

ANIMAL LAW 3.0

2011 ISSUES & BEYOND ...

AGENDA

8:00-8:30 am: REGISTRATION

(Walk-ins: If possible, please fax registration to (504) 524-4084 and pay at the door)

HOUR 1

8:30-9:30

Marianne Sullivan & Carter Dillard

An introduction to and overview of the development of intensive confinement agriculture and the animal welfare laws governing animal agribusiness at the state and federal levels. An introduction to the relationship between consumer protection laws and animal agribusiness. (1 Hour)

HOUR 2

9:35 - 10:35

Carter Dillard, Scott Heiser, Mariann Sullivan

This panel will focus on legal issues arising from investigations of and litigation regarding intensive confinement animal agriculture, including the applicability of state cruelty codes and their use by litigants other than state prosecutors, to address criminal corporate liability in the agribusiness setting, legal issues arising from undercover investigations, and legal issues related to human health concerns. (1 Hour)

HOUR 3

10:40 - 11:40

David Cassuto, Pace Law School

Bruce Myers, Environmental Law Institute

Yolanda Eisenstein, Eisenstein Law Office (Moderator)

This panel will discuss pollution and nuisance litigation stemming from agribusiness and the intersection of factory farming and environmental regulations and litigation. (1 Hour)

LUNCH 11:40 -12:40 - LUNCH INCLUDED, DONATED BY WHOLE FOODS!!

HOUR 4

12:40 - 1:25

Marta Richards

Ownership of Animals in Louisiana; Arguments for/against an Animal Code

Marta Richards (Louisiana) - An overview of Louisiana animal laws and a discussion of the pros and cons of adopting an Animal Code to address the inconsistencies of laws developed on behalf of humans rather than animals. (45 minutes)

1:25-1:40

Daina Bray

A discussion addressing the laws applying to animal shelters in Louisiana, and avenues and remedies that are available for addressing shelters that are not in compliance.

(15 minutes)

HOUR 5

1:45 - 2:45

Scott Heiser

Canine CSI: Prosecuting Animal Cruelty Cases

A discussion covering the common issues law enforcement officials confront when investigating and prosecuting animal cruelty cases. (1 Hour)

HOUR 6

2:50 - 3:50

Ethics

Yolanda Eisenstein

Legal Ethics in the Animal Law Environment - Animal law cases involve the same ethical issues in the client-lawyer relationship as other cases. However, in these cases there may be a third component, a living animal. This may raise ethical issues that are not found in typical cases or easily resolved by the rules of professional responsibility. This presentation looks at the various ethical dilemmas that may arise, and have arisen in actual cases, and the rules that apply. This is an interactive discussion with the attendees, who are asked to weigh in on ethical challenges in client-lawyer-animal cases. (1 Hour)

HOUR 7

3:55 - 4:55

Professionalism - Honorable Tammy Stewart

(1 Hour)

SPEAKER BIOS:

Mariann Sullivan, American Bar Association TIPS Animal Law Committee Chair (August 2010- August 2011). Ms. Sullivan is a lawyer and an adjunct professor of animal law at Brooklyn and Cardozo Law Schools and an Instructor in Law at Columbia University School of Law. She has served as chair of the Committee on Legal Issues Pertaining to Animals of the New York City Bar Association, and chair of the American Bar Association's Tort Trial Insurance Practice Section's Animal Law Committee. She is also the co-founder and Program Director of Our Hen House, a multi-media online resource for all kinds of opportunities to change the world for animals. With David Wolfson, she is the author of a trilogy of articles on farmed animals and the law: "Foxes in the Henhouse: Animals Agribusiness and the Law, A Modern American Fable" in *Animal Rights: Current Debates and New Directions*; "What's Good for the Goose... The

Supreme Court of Israel, Foie Gras, and the Future of Farmed Animals in the United States,” in the 2007 volume of the Duke Journal of Law and Contemporary Problems; and “If it Looks Like a Duck: New Jersey, The Regulation of Common Farming Practices, and the Meaning of ‘Humane,’” in Animal Law and the Courts. Mariann has spoken at various conferences and animal law related events throughout the country, as well as Animal Rights Africa’s Animal Law Review Consultation Workshop in Johannesburg. Mariann has served on the board of directors for Farm Sanctuary and The Animals Agenda, and currently serves on the board for Animal Welfare Trust and Animal Welfare Advocacy. She lives in NYC with her partner, Jasmin Singer, and her precious pit bull, Rose.

