



# Ethics, Animals, and the Law: *Interdisciplinary Approaches to Standards of Care*



Friday, April 15, 2011

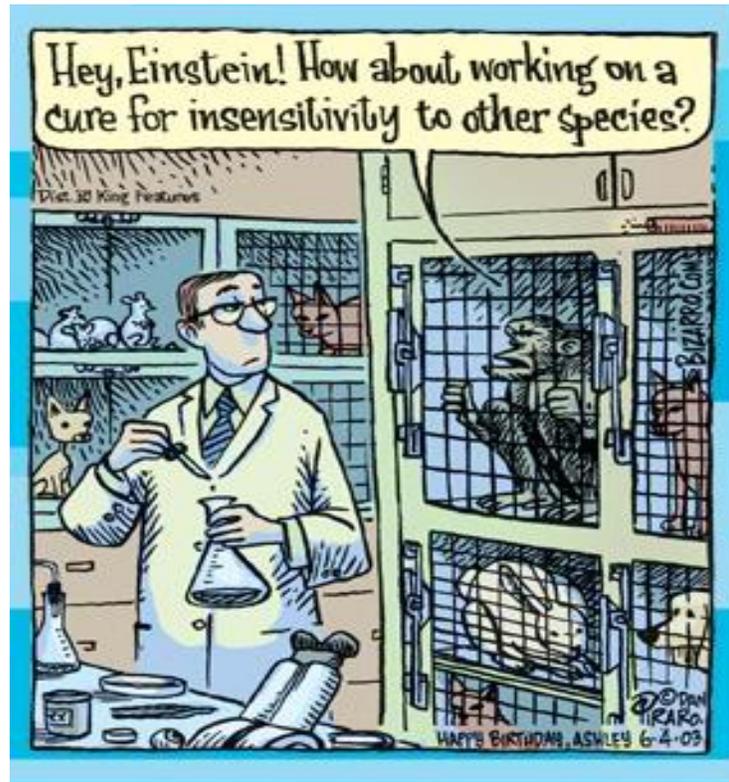
University of Washington School of Law  
William H. Gates Hall  
Seattle, Washington

6.25 CLE Credits (includes 1.5 Ethics CLE Credits)

Presented by:  
Student Animal Legal Defense Fund  
University of Washington Chapter

### Program Highlights

- Citizen initiative to transform industrial agriculture.
- Stewardship and the ethical obligations imposed by legal systems of ownership.
- Veterinary ethics and tensions, standards and inefficiencies, tradition and change.
- Civil and criminal enforcement of local and state anti-cruelty laws.
- Science fights the ivory trade.
- Agribusiness and anti-cruelty laws.
- Do public utilities owe pets a duty of care?
- Cruelty and care in research animals.
- Undercover investigations of abuse.
- The ethics of animal law litigation



Preregistration is required. Please register early to confirm your seat.  
Register online at:  
[www.law.washington.edu/CLE/](http://www.law.washington.edu/CLE/)

Made possible by generous grants from the Animal Legal Defense Fund and the Student Bar Association of the University of Washington School of Law

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## PROGRAM SCHEDULE

**8:00 am Registration and Coffee**

**8:30 am Keynote Address – Local Standards of Care**

**Dan Paul**

Humane Society of Washington

Dan Paul will discuss Washingtonians for Humane Farm's Yes! on 1130 campaign. Mr. Paul will provide a local perspective to standards of care and discuss the ways citizens can force the animal industry to create and maintain increased standards of care. This campaign is an example of how citizens can use the legal process themselves to create and define norms of welfare for animals. Mr. Paul will introduce the audience to the most fundamental standard of care: that of the community and society at large.

