

INTERNATIONAL

What do you mean she's "Just a Dog"!

By : Rachel Hirschfeld.

A guardian trust for your pet will ensure a loving home for your companion when you can no longer take care of him. Don't leave things to chance, very often nobody wants to take on the responsibilities of your pet and the poor animal is left unloved and in many cases destroyed. The Hirschfeld Pet Trust ©, is a structured method to provide for the well being of your pet, money is placed into an account and the funds are distributed over the pet's remaining life to ensure their well being and to respect your wishes.

In 1995, I created The Hirschfeld Pet Trust©. I had rescued a dog, Soupbone, and wanted to make sure he had a loving place to live in case I was no longer able to care for him. Pets are an important part of the lives of many individuals. Considering the close bond between pet owners and their pets, it is not surprising that a substantial number of owners want to make provision for the care of their pets should they be unable to do so themselves.

My experience as an Attorney is that there was a great need to provide for the care of your pet. A simple story might suffice to illustrate my point.

Don't count on the will.

A brief history

In her will, Jane left \$10,000 to her sister, Nancy, for the care of her dog, Max. Nancy cried at her sister Jane's funeral than took Max to the pound and used the \$10,000 for a shopping spree in Paris. No one, including the court, could do anything about it.

Because pets are considered property, they cannot legally inherit. Jane is not permitted to leave money directly in her will to her pet. The provision asking Nancy to care for the pet with the monies left is a request and the court has no power to enforce her wishes.

Recently, however the law did make provision to plan for uninterrupted care for our pets should one become incapable of caring for them ourselves. We now can create an enforceable trust with a pet as primary beneficiary by forming a pet trust.

What is a Pet Trust?

Secure your pet's future

A pet trust is a legally sanctioned arrangement providing for the care and maintenance of one's companion animals in the event of one's disability or death.

Because it's a legally enforceable arrangement, pet owners can be assured that their directions for the care of their companion animal will be carried out. Since you, the Pet owners, know the particular habits and needs of the animal take some time to make a little list. This memorialized list should describe the care that your pet should have, how he likes to be walked, his favorite food and the veterinarian you prefer. You should also list who you would like to take care of the pet. We can recommend animal sanctuaries that will ensure a loving environment in their final days. The great thing about naming a not-for-profit no-kill-shelter in your pet trust is that it will act as both attorneys if necessary because they will have standing in the courts and as a shelter if the caregivers are no longer available.

Conclusion

Don't leave things to chance

A pet trust is affordable and simple. The benefits of having a pet trust are more than simply the piece of mind of knowing that your pet is going to be cared for and protected. It memorializes your animal's needs their doctors, medications and favorite toy: it chooses the caretakers for them. What was once the province of the rich, famous and eccentrics, Doris Dukes, Betty Whites, Donald Trumps is now affordable to everyone.

The pet trust may be your animal's best friend



Rachel Hirschfeld

Rachel Hirschfeld is the founder and principle of the law offices of Rachel Hirschfeld and the creator of the Law office of Rachel Hirschfeld and the creator of The Hirschfeld Pet Trust ©. Her practice focuses in the area of Pet Trusts, Elder Law, Medicaid Planning and Trusts and Estates. She is principally involved in planning for individuals, families and businesses in preserving assets against estates taxation and the costs of long term care.

Among her professional affiliations in the legal community, Ms. Hirschfeld is an appointed member of the New York State Bar Association's (NYSBA) Special Committee on Animals and the law. She is also a member of the New York State Bar Association's Trusts and Estates Law Section and the Elder Law section. She serves on the Advanced Programming and Educational Committee for the prestigious National Academy of Elder Law Attorneys (NAELA) and on the Committee for the problems of the Aging for the Association of the Bar of the City of New York (ABCNY). Ms. Hirschfeld is frequently invited to speak before professional groups on the topics relating to trusts and estates, including elder law, Medicaid planning and pet trusts.

A graduate of Yeshiva University's Benjamin N. Cardozo School of Law, she serves as a member of the *Honor Society Moot Court*. She has substantial experience in legal matters, having worked under U.S. Attorney General Janet Reno in the Department of Justice in Washington, D.C., and clerked for the Honorable William G. Bassler, Federal District Court Judge.

Ms. Hirschfeld is actively involved with the business and animal communities. She is chairperson of the Board of the Greater New York Chamber of Commerce and serves as a voting member for both the Tony awards and the Grammy awards. She has produced several shows on and off Broadway in America and England, including the critically acclaimed *On Golden Pond* starring James Earl Jones.

She writes a regular column for the North Shore Animal League, the world's largest no-kill animal shelter and responds to online questions on pet trusts and animal law.

Prior to becoming an attorney, Ms. Hirschfeld ran a major real estate development and management company in South Beach while simultaneously serving as a member of the Mayor's Advisory Council of Miami Beach, Florida for six years. A woman with many interests and talents, Ms. Hirschfeld has the distinction of being named the first woman *Haute Cuisine* Chef in the United States. She graduated first in class from the Cordon Bleu Culinary Academy in Paris, France with the highest possible honor, *Tres Bien*.

Attorney Hirschfeld is fluent in French, Italian and Hebrew and represents clients around the globe.

CONTACT: RACHEL HIRSCHFELD
TEL # 212 353 8456
rhirschfeld@aol.com