

Joyce Tischler, J.D.

Professor of Practice, Animal Law
Center for Animal Law Studies at Lewis & Clark Law School

Affectionately known as the “Mother of Animal Law,” Professor Joyce Tischler helped found and build the field of animal law starting in the 1970s, and has been a trailblazer ever since.



Professor Joyce Tischler joined the Center for Animal Law Studies at Lewis & Clark Law School as a Professor of Practice in May of 2019, where she currently teaches the fundamentals of animal law (survey course) and industrial animal agriculture law. Prior to that, Professor Tischler had been an Adjunct Faculty Professor at Lewis & Clark Law School since 2011. She has taught as adjunct faculty at: University of California, Davis, John Marshall Law School, and John F. Kennedy Law School, and has lectured at law schools throughout the U.S.

A noted author on animal law, Professor Tischler is currently co-authoring a casebook on Industrialized Animal Agriculture Law and Policy. The book, a first-of-its-kind, will provide a comprehensive overview of concentrated animal feeding operations (CAFOs) and the animal welfare, environmental, worker justice, and other social justice issues impacted by industrialized animal agriculture in the United States and beyond.

In 1979, she co-founded the Animal Legal Defense Fund (ALDF) – the first nonprofit organization dedicated to protecting nonhuman animals through the legal system. There, she conceived of and litigated cutting edge cases aimed at protecting the interests of animals. Through intelligence, tenacity and vision, Professor Tischler paved the way for change in a legal system that routinely ignored the interests of nonhuman animals. Professor Tischler’s deep experience and shaping of the field of animal law is detailed in her two part article, A Brief History of Animal Law, [Part I \(1972-1987\)](#) and [Part II \(1985-2011\)](#), published in the *Stanford Journal of Animal Law and Policy*. She served as ALDF’s Executive Director for 25 years, and as its General Counsel until her retirement in the spring of 2019, when she joined the Center for Animal Law Studies (CALs).

Given her pivotal role in launching the field we now know as animal law, Professor Tischler is affectionately referred to as “the Mother of Animal Law.” She has been a trailblazer in the field of animal law for more than 40 years and has dedicated her career to improving the lives of nonhuman animals through the legal system. She is internationally recognized for her work on issues germane to animal protection and farmed animals, and speaks to audiences in many parts of the world, including: Australia, Canada, Hong Kong, the UK, Belgium, Mexico, Kenya, Spain, Finland, and China.

Professor Tischler earned her law degree from the University of San Diego School of Law (J.D., 1977). She completed her bachelor’s degree in political science at City University of New York, Queens College (B.A., 1974). Professor Tischler lives near Portland, Oregon with her two dogs, Teddy and BooBoo and cat, Frankie.

The [Center for Animal Law Studies](#) at Lewis & Clark Law School offers the most robust animal law education in the world, and its alumni from over 28 countries are improving the lives of animals around the globe.

Publications

Joyce Tischler & Bruce Myers, *Animal Protection and Environmentalism: The Time Has Come To Be More Than Just Friends*, in *What Can Animal Law Learn from Environmental Law?* 2d Ed. 679 (Randall Abate ed., 2020)

Animal Law: New Perspectives on Teaching Traditional Law by Kathy Hessler, Joyce Tischler, Pamela Hart, Sonia S. Waisman (Carolina Academic Press 2017)

Joyce Tischler, Steven M. Wise, Elizabeth Stein, Monica Miller, and Sarah Stone, *Manumission for Chimpanzees*, 84 Tennessee L. Rev. 510 (2017)

Foreword, Symposium on Animal Law, 67 Syracuse L. Rev. 1 (2017),
<https://lawreview.syr.edu/wp-content/uploads/2017/03/Vol-67.1-Tischler.pdf>

Foreword, International Farm Animal, Wildlife and Food Safety Law (Gabriela Steier & Kiran Patel eds., 2017)

Locke, P., Westphal, M., Tischler, J., Hessler, K., Frasch, P., Myers, B., Krewski, D., *Implementing Toxicity Testing in the 21st Century: Challenges and Opportunities*. 20 International Journal of Risk Assessment and Management, 198 (2017). Available at [SSRN: https://ssrn.com/abstract=2928986](https://ssrn.com/abstract=2928986).

