The terror is finally over. Hundreds of dogs and cats, who for years were hoarded, abused, and neglected, have not only been freed from the filthy “shelter” that once held them, but the facility itself has been shut down and will be demolished, thanks to a joint effort initiated by the Animal Legal Defense Fund and People for the Ethical Treatment of Animals (PETA) and that eventually included two dozen other organizations.

After years of complaints about substandard conditions and appalling suffering, the All Creatures Great and Small “no kill” animal shelter in Hendersonville, N.C., was finally closed in February 2008. With 200 dogs and 50 cats suddenly to care for, an alliance of rescue groups pitched in to place the animals with private agencies and individuals. (At its peak, the facility was housing more than 600 animals, many stacked in filthy crates.)
In the nearly fifteen years since ALDF’s first Student Animal Legal Defense Fund (SALDF) chapter was started at Lewis and Clark Law School, amazing things have been happening for animals at law schools across the nation. At a recent event at New York University Law School, of five panelists selected as recent law graduates now practicing animal protection law, four were former SALDF members. The event was hosted by the NYU SALDF chapter and co-sponsored by ALDF. These kinds of connections are no coincidence.

Consider that since 2000, when ALDF formalized our student chapter program, the number of SALDF chapters has risen from 12 to 122! That’s a 1000% increase in just seven years. That means that at 122 of the 195 American Bar Association accredited law schools, students are organized to create opportunities that advance the field of animal law -- which is good news for animals. While in school, SALDF members help get animal law classes started, host animal-friendly events, and educate fellow students and faculty about legal issues that impact animals. And law students become the lawyers, judges and politicians who will decide the future relationship between animals and the law.

Former SALDF members have already gone to work for some of the nation’s leading animal protection organizations, where they are able to use their legal skills and SALDF experience to work to protect animals full-time. Others have joined the nation’s top law firms where they have persuaded those firms to consider taking animal law cases and projects on a pro bono basis (for free!); many of ALDF’s most important litigation battles have been fought with the assistance of these firms. Still others are exploring ways to develop private animal law-focused firms or practices.

Whatever their focus, the dedicated students who make up our SALDF chapters are, most definitely, going to play a key role in how animals are viewed and treated under the law. ALDF is proud to have formed these partnerships and to be able to support these students in realizing their desire to use their law degrees to protect animals.

For more information about our SALDF chapters and the work they are doing to improve the lives of animals and advance the field of animal law, check out www.saldf.org. You can see a list of SALDF chapters or check out the events chapters are holding across the country. And if you’d like to help ALDF grow our SALDF program and help us put a chapter in each of the remaining 76 U.S. law schools that don’t have one yet, you can donate online as well. Thanks!

For the animals,

Stephen Wells
Executive Director
Animal Law Program Announcements

WITH A MANDATE TO FOSTER THE GROWING FIELD of animal law among legal professionals and in law schools nationwide, ALDF's Animal Law Program works with faculty and administrators to give students the tools they need to pursue a career in animal law. We are pleased to announce a number of new scholarships, clerkships, and expanded grant opportunities designed to support the next generation of animal attorneys.

SCHOLARSHIP WINNERS

ALDF's Animal Law Program recently announced the recipients of our 2008-2009 Advancement of Animal Law Scholarships. Each of the nine recipients is an active member of his or her Student Animal Legal Defense Fund (SALDF) chapter, has plans to pursue animal law after graduation, and has committed to serving as an alumni SALDF mentor for two years after graduation. They have also demonstrated outstanding commitment to ALDF’s mission to protect the lives and advance the interests of animals through the legal system.

This year’s ALDF Advancement of Animal Law Scholarship winners are:

$5,000 (Third-year law students)
- Jessica Almy, New York University
- Chelsea Baldwin, Oklahoma City University
- Alexis Fox, Lewis and Clark College
- Cara Hunt, University of Victoria
- Jared Howenstein, South Texas College of Law
- Adriana Martin, University of New Mexico

$2,500 (Second-year and part-time law students)
- Allison Luxenberg, Ventura College of Law
- Kerry Patton, Quinnipiac University
- Jennifer Riley, Hofstra University

Congratulations to all these outstanding students!

