

Table of Contents

I.	INTRODUCTION [§ 35.1]	1
A.	Scope of Chapter: What Is Animal Law? [§ 35.2]	1
B.	Animal Law Versus Animal Rights and Animal Welfare [§ 35.3]	1
C.	Additional Sources [§ 35.4]	2
II.	DEFINITION OF ANIMAL [§ 35.5]	3
A.	Domestic and Wild Animals [§ 35.6]	3
B.	Commonalities Among State and Federal Definitions [§ 35.7]	5
C.	When Isn't an Animal an Animal? (Exclusions from Definitions) [§ 35.8]	6
III.	LEGAL STATUS OF ANIMALS [§ 35.9]	7
A.	General Rule: Personal Property [§ 35.10]	7
B.	Limitations to Classification of Animals as Personal Property [§ 35.11]	8
C.	Shift Away from Property Terminology [§ 35.12]	9
IV.	RELEVANT FEDERAL LAWS [§ 35.13]	10
A.	Animal Welfare Act (AWA) [§ 35.14]	10
B.	Freedom of Information Act (FOIA) and Open Meetings Laws [§ 35.15]	15
C.	Other Federal Requirements Pertaining to Animals [§ 35.16]	18
D.	Constitutional Law [§ 35.17]	20
V.	WIS. STAT. CH. 951—CRIMES AGAINST ANIMALS [§ 35.18]	25
A.	In General [§ 35.19]	25
B.	Cruelty to Animals [§ 35.20]	26
C.	Animal Fighting [§ 35.21]	29
D.	Additional Acts Prohibited [§ 35.22]	30
E.	Penalties for Violations of Wis. Stat. § 951.02 and “Additional Acts Prohibited” [§ 35.23]	32

VI. WIS. STAT. CH. 173—ANIMALS GENERALLY AND THE POWERS OF HUMANE OFFICERS [§ 35.24]	35
A. Humane Officers [§ 35.25].....	35
B. Abatement Orders [§ 35.26]	37
C. Taking Animals into Custody [§ 35.27]	38
D. Regulation of Dog Sellers and Operators of Animal Shelters and Animal Control Facilities [§ 35.28]	44
VII. THE INTERSECTION OF TORT LAW AND ANIMAL LAW IN WISCONSIN [§ 35.29]	47
A. Veterinary Malpractice Versus General Negligence [§ 35.30].....	47
B. Alternative Causes of Action [§ 35.31]	51
C. Injuries and Damage Caused by Animals [§ 35.32]	52
D. Emotional Distress Claims [§ 35.33].....	60
VIII. ADDITIONAL WISCONSIN STATE LAWS AND LOCAL ORDINANCES [§ 35.34].....	64
A. Wildlife Management and Endangered Species [§ 35.35].....	64
B. Farmed Animals [§ 35.36].....	68
C. Animals in Experimentation [§ 35.37]	71
D. Racing and On-Track Pari-mutuel Wagering [§ 35.38].....	73
E. Civil Liability for Equine Activities [§ 35.39]	73
F. Additional Statutes [§ 35.40].....	74
G. Local Ordinances [§ 35.41]	74
IX. CONTRACT LAW [§ 35.42]	75
A. Contractual Disagreements Regarding Purchase of Animals [§ 35.43].....	75
B. Landlord-Tenant Disputes and Condominium Law [§ 35.44].....	77
C. Bailments [§ 35.45]	80
X. ANIMALS IN FAMILY LAW CASES [§ 35.46].....	81
A. Divorce and Legal Custody Actions [§ 35.47]	81
B. Domestic Abuse [§ 35.48]	82

XI. ESTATE PLANNING FOR ANIMALS [§ 35.49]	87
A. Wills and Trusts [§ 35.50].....	87
B. Powers of Attorney [§ 35.51].....	90
C. Tax Implications [§ 35.52]	90

Table of Cases

Table of Statutes, Regulations, and Rules

Index

