

LAWS THAT PROVIDE COURT-APPOINTED ANIMAL ADVOCATES COULD UNDERMINE ANIMAL WELFARE

Lawmakers across the country are being asked to make new laws that allow courts to appoint “animal advocates” in cases that deal with the wellbeing or custody of an animal. Usually, volunteer advocates are attorneys or supervised law students, regardless of whether they have animal care expertise. Although the concept of individual animal advocates may sound benevolent, in practice it can create problems that undermine the larger goal of animal welfare.



ANIMAL ADVOCATE BILLS CREATE UNNECESSARY CONFUSION

No matter how proposals are written, it is uncertain how courts would decide which animal species would be deserving of legal representation; whether awarding of attorney fees to an animal would be acceptable; and whether some, or any, attorney-client privilege would exist. *What is clear? An appointed animal advocate would be advocating their personal opinion as that of the animal.*

CURRENT LAW DOES A BETTER JOB OF PROTECTING ANIMAL WELFARE



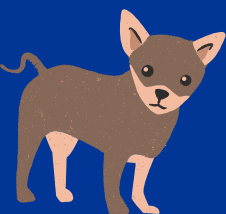
Since its beginnings, the American legal system has classified animals as the property of their owners and created unique protections for them. These traditions have resulted in a stable legal system that clearly protects animals by defining the rights and responsibilities of owners and others in the animal care chain, like veterinarians. For example, animal owners are legally responsible for providing appropriate care, humane conditions, and safety measures. They are held liable if their animal becomes a public nuisance, poses a danger, or causes the injury or death to another animal or a person. Failing to comply with state and local dog laws can result in serious consequences, including the immediate seizure of animals suspected to be neglected or abused. *Education and enforcing current law do more to improve animal wellbeing than giving individual animals a lawyer.*

COURTS APPOINT LEGAL ADVOCATES FOR PEOPLE, NOT ANIMALS



The goal of animal rights activists is to give animals the same rights and privileges as people by changing the legal classification of animals from property to “legal beings”. One way they are seeking to do this is by extending advocate laws designed to protect vulnerable people, to also apply to animals. The courts appoint independent advocates to protect the legal rights of children or other *individuals* who are unable to manage their own affairs. Appointing legal advocates for animals gives legal weight to third parties presenting their opinion of what an animal wants, seeking attorney fees, and eventually changing the legal status of animals by giving them rights and responsibilities.

A BETTER SOLUTION: CALL UPON ANIMAL EXPERTS



Courts already have the authority to call animal experts to educate officials about the animal (i.e., species, breed, sex, age) and provide essential information about a situation in question (i.e., quality of food, water, shelter, and sanitation). They can also provide valuable expertise in describing disease and injury or what could have been done to prevent or alleviate a situation. Experts may also interpret animal behavior; identify and interpret evidence that may link an incident to a scene or suspect; and determine whether injuries were intentional and caused by humans.

To learn more reasons why the AKC strongly supports continuing to legally classifying animals as property, go to www.akcgr.org/akc/guardian