9445ff1f/t61f89666d113bb44c7f7dfb6/1643681406649/SAAVResourceGuide_2022.pdf.

14 ME. REV. STAT. tit. 19-A: Domestic Relations, § 4007 (2006).

15 Rebecca F. Wisch, *Domestic Violence and Pets: List of States that Include Pets in Protection Orders*, ANIMAL LEGAL & HISTORICAL CENTER (2022), <https://www.animallaw.info/article/domestic-violence-and-pets-list-states-include-pets-protection-orders> (listing states and territories that include pets in protection orders: Alaska, Arizona, Arkansas, California, Colorado, Connecticut, District of Columbia, Florida, Hawaii, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, Nevada, New Jersey, New York, North Carolina, Ohio, Oklahoma, Oregon, Puerto Rico, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming).

16 See e.g. Oregon, ORS 107.718(h) (Restraining Order: Under this Oregon law, if requested by a petitioner who has been the victim of domestic abuse, the court may enter an order to “[p]revent the neglect and protect the safety of any service or therapy animal or any animal kept for personal protection or companionship, but not an animal kept for any business, commercial, agricultural or economic purpose.”)

17 For example, contrast NEV. REV. STAT. § 33.018(1)(e)(7) (which explicitly includes animal abuse as an act of domestic violence) with WIS. STAT. § 813.12(1) (am) (which does not specifically reference animal abuse, but does include damage to property).

18 *Pets are Critical Priority for Survivors Seeking Safety, Survey by Urban Resource Institute and The Hotline Finds*, NATIONAL DOMESTIC VIOLENCE HOTLINE (May 26, 2021).

19 *Pet and Women Safety (PAWS) Act*, ANIMAL WELFARE INSTITUTE, <https://awionline.org/content/pet-and-women-safety-paws-act>.

20 *Pet & Women Safety Act of 2017*, H.R.2, 115th Cong. § 3 (2019).

21 *Pet and Women Safety (PAWS) Act*, *supra* note 19.

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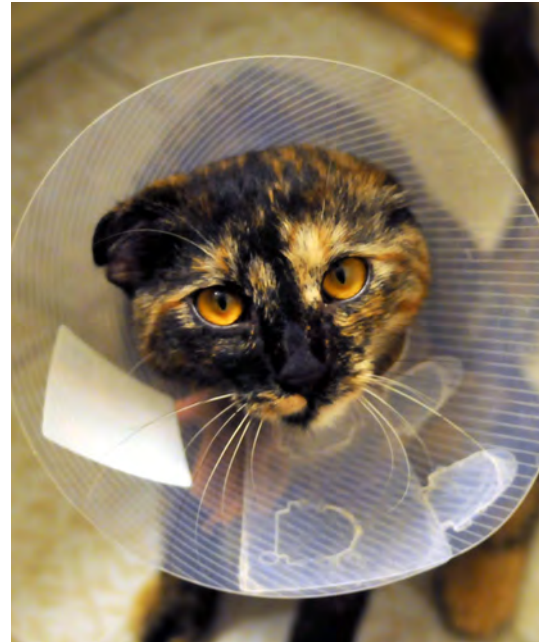


Addressing... Continued from page 16

“veterinary deserts” found in every state, where the closest veterinarian is many miles away, and the next appointment is weeks or months away, if they are taking new patients at all. And animal shelters are, like private individuals, also desperately in need of veterinary professionals to help with the large number of shelter animals in need of care.⁴

How to Get Pets to Stay in their Homes

The multiple barriers to, and difficulties in, obtaining veterinary care have led to sad consequences, for people and animals. For families in these situations, a common solution is to turn animals into local shelters, when they cannot provide the care they want to give, and that their pets need. The heartbreak and bad result for both humans and animals in those cases is obvious. Additionally, the inability to get the veterinary care often leads to pet owners either neglecting their animals’ health or, often even worse, consulting “Dr. Google” and attempting to treat their animals at home with internet advice that is often harmful and potentially even fatal.



Lawyers interested in helping pet owners in these areas are brainstorming on many ways, legislatively, to (1) increase the number of veterinarians available in these areas of limited or no veterinary offices, (2) expand the skills and range of tasks that veterinary personnel such as registered veterinary technicians/veterinary nurses and veterinary assistants can perform, and (3) increase availability to veterinarians by modernizing their practices through telemedicine. Each of these paths can be blazed in either the legislative, or the judicial realm.

First, veterinary services need to be expanded to all geographic areas. One way to incentivize veterinarians to set up their practices in areas with little veterinary coverage is to make the prospect of working in these geographic areas more attractive. A model similar to the armed forces’ Reserve Officer Training Corps (ROTC) could make a big difference for such underserved populations. Such a program would require a law that establishes a program whereby veterinary students agree to work for a period of time in those needy areas, in exchange for partial or full payment of their educational costs. And it may only take that initial enticement to secure permanent relocation for young veterinarians looking to make a difference—not just in the lives of their animal patients, but in the entire community in which they live. Once veterinarians realize the benefits and payoffs of such work, they might just stay.

Second, expanding the allowable tasks and duties that can be done by registered veterinary technicians (RVTs) could provide incredible benefit to all stakeholders—pet parents, pets, *and* veterinarians. Currently, in most states, RVTs are limited in what they may independently do without the direct oversight of a veterinarian.⁵ RVTs



either are prohibited from engaging in tasks that they could easily be trained and qualified to do, or they are not allowed to undertake those tasks without a supervising veterinarian seeing the animal patient first, which leads to backlog and delay. These restrictive rules are often linked to the outdated requirement that a veterinarian see each animal “in person” before any kind of care is provided. That requirement stifles the ability of RVTs to carry out tasks that would provide significant assistance to pet owners and take pressure off the veterinarians with limited appointments.

