

NEW YORK STATE BAR ASSOCIATION

Committee on Animals and the Law Presents Human Animal Conflict: Balancing Public Safety with Animal Welfare, Conservation and Humanity

Wednesday, January 29, 2014
New York Hilton – Sutton Parlor North, 2nd floor
1335 Avenue of the Americas, New York City
Registration: 1:00–1:30 p.m. | Program: 1:30–5:00 p.m.

IMPORTANT INFORMATION

4.0 credit hours in areas of professional practice. Under New York's MCLE rule, this program has been approved for all attorneys, including newly admitted. Under the New York State Continuing Legal Education Board Regulations & Guidelines, attendees at CLE programs cannot receive MCLE credit for a program segment unless they are present for the entire segment—no partial credit is allowed. Persons who arrive late, depart early, or are absent for any portion of the segment will not receive credit for that segment.

Discounts and Scholarships: New York State Bar Association members and non-members may apply for a discount or scholarship to attend this program, based on financial hardship. Under that policy, any member of our Association or non-member who has a genuine basis of his/her hardship, if approved, can receive a discount or scholarship, depending on the circumstances. Request for discounts or scholarships must be received by January 15, 2014. For more details, please contact Kim Francis at New York State Bar Association, One Elk Street, Albany, New York 12207 or kfrancis@nysba.org.

PROGRAM DESCRIPTION

This program is not to be missed by lawyers practicing animal, municipal, zoning and environmental law. The knowledgeable panel will provide a detailed discussion of the Federal and New York State laws regarding the ownership, rehabilitation, and exhibition of exotic animals and wildlife, as well as, the Federal and State Laws protecting wildlife and exotic animals on exhibition and related public safety and nuisance issues. Additional hot topics to be covered are: Geese roundup and eradication at airports; litigation to protect bald eagles and white-tailed deer; actions to prevent repeat offenders of the AWA from having their licenses renewed; updates on current litigation pending before the Sixth Circuit Court of Appeals challenging Ohio's new exotic animal statute; the legal petition pending before the USDA to ban public contact with dangerous exotics, as well as, other ongoing legal issues concerning exotic animal ownership and exhibition.

1:00- 1:30 p.m. REGISTRATION

1:30-5:00 p.m. PANEL DISCUSSION - This program is being presented as a panel discussion. There will be a short break during the program.

► **OVERVIEW OF STATE/FEDERAL GOVERNMENT COOPERATION IN MANAGING AMERICA'S WILDLIFE | Speaker: M. Carol Bambery, Esq., General Counsel, Association of Fish & Wildlife Agencies, Washington, D.C.**

This presentation explores the tension often created particularly between state and federal governments on wildlife management decisions. Wildlife conservation is, in practice, delivered by the states, by the federal government, and by the private sector. These three conservation sectors must integrate synergistically to deliver the North American Model of Conservation. This presentation shares the state fish and wildlife agencies' roles and authorities in contrast to those of their federal counterparts. The presenter will also discuss the distinct delineations between the states and the federal government in terms of how, and by whom, conservation is carried out in this country. The presentation will focus on history, tradition and state and federal wildlife management authority.

► **WILDLIFE AND AVIATION SAFETY AT AIRPORTS - LEGAL FOUNDATIONS | Speaker: Michael J. Begier, USDA/APHIS/ Wildlife Services, National Coordinator, Airport Wildlife Hazards Program, Washington D.C.**

Managing bird and other wildlife hazards at airports is a complex, public-sensitive endeavor involving many species of wildlife governed by the Migratory Bird Treaty Act and various federal, state and local regulations. Because of the complexity and sensitivity involved in managing wildlife hazards, airports are required to employ professional wildlife biologists trained in wildlife hazard management at airports (14 CFR Part 139.337 and FAA Advisory Circular 150/5200-36b) to assess hazards, provide training, and to assist in the development, implementation, and evaluation of wildlife hazard management plans. As the National Coordinator of the Airport Wildlife Hazards Program, Mr. Begier will give an overview of the airport wildlife programs he oversees and provide an overview of the domestic and international case law that have established that airport operators must exercise "due diligence" in managing wildlife hazards to avoid potentially serious liability issues.

