

# COMMITTEE NEWS

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## Animal Law

**SPECIAL ISSUE: Raising Consciousness, Building Relationships and Making a Difference for Animals and People**



# ANIMAL LAW DOCKET

## Practice Tips For Animal Law Cases

### How Many Roads Must a Dog Walk Down Before You Call Her a Sentient Being?

The title of this article paraphrases one of the most famous and universally-heard clarion calls for an evaluation and re-examination of societal views on civil rights, race relations, war and discrimination.<sup>1</sup> In the Sixties and Seventies (and maybe still now), “Blowin’ in the Wind” represented a lyrical demand for thought, for consideration of different viewpoints, and for a sea change in the way we humans treat each other. But if the lyrics of the song were changed just slightly, to substitute animals for humans, it could easily be the national anthem of the modern animal protection movement. And it would fit in very well in this edition of the ALC newsletter, which is focused on raising consciousness, building relationships, and making a difference for animals and people.

This article looks briefly and broadly at some of the positive changes that have occurred for animals through the development of animal law, how the field has been integrated into virtually every relevant area of society, and what it will take to continue this path forward. Specifically, what steps have been and can be taken so that animal lawyers carry out our collective goals of greater recognition of animals’ feelings and welfare, and protection of their interests.

The work that has proven most effective in changing the public’s mindset, buying trends, and general feeling towards animals has been the introduction and adoption of steady and measured changes in the law. This has happened in Congress and state legislatures across the country, with laws providing further protection to animals, and increasing the health and welfare for animals in shelters and those in agricultural production. It has happened in courtrooms, where cases involving animal cruelty, and the effective defense of the legislative changes for animals, have established important precedents that begin to establish the parameters and legality of widespread behavioral change among American consumers and American businesses. It has happened in academia, where more and more law schools are teaching eager students animal law, and where a few dedicated animal law programs have been established and continue to flourish. It has happened in the marketplace, with consumers voting with their wallets for more humane products,

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from cosmetics to meat and meat substitutes. And it has happened in the media, where more coverage is focusing on both the general attitude towards animals as well as specific scenarios and practices.

Thus it is clear that in contrast to the philosophical and academic focus on “personhood” or “animal rights,” which has generated some tangential discussion but no actual change, that the most successful efforts, those that have actually made a difference, have been carefully focused on changing the law, and people’s minds, so the world at large can begin to accept animal consciousness and support change that reflects that recognition.

It has taken some level of consensus and agreement in order to foster change of this magnitude, as well as some degree of defeating the opposition. But what has become most evident is the need to meet on some common ground on animal issues. How do we get a legislator, or a judge, or a media correspondent, or a special interest writer, or even a farmer, to take up the cause, in whatever way they can, given their positions? There are many different strategies for different situations, all with that same goal of changing attitudes, which will then lead to changed behaviors. For example, when we have a desire to improve the treatment of companion animals (dogs and cats mainly), we can assume that folks understand the connection between pet owners and their pets. Even if they are not animal lovers, or pet owners, they still do get the connection, and so it is important to bring the dog or cat “into the room” and into the conversation (not usually physically, but that doesn’t hurt), so that your audience feels the connection and the personality of individual pets, and hopefully is willing to act accordingly.

A few cogent examples illustrate how our work—from small to large projects—has a notable impact on the treatment of animals and our relationship to them. These snapshots demonstrate that real lasting change comes about through progressive, collective alteration of consciousness, in an effort to get people to join together over animal welfare.

Nowhere has the vision of change through collaboration (and compromise) and the wisdom of considering and even sometimes working with the other side, been so valuable and successful as the work that has been done in order to provide some relief around the inhumane treatment of the billions of animals that we rely on annually for food. Spearheaded by Humane World for Animals (but quickly and favorably joined by several other like-minded groups) the laws that eliminate cruel gestation crates for pregnant pigs, and torturous battery





cages for egg-laying hens have made the most positive change for farm animals. But what's more important for purposes of this present discussion, is that the victories and changes here (in the courts and all the way to the Supreme Court)<sup>2</sup> are definitely causing citizens, judges and lawmakers to start thinking about all animals in a different way than they had before.