Changing the Dialogue About Elephants, 33 Quinnipiac L. Rev. 485 (2015)

The History of Animal Law, Part II (1985-2011), 5 Stan. J. Animal L. & Pol'y 27 (2012)
<http://sjalp.stanford.edu/Vol5.html>

The History of Animal Law, Part I (1972-1987), 1 Stan. J. Animal L. & Pol'y 1 (2008)
<http://sjalp.stanford.edu/Vol1.html>

Introduction, Building Our Future, 15 Animal L. 7 (2008)

The Growing Field of Animal Law and How Will It Impact Your Practice, 19 Conn. Law. 12 (2008)

Making Animal Law Your Career, American Bar Ass'n TIPS Animal L. Comm. Newsl., Winter 2007 at 20

Rights for Nonhuman Animals: A Guardianship Model for Dogs and Cats, 14 San Diego L. Rev. 484 (1977)

Other Teaching, Lectures and Presentations

2021: Co-instructor 5-day/30-hour online law masters class titled *Animal Law and Policy* for the University of Melbourne Law School, Animal Law and Policy (online); Keynote speaker, *Intersectionality in Animal Law*, Connecticut Journal of International Law symposium titled: *A Wild Approach: Creating a Global Lens for Animal Welfare through International Law and Policy*; Panelist, *Spirituality and Animals*, 12th Asia for Animals Coalition Conference 2021 - *For a Better Tomorrow, Together* (India online); Lecturer, Global political-legal approaches to farm animal protection, 2 hour lecture for HSI India (online); Guest lecture, University of San Francisco Law School (online); Active Moderator for 90-minute online panel titled: *The Living Conditions of Animals Raised for Food*, American Univ, WA College of Law,

Animal Law Society, Fifth Annual Animal Law Symposium, *The Unseen Impacts of Factory Farming: Economic Inequality, Animal Cruelty, and Human Rights*.

2020: Lecture, Animal Law Reform of South Africa, one-hour webinar on animal law to an international audience; Panelist, farmed animal law, Animal Place Sanctuary FACES online conference, Expert, provided oral testimony about the need for greater protection of animals used in research to the National Academies of Sciences, Engineering and Medicine during hearings on Neural Chimeras and Organoids (online); Co-authored blog on the CALS website, topic: World Elephant Day.

2019: Speaker, Asia for Animals Conference, Dalian, China; speaker, First China Animal Law Forum, Beijing, China; speaker, Abo Akademi University, Turku, Finland; speaker, Oregon VegFest.

2018: Guest lecture, Harvard Law School Animal Law Course, Speaker, Minding Animals Conference (Mexico City);

2017: Guest lectures, Harvard Law School Animal Law Course, Lewis & Clark Law School Animal Law Course; Keynote, First Animal Law Student Convention (Portland, OR, October 2017); Speaker, Animal Grantmakers Annual Meeting.

2016: Speaker, S.F. Lawyers' Network; Panelist, AWA@50 Conference, Harvard Law School; "Fireside Chat," Stanford Law School; Speaker, Texas Humane Legislative Network Conference; Speaker, University of Texas Law School; Student Animal Legal Defense Fund (SALDF) presentation: Harvard Law School.

2015: Lecture, Animal Rights, Roderick J. White Foundation for Science and Reason in Society, Memorial University, St. Johns, Newfoundland; Keynote speaker, Michigan Bar Association Animal Law Section Annual Meeting; Recorded Continuing Legal Education Seminar on Concentrated Animal Feeding Operations (CAFOs), Presenter, Legal Ethics, CLE International, Endangered Species Act; Guest lecturer, Lewis & Clark Law School, John F. Kennedy Law School; SALDF presentations: U.C. Berkeley, Hastings, and Santa Clara Law Schools.

2014: Adjunct Professor, Fall Semester, Lewis & Clark Law School, Portland, OR, Animal Law Course (fundamentals); Speaker, International Trafficking Conference, Quinnipiac Law School; Speaker, Global Animal Law Conference, Barcelona, Spain; Speaker, California Animal Law Symposium; Speaker, Georgia Bar Animal Law Section annual CLE; Speaker, Texas Bar Animal Law Conference; Speaker, the first US-China Animal Law Forum (Houston).

August – Dec. 2013: Adjunct Professor, Fall Semester, John F. Kennedy Law School, CA, Animal Law Course (fundamentals).

