



**FARMED ANIMAL
ADVOCACY CLINIC
YEAR IN REVIEW**

'22-'23



Letter From the Director

Dear Advocates,

It brings me immense pleasure to present to you the inaugural end-of-year report for the Farmed Animal Advocacy Clinic. This year, under the auspices of our mission, we set out on a journey to train and empower the next generation of advocates for the humane and dignified treatment of farmed animals. I am proud to share the highlights and achievements of our dedicated team and the passionate students who have been at the heart of our endeavors.

Empowering Future Advocates: We are proud to have successfully trained 10 enthusiastic students over the course of the year. These bright minds were meticulously trained not only in the nuances of animal advocacy but also in the broader skills essential for legal practice. Our goal was to mold them into effective champions for animals and to prepare them for diverse challenges in their upcoming professional journey.

Client Representation: Our clinic took on the representation of 15 esteemed clients this year. Many of these clients are renowned and accomplished animal advocacy organizations that have been at the forefront of effecting significant change in the realm of animal protection. It was an honor to work alongside them and contribute our expertise.

Diverse Matters: Throughout the year, our students, under the mentorship of our experienced staff, worked diligently on a total of 20 matters. These matters spanned the gamut from litigation to legislative, policy, and regulatory matters. Each of these offered our students a unique opportunity to put theory into practice, providing them a comprehensive understanding of the myriad ways in which we can improve the status and treatment of farmed animals.

The success of the Farmed Animal Advocacy Clinic this year is a testament to our collective commitment to the cause. Each client we represented, each student we trained, and every matter we tackled was an embodiment of our overarching mission: to produce competent, compassionate advocates equipped with the skills to make a difference, not just in the world of animal advocacy but in diverse arenas throughout their careers.

I want to extend my heartfelt gratitude to our supporters, our dedicated staff, and every individual and organization that believes in our mission. As we reflect on the year gone by, we are filled with optimism for the journey ahead. It is our hope and aspiration that the years to come will see us making even greater strides in our mission to champion the interests of farmed animals.

Warm regards,

Laura J. Fox, JD/MELP '13
Director, Farmed Animal Advocacy Clinic



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Introduction to FAAC

The Farmed Animal Advocacy Clinic (FAAC) empowers students to become effective advocates for animals while also developing skills that can be applied in a variety of arenas throughout their careers through hands-on experience with real-world matters. Under the leadership of Laura Fox (JD/MELP '13), students represent clients in litigation as well as legislative, policy, and regulatory matters aimed at improving the treatment and status of farmed animals. With billions of land animals and even more aquatic animals farmed for food annually in the US, animals implicate virtually every legal institution, from local prosecutors to various state and federal agencies with overlapping authority and responsibility, and everything in between.

The FAAC prioritizes legal matters with the greatest potential impacts for farmed animals while amplifying voices of those who are traditionally underrepresented, and those who are disparately impacted by industrial animal agriculture.

Students in the FAAC learn a wide range of legal advocacy skills that are central to farmed animal law, but that are also transferable to other areas, including navigating ethics issues that arise in the context of impact litigation, building and managing coalitions and clients with divergent interests, engaging in client outreach and communication, developing relationships with experts, and navigating the relationship between legal and media strategies.

FAAC students participate in every step of their matters, from interviewing potential clients and client representatives, drafting pleadings and other advocacy materials, working with experts, and beyond. Cases range from fighting efforts to deregulate animal agriculture, furthering efforts to require industrial agriculture to internalize their environmental and economic costs, assisting Vermont farmers to move from animal to plant-based agriculture, and advancing stronger protections for animals in the courts and legislature.



MEET OUR TEAM

Laura Fox, Director



Laura J. Fox is a Visiting Professor and Director of the Farmed Animal Advocacy Clinic (FAAC). As an experienced litigator and teacher working to advance farmed animal interests in the law, Prof. Fox works to, and trains students to, protect farmed animals from the industrialized practices of factory farms, including by reducing extreme confinement practices and challenging their environmental, social, and public health impacts. In this pursuit, a significant aspect of her work involves filing complaints with federal and state agencies, litigating issues arising under various federal statutes, and bringing consumer protection, tort, and other matters at the state level. The student attorneys in FAAC have the opportunity to engage in this work under her close supervision.

