

**ANIMAL LAW**  
**UNIVERSITY OF FLORIDA LEVIN COLLEGE OF LAW**  
**SPRING SEMESTER SYLLABUS – LAW 6930 – 2 CREDITS**

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Office Hours: 1:30-3:30 Tuesdays

**MEETING TIME:** Tuesday 3:30-5:30 pm

**LOCATION:** 355-D

**COURSE DESCRIPTION AND OBJECTIVES:**

This case explores existing and evolving case law regarding all fields of animal law, including:

- Evolution of animal law, policy considerations, definition of animal
- Criminal law: animal cruelty, hoarding; defense of animals
- Legislation: laws protecting animals or regulating their use
- Torts involving animals: causes of action, damages, limitations
- Property law and Contracts involving animals – housing, custody, rescue organizations
- Constitutional law: standing, free speech, due process
- Wills and Trusts
- Commercial use of animals

The objective of this course is for you to develop a greater understanding of the scope and limitations of advocacy on behalf of animals and the people who care for them, and to enable you to expand on existing law to make advances in the field if you choose to enter this diverse and interesting career path.

**STUDENT LEARNING OUTCOMES:**

At the end of this course, students should be able to:

- Exhibit an understanding of the evolution of the status of animals under the law and comparison to other movements (e.g., slavery, women's rights, children);
- Argue and defend the protection of animals, animal rights, and animal welfare;
- Argue and defend the extension of existing law regarding the status of animals, including but not limited to contractual rights, standing to sue on behalf of animals, housing rights, tort remedies and damages (e.g., pain and suffering, emotional distress and/or loss of companionship), causes of action for loss of a pet or an animal owned for commercial use, pet custody disputes, and defense of animals under state and local criminal laws.
- Exhibit an understanding of the scope and limitations under which animals may receive benefits, property and/or protection from a Trust or Estate.

**REQUIRED READING MATERIALS:**

Animal Law Cases and Materials, 6<sup>th</sup> Edition, Bruce A. Wagman, Sonia S. Waisman and Pamela D. Frasch. Carolina Academic Press, 2019

**OPTIONAL READING MATERIALS:**

The Inner World of Farm Animals, by Amy Hatkoff and Jane Goodall  
Animal Rights: the abolitionist approach, by Prof. Gary Francione  
Style and Persuasion, A handbook for lawyers, by Nelson Johnson, JSC (Ret.)  
Other suggested readings TBD

Please be sure to register for the Canvas course and have any required materials with you in print or easily accessible electronic form in class. You are responsible for checking your Canvas page and the e-mail connected to the page on a regular basis for any class announcements or adjustments.

### **COURSE EXPECTATIONS AND GRADING EVALUATION:**

Students will be evaluated based upon a final exam (100%). Class participation will not be graded separately; however, I expect full participation from everyone. Repeated inability to engage in discussions or habitual lack of preparation for class can result in a 5-point reduction on the final exam grade.

Students will be judged on the following criteria: advocacy skills such as ability to express legal concepts cogently and clearly; basic writing skills including style, organization and sentence structure; strength and persuasiveness of arguments in support of the chosen premise; analysis and application of relevant case law; and creativity, especially when urging an extension of existing law.

Ungraded Practice Problems and other ungraded writing assignments will be incorporated throughout the semester, as well as graded assignments and potentially a group assignment (TBD)

### **COMPLIANCE WITH UF HONOR CODE:**

Academic honesty and integrity are fundamental values of the University community. Students should be sure that they understand the UF Law Honor Code located [here](#). The UF Law Honor Code also prohibits use of artificial intelligence, including, but not limited to, ChatGPT and Harvey, to assist in completing quizzes, exams, papers, or other assessments unless expressly authorized by the professor to do so.

### **INFORMATION ON UF LAW GRADING POLICIES:**

The Levin College of Law's mean and mandatory distributions are posted on the College's website and this class adheres to that posted grading policy. The law school grading policy is available [here](#).

The following chart describes the specific letter grade/grade point equivalent in place:

Letter Grade	Point Equivalent	Letter Grade	Point Equivalent
A (Excellent)	4.0	C (Satisfactory)	2.0
A-	3.67	C-	1.67
B+	3.33	D+	1.33
B	3.0	D (Poor)	1.0
B-	2.67	D-	0.67
C+	2.33	E (Failure)	0.0

### **EXAM POLICIES**

All exams will be administered on Exemplify. Students will not be given hard copies of final exams. Instead, they will access exams via Exemplify. Faculty may elect to permit students taking exams remotely to download a copy of the exam or to use a "split screen" function that will allow students to see the exam while answering questions.