Additionally, some have proposed creating Veterinary Physician’s Assistants (“VPA”), similar to Physician’s Assistants (“PA”) that help in the human medical field. The difference between a PA and an RVT is that, while both assist patients, PAs assume a role more or less similar to that of physicians. This gives the PA a more direct role in administering tests, performing physical exams, prescribing medications, and other tasks more commonly performed by doctors. The same could be done by a VPA, who could supplement the work of a veterinary nurse and reduce the load of veterinarians. But the American Veterinary Medical Association (AVMA) has rejected this idea despite the crisis before them. They claim that “developing educational and regulatory frameworks for a midlevel practitioner would be a long-term and expensive process—and will not be the silver bullet some are hoping for”⁶ with little support for their contentions.

Finally, bringing veterinary medicine into the 21st century with comprehensive and expanded telemedicine could solve a host of problems, including serving the veterinary deserts. Telemedicine is mandated as an option for people obtaining medical care for themselves, but the majority of the veterinary community has resisted using it, citing unreasonable excuses for the opposition.⁷ For example, the main objection is that since pets cannot talk, and pet parents are not veterinarians, veterinarians cannot provide advice or diagnosis over the phone. The opposition cannot explain, however, why human telemedicine is available to every patient over three months old, whether or not the patient can communicate, and even though their parents are rarely physicians. It’s quite a bizarre flip of the normal sentiment that humans deserve more protection and consideration than animals, and of course the legal confirmation of that reality in all of our laws.

In most states, telemedicine is restricted to a fraction of its available uses, by veterinary medical boards in each state, and sometimes by state veterinary trade associations. The reality is that telemedicine does not just provide a pathway for care to those who otherwise might not be able to access a veterinary clinic, but it also provides veterinarians with an ability to serve more patients, from further away, and to monetize that conduct in a way that is valuable to all involved. Moreover, it allows them to offer compassionate and affordable care to animals and humans who otherwise could not tolerate a trip to the veterinarian. This includes elderly, infirm, and disabled pet parents, as well as elderly, infirm, and disabled pets; pets who are



in hospice care and for whom a trip to the veterinarian could be the most painful thing imaginable; and pets with behavioral problems who are best assessed in the home environment. Telemedicine, if expanded to be allowed without the typical requirement an in-person visit,⁸ would bridge the gaps in income, the distance in miles, and the barriers to care that exist all over the country. People of all types of circumstances, all walks of life, and all levels of society, would be served by an expansion of telemedicine for all, without the outmoded and frustrating barriers placed upon the veterinary practice by current laws. >

Endnotes

- 1 BOB DYLAN, LIKE A ROLLING STONE (Columbia Records 1965).
- 2 See, e.g., Simone D. Guerios, et al., *COVID-19 Associated Reduction in Elective Spay-neuter Surgeries for Dogs and Cats*, FRONT. VET. SCI. 9:912893 (Sept. 13, 2022), <https://www.frontiersin.org/articles/10.3389/fvets.2022.912893/full>; Liz Lindqwister, 'A Lot of Euthanasia': How a Vet Shortage Impacts Animal Welfare in San Francisco, SAN FRANCISCO STANDARD (Feb. 4, 2023), <https://sfstandard.com/arts-culture/a-lot-of-euthanasia-how-a-vet-shortage-impacts-animal-welfare-in-san-francisco/>.
- 3 See, e.g., Access to Veterinary Care Coalition, PROGRAM FOR PET HEALTH EQUITY, <https://pphe.utk.edu/access-to-veterinary-care-coalition-avcc/>.
- 4 Michael Cabanatuan, *Vet Shortage Hits Shelters, Means More Pets are Dying, Survey Finds*, SAN FRANCISCO CHRONICLE (Jan. 31, 2023), <https://www.sfchronicle.com/california/article/veterinarian-pets-shortage-animals-17752643.php>.
- 5 See, e.g., CALIFORNIA BUS. & PROF. CODE § 4840.2 ("Prohibited acts by registered veterinary technicians and veterinary assistants"); cf. CALIFORNIA BUS. & PROF. CODE § 4840 ("Authorized acts by registered veterinary technicians and veterinary assistants").
- 6 Malinda Larkin, *Idea of midlevel practitioner rejected in favor of better support, engagement of credentialed veterinary technicians*, AVMA NEWS (updated Jan. 17, 2023); <https://www.avma.org/news/idea-midlevel-practitioner-rejected-favor-better-support-engagement-credentialed-veterinary>.
- 7 Telemedicine, AM. VETERINARY MED. ASS'N, <https://www.avma.org/resources-tools/avma-policies/telemedicine#:~:text=With%20the%20exception%20of%20emergency,the%20absence%20of%20a%20VCP> (last visited Feb. 20, 2023).
- 8 See, e.g., 16 Cal. Code Regs. 2032.1(e) ("A veterinarian-client-patient relationship cannot be established solely by telephonic or electronic means.").

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In 2007, the CDC declared the United States to be DMRVV-free. However, DMRVV remains enzootic in more than 100 countries.¹² Enzootic means prevalent or endemic with regard to non-humans.¹³ Countries where rabies or DMRVV is enzootic are considered high-risk by the CDC.¹⁴ Ukraine is deemed high-risk for rabies.¹⁵

Of the approximately one million dogs imported into the United States annually, about 100,000 come from high-rabies risk countries.¹⁶ Preventing the entry of animals infected with DMRVV into the United States is a public health priority for both humans and animals.¹⁷



Credit: Anoir Chafik

Effects of COVID-19 and Russian Invasion on Rabies Eradication

Ukraine is suffering not only the effects of the COVID-19 pandemic but also the ongoing war with Russia, neither of which is conducive to eradicating rabies. With the onset of COVID-19 in early 2020, countries around the world rapidly shifted public health priorities and funds to dealing with the pandemic. Even where rabies is enzootic, funds shifted from rabies prevention and eradication efforts to the new COVID-19 public health emergency.¹⁸ “[A]nimal rabies vaccines and dog vaccination campaigns were often the first rabies control activities to be cut.”¹⁹ One study reported that dog rabies vaccinations were administered as planned in only four percent of the enzootic countries for which data were available.²⁰