In the companion animal area, the San Francisco SPCA is unequalled in its targeted efforts in the shelter law and companion animal law space. Its Shelter Policy and Legal Services ("Shelter PALS") program includes two (and soon three) lawyers working almost full-time to bring the causes most vital to animals who end up in shelters, and those in every home. But it takes a large village, and The Shelter PALS program relies heavily on its invaluable partnerships with the San Diego Humane Society, Humane World for Animals, the ASPCA, California Animal Welfare Association ("CalAnimals"), Best Friends Animal Society, the Michelson Found Animals Foundation, the California Veterinary Medical Association, and the California Veterinary Medical Board.

But besides policy change and work with the organizations above, the San Francisco SPCA's Shelter PALS program has developed a replicable, cost-effective way of servicing not just the SF SPCA, but over 100 shelters and rescues in California who get pro bono legal services for anything related to animal welfare. By providing these free legal services to shelters often operating on serious misconceptions and misunderstanding of the law, the San Francisco SPCA is bringing the shelter, rescue and pet owner communities together in order to foster a better world going forward for all California animals. In terms of building partnerships and expanding coverage, the Shelter PALS program could be replicated in any state, by any animal welfare group, to bring shelter workers and lawmakers, veterinarians and judges, animal control officers and the general public, all inside "the tent" in order to keep improving the lives of these animals. Shelter PALS answers questions about holding periods, veterinary care, compliance with welfare and cruelty laws—anything that will directly impact the animals—and by doing so, brings more and more partners onboard with positive change.


Working collaboratively on issues, setting aside differences and focusing on consensus and a sense of community among those who care most about these species has fostered a new paradigm for change for these animals with whom Americans are most familiar.<sup>3</sup> By brokering the sentiency and indisputable connection between these animals and us humans, the animals' lives become not so much an issue, but a foundation, of all the work that is being done in this field.

Another example of bringing the animals to the people is hallmarked by Project Chimps<sup>4</sup>, a chimpanzee sanctuary in north Georgia with nearly 100 chimpanzees



in residence, loved and supported by caregivers, expert veterinarians, and devoted management and facilities teams. All of the sanctuary's chimpanzees are retired from a biomedical research facility and, as Project Chimps' motto plainly states, "It's their time to live." While protecting the chimpanzees and restricting access to the public, Project Chimps also provides for guided tours and has regular public participation opportunities like their Discovery Days and "Chimp or Treat." Members of the public can also take a "Chimpcation" and spend a week as a volunteer at the sanctuary. This interaction and attraction, the collaboration and celebration, the important introduction to these amazing beings with internal lives as complex and fascinating as ours, all provide the base for exciting horizons where people view animals on a more equal plane than ever before.

A final nod must go to the scores of adjunct and full-time law school faculty teaching animal law to probably more than 1000 students every year. Many of these students enter their animal law classes with distorted notions of both the possibilities and the challenges presented by representing and working for animal interests. Some come in thinking they are going to be the ones to make the world vegan; others believe that direct rescue deserves to be recognized as a protected right; and many others just wonder what this course might be about. But all of them walk through that door of the classroom open to learn, and hopefully all leave with a much greater appreciation of just what sentience means, and that maybe we should be relying on the similarities, and not the differences, in how we treat animals.

The march forward continues: In 1985 a group of musicians got together and sang: "We can't go on pretending day by day that someone, somewhere will soon make a change. There comes a time when we heed a certain call."<sup>5</sup> To paraphrase Project Chimps' statement, "it's our time to give"—so that they can live better lives. Or maybe just focus on what it will take to give animals the rest and comfort they need, another question raised by the Bard in 1962: "How many seas must a white dove sail before she sleeps in the sand?"<sup>6</sup> 

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### Endnotes

- 1 BOB DYLAN, *Blowin' in the Wind*, ON THE FREEWHEELIN' BOB DYLAN (Columbia Records, 1963).
- 2 *National Pork Producers Council*, 598 U.S. 356 (2023).
- 3 Current estimates are that there are over 160 million dogs and cats in the U.S., with 94 million households sharing their homes with at least one pet. See *U.S. pet ownership statistics*, AM. VET VETERINARY MED. ASS'N, <https://www.avma.org/resources-tools/reports-statistics/us-pet-ownership-statistics> (last visited Feb. 1, 2026).
- 4 *About*, PROJECT CHIMPS, <https://projectchimps.org/> (last visited Feb. 1, 2026).
- 5 USA FOR AFRICA, *We Are the World*, ON WE ARE THE WORLD (Columbia Records, 1985).
- 6 BOB DYLAN, *supra* note 1.