ALDF ANIMAL LAW CLERKSHIP PROGRAM

The ALDF Animal Law Clerkship Program pairs animal law attorneys with law students interested in working in this dynamic area of the law. Not only does ALDF match qualified candidates with practitioners for this innovative program—we also provide funding for clerkship positions!

In the fall of 2007, ALDF launched our clerkship program by placing 12 clerks: eight with our Criminal Justice Program (CJP) in Portland, Oregon, and four with Bruce Wagman, ALDF’s chief outside litigation counsel, in San Francisco. These positions create unique opportunities for both legal professionals and law students, while advancing animal law and furthering ALDF’s work to make lasting change for animals.

ALDF accepts applications from firms and attorneys interested in working with law externs and from law students who are interested in working with animal law practitioners. After reviewing the attorney and law student candidates, ALDF matches law students with interested attorneys for potential job placement. Once ALDF matches clerk prospects with an interested attorney, the attorney or firm interviews the candidates and hires the best fit.

For more information, please email Nicole Pallotta at npallotta@aldf.org.

Meet Nicole Pallotta

HELPING LAW STUDENTS WHO WANT TO HELP animals is the task of Nicole Pallotta, student liaison for ALDF’s Animal Law Program. Nicole has been with ALDF since October 2005, shortly after earning her doctorate in sociology (with an emphasis on animals and society). “After graduation, I was not sure if I wanted to pursue a career in academia or the non-profit world,” she says. “As a longtime fan of ALDF, when I was offered the position here, I knew I had my answer!”

Even in her relatively brief time with the organization, Nicole has seen tremendous changes in the field of animal law. “I have seen more and more attorneys going into private practice as solo practitioners who handle only animal law cases. We have also seen a sizable increase in the number of law firms allowing—even encouraging—their attorneys to do pro bono work for ALDF and other animal advocacy organizations.” Nicole also observes many non-profit animal protection organizations are hiring staff attorneys, and some have even established entire litigation departments.

But Nicole believes the most exciting change has been the popularity of animal law among students. “We are seeing a pronounced trend with more students and attorneys using their law degrees to advocate for better legal protections for animals and stronger enforcement of existing laws,” she says, adding that one good indicator is the number of Student Animal Legal Defense Fund (SALDF)
Free at Last
continued from front page

“shelter” be shut down. While the state was trying to get All Creatures into compliance, PETA was working behind the scenes at the property, documenting what was clearly a hoarding case: animals came into the shelter but were not offered for adoption; indeed, conditions at the “no kill” facility were so bad some called it a “slow kill” shelter.

Early on, PETA contacted Hendersonville authorities with a list of animal welfare violations they witnessed while visiting the shelter—dogs and cats clearly suffering from upper respiratory and eye infections, dogs tethered to chain-link fences without access to shelter, malnourished animals, dogs confined to excrement-filled airline crates without food or water, and dogs with fly bites so severe that they were bloody and infected. PETA’s Daphna Nachmiovich witnessed one of the shelter’s employees strike a dog in the head with an empty plastic bucket, then kick her hard. “I reported this incident to the shelter’s owner, Kim Kappler, who told me she would ‘be right back’ so I could show her the employee in question,” says Daphna. “She vanished.”

In 2006, PETA contacted Bruce Wagman, ALDF’s chief outside litigation counsel. A veteran of animal cruelty cases, Bruce had visited All Creatures Great and Small the year prior and is well aware of the thin line that sometimes separates a shelter and a hoarding situation. Joining Bruce were ALDF attorney Dana Campbell and Scott Heiser, director of ALDF’s Criminal Justice Program, who all worked with PETA throughout the year putting a case together.

“Due to the very large number of animals at stake—more than 600 in the beginning—we decided that the best course of action was to go to the North Carolina Department of Agriculture, which has legal responsibility for enforcing the state’s Animal Welfare Act and more resources to pull together than any smaller jurisdiction,” says Dana, who advised state officials on how the case could be handled and how the suffering animals could be helped. “They were very receptive to us, but they sat on it for a long time. The state had already entered into an agreement with the shelter, and they needed to jump through all the hoops previously set out in that agreement before acting.”