Costs of Rabies Eradication Efforts

The United States saw four incidents of DMRVV from 2015 through 2021²¹ from dogs entering the U.S. from countries at high risk for rabies. Dogs with rabies arrived in the United States in 2015, 2017, 2019 from Egypt and in 2021 from Azerbaijan.²² The “CDC estimates costs for public health investigations and subsequent cost of care for people exposed to rabid dogs [to] range from \$220,897 to \$521,828” per event.²³ Costs for care of unvaccinated dogs ranges from \$1000 to \$4000 for each dog.²⁴ In 2019, a single dog with rabies cost over \$400,000 in investigations and post-exposure prophylaxis.²⁵ “From May [2020] through December 2020, CDC spent more than 3000 personnel-hours at an estimated cost of \$270,000 to respond to the attempted importation of unvaccinated or inadequately vaccinated dogs from high-risk countries.”²⁶ With COVID-19 the CDC saw substantial increases in regulatory time spent due to the substantial increases in dogs with inadequate documentation.²⁷



These costs are significant, yet they pale in comparison to worst case scenarios of rabies spreading to people who die of it or of rabies spreading to other domestic animals or wildlife species in the United States. For instance, a Texas rabies eradication program from 1995 to 2003 cost \$48 million in 2020 dollars.²⁸

Suspension of Dog Importation

The suspension of importation of dogs from rabies-enzootic countries like Ukraine has made importing of dogs by individuals or commercial importation (defined as more than two dogs by one importer) subject to multiple regulatory measures.²⁹ The suspension of importing animals from high rabies risk countries is not a complete blockade, but rather, a series of prevention and tracking requirements, such as dog import permits, rabies vaccinations, microchips, blood titers, permits, standardized rabies vaccination certificate forms, and waiting periods.³⁰ The details of the current regulatory requirements are available in the current Federal Register notice³¹ and at a CDC³² webpage.

Impact of COVID-19 on Imports

The COVID-19 pandemic strained American health resources to the breaking point with limited availability of public health resources at federal, state, and local levels.³³ Preventing any additional strain on public health resources due to DMRVV became even more crucial. Workforce, vaccine, and medical shortages globally decreased sufficient veterinary controls adding to the risk of rabies.³⁴ The current notice of extension of the suspension expects these conditions to persist globally through July 2023.³⁵

Simultaneously with the onset of the COVID-19 pandemic, the CDC saw an increase in importers circumventing dog import regulations.³⁶ “Despite a decrease in international travel volumes,” the CDC saw “a 52 percent increase in dogs ineligible for entry in 2020 as compared to 2018 and 2019,”³⁷ and a further 24 percent increase in the first half of 2021.³⁸

The recent history of dogs coming from countries at high risk for rabies to the United States highlights the impact of the COVID-19 pandemic.³⁹ From 2010 to 2019, about 200 cases annually, approximately 60 to 70 percent of CDC’s dog entry denials, were based on fraudulent, incomplete, or inaccurate paperwork.⁴⁰ Things changed. Between January 2020 and December 2020, cases rose to more than 450.⁴¹ During the first six months of 2021, numbers rose to 560 cases.⁴² These dogs were denied entry into the United States and ultimately returned to their countries of origin.⁴³ The numbers are relatively small given the estimated one million dogs entering the U.S.



annually.⁴⁴ However, the comparative increases are substantial as were increases in regulatory costs.⁴⁵

Requirement Modifications


The June 2021 suspension had limitations that were first eased in the July 2022 extension.⁴⁶ For instance, titer waiting periods went from 90 to 45 days.⁴⁷ The CDC now allows dogs with permits to enter through 18 available ports of entry with CDC quarantine stations instead of through less than a handful of entry points.⁴⁸ These requirements changed in light of scientific developments, global health changes, economic considerations, regulatory goals to ease burdens on importers, and public opinion. From the time the suspension went into effect on July 14, 2021 and December 1, 2021 the CDC saw fewer dogs abandoned by their importers and fewer dogs arriving sick or dead.⁴⁹

The current extension through July 31, 2023 is based on the continuing risk of reintroduction of DMRVV due to the ongoing disruption to rabies vaccination campaigns globally⁵⁰ and “delayed or disrupted care for dogs which increases the likelihood dogs imported into the United States may pose a public health threat.”⁵¹

Denial of Entry Effects

Prior to the suspension, dogs from high-risk countries without appropriate rabies vaccination certificates were denied entry and returned to their country of origin.⁵² Airlines were required to house dogs before their flight back at standards meeting the USDA’s Animal Welfare Act standards.⁵³ Many appear to fail to do so.⁵⁴ Some airlines housed animals in unsafe warehouse conditions without trained staff.⁵⁵ With COVID-19, fewer international flights delayed dogs’ returns.⁵⁶ Tragedies occurred. In August 2020, 18 dogs were left by an airline in a cargo warehouse without food and water for more than 48 hours. One dog died.⁵⁷ The suspension and its extensions seek to prevent the death and suffering of dogs like these.