Carter Dillard is the director of litigation for the Animal Legal Defense Fund. Prior to joining ALDF, Carter was appointed to the faculty of Loyola University New Orleans, College of Law, as a Westerfield Fellow. He also served as an Honors Program attorney for the U.S. Department of Justice and as a legal advisor to the U.S. Department of Homeland Security, in the National Security Law Division. Carter later joined Compassion Over Killing as general counsel and then the Humane Society of the United States, where he served as director of farm animal litigation. He has a B.A. from Boston College, a J.D., Order of the Coif and with honors, from Emory University, and an LL.M. from New York University where he wrote his thesis under Jeremy Waldron. He is a peer reviewer for the journal Bioethics, and his work has been published by Yale, Duke, and Northwestern universities. Carter has been invited to speak at the UN World Civic Forum, has appeared on Fox Business News, and he has been quoted as an animal law expert in the New York Times and the International Herald Tribune.

Scott Heiser is the Senior Staff Attorney for the Animal Legal Defense Fund, Criminal Justice Program. Mr. Heiser has been a prosecutor for seventeen years, serving the last eight years as the elected district attorney in Benton County, Oregon. While Scott has prosecuted all types of criminal conduct; however, he has always found animal cruelty cases among the most compelling cases he has handled. His passion for holding animal abusers accountable for their crimes recently lead Scott to join the ALDF, serving as the senior staff attorney in the ALDF’s Criminal Justice Program. Scott received his JD from Northwestern School of Law of Lewis and Clark College and his undergraduate degree in economics from Oregon State University. In 2006, Scott served as the president of the Oregon District Attorneys Association and as member of the Governor’s Drug and Violent Crime Advisory Committee. Scott is a regular instructor at trainings hosted by the Oregon Department of Justice and he has served on the Board of Directors of his local humane society animal shelter, helping to fund the construction of a new shelter. In 2011 Scott received the Diamond Collar Award from the Oregon Humane Society for his hard work on behalf of animals.

Professor David N. Cassuto is a professor at Pace Law School in White Plains, New York. Professor Cassuto teaches in the areas of property, professional responsibility, animal law, water law, international comparative law, and legal and environmental theory. He directs the Brazil American Institute for Law and Environment (BAILE), a cooperative endeavor with the Getulio Vargas Foundation School of Law in Rio de

Janeiro, Brazil. Professor Cassuto is a Fulbright fellow. He's an ongoing visiting professor at the Federal University of Bahia, Brazil. He is the Class of 1946 Distinguished Visiting Professor of Environmental Law at Williams College. Professor Cassuto is the author of several books including, *Animal Law and the Courts*. Co-editor with Rebecca Huss & Taimie Bryant. Thomson West Press, 2008; Chapter: *Animal Sacrifice and the First Amendment*, in *Animal Law and the Courts: A Reader*. (Taimie Bryant, David N. Cassuto, Rebecca Huss, eds.) (Thomson West, 2008).

Yolanda Eisenstein is the principal attorney at Eisenstein Law Office a firm dedicated to the practice of animal law. She is also an adjunct professor in Animal Law at SMU Dedman School of Law and a former legal director of Human Rights Initiative, a non-profit organization that provides pro bono legal services to victims of international human rights abuses. Ms. Eisenstein is licensed to practice law in Texas and New Mexico. She is a member of the American Bar Association Tort Trial and Insurance Practice Animal Law Section, the Animal Legal Defense Fund, the Dallas Bar Association, the State Bar of Texas Animal Law Section. She volunteers for the Texas Humane Legislation Network. Ms. Eisenstein earned her J.D. at SMU Dedman School of Law, cum laude and her B.A. in Arts and Humanities, magna cum laude from the University of Texas at Dallas. She has written numerous animal law related articles including, *The International Black Market in Puppies*, Winter 2009 ABA TIPS Animal Law Committee Newsletter; *Your Furry Friends and the Law*, Texas Bar Journal, July 2008; *Starting an Animal Law Practice*, State Bar of Texas Animal Law Section 2008, Animal Law Institute, *The Link between Animal Abuse and Family Violence*, Continuing Legal Education to Dallas lawyers; *Human Violence and Animal Abuse*, presentation to Dallas Law Enforcement and Texas Legislative Update, Texas Animal Control Association, 2007.