May- June 2013: Adjunct Professor, John Marshall Law School, Chicago, IL. Farmed Animal Law and Policy. I taught an intensive two week seminar covering farmed animal welfare, slaughter, environmental concerns, and consumer and food safety issues. Guest speakers included Dennis Treacy, (then) Executive V.P. and Chief Sustainability Officer, Smithfield Foods, Inc., Dr. Gail Golab, Director, Animal Welfare Division, American Veterinary Medical Association, Prof. Mylan Engel, Northern IL University and Ledy Vankavage, Senior Legislative Attorney, Best Friends Animal Society.

2013 (Other): Moderator and Panelist, European Parliament, Brussels, Belgium, *"Worldwide Implementation of the 3Rs in Regulatory Toxicology: What are the Leadership Challenges and Opportunities?"*; Participant, The First National Dialogue on Wildlife and Environmental Crimes, held at Amboseli National Park, Kenya, December 2013; Guest Lectures: Cal Western Law School, Lewis & Clark Law School Western Univ. Veterinary Medical School; Speaker, Illinois Bar Association Animal Law Section, California Animal Law Symposium; SALDF presentations: Santa Clara Law School and

Hastings Law School; Presenter, Sonoma County Bar Association, Sonoma State Univ., Criminology class (Animal Cruelty).

2012: Guest Lectures: DePaul Law School, Northwestern Law School, John Marshall Law School, University of Chicago Law School; Lewis & Clark Law School, and to the first and third year classes at Western University College of Veterinary Medicine; SALDF presentation: NYU Law School.

2011: Panelist, *The Animal Welfare Act: A Regulatory Roadblock*.

Eighth World Congress on Alternatives and Animal Use in the Life Sciences, Montreal, Canada; Adjunct Professor, Lewis & Clark Law School, Portland, OR. I developed and taught a two-week seminar on Farmed Animal Law and Policy. As yet, there is no casebook on farmed animal law. Thus, I developed a set of course materials. The course included two outside speakers, Kendra Kimbirauskas of Friends of Family Farmers and Carter Dillard of ALDF, who spoke about false advertising and consumers' rights. The course also included video footage showing conditions in U.S. CAFOs and slaughterhouses, and active student participation in class simulations. This was the first time a farmed animal law course had been taught in any law school.

2010: Guest Lecturer, 2010 Australian Animal Law Lecture Series.

Each year, Voiceless, the Animal Protection Institute, hosted a nationwide series of lectures by a leading animal law expert. These lectures were presented at all law schools teaching animal law in Australia, as well as at prestigious law firms and animal law societies. For the 2010 lecture series, I spoke at the University of Sydney Law School, Australian National University College of Law, Bond University School of Law, Griffith University Law School, University of Melbourne Law School, Murdoch University Law School, Flinders University Law School, New South Wales Young Lawyers Animal Law Committee at Corrs Chambers, Allens Arthur Robinson, Barristers Animal Welfare Panel at Malesons Stephens Jaques, Minter Ellison and the Law Society of South Australia, Animal Law Committee. I was also interviewed on a wide variety of Australian radio shows. This lecture series enabled me to meet with Australian activists and learn about the many animal related issues of import in that country; Panelist, Arizona State Bar Association (annual meeting) Animal Law Committee Continuing Legal Education (CLE) on animal testing; Panelist, San Diego Bar Association CLE; Panelist, American Bar Association TIPS Animal Law Committee Webinar (analyzed *U.S. v. Stevens* crush video decision).

2009: Recipient of American Bar Association Trial, Tort and Insurance Practice Section (TIPS), Animal Law Committee Excellence in the Advancement of Animal Law Award; Speaker, Washington State Bar Association Animal Law Committee CLE, Featured Speaker, San Francisco Walk for Farm Animals.

2008: Panelist, Texas Bar Association, Animal Law Committee, Animal Law Institute; Interviewee, American Bar Association, TIPS, Animal Law Committee podcast on careers in animal law.

2007: Panelist, Animals and Bioengineering- A Consideration of Law, Ethics and Science, sponsored by Duke University School of Law and American Bar Association (multiple committees). I addressed the patentability of animals under U.S. law; Panelist, Texas Bar Association Animal Law Institute.

2000 – Present: Law School Guest Lectures (multiple appearances)

Lewis & Clark Law School, University of Chicago Law School, John Marshall Law School, Northwestern Law School (Chicago), DePaul Law School (Chicago), University of Michigan Law School, University of California, Berkeley Law School, Stanford Law School, UCLA Law School, University of San Francisco Law School, Harvard Law School, Loyola Law School (Los Angeles), University of San Diego Law School, Cal Western Law School, Hastings College of Law, Golden Gate Law School, Michigan State Law School, Santa Clara University Law School. Also: Western University College of Veterinary Medicine, Pomona, CA.