Future Proposed Rule

The January 27, 2023 notice of extension terms itself a notice and not a rule.⁵⁸ While these extensions of a suspension are ongoing the CDC “is developing a proposed rule that will outline requirements regarding an importation system to reduce fraud and improve the U.S. government’s ability to verify U.S. entry requirements and mitigate the introduction of dogs infected with rabies and other communicable diseases of public health concern.”⁵⁹ 



Endnotes

- 1 Temporary Suspension of Dogs Entering the United States from High-Risk Rabies Countries, 86 Fed. Reg. 32,041 (June 16, 2021), <https://www.federalregister.gov/d/2021-12418> [hereinafter *Temporary Suspension*].
- 2 Notice of Extension and Modification of Temporary Suspension of Dogs Entering the United States From High-Risk Rabies Countries, 87 Fed. Reg. 33,158 (June 1, 2022), <https://www.federalregister.gov/d/2022-11752> [hereinafter *Modification of Temporary Suspension*].
- 3 Notice of Extension of Temporary Suspension of Dogs Entering the United States From Countries With a High Risk of Rabies, 88 Fed. Reg. 5348 (Jan. 27, 2023), <https://www.federalregister.gov/d/2023-01688> [hereinafter *Extension of Temporary Suspension*].
- 4 *Id.* at 5349; (PHS Act sections are codified at 42 U.S.C. §§ 264, 265 (2018)).
- 5 Extension of Temporary Suspension, *supra* note 3, at 5348.
- 6 *Notice of Temporary Suspension of Dogs Entering the United States from Countries Classified as High-Risk for Dog Rabies*, CENTERS FOR DISEASE CONTROL AND PREVENTION, <https://www.cdc.gov/importation/bringing-an-animal-into-the-united-states/high-risk-dog-ban-fm.html#:~:text=Notice%20of%20Temporary%20Suspension%20of,High%20Risk%20for%20Dog%20Rabies&text=CDC's%20temporary%20suspension%20for%20dogs.requirements%20will%20remain%20in%20place> (last reviewed Jan. 24, 2023) [hereinafter *Countries Classified as High-Risk*].
- 7 *High-Risk Countries for Dog Rabies*, CENTERS FOR DISEASE CONTROL AND PREVENTION, <https://www.cdc.gov/importation/bringing-an-animal-into-the-united-states/high-risk.html> (last updated Jan. 24, 2023) [hereinafter *High-Risk*].
- 8 Extension of Temporary Suspension, *supra* note 3, at 5349.
- 9 *Id.*
- 10 *Id.*, *Joint AVMA-FVE-CVMA statement on the global control of dog-mediated rabies: A One Health imperative*, AMER. VETERINARY MED. ASS'N (Nov. 16, 2021), <https://www.avma.org/resources-tools/avma-policies/joint-avma-fve-cvma-statement-global-control-dog-mediated-rabies> (visited Feb. 6, 2023) [hereinafter *Joint Statement*].
- 11 Temporary Suspension, *supra* note 1, at 33,159; *Joint Statement*, *supra* note 10.
- 12 Extension of Temporary Suspension, *supra* note 3, at 5349.
- 13 *Enzootic*, CAMBRIDGE DICTIONARY, <https://dictionary.cambridge.org/us/dictionary/english/enzootic> (last visited Feb. 25, 2023).
- 14 Extension of Temporary Suspension, *supra* note 3, at 5352.
- 15 *High-Risk*, *supra* note 7.
- 16 Extension of Temporary Suspension, *supra* note 3, at 5350-51.
- 17 *Id.* at 5349.
- 18 *Id.* at 5352.
- 19 *Id.*
- 20 *Id.*
- 21 Modification of Temporary Suspension, *supra* note 2, at 33,161.
- 22 *Id.*
- 23 *Id.*
- 24 Extension of Temporary Suspension, *supra* note 3, at 5353.
- 25 *Id.* at 5350.
- 26 *Id.*
- 27 *Id.*
- 28 Modification of Temporary Suspension, *supra* note 2 at 33,161.
- 29 *Countries Classified as High-Risk*, *supra* note 6.
- 30 *Id.*, Extension of Temporary Suspension, *supra* note 3, at 5354-56.
- 31 Extension of Temporary Suspension, *supra* note 3, at 5354-56.
- 32 *Countries Classified as High-Risk*, *supra* note 6.
- 33 Extension of Temporary Suspension, *supra* note 3, at 5349.
- 34 *Id.*
- 35 *Id.* at 5350.
- 36 *Id.* at 5349.
- 37 *Id.*
- 38 *Id.*
- 39 *Id.* at 5352, Modification of Temporary Suspension, *supra* note 2 at 33,162.
- 40 Extension of Temporary Suspension, *supra* note 3, at 5352.
- 41 *Id.*
- 42 *Id.*
- 43 *Id.*
- 44 *Id.* at 5350.
- 45 *Id.*
- 46 *Id.*
- 47 *Id.*
- 48 *Id.* at 5350 n.16 (Anchorage (ANC), Atlanta (ATL), Boston (BOS), Chicago (ORD), Dallas (DFW), Detroit (DTW), Honolulu (HNL), Houston (IAH), Los Angeles (LAX), Miami (MIA), Minneapolis (MSP), New York (JFK), Newark (EWR), Philadelphia (PHL), San Francisco (SFO), San Juan (SJU), Seattle (SEA), and Washington DC (IAD)).
- 49 Modification of Temporary Suspension, *supra* note 2 at 33,160.
- 50 Extension of Temporary Suspension, *supra* note 3, at 5350.
- 51 *Id.*
- 52 *Id.* at 5352.
- 53 *Id.* at 5353.
- 54 *Id.*
- 55 *Id.*
- 56 *Id.*
- 57 *Id.*
- 58 *Id.* at 5357.
- 59 *Id.* at 5350.



Pets And Housing... Continued from page 18

While these protections exist, they require a tenant to assert these rights and additionally require a landlord to comply with the fair housing laws, which isn't the case in most circumstances. Many tenants find themselves battling with landlords to enforce fair housing laws and many tenants are unaware of the laws protecting them and instead are harassed to choose between a roof over their head and their assistance animal.