While ALDF pushed for legal action, PETA had launched a seven-month investigation of All Creatures, documenting numerous incidents of cruelty, including dogs with serious untreated injuries; dogs panting in sweltering heat without access to water or shade; dogs crammed into stacked airline crates; cages with no bedding, food or water; and dogs fighting. The video footage depicts numerous violations of North Carolina’s animal protection laws, which prohibit “any act, omission or neglect causing or permitting unjustifiable pain, suffering or death.”

Though the investigator’s documentation was in the hands of authorities, things were not moving fast enough for ALDF. … While state bureaucrats argued about details, animals were suffering—and dying. Dana, Scott and Bruce were determined that something be done.

DISASTER RELIEF

“By late summer of 2007, it was apparent to all that All Creatures Great and Small had no intent to comply with their earlier agreement with the state, so ALDF supplied the State Department of Agriculture with research memos and sample pleadings that they used as a model to finally file a civil complaint in state court to seize the animals and have the facility shut down,” says Dana. This forced All Creatures’ board of directors to take action and finally begin talks with the state on what to do with the animals. All Creatures wanted to keep them and move them all to South Carolina, where it planned to set up new operations. The state wanted to shutter them for good.

Deciding to take action on the criminal front as well, in September 2007, Dana asked the local prosecutor, Henderson County District Attorney Jeff Hunt, to review the evidence against All Creatures Great and Small and file criminal charges against the people responsible for the suffering of animals imprisoned there. Hunt refused to even look at the evidence presented, and he returned it untouched.

Undaunted and wanting to keep the case moving forward, ALDF and PETA continued to pressure state officials to ask for a hearing date on their filed complaint. Things finally got moving when the state commissioner of agriculture appointed assistant state veterinarian Mary Ann McBride to the case in November 2007. Dana provided Dr. McBride with an in-depth legal analysis of the options and laws available, while Daphna and Dr. Kelli Ferris, an animal cruelty...
the preparation was worth it. “Within a week, it re-home all the animals and close the property, Though they estimated it would take a month to ter, “ says Bruce Wagman, “which is what it was. ”

Operation MoveOut understood this was a life-death situation. “We treated this like a disas

dreds of sick, scared animals, those helping with transfer animals from the shelter state’s complaint, and launched “Operation MoveOut” to transfer animals from the shelter began to look for shel ters that could take in All Creatures’ animals. The work ultimately paid off on February 1, 2008, when the North Carolina Department of Agriculture officially took control of All Creatures Great and Small, pursuant to a final settlement agreement with the shelter prompted by the state’s complaint, and launched “Operation MoveOut” to transfer animals from the shelter to animal rescue organizations.

Faced with the logistics of relocating hun-dreds of sick, scared animals, those helping with Operation MoveOut understood this was a life-and-death situation. “We treated this like a disas-
ter,” says Bruce Wagman, “which is what it was.” Though they estimated it would take a month to re-home all the animals and close the property, the preparation was worth it. “Within a week, it was all done,” says Dana. The disaster was over.

“ALDF was a key component of Operation MoveOut,” says Dr. McBride, who organized the effort with Dr. Ferris, “and I am thankful that Bruce and Dana were so willing to work with us on this.”

MIXED EMOTIONS

In the end, those who worked so hard to close All Creatures and rescue the animals feel con-flicted. “I’m glad the animals are out of there, but I am frustrated by how long it took,” says Dana. “I am mourning those animals who didn’t get out in time.”

Scott Heiser agrees. “The great tragedy of this case, beyond the profound and protracted suffer-
ing of hundreds of animals, is the amount of time it took for state and local officials to resolve this situation once and for all,” he says. “By the time ALDF got this case, previous attempts to enforce

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Custody battles are stressful for everyone involved, so it’s critical to remember the living, feeling beings who cannot speak for themselves.