### **CLASS ATTENDANCE POLICY:**

Attendance in class is required by both the ABA and the Law School. Attendance will be taken at each class meeting. Students are allowed two absences during the course of the semester. Students are responsible for ensuring that they are not recorded as absent if they come in late. A student who fails to

meet the attendance requirement will be dropped from the course. The law school's policy on attendance can be found [here](#).

Other information about UF Levin College of Law policies, including compliance with the UF Honor Code, Grading, Accommodations, Class Recordings, and Course Evaluations can be found at this link:

<https://ufl.instructure.com/courses/427635/files?preview=98226140>.

### **UF ACADEMIC POLICIES AND RESOURCES:**

Other information about UF academic policies and resources can be found at [this link](#).

### **OBSERVANCE OF RELIGIOUS HOLIDAYS:**

UF Law respects students' [observance of religious holidays](#).

- Students, upon prior notification to their instructors, shall be excused from class or other scheduled academic activity to observe a religious holy day of their faith.
- Students shall be permitted a reasonable amount of time to make up the material or activities covered in their absence.
- Students shall not be penalized due to absence from class or other scheduled academic activity because of religious observances.

### **EXAM DELAYS AND ACCOMMODATIONS:**

The law school policy on exam delays and accommodations can be found [here](#).

### **STATEMENT RELATED TO ACCOMMODATIONS FOR STUDENTS WITH DISABILITIES**

Students requesting accommodations for disabilities must first register with the Disability Resource Center (<https://disability.ufl.edu/>). Once registered, students will receive an accommodation letter, which must be presented to the Assistant Dean for Student Affairs (Assistant Dean Brian Mitchell). Students with disabilities should follow this procedure as early as possible in the semester. It is important for students to share their accommodation letter with their instructor and discuss their access needs as early as possible in the semester. Students may access information about various resources on the UF Law Student Resources Canvas page, available at <https://ufl.instructure.com/courses/427635>.

### **STUDENT COURSE EVALUATIONS**

Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Click [here](#) for guidance on how to give feedback in a professional and respectful manner. Students will be notified when the evaluation period opens and may complete evaluations through the email they receive from GatorEvals, in their Canvas course menu under GatorEvals, or via <https://ufl.bluer.com/ufl/>. Summaries of course evaluation results are available to students [here](#).

### **RECORDINGS OF CLASS**

All classes will be recorded via Mediasite in case students must miss class for health reasons. The Office of Student Affairs will work with faculty to determine when students may have access to these recordings, and the recordings will be password protected. It is the student's responsibility to contact the Office of Student Affairs as soon as possible after an absence. Also see link above.

**ABA OUT-OF-CLASS HOURS REQUIREMENTS:** ABA Standard 310 requires that students devote 120 minutes to out-of-class preparation for every “classroom hour” of in-class instruction. Each weekly class is approximately 2 hours in length, requiring at least **4 hours of preparation** outside of class including reading the assigned materials, writing critical analyses, preparing for class participation and oral advocacy, and working on group assignments.

### **COURSE SCHEDULE OF TOPICS AND ASSIGNMENTS**

This syllabus is offered as a guide to the direction of the course. Our pace will depend in part on the level of interest and the level of difficulty of each section and it is subject to change. Please note that the chapter assignments are not necessarily sequential. Please note that the syllabus and reading assignments are subject to revision as the course goes on.

