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MASSACHUSETTS SCHOOL OF LAW at ANDOVER

 **PRELIMINARY SYLLABUS for Animal Law – Spring 2025**

**ASYNCHRONOUS**

 **Professor Diane M. Sullivan**

**Instructor:** Professor Diane Sullivan
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**Text**: Animal Law Cases and Materials (sixth edition) - Wagman/Waisman/Frasch

 ISBN: 978-1-5310-1099-7

**Purpose** Animal law is a broad and rapidly expanding field and is an integral part of

**& Course** social policy and the law. The course provides diverse examples of cases and

**Description:** circumstances in which the unique aspects of animals and law converge and should stimulate thought about recurrent animal law themes.

**Grading:** Animal Law Day (30 points), Final Examination (35 points), Video Written Responses and Paper Assignments (35 points).

 **Email me your assignment responses for each class by midnight of date on syllabus: dianes@mslaw.edu**

**Animal Law**

**Day:** Saturday, April 19th

**ASSIGNMENTS DUE FOR EACH CLASS**

**Note: to access a video got to my webpage on the MSLAW.edu website.**

 **Topics** **Page Numbers**

**Class 1** What is an Animal? Defining “Animal” and the03-45

01/21 Classification of Animals.

 Assignment: Define an animal. Does it make a difference

 if it is a pet, wildlife, or livestock?

**Class 2** Property and Beyond: The Evolution of Rights 47-82

01/23

Assignment: Address the evolution of animal rights.

Does the history of women’s liberation serve as a road map to

change our property classification of animals?

Do you think animals or certain animals deserve personhood

status?

What arguments can you make to advance the property classification

of animals?

**Class 3** Criminal Law Including Historical Perspective; 83-133

01/28 State Anti-Cruelty Statutes; Affirmative Acts of Cruelty

 Assignment: Relate the notion that animals lack *mens rea* to

 dangerous dog laws.

 Discuss the development of anti-cruelty statutes; include a

discussion of common provision and exclusions.

**Class 4** Failure to Act; Hoarding; Animals in Sport and 134-186

01/30 Entertainment

 Assignment: Distinguish affirmative acts of cruelty from

the failure to act.

Why is hoarding a difficult type of case to prosecute?

Address the use of animals for entertainment.

**Class 5** Criminal Law (cont’d): Rodeos; Animal Racing; 187-204

02/04 Breeding, Veterinary & Shelter Issues

 Assignment: What are the key breeding, veterinary, and

shelter issues?

**Class 6** Television, Film, Zoos, Circuses, Aquaria; Animal 205-232

02/06 Fighting and Cross-Protecting

 Assignment: Discuss the link between animal abuse and

 Human violence.

 Is a registry a good idea?

 What do you believe is the most effective preventative measure?

**Class 7** Torts: Intentional Torts; Negligence; Fourth 233-278

02/11 Amendment Claims; Veterinary Malpractice

Assignment: Address the law on claims for intentional infliction of

emotional distress in animal cases and negligent infliction of

emotional distress.

What fourth amendment claims can be brought and in what

circumstance(s) for tortuous harm to a companion animal?

Address claims for Vet malpractice.

**Class 8** Damages & Valuation; Competing Interests: Companion 278-362

02/13 Dogs and Farm Animals, and Injuries Caused by Animals

Assignment: How do we measure and value damages in dog-death

cases?

Historically address the competing interests: Companion dogs

and farm animals?

**Class 9** Constitutional Law: Legal Standing, Justiciability & 363-427

02/18 Other Limiting Doctrines

Assignment: Address standing and justiciability in animal cases.

**Class 10** Due Process – Challenges and Claims; First Amendment 428-483

02/20

 Assignment: Address breed specific legislation and

due process.

**Class 11** Commercial Uses of Animals: Animals Raised and 485-534

02/25 Slaughtered for Food

 Assignment for Class 11 and Class 12:

What legal protections do farm animals receive?

**Class 12** Commercial Uses (cont’d) 535-578

02/27

**Class 13** Slaughter Laws; “Ag”-Gag” Laws 578-638

3/04

 Assignment: What is a “Ag”-Gag” Law?

**Class 14** Animals in Research & the Animal Welfare Act; 639-698

03/06 Breeders, Dealers & PuppyMills; Animal Exhibition

 Under the AWA

 Assignment: Address protections for animals used in

 research and raised by dealers and kept in puppy mills.

**Class 15** Contracts: Housing Issues; “Service” and “Support” 699-726

03/11 Animals in Contexts Other Than Housing

 Assignment: What limits are placed on pets in public

 housing?

**Class 16** Dissolution of Marriage &Other Relationships: 726-758

03/13 Custody Disputes

 Assignment: Who gets the companion animal in a divorce

 or separation?

**\*SPRING BREAK\* March 16 – March 23**

**Class 17** Wills and Trusts 759-804

03/25

 Assignment: How does one provide for their pet in a Will

 or a Trust?

**Class 18** Selected Wildlife Statutes 805-890

03/27

**Class 19** Video*:* The Return of the Wolf

04/01 MSL’s Educational Forum show (#111)

 Paper on: The Advantages and Disadvantages of the Endangered Species Act

(5 points).

**Class 20** Video: The Plight of Tigers in the United States

04/03 MSL’s Educational Forum show (#170)

Paper on: Keeping of Wild Animals (5 points).

**Class 21** A Case of Animal Cruelty? Martha ParkhurstVideo

04/08

**Class 22** Christian Colwell Video

04/10 Paper: How Would You Rule if You Were the Judge?

Fully Support Your Answer (10 points).

**Class 23** Animal Law Day Planning

04/15

**Class 24 Animal Rights Day - Saturday, April 19th**

04/19

**Class 25** Animal Rights Day – Wrap up

04/22

 Assignment: Memo on your comments of Animal Rights Day.

**Class 26** Book andVideo: *Please, Can We Keep the Donkey?*

04/24 MSL’s Educational Forum show (#136)

 Question and Answer Paper Submission (5 points).

 **See Attached Question Sheet.**

**Class 27** Paper on Property Limitation of Animals (5 points)

04/29

**Class 28**  Paper on Animal Service Dog Laws and Emotional Support Dog Laws

05/01 (5 points)

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***Please, Can We Keep the Donkey?***

**Class 26** Video **-** *Please, Can We Keep the Donkey?*

04/24

1. What does this book say about MSL?

2. Which was your favorite story and why?

3. What are the benefits of rescuing or adopting an animal as opposed to buying one from a breeder? Are there any disadvantages?

4. In light of the fact about 6 million dogs and cats are euthanized in shelters each year, should legislation be enacted to require sterilization?

5. Did this book change or support your impression of the Massachusetts School of Law?

6. What did you learn from reading these stories? Did anything surprise you?

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