WHEN COMEDIENNE AND TALK SHOW HOST Ellen DeGeneres gave her adopted terrier Iggy to her hairdresser last year, only to have Iggy taken back and re-homed by the non-profit organization that rescued him, her tearful pleas for Iggy to be returned to her hairdresser’s family had some people asking, “Why all the fuss over a dog?” But her story shined a spotlight on a growing issue: pet custody. Of course, these cases aren’t limited to Hollywood; indeed, whether due to divorce or some other unfortunate circumstance, these disputes have become increasingly common across the country, and ALDF is making sure courts consider the pets’ best interests.

Though some people may think of them as “just animals,” to those who love them, dogs, cats and other pets are often as dear as human family members – sometimes more so! ALDF has always argued that animals are sentient beings with their own needs, not merely property. In fact, we recently filed an amicus brief in the case of two women vying for possession of the same animals.

This dispute, focusing on two Pekingese dogs named Blinky and Begonia, illustrates not just how devoted people can become to their pets, but how important it is for courts not to view animals as inanimate objects. Blinky and Begonia may be “property” as far as the law is concerned, but to Karin Willis, whose estranged husband gave the dogs to a Tulsa, Okla., animal shelter in February 2006, allegedly against her will, and Jennifer Wynn, who adopted them six months later, the dogs are beloved companions.

ALDF’s amicus brief doesn’t argue for one side or the other; rather, we urge the judge to consider what is in the best interest of the dogs in making his or her decision. We also point out that courts continue to regard the interests of domestic animals when making custody decisions and ask the judge in this case to carefully consider how his or her ruling will affect similar disputes in the future.

“The parties to this action are arguing over Blinky and Begonia’s custody, in part because of their own emotional attachments to the dogs, but also because of their concerns for the dogs’ well-being,” the brief reads. “Add to that the mounting support for greater consideration of animals’ interests – by every facet of government and society – and the course is clear. In reaching its decision in this case, this Court should give due consideration to the needs of the unnamed parties: Blinky and Begonia.”

Custody battles are stressful for everyone involved, so it’s critical to remember the living, feeling beings who cannot speak for themselves. As these disputes continue to come before judges, ALDF will continue to advocate for the voiceless by working for stronger legal protections and helping courts understand companion animals have needs and unique value beyond mere chattel.

Free at Last

North Carolina’s Animal Welfare Act, and the resulting settlement agreements, actually made it more difficult for the state to shut down this nightmare. I wonder what would have happened with this case had outside scrutiny from PETA and ALDF not been focused on the situation.

“The case against All Creatures Great and Small is just one example of ALDF’s nationwide attack on animal hoarding,” says Bruce. “We continue to look at hoarding cases across the country, and in cases where a prosecutor does not pursue criminal charges, ALDF will file a civil case.”

Nicole Palotta

Nicole Palotta

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 chapters. “When I started in 2005, there were 70 SALDF chapters. Today there are 122.”

And leave it to a sociologist like Nicole to appreciate how the rise in animal law compares with other social movements. “I find it very exciting to chronicle this intellectual movement – to see how rapidly the field is growing and to compare its trajectory with the other progressive movements in academia that also had an advocacy component,” says Nicole. “The civil rights movement, the women’s movement, the environmental movement—all of these emerged simultaneously at the grassroots level and in the ivory tower.”

While full-time jobs as an “animal lawyer” are still relatively scarce, Nicole reminds law students that there are many ways to create your own opportunities in this dynamic field, such as advocating from within the government as a prosecutor or legislator. “As SALDF chapters continue to push the message into the mainstream, we are only going to see more career opportunities,” she says. “And because animal law is still growing, today’s students are in a unique position to profoundly shape the field.”
➤ ALDF refiles lawsuit against California pig farm Corcpork, Inc., just weeks before world’s largest pork producer, Smithfield Foods, announces gestation crate phase out

➤ Following massive pet food recall, ALDF’s Harvard University conference spotlights “The Future of Animal Law”

➤ ALDF calls on the Dodgers to stop selling Farmer John’s cruelly produced “Dodger Dogs”

➤ Court upholds West Hollywood declawing ban, in which ALDF filed *amicus curiae* brief

➤ Michigan’s Thomas M. Cooley Law School forms the nation’s 100th Student Animal Legal Defense Fund chapter; ALDF institutes clerkship program pairing law students with practicing attorneys