Publicly Funded Housing

Federally funded public housing has required housing providers to allow a tenant at least one pet, regardless of disability status.⁸ In 2017, the California legislature passed AB 1137, requiring all publicly funded, multi-housing developments to allow at least one pet, regardless of disability status.⁹

Other states, like New Jersey, require multi-unit senior citizen housing to allow pets,¹⁰ and the Ohio Housing Finance Agency's Housing Tax Credit Program includes pet-inclusive housing as a competitive scoring criterion in its review of affordable housing grants.¹¹



Los Angeles County & City Emergency COVID Eviction Protections for Tenants with Pets

In the wake of the COVID-19 pandemic, Los Angeles County and City officials adopted an emergency policy which protected tenants who obtained a pet during COVID from eviction. Most recently, the County has voted to end these protections on March 31, 2023, while the City has voted to extend these protections until January 31, 2024.¹² The City & County are requiring a 30-day notice to evict based on a pet for those tenants who obtained a pet during March 2020 through January 20, 2023,¹³ with the hope that the tenant and landlord will resolve the issue within these 30 days. This is wishful thinking.

Gaps Remaining to Protect Tenants with Pets

Lack of Useful Data

One of the main gaps in helping create meaningful policies is the lack of data collected by animal shelters. In Los Angeles County and City, the only data collected is if the pet was an owner-surrender. No further data is collected as to why the animal was surrendered, e.g. whether the owner was threatened with eviction or if they received a written notice from the landlord. Adding one question to the intake process: Did you receive a written notice from the owner/management?, would help show two crucial elements. First, if a tenant did not receive a written notice, we would know the landlord is merely threatening and harassing the tenant illegally. Second, if the tenant did receive a notice, then the tenant can be guided to seek assistance from legal services.



Along with lack of data from animal shelters, specifically in California, the court system refuses to provide data regarding the type of evictions filed. For our purposes, the cases involving a three-day notice to cure or quit would be helpful, as many notices to cure or quit involve a breach of lease. The practice of many new landlords is to use the original lease of a long-term, rent-controlled tenant, that states “no pets allowed, without owner approval,” to evict, despite the fact the former owner had provided verbal approval and had knowledge of the pet. By providing data of what type of cases are being filed, at minimum we will distinguish between the number of evictions filed based on nonpayment versus breach of lease and provide a better overall picture of the types of evictions being filed. In this digital age of technological advancements, it is crucial to invest in data tracking systems that will help determine who is being evicted and for what reason to help strategize and offer viable solutions and policies to help keep tenants and their pets together and housed.

Eliminating Pet Fees

The average American renter pays about \$1,326 a month.¹⁴ The real median personal income for a worker in the United States in 2020 is \$35,805.¹⁵ A report shows that: one in four renters spend over 70% of their income on housing costs; one in four renters eligible for federal assistance actually received funding; Black and Latinx renters constitute approximately 80% of the people facing eviction; and Black households are twice as likely of being evicted than white households.¹⁶ Low-income families of color are those most impacted when attempting to find and secure housing, let alone housing that allows pets. My Pit Bull is Family has created a national database for pet-inclusive housing¹⁷-- when I inserted the zip code of my office space in South Los Angeles County and searched for pet-inclusive listings in the 50-mile radius, the search came up with only 13 properties, only two of which had no pet fees.

Currently housing is not a right in the United States, it is a commodity. A service rendered for profit. Because of this, tenants with pets face the uphill battle of not only paying the exorbitant rents, which have drastically increased, but also the ridiculous pet fees and security deposits that owners and management companies have required to increase their bottom line. Profit over people is the motto. While owners and management companies might argue that the security deposit and/or pet fees are required to cover the costs of damage caused by the animal, the HARBRI study revealed that pet damage is reported at less than \$250.¹⁸

To make effective change, we must look hard at the facts and realities that pet fees disproportionately effect people of color and that since the beginning of “property rights”, excluded from the right to own were people of color. The history of redlining—government created boundaries identifying certain land as valuable and safe, and



other land, those where people of color lived, not valuable and unsafe—created racist bank lending practices which only provided loans for homes to white people.¹⁹ These racist practices have left a lasting impact with current demographics showing that 71.99% of white people are homeowners, in comparison to 46% Latinx, and 41.6% Black.²⁰ Additionally, 75% of redlined areas are still the most economically distressed today, 66% have mostly minority residents, while 91% of the areas marked as ‘best’ are middle to upper class, and 85% of areas marked as ‘best’ are still predominantly White.

By eliminating pet fees, including security deposits and pet rent, we are on the path to protecting not only tenants with pets, but also addressing the systemic racism which currently exists in rental housing.

Animal Welfare Advocating for Stronger Tenant Protections

Across the United States, tenant advocacy has increased, and significant steps have been taken to pass rent control ordinances at the local level. Additionally, the right to counsel movement, which advocates to ensure that every tenant who is being evicted is guaranteed the right to an attorney, is growing with fifteen cities and three states enacting a right to counsel.²¹

The animal welfare community is crucial in helping advocate for stronger tenant protections. Behind every pet, is a person. We cannot have pet ownership without the owner, and we need to advocate for tenant protections in order to also protect the pets. This is not only about the animals but rather about these other interconnected issues. Animal welfare advocates must recognize that how much money a person earns does not determine how much they love their pet.

What Can Our Future Look Like

By acknowledging that housing and pets are intertwined and to keep a person with a pet housed is keeping a pet out of a shelter, we unite ourselves with advocates outside of the animal welfare spectrum. By uniting, we create a stronger force and voice to implement change.

Animal welfare attorneys are bridging the gap and thinking outside the box by proposing legislation that will incentivize pet-inclusive housing. One of these attorneys is Katie Barnett, who is the Chair of the Lawrence Human Relations Commission in Kansas, proposing legislation to not only ban housing discrimination based on income, but also to incentivize landlords to be pet-inclusive using licensing fees as a mechanism.²² By using her passion with animal welfare and housing, Ms. Barnett is on the forefront of keeping both the person and their pet together and housed.