Litigation Experience

Animal Protection Institute v. U.S. Department of Defense, U.S. District Court, Eastern District of CA (1981)

Tischler served as counsel for Animal Protection Institute.

The U.S. Navy shot and killed over 600 feral burros located on the Naval Weapons Testing Center in China Lake, CA, due to perceived safety threat. Plaintiff alleged that the Navy's actions constituted a major federal action under the National Environmental Policy Act (NEPA), mandating the preparation of a full environmental impact statement (EIS). Tischler obtained a temporary restraining order, which halted the killings, and sought further injunctive relief. The case settled nine months later and no further killings occurred. Co-counsel: Marcelle Philpott-Bryant and Arthur Margolis of Los Angeles, representing the Fund for Animals.

Berg v. Gunn, San Mateo Superior Court, CA (1981)

Tischler served as lead counsel.

A veterinarian placed a depilatory into the ears of a Poodle (dog), in an effort to remove hair. The dog was physically injured. Plaintiff sued under state law for damages, alleging negligence, wanton and reckless misconduct, negligent infliction of emotional distress, plus a cause of action for negligence brought by/on behalf of the dog, Sterling Berg. Tischler filed a petition to appoint Sterling's owner as guardian *ad litem*, to bring suit on behalf of the dog. The Superior Court dismissed the cause of action brought by the dog and the cause of action for emotional distress. Case later settled favorably for plaintiff, owner.

Justin & Sons v. Deukmejian, U.S. Court of Appeals, 9th Circuit, CA (1983)

Tischler filed an *amicus curiae* brief in support of Appellee, State of California on the issue of whether California's endangered species law (CA Penal Code Sec. 653(o)) is preempted by the federal Endangered Species Act. The Court of Appeals held that (a) the California law is preempted and does not apply to trade in African elephant products, and (b) the California law is not preempted, and therefore, CA may prohibit trade in python and kangaroo products.

Marina Admiralty v. Guilford, Los Angeles Superior Court (1983)

Plaintiff sought to evict tenant with dog, claiming tenant violated no-pets clause in lease. Defendant, dog owner, argued that no-pet provisions violate the Unruh Civil Rights Act (discriminating against pet owners as a class). Tischler and Nancy Ober submitted an *amicus curiae* brief for the defense, arguing that the Unruh Act applies to tenants with pets and that the blanket no-pet clause constitutes arbitrary discrimination against families with pets.

Court ruled for the plaintiff.

Animal Protection Institute v. Clark, U.S. District Court, WY (1984)

Tischler served as lead counsel.

Plaintiffs, animal welfare groups, challenged the 1984 annual elk hunt at Grand Teton National Park, alleging violations of the Grand Teton National Park Act and NEPA, based on failure to prepare a full EIS. The U.S. District Court denied plaintiffs' motion for a preliminary injunction, finding that the hunt was reasonable.

Decision by Bureau of Land Management to Allow Oil & Gas Development in Little Bookcliffs Wilderness Study Area & Wild Horse Range (1984)

Tischler was lead counsel for Appellant, Animal Protection Institute.

This was an administrative appeal of a Bureau of Land Management (BLM) decision to allow drilling which would harm wild horses. Co-appellants were Sierra Club and Colorado Open Space Council. Appellants forced the BLM to publish a full EIS.

Quayle v. San Francisco SPCA, Superior Court, San Francisco, CA (1985)

Plaintiff, Quayle, kept a wolf within city/county limits, in violation of county ordinance. The San Francisco SPCA confiscated the wolf. Plaintiff sued for injunctive and declaratory relief, alleging violations of due process and claiming that the animal was not a wolf. Tischler assisted in the successful representation of the SPCA, drafting opposition pleadings.

Peninsula Humane Society v. Walters, U.S. District Court, Northern District of CA (1985)

Tischler served as lead counsel.