**9:00 am *Light and Dark: Shroud of Grief Shines Light on Public Utility Standard of Care (McKibbin & Bostdorff v. City of Seattle)***

**Adam Karp**

Attorney

On November 25, 2010, Ms. McKibbin and Ms. Bostdorff's German Shorthair Pointer, Sammy, suffered a lethal dose of electricity while walking over a hand-hole plate adjacent to a lightpole in the Queen Anne neighborhood in Seattle. Ms. McKibbin suffered physical and emotional harm while trying to save Sammy's life, receiving a shock in the process when he bit her. Mr. Karp will briefly discuss the factual and legal principles underlying the incident and then turn to the broader issue of liability arising from contact/stray voltage.

**9:30 am Veterinary Standards of Care**

**Dr. Harmon Rogers**

Washington State University

**Dr. Suzie Kovac**

Western University Veterinary School

Dr. Harmon Rogers will discuss the Veterinary Board of Governors (the disciplinary body for veterinarians licensed in our state): how they function, how the members are selected, how many cases they review, what their criteria is, how they promulgate standards for vets, and inefficiencies in this system.

Dr. Suzie Kovacs will discuss Western University's College of Veterinary Medicine and the unique way it educates their students. Dr. Kovacs will also talk about the traditional veterinary curriculum in order to orient the audience as to how Western University's program differs. She will also highlight her *Reverence for Life* philosophy and *Veterinary Issues* course.

**10:30 am Break**

**10:45 am Who Enforces Standards of Care on the Ground? – Part One: Enforcement**

**Vicki Lubrin**

Manager, Snohomish County Licensing & Animal Control Services

**Lt. Gordon Abbott**

Supervisor, Snohomish County Animal Control Services

**Prof. Sam Wasser**

University of Washington Center for Conservation Biology

Anti-cruelty, humane treatment, and animal welfare laws cannot be enforced by animals themselves, but often only by local law enforcement. The standards they develop and apply become the standards of care for these laws. Vicki Lubrin and Lt. Gordon Abbott will provide a brief overview of the most common local and state animal laws as applied in Snohomish County and a quick description of their civil and criminal process relating to animals. Professor Sam Wasser will discuss his work to help law enforcement police the illegal ivory trade and also discuss politics of trade and how it impacts the law.

**11:45 am Food Standards**

**Prof. Matt Penzer**

Humane Society

Matt Penzer, Special Counsel to the Farm Animals division of The Humane Society of the United States Animal Protection Litigation Section, will discuss standards of care of the food industry. Over nine billion animals are raised for food annually in the United States. Mr. Penzer will present the legal protections they have and the ones they don't, and the current efforts and influences that are dramatically changing the way animals on farms are treated.

**12:30 pm Lunch (on your own)**

**1:45 pm Creation Care Ethics**

**Amy Wyatt**

Director & Campus Minister  
Wesley Foundation

Amy Wyatt, Director and Campus Minister for the Wesley Foundation, the United Methodist campus ministry to the University of Washington, will speak about Creation Care and religious perspectives on animal law ethics.

### About SALDF

**The Student Animal Legal Defense Fund (SALDF), UW Chapter, is dedicated to providing a forum for education, advocacy, and scholarship aimed at protecting the lives and advancing the interests of animals throughout the legal system and raising the profile of the field of animal law.**

**2:15 pm Who Enforces Standards of Care on the Ground? - Part Two: Research****Dr. Debra Durham**

Physicians Committee for Responsible Medicine

"Animal suffering and standards of care in laboratories: How much is too much? Is the minimum enough?" Dr. Debra Durham will discuss standards of care for animals used in research and education. Dr. Durham will highlight federal rules and regulations from a number of agencies, including NIH, CDC, and USDA. She will also review recent case studies to illustrate challenges and opportunities with enforcement and mechanisms for change. Lastly, she will discuss standards in the context of international law and harmonization.