Additionally, in this semi-post-COVID world we are now entering, we are still left with the long-lasting effects of COVID and many people suffering from long-term COVID. The United States Department of Human Health and Services has acknowledged “Long COVID” as a disability under Title II and III of the Americans with Disabilities Act.²³ By acknowledging the long-term effects of COVID, we can advocate for tenants with Long COVID to remain housed with their support animals and ensure stronger protections at the local and state level.

We are amid a deep reckoning and acknowledgement that the way we have been functioning is no longer serving us and the community. We can make effective change and implement policies that protect both the person and their companion animal and ensure everyone remains housed. ➤

Endnotes

- 1 *Estimated Number of Pet-Ownning Households: Los Angeles County*, LOS ANGELES ALMANAC (Feb. 10, 2023), <https://www.laalmanac.com/environment/ev21d.php>.
- 2 *Rent Debt in America*, NAT'L EQUITY ATLAS (Feb. 9, 2023), <https://nationalequityatlas.org/rent-debt>.
- 3 *Pet Eviction Calculator*, HUM. ANIMAL SUPPORT SERV. (Feb. 9, 2023), <https://www.humananimalsupportservices.org/toolkit/pet-eviction-calculator/>.
- 4 COUNTY OF LOS ANGELES ANIMAL CARE AND CONTROL ANIMAL STAT., https://animalcare.lacounty.gov/wp-content/uploads/2022/07/PawStatus-FY-2021_2022.pdf (last visited Feb 9, 2023).
- 5 *Pet Inclusive Housing Initiative*, HUM. ANIMAL BOND RES. INST. AND MICHELSON FOUND ANIMALS, <https://www.petsandhousing.org/2021-pet-inclusive-housing-report/> (last visited Feb 9, 2023).
- 6 *Assistance Animals*, U.S. DEP'T OF HOUSING AND URBAN DEVELOPMENT, https://www.hud.gov/program_offices/fair_housing_equal_opp/assistance_animals (last visited Feb 9, 2023).
- 7 *Id.*
- 8 Pet Ownership in Public Housing, 24 C.F.R. §§ 960.701-960.707 (2023)
- 9 CAL. HEALTH & SAFETY CODE § 50466 (West 2023)
- 10 *New Jersey Department of Community Affairs Division of Codes and Standards, Landlord-Tenant Information Service-Pets in Rental Units Bulletin*, NEW JERSEY DEP'T OF COMMUNITY AFFAIRS (2003), https://www.state.nj.us/dca/divisions/codes/publications/pdf_lti/pets_bulletin.pdf.
- 11 *Ohio Housing Finance Agency 2020-2021 Qualified Allocation Plan*, OFF. OF MULTIFAMILY HOUSING, DEV. DIVISION (Sept. 2020), <https://ohiohome.org/ppd/documents/2020-2021-QAP-TechnicalRevisions.pdf>
- 12 Covid Emergency Protections, L.A.M.C. § 49.99.2 (2023).
- 13 *Los Angeles County Covid-19 Tenant Protections*, LOS ANGELES COUNTY CONSUMER & BUSINESS AFFAIRS, <https://dcba.lacounty.gov/noevictions/> (last visited Feb 9, 2023).
- 14 *Average Rent By State*, WORLD POPULATION REVIEW, <https://worldpopulationreview.com/state-rankings/average-rent-by-state> (last visited Feb 9, 2023).
- 15 *Real Median Personal Income in the United States*, FRED ECONOMIC DATA, <https://fred.stlouisfed.org/series/MEPAINUSA672N> (last visited Feb 9, 2023).
- 16 Emily Benfer et al., *The COVID-19 Eviction Crisis: an Estimated 30-40 Million People in America Are at Risk*, ASPEN INST. (2020), <https://www.aspeninstitute.org/blog-posts/the-covid-19-eviction-crisis-an-estimated-30-40-million-people-in-america-are-at-risk/>.
- 17 *National Dog Inclusive Rental Database*, MY PITBULL IS FAMILY, <https://www.mypitbullisfamily.org/housing> (last visited Feb 9, 2023).
- 18 *Pet inclusive Housing Initiative*, *supra* note 5.
- 19 Lisa Rice, *Long Before Redlining: Racial Disparities in Homeownership Need Intentional Policies*, SHELTERFORCE (Feb. 15, 2019), <https://shelterforce.org/2019/02/15/long-before-redlining-racial-disparities-in-homeownership-need-intentional-policies/>.
- 20 U.S. CENSUS BUREAU, <https://www.census.gov> (last visited Jul 23, 2022).
- 21 *The Right to Counsel for Tenants: Enacted Legislation*, NAT'L COALITION FOR A CIV. RIGHT TO COUNSEL (2022), http://civilrighttocounsel.org/uploaded_files/283/RTC_Enacted_Legislation_in_Eviction_Proceedings_FINAL.pdf.
- 22 Mackenzie Clark, *Lawrence's Human Relations Commission pushes to ban housing discrimination based on source of income*, THE LAWRENCE TIMES (Oct. 27, 2022), <https://lawrencekstimes.com/2022/10/27/hrc-source-income-housing/>.
- 23 Office of Civil Rights, *Guidance on “Long COVID” as a Disability Under the ADA, Section 504, and Section 1557*, U.S. DEP'T. OF HEALTH & HUM. SERV. (2021), <https://www.hhs.gov/civil-rights/for-providers/civil-rights-covid19/guidance-long-covid-disability/index.html> (last visited Feb 9, 2023).