A Samoyed dog was found dying by a night worker in a VA Hospital research laboratory and was taken to an outside veterinarian, where the dog was euthanized. The necropsy showed malnutrition, starvation and heart disease that was unrelated to the research experiment in which the dog was being used. Three humane societies asked the District Attorney and U.S. Department of Agriculture (USDA) to investigate and, if cause was found, to prosecute, which the agencies refused to do. The humane societies thereafter brought suit against the VA Hospital, Stanford University, USDA and the individual researcher in charge of the project. Plaintiffs requested a declaratory judgment that the defendants violated the federal Animal Welfare Act, asked for injunctive relief and mandamus. District Court dismissed the lawsuit, found that the plaintiffs lacked standing and the issues were moot.

Katsaris v. Cook, California Court of Appeal/CA Supreme Court (1986)

Plaintiff's dogs wandered onto property where defendant kept livestock. Defendant shot and killed the dogs and disposed of their bodies. Plaintiff searched for dogs, asked defendant if he knew whereabouts, defendant lied and said he did not. CA Fish & Game Code Sec. 31103 provides a privilege to kill dogs wandering near livestock. Court held in favor of the defendant. Court of Appeal affirmed in part; remanded on the emotional distress claim based on defendant's conduct after the killings (i.e., lying to Plaintiff). Tischler submitted an *amicus curiae* brief in support of plaintiff's position.

Humane Society of Rochester v. Lyng, US District Court, Western District, NY (1986)

Tischler served on a national team of attorneys who filed a successful emergency challenge to a USDA order that, as part of a program to assist dairy farmers by reducing the number of dairy cows, the cows to be removed from production were to be branded, with hot irons, on the face (a particularly sensitive area of a cow's body). Plaintiffs alleged that this method of identification violated state anti-cruelty laws. The District Court agreed and enjoined the hot iron face branding.

Phillips v. Dept. of Animal Regulation, California Court of Appeal (1986)

Destruction of dangerous dogs; due process. Defendant, dog owner appealed determination that her dog was a dangerous dog. Tischler filed an *amicus curiae* brief in support of appellant, dog owner.

State of CA v. Gates, Nevada County, CA (1987)

Dog wandered onto neighboring property where there was livestock. This case was a criminal prosecution against ranch foreman who encouraged his six dogs to attack the dog for 50 minutes, after which the foreman bludgeoned the dog to death. Tischler filed an *amicus curiae* brief arguing that CA Food & Agric Code Sec. 31102-30013 does not exempt defendant from criminal or civil liability, because his conduct was outrageous.

People v. Smith, Municipal Court, Palo Alto, CA (1987)

Tischler served as part of a legal defense team for activists arrested at Stanford University for protesting the use of animals in research. A small group of the activists chose to stand trial. Following a three week jury trial which attracted sympathetic media coverage, all defendants were convicted and sentenced to perform community service.

ALDF v. Quigg, Federal District Court, Federal Circuit Court of Appeals (1991)

Tischler served as lead counsel, assisted by Steven Wise and Kenneth Ross.

The U.S. Patent Office issued a policy allowing the patenting of genetically altered, multi-cellular animals, overturning a long standing policy that animals were not patentable subject matter. Plaintiffs challenged

the rule. Court dismissed the case, holding that the rule was interpretative and correctly interpreted the law. The Federal Circuit affirmed dismissal, based on lack of standing.

ALDF v. Espy, D.C. Circuit Court of Appeals (1994)

Staff attorney, Valerie Stanley was lead counsel. Tischler assisted in drafting and editing pleadings. In 1971, the USDA issued a regulation excluding rats, mice and birds from the definition of “animals” for whom protection was provided by the federal Animal Welfare Act. Plaintiffs requested an administrative rule that these animals are covered by the Act; the USDA refused to issue the regulation and plaintiffs sued. The Court of Appeals vacated the lower court’s judgment and ruled that the plaintiffs lacked standing to sue under the Act.

ALDF v. Glickman, D.C. Circuit Court of Appeals (1998, 2001)

Staff attorney, Valerie Stanley was lead counsel. Tischler assisted with drafting and editing of pleadings. This lawsuit challenged regulations issued by the USDA, as violative of the federal Animal Welfare Act and Administrative Procedure Act, for failure to set adequate standards for the psychological well-being of primates pursuant to the 1985 amendments to the Act. The Court of Appeals ruled that plaintiffs had standing to bring the action, but later ruled that the regulations promulgated by USDA were not arbitrary or capricious.

Admission to Bar

State Bar of California; U.S. District Court, Northern District of CA; U.S. Court of Appeals, Ninth Circuit.