Prof. Fox regularly presents her work at conferences and in various media outlets. Presentation topics include environmental, public health, and other societal harms of extreme farmed animal confinement; strategic litigation for protecting farmed animals and human health; animal law in changing federal administrations; the intertwined suffering of pigs and people; and discussions on specific legal challenges.

Prior to joining VLGS, Prof. Fox was a Senior Staff Attorney focused on farmed animal protection at the Humane Society of the United States in its Animal Protection Law department. In addition to her practice, Prof. Fox served as a Visiting Fellow with the Brooks McCormick Jr. Animal Law and Policy Program at Harvard Law School, was an Adjunct Professor of Animal Law at George Mason University's school of law, has taught courses in philosophy and ethics at Northern Virginia Community College, and teaches Climate Change, Extinction and Adaptation in the Vermont Law School Online Learning Program. Prof. Fox graduated from Vermont Law School with a J.D. and Master of Environmental Law and Policy and holds a master's in philosophy from George Mason University, where she also earned her B.A. in philosophy.

MEET OUR TEAM

Logan Volpe, Litigation Paralegal



Logan Volpe is the Litigation Paralegal for the Farmed Animal Advocacy Clinic at Vermont Law and Graduate School. In this position, Logan assists FAAC attorneys and students through legal research and document drafting and works with students on judicial procedures to ensure their knowledge of the legal process.

Prior to joining FAAC, Logan worked as a paralegal at a small law firm in the state's capital, working in multiple areas of law. There she honed numerous paralegal skills including preparing legal documents, filing electronic pleadings, providing litigation and legal advocacy support, and conducting legal research.

Logan's experience with rescuing horses prompted her to look for opportunities to improve the lives of all animals, which led her to FAAC. Logan uses her animal knowledge combined with her legal background to help further the treatment of farmed animals while helping guide students through their educational journeys. Since childhood Logan has had a passion for all animals large and small. When she was seven years old, she had her first horseback riding lesson which led to a lifelong devotion to equestrian sport. At twelve her parents rescued her first horse Monzee. In 2021 Logan adopted her second horse, Hubbell, who was rescued from a kill pen in Texas.

Along with horseback riding Logan also developed a passion for teaching and training; wanting to share her knowledge and experiences with others. As Logan honed her teaching skills, she traveled to Germany to learn about their equestrian veterinary and rehabilitation practices. Upon returning to Vermont, Logan resumed teaching students of various ages and disciplines and worked to rehabilitate several horses from career and possibly life-ending injuries. She continues her passion for teaching as she assists law students in developing skills to become effective farmed animal advocates.

MEET OUR STUDENTS



FAAC Inaugural Class Fall 2022: Bailey Soderberg JD/MELP'23, Morgan Muenster JD'23, Isabella O'Connor JD'24, Robert "Drew" McCormick JD'24, Talon Wendel JD'23

"I'll miss my time in FAAC!"

- Morgan Muenster, JD'23



FAAC Students at VLGS' 2023 Commencement: Morgan Muenster, Morgan Zielinski, Colleen McGrath, Bailey Soderberg, Talon Wendel

"The FAAC was a fantastic experience that I am glad I was able to participate in!"

- Talon Wendel, JD'23



FAAC Spring 2023 Students: Grayson Harbury JD'24, Sarah Gourley JD/MARJ'23, Colleen McGrath JD'23, Amanda Reyes JD'24 (Not pictured: Morgan Zielinski JD'23)

"My experience in FAAC truly made a lasting impact on me and helped me become a better student and advocate!"

- Isabella O'Connor, JD'24

Clinic Highlights

01

Victory in the U.S. Supreme Court

02

Introduced Federal Legislation

03

Fought for Environmental Justice

04

Sought Clean Air Act Regulation

05

Sued the FBI over Transparency

06

Visited with Farmed Animals at Sanctuary

07

FAAC Focus on Diversity, Equity, and Inclusion

Diversity, equity, and inclusivity are fundamental values that are deeply integrated into the Farmed Animal Advocacy Clinic. We believe in creating a learning environment that is rich in diverse perspectives and fosters a sense of belonging for all students. Here's how we implement these principles:

- Exposure to Diverse Clients and Viewpoints
- Intersectionality in Farmed Animal Advocacy
- Open and Respectful Dialogue
- Inclusive Classroom Environment
- Continuous Learning and Improvement

Through these measures, we aim to not only expose our students to a diverse set of ideas and experiences, but also to instill in them the values of respect, understanding, and inclusivity that are vital for successful advocacy practice.



