



Bar None: The ABA's Role in Expanding Justice for Animals

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29TH ANNUAL ANIMAL LAW CONFERENCE
TRANSFORMING OUR RELATIONSHIP WITH ANIMALS



Question

For the animal lawyers and animal activists at this conference, even if they are not involved with the ABA, why is the animal law work of the ABA of interest to them?



ABA Animal Law Committees:

Relevance for Animal Lawyers & Advocates

- ABA mission:
 - “defending liberty and delivering justice”
 - “working for just laws”
- Model for activism from within existing structure
- Seat at the table for animal law within prominent professional organization
- Education, both within ABA and externally
- ABA House of Delegates policy resolutions



Question

Which animal law topics has the ABA addressed in policy resolutions, and how do the animal law committees choose the topics?



Selecting Resolution Topics

ABA Goals: “working for just laws”

Section Expertise: TIPS and International

Opportunity for Success

Timeliness

Support emerging area of legislation/regulation

Committee members’ areas of activism and expertise



Timeliness

Event

Resolution

Hurricane Katrina

Standards of Care for and
Disposition of Disaster Animals

Bad Newz Kennels

Humane Treatment and
Disposition of Seized Animals

Zanesville Animal
Massacre

Prohibit Private Ownership of
Dangerous Wild Animals



Support Emerging Legislation, Regulation, and Policy

Ongoing efforts

DOJ & Cities' Training

2019 Defense Appropriations

Shark Fin Sales Elimination Act

Resolution

Non-lethal animal
encounter training for
police officers

Protections for MWDs

Prohibit possession, sale,
trade of shark fins



Member Activism & Expertise

Allow TNVR of Community Cats



ABA Policy: Breed-Specific Legislation



ABA Policy: Breed-Specific Legislation

August 2012 Resolution

RESOLVED That the American Bar Association urges all state, territorial, and local legislative bodies and governmental agencies to adopt comprehensive breed-neutral dangerous dog/reckless owner laws that ensure due process protections for owners, encourage responsible pet ownership and focus on the behavior of both dog owners and dogs, and to repeal any breed discriminatory or breed specific provisions.



ABA Policy: Breed-Specific Legislation

Other Resolutions

- Feb. 2012: persons with disabilities using service animals should be provided with access in compliance with the Americans with Disabilities Act, including by implementing a “breed neutral policy, utilizing a case by case analysis to determine whether a particular animal can be excluded from a public entity or public accommodation based on the particular animal’s actual behavior”
- Feb. 2019: calling for “uniform breed-neutral pet policies for families living in military housing”



ABA Policy: Breed-Specific Legislation (BSL)

Timeline

BSL

- Late 1980s: emergence of BSL
- By 2013: 13 states have laws against BSL
- **2012: ABA Resolution**
- Today: 22 states laws against BSL

Breed discrimination in military housing

- **2019: ABA Resolution**
- 2020: NDAA instructs DOD to develop a "uniform policy" for military housing

Breed discrimination in insurance

- **2020: ABA publications and research**
- 2021: NV and NY laws against insurance breed restrictions



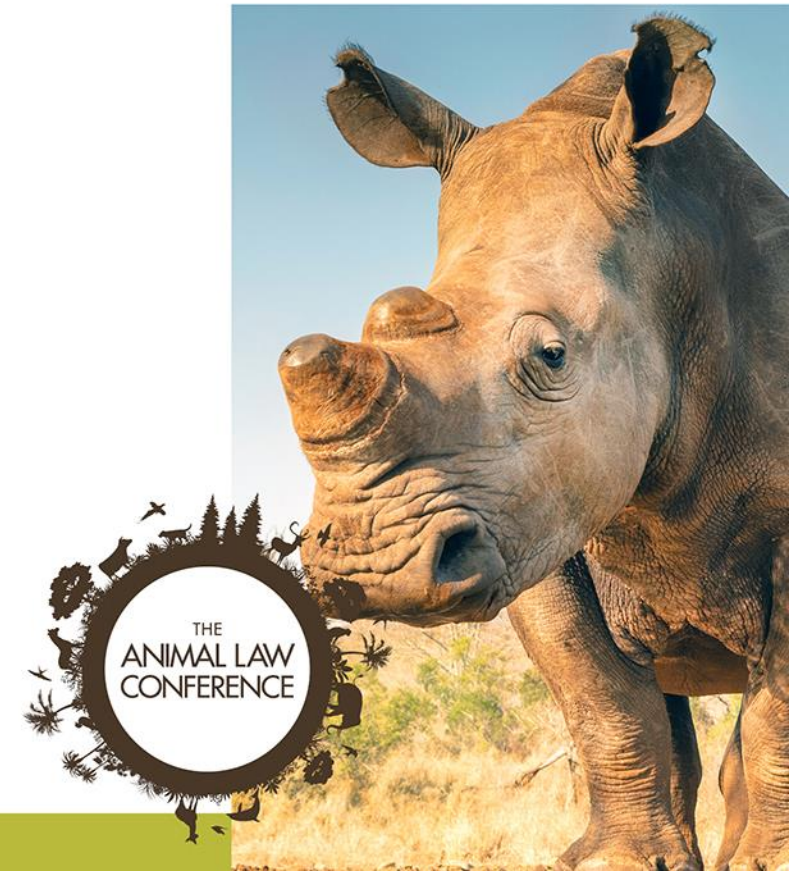
Question

What is it like to work for animal protection within a formal professional organization, and what challenges have the committees experienced?



Challenges

- Industry interests
- Debates about “germaneness” of animal law policy work:
 - Animal law resolutions “take away the power of the” ABA
 - “We have very serious issues to address as leaders of our profession, and we need to focus on those issues. Every time we pass a resolution that doesn’t go to our core mission, we are watering down that message”
 - “People who don’t like us cite this sort of resolution and therefore dilute the rest of the unbelievable things we do to defend the rule of law”



Despite these challenges, the most recently adopted HOD Resolution is perhaps one of the most progressive and has the ability to secure significant advantages for animals internationally.



Convention on Animal Protection

For Public Health, Animal Welfare and the Environment

COVID-19 Pandemic Sets the Stage for One Health Approach
Zoonotic Diseases—75% of emerging infectious diseases are caused by animal to human transmission.

Our mistreatment of animals, including wildlife trade and the destruction of natural habitats, increases human contact with wild animals and increases chance of spillover of viruses.

Urge all nations to negotiate Convention establishing standards for the proper care and treatment of all animals

Drafting the CAP





Thank you!

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https://www.americanbar.org/groups/tort_trial_insurance_practice/committees/animal-law/

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