**2:45 am Break****3:00 pm Who Enforces Standards of Care on the Ground? - Part Two: Research (continued)****Nathan Runkle**

Mercy For Animals

Nathan Runkle, Mercy for Animals, will discuss his undercover investigation work. During the formative years of MFA Mr. Runkle conducted numerous investigations and rescue operations at factory farms, livestock auctions, and rodeo events. Nathan led teams of MFA investigators into Ohio's four largest egg factory farms, exposing egregious animal cruelty and neglect, as well as directly rescuing dozens of animals in dire need of veterinary care. Mr. Runkle spearheaded the organization's efforts to rescue, rehabilitate, and find homes for over 500 hens rescued from a battery-cage facility dilapidated by a tornado. Mr. Runkle will talk about Mercy For Animals' hidden camera investigations into factory farms, slaughterhouses, and hatcheries and discuss the criminal convictions, civil settlement, corporate policy changes, and media coverage they have resulted in. He will also discuss the challenges of protecting farmed animals, include state and federal exemptions, efforts to criminalize whistleblowers, and attitudes by enforcement agencies.

**3:30 pm Ethics of Animal Law Litigation****Lorrie Elliott**

Attorney

Lorrie Elliott, a Seattle attorney, will present ethical issues and moral dilemmas that arise in litigating animal rights cases, with an focus on specific problems that attorneys face and practical solutions to ensure compliance with relevant codes, like the Rules of Professional Conduct. Ms. Elliott will talk about how to address and avoid CR 11 issues and confront conflicts of interest and discovery abuse. She will also give tips for screening potential clients for animal neglect and discuss withdrawing when your own principles do not coincide with your client's.

**4:30 pm Closing Remarks****Dan Paul**

Dan Paul is the Washington State Director for the Humane Society of the United States. In his role, Dan serves as a liaison to local animal shelters and welfare organizations, law enforcement agencies, state agencies, and is active in the State Legislature advocating for increased protections for animals in Washington. Additionally, he serves as the Petition Coordination for the YES! on 1130 overseeing the volunteer signature gathering effort for Initiative 1130.

Prior to moving to Washington in 2008, Dan spent a year as the Colorado Grassroots Coordinator for The Humane Society of the United States and began with the organization as an intern in the Factory Farming Campaign.

**Dr. Harmon Rogers**

Dr. Harmon Rogers is Director of the Veterinary Teaching Hospital at Washington State University in Pullman, Washington. The hospital provides clinical experiences for veterinary students enrolled in the WSU College of Veterinary Medicine, and it provides advanced training for veterinarians pursuing specialty certification. Patients of the hospital include all large and small animal domestic species and many exotic and wild animal species. The hospital accepts patients brought by the general public and patients referred by practicing veterinarians. The hospital employs approximately sixty veterinarians, forty veterinary technicians and medical technologists, and over one hundred general support staff.

Dr. Rogers graduated from Texas A&M University College of Veterinary Medicine in 1974. Dr. Rogers spent two years on active duty in the U.S. Army Veterinary Corps and assigned to Madigan Army Medical Center at Fort Lewis, Washington. Dr. Rogers was in private mixed species practice in Western Washington for twenty-four years. Dr. Rogers' medical interests are in small animal reproduction and in medical informatics.

Dr. Rogers was the first veterinarian in Washington State certified as a Diplomate of the American Board of Veterinary Practitioners. He is previous President of the Washington State Veterinary Medical Association and previous member of the Executive Board of the American Veterinary Medical Association. Dr. Rogers was a member of the AVMA Committee which rewrote the AVMA's Model Practice Act. Dr. Rogers professional awards include the American Animal Hospital Association's Award for Extensive Contributions to Veterinary Medicine and Surgery, the WSVMA Veterinarian of the Year Award, and the AAHA Northwest Region Outstanding Practitioner Award.

Dr. Rogers is a current member of the Washington State Veterinary Board of Governors. He was appointed to the Board by Governor Christine Gregoire in March 2007.