Pictured: Ben and Jerry, two mini steers rescued from an Oklahoma kill pen in February 2021.

CELEBRATING NATION'S HIGHEST COURT DECISION UPHOLDING PROTECTIONS FOR PIGS

In a momentous decision, the United States Supreme Court has upheld the Ninth Circuit's dismissal of National Pork Producers Council v. Ross, a case that challenged California's Proposition 12. This proposition ensures that pigs raised for products sold within the state have the freedom to lie down, stand up, turn around, and fully extend their limbs.



Pictured: Mother pigs in gestation crates, extreme confinement devices now banned in many states like California

This landmark victory marks a significant step forward for the protection of farmed animals, opening the path for the welfare of billions of animals raised and slaughtered for food each year in the U.S. to be considered.

NBSV 150: Prof. Laura Fox on a recent Supreme Court decision about animal welfare in California



Listen to Professor Fox's interview with Karina Inkster about this historic win on The "No Bulls!t Vegan" Podcast: <https://www.karinainkster.com/post/proposition12>

GROUNDBREAKING FARMED ANIMAL PROTECTION

FAAC student clinicians Bailey Soderberg and Talon Wendel worked with a coalition of policymakers and non-profit organizations, including the ASPCA and Mercy For Animals, to shape new federal legislation into a comprehensive document that tackles some of the largest and most egregious issues in industrial animal agriculture. FAAC clinicians primarily researched and drafted language for two major parts of the Industrial Agriculture Accountability Act introduced by Senator Cory Booker, including:

1. New parameters for transporting farmed animals, proposing amendments to the existing transportation laws including multiple welfare requirements for any transportation lasting more than eight hours: protection from the weather; proper bedding; sufficient species-specific space; appropriate water supply; and acceptable temperature ranges.
2. Reducing slaughter line speeds and slaughterhouse deregulation. Reducing line speed operations decrease risks of injuries to slaughterhouse workers and incidences of inhumane handling of farmed animals.

Senate Bill 272 Industrial Agriculture Accountability Act



Pictures: Talon Wendel, JD'23 and Bailey Soderberg, JD/MELP'23

ANIMAL PARTISAN V. FBI

The Farmed Animal Advocacy Clinic represents Animal Partisan, a pioneering animal protection organization that utilizes innovative legal strategies to challenge the key industries involved in animal exploitation, in a lawsuit against the Federal Bureau of Investigation (FBI), in collaboration with the Sorenson Law Office.

At the heart of the lawsuit is a Freedom of Information Act (FOIA) request submitted by Animal Partisan that the FBI denied. This request sought to uncover documents concerning the Bureau's involvement at two significant trade industry conferences put on by the North American Meat Institute (NAMI). The FBI likely presented at one or both conferences, presumably to discuss new strategies to undermine animal protection advocates who spotlight the abuse and misconducts prevalent in industrial animal agriculture.

This incident serves as a stark reminder of the FBI's and other law enforcement agencies' excessive reach in targeting activists, which underscores the profound significance of Animal Partisan's lawsuit beyond the realm of general transparency. It highlights the pressing need to check these practices and ensure the legal rights and protections of those protecting animals are not unjustly infringed upon.



FAAC students are gaining invaluable experience in FOIA litigation.

As we embark on this lawsuit, the students involved in the Farmed Animal Advocacy Clinic are gaining invaluable experience in FOIA litigation. This litigation is crucial in pushing for transparency and accountability from our government institutions, especially those with the power to shape the narrative surrounding animal protection and industrial agriculture.

RAISING ENVIRONMENTAL JUSTICE CONCERNS OVER FACTORY FARM GAS

FAAC student attorneys assisted community members and public interest groups in submitting a public comment against the potential expansion of a Delaware biogas facility. The coalition highlighted the environmental and public health harms that would be caused by the facility's expansion, and the failure to include the communities who would be directly impacted in its approval process.