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Bulls” are prone to violence and biting humans.⁶ More than 700 cities have also passed breed specific legislation banning people from having these companion animals entirely.⁷ While these policies are heralded as protecting public safety from dangerous animals, the legitimacy of these bans has been questioned.⁸ The American Bar Association adopted a resolution against breed-specific legislation, acknowledging the financial cost to localities of enforcing these bans, the failure of these bans to truly protect public safety, and the hardships these bans cause on the individuals with these banned dogs who must move or lose their pets when their city adopts a ban.⁹ There is evidence that these policies are actually rooted in a conception that certain racial communities tend to have these breeds of animals and banning the dog breeds is a way to keep certain people from living in the community.¹⁰ This sentiment was highlighted by remarks made by a city councilwoman, Molly Markert in Aurora, Colorado when their breed ban was up for repeal.¹¹ Ms. Markert remarked that, “Oh, you bet if I could, I would ban the owners too. By banning the dogs, we lose the violent behavior that comes with the owners.”¹² Moreover, she went on to state that breed bans are important because they make people feel safer. “It’s not about a fact, it’s about a feeling.”¹³ And Councilwoman Markert is right. Many, if not all, of these ban breeds are about a feeling that certain breeds, and their owners, are dangerous, based on classist and racist ideas of who poses a threat to society.¹⁴



Credit: Lucas Ludwig

In addition to the complicated relationship between BIPOC and companion animal guardianship, there is a long, less complicated relationship between BIPOC, especially the Black community, and dogs in the care of the state. In the 16th century, white law enforcement officials used dogs to attack Indigenous communities and prevent Black enslaved folks from fleeing.¹⁵ Images of dogs lunging at Black protestors engaged in peaceful protests during the 1960s Civil Rights movement are infamous symbols of police violence against the Black community.¹⁶ But protests were not the only use for police dogs. In the Jim Crow South, law enforcement officials would use dogs to regularly terrorize Black people.¹⁷ Patrolling Black neighborhoods with police dogs and even using Black people in police custody as “bait” to train the dogs.¹⁸ Today, police dog bites represent the form of police use of force most responsible for sending individuals to the hospital.¹⁹ And, not surprisingly, given the history of police dogs in this country, police dogs today are disproportionately used on Black men.²⁰



Companion animal advocacy groups, especially student groups, need to actively acknowledge the many ways in which race colors the way people see and interact with animals. If we want students of color engaged in SALDFs around the country, which I assume that most of us do, then we need to make sure that these spaces are addressing the ways in which the animal community is inaccessible to many folks. In the same breath that we ask people to care about animals, we need to *care about those people* and acknowledge the race and class barriers to having companion animals and caring for animals. This can include:

- Have conversations, craft legislation, or engage in grassroots activism that shifts the narrative about companion animal neglect or overpopulation from individual responsibility and actions and towards discussions about systemic barriers, such as finding affordable housing to accommodate a companion animal.
- Be intentional about considering the racial implications of any legislation and legal efforts your student group may support. For example, if you want to pass a local ban on tethering dogs in your community, consider how, for low-income and BIPOC individuals who tether their animals because they cannot afford a fence, this legislation could increase their interactions with police and/or criminalize their lack of resources.
- Center more voices of color in every aspect of the work your group does, including, inviting speakers of color to speak at events, partnering with community organizations run by BIPOC, and supporting and partnering with affinity groups on campus to see what they might want to see in your work.
- Intentionally engage with and support local companion animal rescues involved in community support work such as low-cost vaccine clinics and mobile spay and neuter services. If your local organizations are not doing these things, work with them to implement new programs or policies to help the people who are caring for animals in your community. ➤