➤ In the wake of Michael Vick’s arrest, ALDF proposes model laws to Virginia and Georgia legislatures that would strengthen prosecutors’ abilities to go after dogfighters

➤ ALDF launches petition drive against Land O’ Lakes and Challenge Dairy at FreeBabyMendes.com

➤ Final victory for hundreds of rescued dogs when the North Carolina Supreme Court upholds ALDF’s win against hoarders Robert and Barbara Woodley

➤ ALDF releases 2007 State Animal Protection Law rankings report finding Kentucky’s laws weakest in the nation

➤ ALDF signs on to legal petition asking USDA to declare foie gras unfit for human consumption

➤ Settlement reached in *ALDF v. Conyers*, providing swift relief for 100+ dogs in North Carolina hoarding case

### 2007 Highlights

#### SUPPORT AND REVENUE

- Donations: $2,647,227
- Foundations and estates: 647,194
- List rental: 89,422
- Interest and dividends: 60,527
- Unrealized gains on investments: 281,625
- Realized gains on investments: 420,252
- Net assets released from restriction: 144,610
- Other: 63,088

Total Support and Revenue: $4,353,945

#### EXPENSES

- Programs: $2,127,907
  - Legal: 1,126,458
  - Public Education: 1,126,458
- Administration: 226,365
- Membership development: 560,316

Total Expenses: $4,041,046

Increase in unrestricted net assets: 312,899
Increase in temporarily restricted net assets: 229,375
Increase in net assets: 542,274

Net assets at beginning of year: 3,785,018
Net assets at end of year: $4,327,292

### FINANCIAL REPORT – 2007

A copy of ALDF’s full audited financial statement may be obtained by writing to ALDF or visiting aldf.org.

#### CURRENT ASSETS

- Cash and cash equivalents: $295,495
- Investments: 3,513,541
- Accounts and grants receivable: 300,641
- Prepaid expenses and other current assets: 33,099

Total Current Assets: $4,142,776

#### NONCURRENT ASSETS

- Property and Equipment, net: 985,211

Total Noncurrent Assets: 985,211

#### LIABILITIES AND NET ASSETS

- Current liabilities:
  - Accounts payable and accrued liabilities: 76,559
  - Accrued payroll liabilities: 70,468
  - Mortgage payable—current portion: 8,795

Total Current Liabilities: 155,822

- Long-Term Liabilities:
  - Mortgage payable—noncurrent portion: 644,873

Total Liabilities: 800,695

- Net assets:
  - Unrestricted: 4,046,907
  - Temporarily restricted: 280,385

Total Net Assets: 4,327,292

- Unrestricted: $295,495
- Investments: 3,513,541
- Accounts and grants receivable: 300,641
- Prepaid expenses and other current assets: 33,099

Total Current Assets: $4,142,776

- Property and Equipment, net: 985,211

Total Noncurrent Assets: 985,211

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  - Accounts payable and accrued liabilities: 76,559
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  - Mortgage payable—noncurrent portion: 644,873

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  - Unrestricted: 4,046,907
  - Temporarily restricted: 280,385

Total Net Assets: 4,327,292
Willie Nelson Stands Up for Cows!

STATING, “AS A COWBOY, I must stand up for cows,” Willie Nelson has signed on to ALDF’s Free Baby Mendes campaign, designed to warn consumers about the cruel living conditions for calves raised to produce milk for dairy products. Willie wrote letters to Land O’Lakes (St. Paul, Minn.) and Challenge Dairy (Dublin, Calif.), two of the major corporations that use milk from calves raised at California’s Mendes Calf Ranch, which employs an intensive confinement practice that is the subject of the lawsuit ALDF v. Mendes. While the lawsuit was dismissed by the Supreme Court of California in mid-May, ALDF’s consumer campaign on behalf of these calves continues.

Willie’s letters accompanied the signatures of more than 20,000 compassionate consumers around the country who have signed on to ALDF’s Free Baby Mendes campaign--and thousands more have since joined the red headed stranger in taking a stand for animals. To read Willie’s letters to the dairy companies, and to sign on to ALDF’s campaign, visit www.FreeBabyMendes.com.

Thanks, Willie!