FAAC clinicians were particularly invested in this project because not only do industrial biogas facilities harm vulnerable communities, but they further entrench industrialized animal production methods that are cruel and unsustainable. Preventing the expansion of this project would protect the Seaford residents, expose the greenwashing campaigns of major meat and energy producers that deceptively claim massive biogas production as sustainable, and stymie the proliferation of industrial farming and manure lagoons.

For the FAAC student clinicians, this was an amazing chance to collaborate with clients fighting against human, animal, and environmental exploitation.

FAAC student clinician Bella O'Connor worked with a coalition of grassroots organizers and non-profit organizations, including the Socially Responsible Agriculture Project ("SRAP") and Sussex Health & Environmental Network ("SHEN"), to fight against the expansion of the proposed factory farm gas project.



Pictured: Isabella O'Connor, JD'24

REGULATING CAFOS UNDER THE CLEAN AIR ACT

FAAC students assisted public interest groups in commenting on the US Environmental Protection Agency's (EPA) reconsideration of its Fugitive Emissions Rule. The comment letter emphasizes the long-term effects of exempting the booming animal agriculture industry from crucial Clean Air Act (CAA) requirements and the opportunity to bring the industry into compliance.

When EPA announced plans to reconsider its Fugitive Emissions Rule and sought public comment, FAAC and the comment co-signers took this opportunity to highlight the inconsistency between the Fugitive Emissions Rule and the CAA's goals of fairly regulating net emissions and mitigating air pollution generally. Exempting one of the most notorious polluters, the industrial animal agricultural industry, from New Source Review hardly makes sense considering those goals.

The comment highlights these inconsistencies and urges EPA to hold Animal Feeding Operations (AFOs) and Concentrated Animal Feeding Operations (CAFOs) accountable for their net emissions, regardless of how they are emitted. It also demands that these same operations be subject to New Source Review if fugitive emissions are to be considered when determining whether a change or operation is "major" to fully subject the industry to CAA's policies and regulations.



Pictured: Colleen McGrath, JD'23



February 14, 2023

Michael Regan
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Via [regulations.gov](https://www.regulations.gov)

Re: Prevention of Significant Deterioration and Nonattainment New Source Review; Reconsideration of Fugitive Emissions Rule; 87 FR 42322 (Docket ID No. EPA-HQ-OAR-2004-0014)

FAAC VISITS STOREYBROOK FARM SANCTUARY

FAAC students learn how to be effective animal advocates by working on projects addressing the problems surrounding farmed animals today. Exposure to the farmed animals' plight and the cascading harms of the industrialized animal agriculture industry can take a heavy toll on students. Visiting with animals can help provide a counterbalance that reenergizes and aids them in their animal advocacy journey.

FAAC students and other members of the Animal Law and Policy Institute strapped on their mud boots and ventured out of the classroom and onto the farm, more specifically Storeybrook Farm Sanctuary based out of Waterbury, Vermont. Olivia Alcorta, operator of Storeybrook Farm Sanctuary, and her two employees work tirelessly to rescue, rehabilitate, and provide sanctuary to horses coming from inhumane situations across the United States, while bringing awareness of the export and inhumane slaughter of horses.



Pictured: Olivia Alcorta, Katie Mae Cohen, June (a 3 year old horse rescued in December 2021 from Virginia), Betty (a 3 year old quarter horse percheron cross rescued in November 2021 from Texas), Laura Ireland, Delcianna Winders, Laura Fox JD/MELP'13, Morgan Zielinski JD'23, Logan Volpe, and Grayson Harbury JD'24

Olivia shared with us her personal experience rescuing her first horse she named Abe just shy of three years ago. Abe was meant to be a one-time rescue but once he arrived on the property, his gentle and loving personality started a larger movement. Since then, over sixty horses and a number of other farmed animals have come through Storeybrook Farm Sanctuary. Some have become permanent residents while others have moved on to carefully vetted, loving homes.