## SPEAKERS

### **Dr. Suzie Kovacs**

Dr. Suzie Kovacs received a Master of Science degree in Epidemiology in 2003 from the Department of Population Medicine at Ontario Veterinary College, University of Guelph. Her research focus was on the veterinarian's role in detecting, assessing, and responding to cases of animal maltreatment. In 2004 Dr. Kovacs moved to southern California to further her education as well as join the founding faculty of the nation's newest veterinary college at Western University of Health Sciences in Pomona. Her role at the college includes co-leading the innovative Veterinary Issues course and serving as a facilitator in the unique problem based learning curriculum. Along with teaching veterinary students, Dr. Kovacs is pursuing a PhD in Higher Education at Claremont Graduate University with a focus on veterinary education. Her research and teaching interests include issues of diversity in the veterinary profession, measuring empathy of students in the health professions, and how to effectively teach non-technical competencies (eg. ethics, leadership, emotional intelligence) in a veterinary curriculum.

### **Vicki Lubrin**

Ms. Lubrin has worked for the Snohomish County Auditor for 27 years and served as division manager since 2003. In addition to providing animal control services, state vehicle/vessel licensing services and county business licensing, this division regulates grooming parlors, pet shops, animal shelters, private and commercial kennels, and boarding kennels in unincorporated Snohomish County. The division is comprised of 20 staff members and oversees the operations of 18 vehicle license subagents in the Snohomish County community.

Ms. Lubrin writes the department briefs for appeals of animal control actions filed with the Hearing Examiner and represents the department and animal control at public hearings. This includes appeals of dangerous and potentially dangerous dog declarations and civil notice of violations for leash law violations and notice and orders for kennel violations. Ms. Lubrin is responsible for drafting shelter service contracts, animal control transport contracts for small cities and amendments to county animal and business license ordinances. Ms. Lubrin authored the language currently adopted by Snohomish County Department of Emergency Management for ESF 11, and Appendix 2 & 5 for Animals in Disasters.

Ms. Lubrin earned an AA degree from Edmonds Community College in 1977; became a certified sheep and wool judge in 1982 and a WSU Livestock Master in 1984. Ms. Lubrin currently serves on the Snohomish County Animal Hoarding Task Force and makes presentations on Animal Hoarding to various groups and agencies. Additional animal courses of study include Veterinary Forensics of Animal Cruelty/Neglect for Successful Prosecution; HSUS Illegal Animal Fighting Investigations; FEMA Level IS 700 NIMS; HSUS Animals in Disaster Planning; Dog Behavior and Aggression; Dog Bites and Dog Bite Laws; Animal Hoarding; Zoonoses; Equine Cruelty investigations; Veterinary Medical Issues in Disasters; and Large Animal Issues in Disasters.

### **Lt. Gordon Abbott**

Lt. Gordon R. Abbott is Supervisor, Snohomish County Animal Control Services. Lt. Abbott has worked as a Snohomish County animal control officer for the past 26 years. Snohomish County Animal Control Services is currently comprised of 6 senior animal control field officers and 1 supervisor, all of which hold special deputy commissions issued by the Snohomish County Sheriff to enforce state and local laws pertaining to animals. Snohomish County Animal Control Services serves a population base of approximately 380,000 residents over 2,096 square miles.

Lt. Abbott has extensive experience interpreting and applying the animal laws of Washington state and Snohomish County. He has investigated and charged hundreds of animal complaints during his career including animal cruelty/abuse/neglect cases including writing and executing search and seizure warrants to remove animals. Lt. Abbott has testified on numerous occasions in a wide variety of animal cases including civil appeal matters before the Hearing Examiner and on criminal matters in both district and superior court.

Lt. Abbott is a nationally certified Animal Control Officer through the National Animal Control Officers Association (NACA) and has been a WSU - Livestock Master since 1989. Lt. Abbott is a graduate of the Reserve Law Enforcement Academy; WSCJTC Field Training Officer Academy; Law Enforcement Training Institute (LETI) National Cruelty Investigations

### **Dr. Sam Wasser**

Dr. Samuel Wasser is acknowledged worldwide as a pioneer of non-invasive wildlife monitoring methods, including the genetic, endocrine and detection dog techniques used by the Center. After obtaining his Ph.D. from the University of Washington in 1981, Dr. Wasser received consecutive Career Development Awards from the Guggenheim Foundation and the Smithsonian Institution. In 2001, Dr. Wasser was awarded the Endowed Chair in Conservation Biology by the University of Washington Board of Regents.