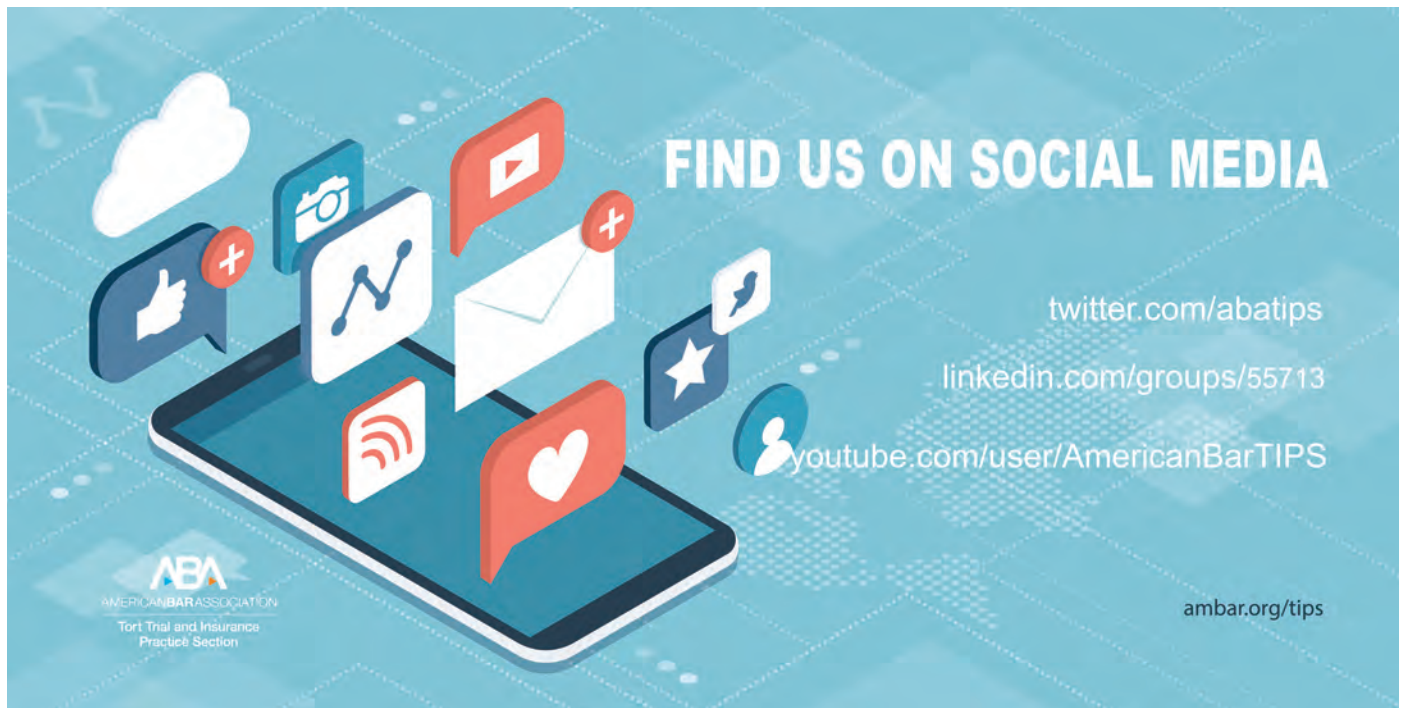
Endnotes

- 1 See Am. VETERINARY MED. ASS'N., AVMA PET OWNERSHIP AND DEMOGRAPHICS SOURCE-BOOK *EXECUTIVE SUMMARY*, 1, 5 (2017-2018) <https://www.avma.org/sites/default/files/resources/AVMA-Pet-Demographics-Executive-Summary.pdf>.
- 2 See *Pets for Life: The Impact of Systemic Poverty Institutional Discrimination on People and Pets*, HUMANE SOC. OF THE U.S. <https://humanepro.org/sites/default/files/documents/pfi-systemic-poverty-infographic.pdf> (last visited Feb. 1, 2023).
- 3 See Kevin Hawkins, *Housing Is Going to the Dogs (And Cats and Other Pets)*, FORBES (Nov. 22, 2021), <https://www.forbes.com/sites/forbesbusinesscouncil/2021/11/22/housing-is-going-to-the-dogs-and-cats-and-other-pets---trends-in-real-estate/?sh=75be12e5574e>
- 4 See Holly Welles, *Breaking Down the Costs of Renting With a Pet*, APARTMENT GUIDE (Feb. 17, 2020), <https://www.apartmentguide.com/blog/costs-of-renting-with-a-pet/>; *Pet owners median annual pet fee in the United States in 2020, by type of home*, STATISTICA (MAR. 16, 2020), <https://www.statista.com/statistics/1120238/pet-owners-annual-pet-fee-type-residential-property-usa/>.
- 5 See Ed Leefeldt and Amy Danise, *Dog Breeds Banned by Home Insurance Companies*, FORBES (Oct. 15, 2022), <https://www.forbes.com/advisor/homeowners-insurance/banned-dog-breed-lists/>.
- 6 See *id.*
- 7 See *What is Breed-Specific Legislation?*, AM. SOC. FOR THE PREVENTION OF CRUELTY TO ANIMALS, <https://www.asPCA.org/improving-laws-animals/public-policy/what-breed-specific-legislation> (last visited Feb. 1, 2023).
- 8 See *Why breed-specific legislation is not the answer*, AM. VETERINARY MED. ASS'N., <https://www.avma.org/resources/pet-owners/why-breed-specific-legislation-not-answer> (last visited Feb. 1, 2023).
- 9 See Am. Bar Ass'n., *Resolution 100*, AM. BAR ASS'N (Aug. 2012), https://www.americanbar.org/content/dam/aba/directories/policy/annual-2012/2012_hod_annual_meeting_100.doc.
- 10 See HUMANE SOC. OF THE U.S., *REPEALING BREED-SPECIFIC LEGISLATION* 14 (2019), <https://humanepro.org/sites/default/files/documents/repealing-breed-specific-legislation.pdf>.
- 11 See Brent Toellner, *7 Facts About Aurora, Colorado's Breed Ban Before Tuesday's Vote*, HUFFINGTON POST (Nov. 3, 2014), https://www.huffpost.com/entry/aurora-colorado-breed-ban_b_6078432.
- 12 See *id.*
- 13 See *id.*
- 14 See *Breed Discrimination in the Homeowners Insurance Industry*, BEST FRIENDS ANIMAL SOC. (Nov. 2020), <https://network.bestfriends.org/research-data/research/breed-discrimination-insurance#color>.
- 15 See Trone Dowd, *The Violent, Racist History of K-9 Units*, VICE (Sept. 7, 2022), <https://www.vice.com/en/article/g5vjjb/k9-unit-history>.
- 16 See Tyler D. Parry, *Police still use attack dogs against Black Americans*, WASH. POST (Sept. 2, 2020), <https://www.washingtonpost.com/outlook/2020/09/02/police-still-use-attack-dogs-against-black-americans/>.
- 17 See Dowd, *supra* note 14.
- 18 See *id.*
- 19 See *id.*; see also Abbie VanSickle et. al., *When Police Violence Is a Dog Bite*, MARSHALL PROJECT (Oct. 2, 2020), <https://www.themarshallproject.org/2020/10/02/when-police-violence-is-a-dog-bite>.
- 20 See *id.*




Calendar

April 19-21, 2023	Motor Vehicle Product Liability Conference Contact: Janet Hummons – 312/988-5656 Yasmin Koen – 312/988-5653	Omni Scottsdale Montelucia Scottsdale, AZ
April 21-22, 2023	Toxic Torts & Environmental Law Conference Contact: Theresa Beckom – 312/988-5672	Omni Scottsdale Montelucia Scottsdale, AZ
May 3-6, 2023	TIPS/YLD Section Conference Contact: Janet Hummons – 312/988-5656 Theresa Beckom – 312/988-5672	Marriott Marquis New York, NY
May 11-12, 2023	Fidelity & Surety Law Spring Conference Contact: Janet Hummons – 312/988-5656 Yasmin Koen – 312/988-5653	Hyatt Regency Tahoe Lake Tahoe, NV
August 2-8, 2023	ABA Annual Meeting Contact: Janet Hummons – 312/988-5656	Hyatt Regency Denver, CO



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