Pictured: Blanche, a rescued goat, with Morgan Zeilinski, JD'23



Pictured: June



Pictured: Puff Puff with Professor Winders



Pictured: Laura Ireland with Willow and Betty



Pictured: Ben and Jerry



Pictured: Professor Laura Fox, JD/MELP'13 with Ben and Persephone



Pictured: Grayson Harbury, JD'24 with 3 rescued orphan foals

PUBLICATIONS



Professor Fox's timely and important article, "The Intersectionality of Environmental Injustice, Other Societal Harms, and Farmed Animal Welfare," published in the journal *Environmental Justice*, uncovers deep-seated connections between how we treat farmed animals and the severe societal and environmental consequences that follow. It also emphasizes the unignorable link between farmed animal welfare and environmental justice.

Thanks to the ASPCA Open-Access Publishing Fund, the article is freely available to read and share.

Access the full article here:

<https://www.liebertpub.com/doi/10.1089/env.2021.0125>

PRESENTATIONS & MEDIA

Conference Presentations:

- The Evolution of Animal Law at VLGS: From Starting Gates to Confinement Crates, Panelist, VLGS Alumni Association, Virtual (May 2023)
- Animals and the Anthropocene: A Legal Scholarship Symposium, Presenter, Work-in-progress: “Big AG is the Next Big Oil: How Liability Insurers and Reinsurers Should Prepare for Climate Change Litigation,” George Washington University Law School, Washington, DC (March 2023)
- Animals and the Anthropocene: A Legal Scholarship Symposium, Panelist for “Animals Are Less than Property? Judicial Reticence in Finding Spoliation for Animals Killed During Litigation,” George Washington University Law School, Washington, DC (March 2023)
- “Barn Fire Prevention and the Law: Opportunities and Challenges for Reform,” Panelist, American Association of Law Schools, San Diego, CA (January 2023)
- “Vermont Law and Graduate School’s Animal Law and Policy Institute,” Panelist, New York City Bar Association Animal Law Committee, Virtual (December 2022)
- Animal Law Experiences, Panelist, Environmental & Animal Law Society, Elon, Virtual (October 2022)

Media Appearances:

- Karina Inkster, The "No Bulls!t Vegan" Podcast, www.karinainkster.com/post/proposition12
- Jane Velez-Mitchell, “US Supreme Court Upholds California's Pig Crate Ban,” live interview, UnchainedTV (May 11, 2023), <https://watch.unchainedtv.com/videos/us-supreme-court-upholds-california-s-pig-crate-ban>
- Teresa Cotsirilos, “Supreme Court upholds animal welfare law in blow to pork industry,” quoted, The Fern (May 11, 2023), https://thefern.org/ag_insider/supreme-court-upholds-animal-welfare-law-in-blow-to-pork-industry
- Marc Heller, “Republicans weigh response to high court ruling on pork,” quoted, E&E News (May 12, 2023)
- Philip Brasher, Bill Tomson, and Steve Davies, “Agri-Pulse Daybreak May 12: Biden, committee leaders plan more talks,” quoted, Agri-Pulse (May 12, 2023), www.agri-pulse.com/articles/19393-agri-pulse-daybreak-may-12-biden-lawmakers-talk-farm-bill-ag-faces-prop-12-future-mandatory-e-verify-advances
- Steve Davies, “Supreme Court's Prop 12 decision could spark fresh state ballot initiatives,” quoted, Agri-Pulse (May 17, 2023), www.agri-pulse.com/articles/19412-state-ballot-initiatives-could-be-result-of-supreme-courts-prop-12-decision

FAAC CHALLENGE CUP

The Farmed Animal Advocacy Clinic (FAAC) Challenge Cup is more than just a prize; it is a symbol of dedication, knowledge, and participation. Instituted with a vision to enhance the academic and communal experience of our students, the FAAC Challenge Cup plays a pivotal role in fostering a vibrant learning environment. Here's how:



Pictured: FAAC
Challenge Cup Winner
Grayson Harbury, JD '23

Facilitating Learning: A trivia component encourages students to delve deeper into their coursework and assignments. The prospect of a friendly competition compels them to grasp concepts thoroughly, ensuring they understand the intricacies of each topic.

Building Camaraderie: Competition, when channelled positively, has the power to bring people together. As students collaborate and sometimes compete, they also engage in shared moments of laughter, support, and mutual understanding. This atmosphere cultivates academic prowess and fosters friendships, teamwork, and mutual respect.