Dr. Wasser has participated in a number of conservation programs throughout Africa and North America, in collaboration with state, federal, and international organizations. He was coordinator of the Smithsonian Institution's Wildlife Conservation and Management Training Program for African Nationals. He also co-edited the book Biogeography and Ecology of the Rain Forests of Eastern Africa, describing one of the most biodiverse "hot-spots" in the world.

His work is internationally respected by scientists, environmental activists, and government and non-government wildlife managers. This places Dr. Wasser in a unique position to negotiate the kinds of conservation solutions needed in our rapidly changing world.

## SPEAKERS

### Matthew Penzer

Matthew Penzer has been practicing animal law exclusively for more than a decade and has worked with some of the country's largest animal protection organizations. He has brought groundbreaking legal challenges and has been at the forefront among attorneys helping direct the growth of animal law. Prof. Penzer has lectured on animal law at events throughout the country and served on the drafting committee and as a judge at the National Center for Animal Law Moot Court Competition at Harvard University.

Prof. Penzer has spoken on animal law issues on MSNBC, Fox News Channel, CNN, and many other television and radio programs. Headlines about his legal work have appeared in *USA Today*, *The New York Times*, *The Washington Post*, *The Wall Street Journal*, and dozens of other papers across the country.

He currently serves as Special Counsel to the Farm Animals division of The Humane Society of the United States Animal Protection Litigation Section.

### Dr. Debra Durham

Debra Durham, Ph.D., is a senior research scientist with the Physicians Committee for Responsible Medicine (PCRM). As a senior research scientist, much of the research that Dr. Durham, a primatologist and ethologist, is currently conducting involves understanding how trauma has affected chimpanzees who have survived captivity in laboratories. In addition to her study of chimpanzee trauma, Dr. Durham also uses her expertise and passion for primates to engage the scientific community, policymakers, and the general public on animal welfare and ethics issues. Before joining PCRM, Dr. Durham worked with People for the Ethical Treatment of Animals (PETA) as a primate specialist and in laboratories at the University of California, Davis, and at the University of Washington in Seattle. She has held positions as well with the federal government.

As an educator, she has also lectured at the University of Washington, Cornish College of the Arts and the University of California, Davis. Dr. Durham received her doctorate in animal behavior from the University of California, Davis, where she also earned a master's in animal behavior. She received a bachelor's in biocultural anthropology from the University of Washington. Dr. Durham is a member of the Animals and Society Institute, International Society for Bioethics, and the International Primatological Society.

### Amy Wyatt

With a degree in Urban Studies and her M.Div. from Union Theological Seminary in NYC, Ms. Wyatt pursued doctoral studies in Spirituality and the Arts from The Graduate Theological Union in Berkeley. She is a practicing artist and retreat facilitator. She also serves as an adjunct instructor in the Theology and Religious studies Department at Seattle University.

### Adam Karp

Adam Karp exclusively practices animal law statewide from Bellingham, Washington. Having graduated from Gonzaga University with a B.A. Honors, and University of Washington with a J.D. and M.S. in statistics, this is his thirteenth year actively practicing law. He founded and served as first chair of the new Washington State Bar Association's Animal Law Section and has held executive committee positions since its formation. He is also a vice-chair of the American Bar Association's Animal Law Committee. Mr. Karp served six years as a contributing editor of the Animal Legal Report, produced by Animal Legal Reports Services ([www.animallegalreports.com](http://www.animallegalreports.com)), regularly writes on the topic of animal law, and routinely speaks around the nation about animal law, including at Yale, Harvard, Vanderbilt, and Vermont Law School. He has taught animal law at the University of Washington School of Law since 2004 and Seattle University School of Law since 2004, and is teaching Animal Law at the University of Washington School of Law, along with Matt Penzer, in Spring 2011. He has been quoted in *TIME*, the *National Law Journal*, the *ABA Journal*, and other periodicals, including a dedicated article on his practice in the *Seattle Times* and *Seattle Weekly*.

