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July2007

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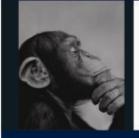


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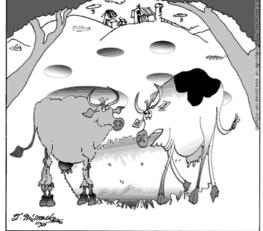
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Seattle Times

Nation & World: Sunday, July 15, 2007

Wisconsin bill outlines rules for pet custody

By P.J. Huffstutter

Los Angeles Times

MADISON, Wis. -- Wisconsin legislators have introduced a bill that outlines how divorcing couples and the courts should handle custody battles over pets.

The bill would let couples specify, among other things, visitation rights and the right to move the **animal** out of state. If the feuding couple can't agree on what to do with the pet, the solution is simple: A judge can either pick a spouse -- or ship it off to a local humane society or shelter.

Whoever gets there first owns the dog, cat or even goldfish. If they wait too long, someone else could adopt their beloved **animal** or, depending on the shelter's policies, it could be euthanized.

"Traditionally, the courts treat pets like pieces of property," said Republican state Sen. Carol Roessler, co-author of the bill. "People might have an emotional tie to a family antique. But a dog is not a desk."

The bill, believed to be the first of its kind in the nation, has tongues wagging at the state capitol. On the one hand, families are increasingly treating their furry friends as pampered children: Americans are expected to lavish \$40.8 billion on their pets this year, with only \$9.8 billion of that spent on veterinarian care, according to the American Pet Products Manufacturing Association.

But the bill's lead author, state Rep. Sheryl Albers -- a Republican known for spearheading unusual legislation, including creating a state ballad, ensuring that gold bullion be exempt from sales tax, and letting residents drive golf carts on city roads -- says she is pushing the law because of her husband's own messy 2003 divorce.

Albers said her husband Steven and his former spouse bitterly fought over who should care for the family's Labrador, Sammi. The kids wanted to keep Sammi, who was aging and suffered from incontinence. Neither parent, however, was clamoring to care for the dog full time, Albers said.

According to Albers and Dane County Circuit court documents, a judge ordered that -- as the three children split their time between Mom and Dad -- so, too, should Sammi.

"The dog did not travel well. It shed. It would get sick in the car," Albers said. "It was not easy dealing with that dog."

States traditionally consider animals to be property, so whichever spouse can establish ownership is granted custody. If ownership cannot be established, judges often try to figure out which person is the better caretaker and give the animal to him or her.

The bill, introduced earlier this month, comes as both the public's attitude and the legal community's interest in the humane treatment of animals and their legal rights is growing.

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A decade ago, just a few law schools were teaching courses on pets' rights, the treatment of farm animals and dog-bite statutes, said law professor Richard L. Cupp, associate dean for research at Pepperdine University School of Law in Malibu, Calif.

Now, dozens of schools teach courses on animal law and colleges have clinical programs and research centers devoted to the subject. This fall, Georgetown University Law Center and the Humane Society of the United States will launch a new effort to expand the school's animal-law curriculum.

One of the most famous cases was the divorce of Stanley and Linda Perkins, wealthy San Diegans who made national news over their fight for a pointer-greyhound mix named Gigi.

After two years of discussions on who would become Gigi's sole custodian, a judge in 2000 gave the dog to Linda. Among evidence shown to the court? A "Day in the Life of Gigi" video, featuring the dog sleeping under her chair at work, cuddling at home and playing fetch at the beach.

And then there was the case of the German shepherd with digestion problems. Each Friday, the husband would pick up the dog for the weekend. Each Sunday afternoon, right before returning the animal to his ex-wife, the man would feed the dog fatty sausages.

"It got messy," attorney Thomas R. Glowacki said.



"Ok, the cat's away. Time to play."