Promoting Engagement: Additional points for participation reinforces the idea that every effort counts. It motivates even the shyest of students to step forward, share their perspectives, and actively engage in discussions. This approach not only enriches class discussions but also ensures that every student feels valued and heard.

**The FAAC Challenge Cup:
Facilitating Learning,
Building Camaraderie, and
Promoting Engagement**



STUDENT OPPORTUNITIES:

FAAC Enrollment Opportunities

FAAC students are trained to become effective advocates for animals while also developing skills that can be applied in a variety of arenas throughout their careers through hands-on experience with real-world matters. Students represent clients in litigation as well as legislative, policy, and regulatory matters aimed at improving the treatment and status of farmed animals.

Students should look for the Common Application period to open to apply for the Fall and/or Spring semesters for 4, 6, 9, or 12 credits. FAAC also offers an Advanced Clinic for students wishing to continue their work in FAAC for a second semester.

Research Assistant Program

Research Assistants may be compensated through the Federal work-study program, receive academic credit, or just gain great experience.

Previous FAAC RAs worked on a project in partnership with the U.S.-Asia Partnerships for Environmental Law researching lessons learned from the U.S.'s failure to regulate the factory farming industry to develop policy proposals to ensure meaningful legal oversight of industrial animal agriculture in the U.S. and China. Another RA opportunity involved assisting in research for a scholarly paper on ways to leverage insurance practices to promote higher farmed animal welfare practices.

Independent Research Projects

Students who are interested in diving into a specific area of research relating to farmed animal protection law or policy are encouraged to reach out to FAAC to discuss opportunities. Prior IRP students worked on rulemaking petitions and regulatory complaints addressing numerous egregious practices within the industry against farmed animals.

"I came to law school because I want to give a voice to those that do not have one. I want to help those that need it the most and be a catalyst for change. The FAAC has helped me pursue my dream. The FAAC taught me a great deal about the laws that govern animal-welfare and how to use them to mitigate suffering. The FAAC staff, students, clients, and clinic space were all so helpful in facilitating my success. I highly recommend the FAAC to anyone interested in making the world a better place." - **Drew JD'24**



Thank you to our guest speakers:

FAAC students were connected with, and guest lectured by, many experts in the field, including:



Pictured: Dr. Carolina Marciel and Morgan Muenster JD'23

- VLGS President **Rod Smolla**, a First Amendment expert and litigator who led students in a discussion about "ag-gag" laws— laws designed to "gag" whistleblowers and activists;
- **Rebecca Cary**, Special Counsel with the Humane Society of the United States who led their efforts in California's Proposition 12 defense litigation that was before the US Supreme Court. Prop 12 was upheld as a law banning the confinement of hens, mother pigs and baby calves in cages so small that the animals can barely move, and prevents the sale of products from such cruel confinement within the state;
- **Carolina Maciel**, Ph.D, an expert in international animal law and adjunct professor at VLGS;
- **Will Lowrey** JD'17, a VLS alum with experience advising on undercover investigations and litigating farmed animal cruelty cases;
- **Dije Ndreu**, an experienced attorney litigating consumer protection matters involving humane-washing;
- **Kara Shannon**, a VLS alum driving farmed animal protection policy at the ASPCA;
- **Danielle Diamond**, an environmental attorney working to advocate for community members impacted by Concentrated Animal Feeding Operations or "CAFOs";
- **Elizabeth Smith** JD/MELP'17, a VLS alum engaged in federal lobbying for the Humane Society of the United States who engaged students on current Farm Bill discussions;
- Dr. **Emily Comstock**, a veterinarian with a practice in Vermont specializing in equine and farmed animal veterinary services;
- Representatives from **DISCO**, the clinic's e-discovery partner, instructed students on e-discovery and discovery best practices; and
- Professor **Christine Ryan** engaged students in legal research tips and tricks and farmed animal law resources.

Bringing in guests gave the students opportunities to learn from a diverse group of practitioners and network with professionals and organizations they may want to continue working with beyond their time in the clinic.

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FAAC Clients

LOOK FOR US AT:



Online:

<https://www.vermontlaw.edu/academics/clinics-and-externships/farmed-animal-advocacy-clinic>



Our Blog:

www.vermontlaw.edu/blog/animal-law



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