Mr. Karp has co-authored the ABA Tort and Insurance Practice Section's *Survey on Animal Tort and Insurance Law* for four consecutive years, recently published an article in Thomson West's *Causes of Action* pertaining to injuries to animals by animals (38 COA.2d 281 (2008)), recently completed a second article to be published in *Causes of Action* pertaining to injuries to animals by humans (44 COA.2d 211 (2010)), completed a third article to be published in *Causes of Action* pertaining to Section 1983 claims involving injury to an animal, and is contracted to complete an article to be published in *Am. Jur. Trials* pertaining to veterinary malpractice litigation as well as an article on the propriety of government or judicial orders concerning removal and/or destruction of pets in *American Legal Reports*.

He has chaired several animal law CLEs hosted by the WSBA, and has been a speaker at over 30 CLEs and conferences around the nation, all on the subject of animal law, including in New Mexico, Georgia, Louisiana, Michigan, Connecticut, Massachusetts, and soon Florida.

With positive results, he has argued before the Washington Court of Appeals on the subject of animal law, resulting in some decisions that many regard as seminal. Lastly, Mr. Karp has served as an arbitrator eight times since 2006.

Mr. Karp and his wife have been vegan for eleven and twenty years, respectively, and care for five cats, ages 1, 2, 14, 18, and 23.

## SPEAKERS

### Nathan Runkle

Nathan Runkle is the Founder and Executive Director of Mercy For Animals. Raised on a farm in rural Ohio, Mr. Runkle has long had a deep connection with farmed animals and agriculture. After a local farmed animal abuse case, involving a piglet slammed head-first into a concrete floor during an agriculture project at a nearby high school, Mr. Runkle founded Mercy For Animals to give "food" animals a much needed advocate in his local community.

Since founding Mercy For Animals a decade ago, Nathan has overseen the organization's growth into a leading national force for the respectful and compassionate treatment of farmed animals. A grassroots organizer and coordinator for many years, Mr. Runkle has spearheaded hundreds of demonstrations and outreach events across the country – ranging from protests outside pork and egg producer conventions to parade marches, educational exhibits, and more.

A nationally recognized speaker on animal advocacy, grassroots activism, and factory farming, Mr. Runkle has spoken at colleges, forums, and conferences from coast-to-coast. Through his work with MFA, Mr. Runkle has been an outspoken advocate for animal rights, appearing in hundreds of newspaper, television, and radio interviews, including National Public Radio, *The Los Angeles Times*, and *The Chicago Tribune*. Nathan works closely with MFA's diverse group of members, supporters, and employees to oversee, develop, and implement the organization's campaigns, publications, advertisements, and undercover investigations.

Mr. Runkle has spoken with and worked alongside elected officials, corporate executives, heads of international organizations, professors, farmers, celebrities, and film producers to pass landmark farmed animal protection legislation, raise public awareness about vegetarianism, and implement animal welfare policy changes.

Overseeing MFA's hard-hitting pro-vegetarian MTV commercials, highway billboards, and bus campaigns in Chicago, New York, and Boston, Mr. Runkle has helped the organization open the hearts and minds of consumers nationwide to the hidden cost of factory-farmed meat, dairy, and eggs.

*VegNews* magazine has recognized both Mercy For Animals and Nathan for making substantial contributions to the vegetarian movement, naming MFA "Non-Profit of the Year" and Mr. Runkle one of the "25 Most Fascinating Vegetarians" and one of the country's "Top 20 Activists Under 30 Years Old."