1 1/20	<p><b><i>Class 1: Introduction &amp; Course Overview: Evolution of animal rights; Property and Beyond; course expectations, Q&amp;A</i></b></p> <p><i>Required Readings:</i></p> <ul style="list-style-type: none"> <li>• Animal Law, Chapters 1 and 2, pp 3-82.</li> </ul>
2 1/27	<p><b><i>Class 2: Criminal Law Part 1</i></b></p> <p><i>Suggested Readings:</i> Animal Law Ch 3 pp 83-92; pp 134-146 (4<sup>th</sup> Amendment issues)</p> <p><i>Required Readings:</i></p> <ul style="list-style-type: none"> <li>• Animal Law, Chapter 3 pp 92-106, <i>State v Nix</i>; pp 126-134 <i>Affirmative Acts of Cruelty</i>; <i>People v Garcia</i>, <i>Waters v People</i>; pp 147-150 <i>State v Martinez</i>, <i>Prosecutorial discretion</i></li> <li>• <b><i>GUEST SPEAKER: Alachua County Animal Control</i></b></li> </ul>
2 2/3	<p><b><i>Class 3: Criminal Law Part 2 – Hoarding, Special considerations, animals as “defendants”</i></b></p> <p><i>Suggested Readings:</i> <i>Animal Law Ch 3, Pp 205-210</i></p> <p><i>Required Readings:</i></p> <ul style="list-style-type: none"> <li>• Animal Law, Chapter 3 pp 154-175; <i>Hunting</i>; Pp 182-185; pp194-202 <i>Hammer v AKC</i>, , Note 2; <i>California VMA v City of W. Hollywood</i> and Note 1-2; pp; 226-32</li> </ul>
4 2/10	<p><b><i>Class 4: Torts and damages: Theories of Liability, Veterinary Malpractice</i></b></p> <p><i>Required Readings:</i></p> <ul style="list-style-type: none"> <li>• Animal Law, Chapter 4, pp 233-278.</li> </ul>
5 2/17	<p><b><i>Class 5: Torts and damages: Damages and Valuation; Competing interests (pets v livestock).</i></b></p> <p><i>Required Readings:</i></p> <ul style="list-style-type: none"> <li>• Animal Law, Chapter 4, pp 278 - 362.</li> </ul>
6 2/24	<p><b><i>Class 6: Constitutional Law: Legal standing, Due process part 1</i></b></p>

	<p><i>Required Readings:</i></p> <ul style="list-style-type: none"> <li>• <i>Animal Law, Chapter 5, pp 363-442</i></li> </ul>
7 3/3	<p><b><i>Class 7: Constitutional Law: Due process (continued) and First Amendment (Free exercise of religion, freedom of speech)</i></b></p> <p><i>Required Readings</i></p> <ul style="list-style-type: none"> <li>• <i>Animal Law: Chapter 5, pp 442-484.</i></li> </ul>
8 3/10	<p><b><i>Class 8: Contracts: Housing issues, service and support animals</i></b></p> <p><i>Required Readings (Note: OUT OF SEQUENCE):</i></p> <ul style="list-style-type: none"> <li>• <i>Animal Law, Chapter 7, pp 699-725.</i></li> </ul>
9 3/23	<p><b><i>Class 9: Contracts: dissolution of marriage, pet custody, animal rescue contracts</i></b></p> <p><i>Required Readings:</i></p> <ul style="list-style-type: none"> <li>• <i>Animal Law, Chapter 7 pp 726-759</i></li> </ul>
10 3/31	<p><b><i>Class 10: Wills and Estates, Pet Trusts</i></b></p> <p><i>Required Readings:</i></p> <ul style="list-style-type: none"> <li>• <i>Animal Law, Chapters 8, pp 759-804</i></li> <li>• <i>Optional secondary reading: TBD</i></li> <li>• <b><i>GUESTS: Ziggy's Haven Parrot Rescue</i></b></li> </ul>
11 4/7	<p><b><i>Class 11: Commercial Use of Animals – food: Ag-gag laws, Animal welfare considerations</i></b></p> <p><i>Required Readings (Note: OUT OF SEQUENCE):</i></p> <ul style="list-style-type: none"> <li>• <i>Animal Law, Chapter 6 Section 1, pp 485-638.</i></li> </ul>
12 4/14	<p><b><i>Class 12: Class 12: Commercial Use of Animals – research, breeding</i></b></p> <p><i>Required Readings:</i></p> <ul style="list-style-type: none"> <li>• <i>Animal Law, Chapter 6, Section 2(A-G), pp. 639-697</i></li> </ul>
13 4/21	<p><b><i>Class 13: Selected Wildlife Statutes</i></b></p> <p><i>Required Readings (Note: OUT OF SEQUENCE):</i></p> <ul style="list-style-type: none"> <li>• <i>Animal Law, Chapter 805-901</i></li> </ul> <p><b><i>Wrap up – review for final exam</i></b></p>

### **Preferred name and Pronouns**

It is important to the learning environment that you feel welcome and safe in this class and that you are comfortable participating in class discussions and communicating with me on any issues related to the class. If your preferred name is not the name listed on the official UF roll, please let me know as soon as possible by e-mail or any other method by which you feel comfortable. I would like to acknowledge your preferred name, and pronouns that reflect your identity. Please let me know how you would like to be addressed in class, if your name and pronouns are not reflected by your UF-rostered name. I welcome you to the class and look forward to a rewarding learning adventure together.