► **SAFEGUARDING AMERICA'S ANIMALS: AN OVERVIEW OF HOW THE UNITED STATES DEPARTMENT OF AGRICULTURE'S (USDA) ANIMAL CARE (AC) PROGRAM ENSURES THE HUMANE CARE AND TREATMENT OF ANIMALS AS PROVIDED UNDER THE ANIMAL WELFARE (AWA) | Speaker: Laquetta D. Jones Bigelow, Esq., Eastern Region Enforcement and Compliance Specialist, USDA, APHIS Animal Care, North Carolina**

Animal and Plant Health Inspection Service (APHIS) is a multi-faceted Agency within the USDA. Animal Care (AC) is a program administered within APHIS. Under the AWA, APHIS issues licenses and registrations to certain animal businesses and research facilities and performs inspections to ensure proper animal care and treatment. This presentation will provide an overview of what animals are regulated, what activities are regulated, what activities and animals are exempted and how the Acts and Regulations are enforced through the administrative judicial process. The presentation will also include a brief discussion of the Retail Pet Store Rule; Contingency Plan Final Rule; Itinerary Submission Final Rule, and other activities specifically relevant to New York.



► **REPRESENTING ANIMALS IN THE WAR ON WILDLIFE | Speaker: Katherine A. Meyer, Esq., Founding Partner - Meyer Glitzenstein & Crystal, Washington, D.C.**

Ms. Meyer will discuss some recent cases she has litigated to protect animals in both the wild and captivity – including innovative litigation under the Animal Welfare Act to challenge the renewal of licenses to repeat-violators of the Animal Welfare Act. This presentation will also discuss litigation to protect bald eagles from harassment and nest destruction by governmental agencies and efforts to protect native wildlife from being killed in Rock Creek Park for the first time in the 120-year history of that national park in our Nation's Capital.

► **RECENT DEVELOPMENTS IN STATE AND FEDERAL LAWS CONCERNING PRIVATE OWNERSHIP OF DANGEROUS EXOTIC ANIMALS | Speaker: Jonathan R. Lovvorn, Senior Vice President, Animal Protection Litigation & Investigations, The Humane Society of the United States, Washington, D.C.**

Jonathan Lovvorn, Senior Vice President and Chief Counsel at HSUS will discuss recent developments in state and federal laws concerning private ownership of dangerous exotic animals. The discussion will include the current case pending before the Sixth Circuit Court of Appeals challenging Ohio's new exotic animal statute, the legal petition pending before USDA to ban public contact with dangerous exotics, and other ongoing legal issues concerning exotic animal ownership.

5:00 p.m. **ADJOURNMENT**

Committee Chair

Amy Lynn Chaitoff, Esq., Chaitoff Law, Bayport, NY

Program Co-Chairs

Amy M. Sheridan, Esq., Office of ADR & CI Programs, New York, NY

Michele Oganov, Esq., Nomura, New York, NY

Speakers

M. Carol Bamberg, Esq., General Counsel, Association of Fish & Wildlife Agencies, Washington, D.C.

Michael J. Begier, USDA/APHIS/Wildlife Services, National Coordinator, Airport Wildlife Hazards Program, Washington, D.C.

Laquetta D. Jones Bigelow, Esq., Eastern Region Enforcement and Compliance Specialist, USDA, APHIS Animal Care, North Carolina

Katherine A. Meyer, Esq., Founding Partner - Meyer Glitzenstein & Crystal, Washington, D.C.

Jonathan R. Lovvorn, Senior Vice President, Animal Protection Litigation & Investigations, The Humane Society of the United States, Washington, D.C.



Accommodations for Persons with Disabilities: NYSBA welcomes participation by individuals with disabilities. NYSBA is committed to complying with all applicable laws that prohibit discrimination against individuals on the basis of disability in the full and equal enjoyment of its goods, services, programs, activities, facilities, privileges, advantages, or accommodations. To request auxiliary aids or services or if you have any questions regarding accessibility, please contact Kim Francis at 518-487-5593.



For overnight room accommodations, please call the New York Hilton Midtown at 1-800-445-8667 and identify yourself as a member of the New York State Bar Association. Room rates are \$249.00 for single/double occupancy. You also can reserve your overnight room on the web at www.nysba.org/14accomm.



For questions about this specific program, please contact Kim Francis at kfrancis@nysba.org. **For registration questions only, please call 518-487-5621. Fax registration form to 518-463-5993.**

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