### Lorrie Elliott

Lorrie Elliott is the Chair-Elect of the Washington State Bar's Animal Law Section. She has a full time animal law practice. Ms. Elliott concentrates on all aspects of animal law. This includes, but is not limited to, dangerous dogs; custody disputes; replevin actions; animal cruelty, injury and death; and service animal discrimination. She is a long standing member of the Animal Legal Defense Fund and a strong advocate for animal rights. She received her JD in 1998 and then her Master's of Law in 2001 from the University of Washington School of Law. Ms. Elliott has given presentations at multiple CLEs held by the Washington State Bar Association and the King County Bar Association. She attained her Master of Arts in Teaching from the School for International Training, the original home of the Peace Corps, in Brattleboro, Vermont.

## About the Conference

The University of Washington School of Law's fifth annual animal law conference is focused on the legal and ethical implications of humanity's treatment of animals. As humans continue to use animals two questions arise: what, if any, obligations to humans owe to the animals in their care and how should the legal system respond to these obligations. As social mores change conflicting views of appropriate treatment of animals make enforcing standards of care difficult. This conference will feature speakers from many different legal and ethical traditions who will present on how different communities within the legal are, and perhaps should be, grappling with the notions of obligations and duties.

Legislators, law enforcement officers, judges, lawyers, experts whose testimony is used in court, jurors, and the community at large must consider the ethical implications of their use of animals and how that treatment should be reflected within the law. Each of these groups plays a vital role in determining what the law is; each has a different methodology of assigning legal rights and responsibilities; each has a different perspective on the question of ethics, animals, and the law.

Please join us for an exciting and thoughtful interdisciplinary event both practical and forward-thinking.

## Program Information

### Registration Information

Pre-registration is required. Please complete and return the registration form or register online by April 11, 2011 to confirm your seat.

This conference is funded by generous grants from the Animal Legal Defense Fund and the Student Bar Association at the University of Washington School of Law. There is a \$25 registration fee for those who wish to earn CLE credit. There is no registration fee for this conference for those who do not wish to earn CLE credit.

### Credits

6.25 General CLE (including 1.5 Ethics credits) are approved. For more information regarding CLE credits in other states, contact UW CLE at 206-543-0059 or 800-253-8648.

### Who Should Attend?

The conference will be of assistance to attorneys, students, government employees, and those who are involved with standards of care of animals or interested in learning more about animal law issues.

### Accommodations for Disabilities

The University of Washington is committed to providing access, equal opportunity and reasonable accommodation in its services, programs, activities, education and employment for individuals with disabilities.

To request a disability accommodation, please contact the Disability Services Office at least ten days in advance at: 206-543-6450 (voice); 206-543-6452 (TTY); 206-685-7264 (fax); or dso@u.washington.edu (email).

## Four Ways to Register

- **Register online:**  
[www.law.washington.edu/CLE/](http://www.law.washington.edu/CLE/)
- **Register by mail:**  
University of Washington School of Law  
CLE Registration  
Box 353020  
Seattle, WA 98195-3020
- **Register by fax:** 206.685.3929
- **Register by phone:** 800.253.8648 or 206.543.0059

**Questions?** Email: [uwcle@uw.edu](mailto:uwcle@uw.edu) or call 800.253.8648 or 206.543.0059

## Registration Form

**Ethics, Animals, and the Law:**  
***Interdisciplinary Approaches to Standards of Care***  
**April 15, 2011, William H. Gates Hall**  
**University of Washington School of Law**  
**Seattle, Washington**

Name: Mr./Ms. \_\_\_\_\_

WSBA Number: \_\_\_\_\_

Firm / Organization: \_\_\_\_\_

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Zip: \_\_\_\_\_

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### I would like to register:

Conference without CLE credit: **FREE**

Conference with CLE credits: **\$25**

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**Questions?** Email: [uwcle@uw.edu](mailto:uwcle@uw.edu) or call 800.253.8648 or 206.543.0059