



ANIMAL LEGAL DEFENSE FUND EST 1979

WILDLIFE LAW

Cover Memo to Course guide

Many experts believe that the world now faces the sixth episode of mass extinction of life on this planet—this one caused by humans. This Wildlife Law & Policy Course Guide focuses on how the United States, and to some extent the global community, tries to avoid such an outcome.

The Course Guide examines legal mandates for protection and management of biological diversity. Beginning with a brief overview of the scientific aspects of species, ecosystems, and genetic resources, the course includes consideration of interplay between science and law throughout its survey of laws related to wildlife. Substantively, the Course Guide analyzes the property and constitutional underpinnings of state and federal wildlife laws, looks at examples and structures of state regulation of wildlife, and examines the special case of American Indians' rights to, and control over, wildlife resources. The course also focuses on several federal statutory schemes, including the Lacey Act, Marine Mammal Protection Act, Migratory Bird Treaty Act, and laws and policies aimed at controlling invasive species. The course considers federal management of wildlife habitat under statutes such as the National Forest Management Act and National Wildlife Refuge System Improvement Act, and briefly covers international efforts to protect biodiversity. Due to the statute's broad influence on the field, the class devotes special attention to the federal Endangered Species Act.

ABA-accredited law schools should consider offering a Wildlife Law & Policy Course, either as a standalone course or as part of a broader offering of courses in Companion Animal Law, Farmed Animal Law, or Animal Law generally.

From a practical perspective, issues relating to wild animals should interest all law students and not just those who plan to practice in the environmental or animal law fields. Only a small percentage of students interested in animal law issues will be able to obtain a job with an organization focusing on animal issues, though. Many more students will become associates at law firms or in government, where having a general background on private property interests in wildlife, land management issues, and the wildlife regulatory scheme in the United States can help enable new lawyers to establish a reputation for expertise in a practice area quickly.

In addition, providing for a wildlife law course allows for a separate course to be offered focusing on companion animal or farmed animal issues. It may be that a law school faculty member with expertise in environmental law, natural resource law, agricultural law, or food law is ideally suited to teach such a course.

With an excellent, recently updated Wildlife Law textbook available, and the supplemental information available from the Animal Legal Defense Fund, the challenge for instructors is not whether there is sufficient material to support a wildlife law course—it is which topics won't be able to be covered given time constraints.

~Jessica Blome