Marta Richards has practiced law in Louisiana for almost 35 years and maintains a private practice in Baton Rouge, Louisiana. Her practice areas include representation of individuals in psychiatric settings, personal injury litigation and contracts and business transactions. She has served as general counsel to Animal Protective and Welfare Society (APAWS), a pet rescue organization in Baton Rouge and has consulted with APAWS, Friends of Acadiana Animals and other entities and persons around the state in areas concerning animal ownership, adoption, foster care, and animal abuse.

Daina Bray, Associate, Phelps Dunbar, LLP, Baton Rouge, LA. Daina is an associate in the firm's regional commercial litigation group in the Baton Rouge office. Her previous experience includes advising both public and private clients in disputes before various arbitration institutions and in U.S. court. She has particular experience advising clients on disputes relating to the energy and insurance sectors, and she has advised clients on points of U.S. law relevant to dispute resolution and international business. Daina has also represented pro bono clients in regard to animal law, immigration and constitutional matters and is fluent in Spanish. Mrs. Bray is a Fulbright Scholar who earned her J.D. from Stanford Law School, with pro bono distinction in 2004 and was Senior Publishing Editor and Lead Articles Editor, for the Stanford Journal of International Law. She earned her B.A. at the University of North Carolina at Chapel Hill in International Studies, with distinction and highest honors, 1998; Phi Beta Kappa.

Bruce Myers, Environmental Law Institute. Mr. Myers is a senior attorney at ELI, where he works on a range of the Institute's U.S. and international environmental programs. His domestic research centers on environmental consequences of industrial agriculture, constitutional environmental law in the courts, protection of water resources, and chemical regulation (including toxicity testing reform). He has over eight years of experience with the Institute. He practiced law at a large Washington, DC, law firm, and he served as a law clerk to a senior judge of the U.S. District Court for the Central District of California, at Los Angeles. He speaks French and earned his J.D. (Dillard Scholar and Order of the Coif), University of Virginia, 1996, and his B.A. with Highest Distinction (Phi Beta Kappa), International Relations and French, University of Virginia, 1993.

Honorable Tammy Stewart, Orleans Parish Juvenile Court Judge. Judge Stewart has served as an Orleans Parish Juvenile Court since 2009 wherein she presides over juvenile cases involving delinquency, Families in Need of Services (FINS), and adoptions. Judge Stewart is a native of New Orleans, graduating with honors from John F. Kennedy High School and Southern University at New Orleans, where she received a Bachelor of Arts Degree in Political Science and earned her Juris Doctorate Degree from The Ohio State University College of Law in Columbus, Ohio. Judge Stewart formerly served as an Assistant District Attorney in Orleans Parish under Harry Connick. Her legal affiliations include, Louisiana State Bar Association, American Bar Association and New Orleans Bar Association. She was recognized as an Honored Professional in the Nationwide Registry of Who's Who in Executives and Business. She is a former board member of Innocence Project New Orleans and a former adjunct professor of Criminal Justice at Southern University at New Orleans. She is a volunteer with the Louisiana SPCA, the Humane Society and the Louisiana State Bar Association's Secret Santa Project, where she has worked as a liaison with organizations such as Boys Hope Girls Hope and Head Start. Judge Stewart is a member of the Advisory Committee to the Supreme Court for the Revision of the Code of Judicial Conduct and was also appointed by the Supreme Court to serve as Judge Pro Tempore in First City Court (2003-2007).