Bills bring greater convenience to new driver's license requirements

Secretary of State Terri Lynn Land has urged swift approval of legislation that eases the identification burden on residents traveling to Canada, and also allows those who are in the U.S. legally but temporarily to apply for a driver's license or ID card.

"Protecting our borders is critical in this post-911 world," Land told the Senate Transportation Committee. "Ensuring the integrity of state-issued documents is an important step toward that goal. However, we can and must implement these safeguards in a reasonable manner. This legislation provides travelers with greater convenience, protects our economy and recognizes the needs of residents who are here legally but are not permanent residents. Most important, it does so without sacrificing the safety of our great state and nation."

I encourage the Legislature to pass these measures without delay.

The pending legislation is based on Land's proposal to enhance driver’s license and ID card security. Land said that prompt action is needed due to recent developments. Michigan law now bars legal residents who are in the country on student and work visas from obtaining a driver’s license or ID card. Land wants the law changed to avoid unintended consequences for job providers and legal but temporary residents.

(continued on page 2)

Animal law: A bird’s eye view

BY ROBERTA M. GUBRINS

Legal News

"Animal law," said Anna Rose Stern, Co-chair of the Animal Law Section of the State Bar of Michigan and attorney with Loomis Law Firm, "is the interchange between animals and animals and humans. Animal law includes statutory, regulatory and common law...it traverses many other practice areas."

Animal law "...exists at the local, state, federal and international levels," Stern continued. "For example, at the international level you have import and export regulation and treaties. The European Union has treaties including conventions for the protection of animals."

While the field of animal law cuts across many legal areas, the most popular topic is animal rights. Standing to sue, the legal right to bring a judicial action on your own behalf, is at the heart of the matter.

"The case of Animal Legal Defense Fund (ALDF) v Epsy," said Stern, "was a famous case that went up and down (the court ladder) and eventually the federal Animal Welfare Act was amended to include mice, birds and aquatic animals, but the regulations of the Secretary of Agriculture excluded this group from protection in the section on animal research."

"When the Legal Defense Fund tried—saying we want the USDA (United States Department of Agriculture) to enforce the statute, the court said 'we are sorry, but you don't have standing to bring the action because there is no injury to you, no causal connection between you and the damage and this court can't redress it because who are we going to give damages to? It is the animals that are being treated outside the statutory limits not you."

"The bottom line," said Stern, "is that a law was put into place to protect animals yet who can enforce it since animals and animal welfare groups or humane societies have no standing (to bring legal action)."

"Estate planning is another perfect example," she said, "I have a cockatoo, Al, who will most likely live for sixty years. He will survive me. Before the Michigan statute was enacted allowing for pet trusts and standing for the pet through a trustee, I could have found someone to take care of Al after my death and drafted a contract saying 'I give you $15,000 to care for my bird.' However,

Global outlook: acting dean at MSU blazes worldwide trail

BY TIM KIRVAN

"jumped at the opportunity to
Sentient property: Animals are living, feeling companions

News you can use

The American Bar Association has an animal law section, as does the State Bar of Michigan.

The animal law section of the SBM will host a symposium April 11th at Michigan State University from 1 to 4:30 p.m. Presentations will include practice pointers, case law and statutory updates. Supreme Court Justice Marilyn Kelly will speak on contracts related to purebred dogs.

For more information, please contact arstern@loomislaw.com.

MSU College of Law acting dean Cliff Thompson is a “Spartan”

Most everybody else, I seem to fit in quite well. They ignore me and I ignore them. On the other hand, I’ve found the dorm food to be fabulous. It’s all-you-can-eat, which is entirely too dangerous for me."

Thompson is the older of two children raised in the Sunflower State by his parents, Fred and Gracie. His father was a catalog manager for a mail order company, while his mother was a housewife. Their care enabled him to earn a degree at his alma mater.

“"When I graduated from Harvard Law School, I was intrigued by the possibility of working in Africa," Thompson related. "At that time, a lot of African countries were emerging from colonialism and becoming independent. I had this fanciful notion that my American and British law backgrounds could be put to good use over there, helping with the development of law schools in those countries."

It would be the start of a 10-year journey to understand and improve the legal structures of those countries. Thompson wrote the book on legal education in Africa and helped to establish law schools in Ethiopia, Kenya, Tanzania, Nigeria, and Ghana.

He admitted, “My strength was in not giving up. For two years, every night and weekend I tried to learn Indonesian, though I did not tell people how hard I worked because there was nothing to show for it—until, finally, there was.”

Intertwined with his stays abroad were deanships at the University of Hawaii, the University of Idaho, and the University of Wisconsin law schools. He has taught law school courses at Harvard, Michigan, and Berkeley.

His stay at MSU figures to come to an end in August when a new dean of the law school is in place. A search committee narrowed the field of candidates to four, all of whom were interviewed during on-campus visits in January, according to Thompson. When he leaves East Lansing, Thompson will return to dean emeritus status at the University of Wisconsin Law School, teaching full time and continuing his legal scholarship.