

Beyond the Grave

Taking Care of our Pets Needs

We wonder what will happen to us if we get sick, or worse yet, die... what will become of our home, who will we leave the china to, and who will we ask to watch over our children in the event we cannot. What happens though when something stops us from getting to the door at 3am to let the dog out, or who will feed our beloved cat her lunch time snack so she doesn't fall into a diabetic coma, or who will give our senior pet their special home-cooked diet or medication so they can live another day? Before we go off naming who will get the cherished plates and antique sofa—we should first make sure that our living property will be cared for.

As bizarre as it sounds, pets today are still considered "property". Similar to your couch, your car, your boat, your clothes, a piece of jewelry, or even your food storage containers, your pet is by law—your property. GASP! It's true, pets still to this day, really don't have any rights of their own yet - this is why they are still legally considered "your property".

So, before fixing to name your best-friend the new owner of your favorite little black dress, or your in-law as the new owner of your snuzzling, fuzzy little fur ball of fun - there are a few things you should know. You cannot legally enforce anyone to take over the care of your pet. You alone, the court alone, no one can do this. The only way you can make sure that your beloved pets will eat, live and not be put in a shelter to die - is to create a Pet Trust and a Pet Protection Agreement.

The very first piece of property you should consider is your living property - memorialize what lives and breathes before anything else. Here's why, there are many state and federal agencies that will step in to care for human children in the event that the child's parent or guardian falls sick or dies. Foster families are often found and no child is ever put to death due because their parent or guardian died. However, in the case of companion animals - there are countless cases of pets being left without pet guardians, left to starve or to die, or picked up by rescue. Some unfortunate Pets are dropped off to shelters that euthanize these pets because no one adopted them before their time ran out.

How will you make sure your cherished pet is taken care of in the event you become unable to love and care for them yourself? The answer is that you must create a Pet Trust and/or a Pet Protection Agreement™ as soon as possible.

If you believe in living each day as if it was your last - then you should be prepared like each day *could* be your last.

What is a pet trust? What's a Pet Protection Agreement™ and how does a responsible pet owner get one? Here's a breakdown:

Pet Trust :**

- Legal and binding document that can be enforced by law.
- Allows Pet Owners a way to give detailed instructions on how to care for their Pet.
- Can manage and disburse funds that will pay for a Pet's care throughout the life of the Pet.
- Trust funds are not subject to probate and the funds are not delayed by court or other end of life legalities.
- Funds are not controlled by the executor or the Pet Owner's estate.
- Terms of the trust are deemed by law to be private.
- A Pet Trust can help keep Pet Owners with their Pets in the event that the Owner requires in-home care or is put into an assisted living facility or a nursing home.

Pet Protection Agreement™ :**

- Ensures that your pets will be treated exactly as you decide.
- Is a detailed, individualized manual of instructions – from you – for the care of your pets.
- These instructions are legally enforceable in the Pet Protection Agreement™ and will protect the pets you love.

Both a Pet Trust and a Pet Protection Agreement™ :**

- Are secured by being signed by both the Pet Owner and future Pet Guardian or Trustee.
- Are enforceable during the Pet Owner's life (in the event of disability) and after the Pet Owner's death.**

Today, every state enforces a Pet Trust because it is considered federal law. However, each individual state has their own set of regular Trust laws and most states have Statutory Pet Trust Laws.

It's important to find the right legal advisor. A good Pet Trust lawyer should:

1. Know the Federal Pet Trust Laws.
2. Know your state's Statutory Pet Trust Law and your state's General Trust Law.
3. Make sure that both the federal and state Trust Laws are being followed and apply both of those Trust Laws to the creation of your personal and individual Pet Trust.

Remember... Federal Pet Trust Law + State Pet Trust Law + General Federal/State Trust Law = Custom Personalized Individual Pet Trust that is enforceable by law.

Where and how can a Pet Owner find a legal advisor that can help them create a Pet Trust and a Pet Protection Agreement™? Most lawyers specialize in their field of expertise, whether it be real estate, estate planning or divorce. Few lawyers are well versed in Pet Trust Law so in an ideal world, Pet Owners should look for consultation from a Pet Trust Lawyer.

One such attorney does exist and her dedication to making sure that pets are cared for extends beyond legalities. Attorney Rachel Hirschfeld, esq., inspired by her own beloved Bijon-Poodle rescue dog named Soupbone, has made it her lifelong commitment to keep your pet in a home, safe, happy and healthy. Attorney Hirschfeld is the creator of the Hirschfeld Pet Trust© and the Pet Protection Agreement™.

We had the pleasure of interviewing Attorney Hirschfeld and she explained that her mission or mantra as she put it, "to ensure that every pet that has found a loving home is guaranteed a secure future."

Attorney Hirschfeld explains that pets in forever homes, tend to be the most vulnerable, meaning that some Pet Owners might not be aware that setting up their pet's future is easy, available and something that is very affordable to do. "If you love your Pet, why leave them vulnerable to an uncertain future?" Atty. Hirschfeld asks.

Attorney Rachel Hirschfeld works primarily with estate planning for people with pets. She is located in New York and specializes in Trusts and Estates. Her clients come to her from all over the US and the world to work with her in the planning of their pets futures. Hirschfeld explains that she has legal counsel contacts in every state and is able to work across state lines making sure that each of the Pet Trusts that she creates, are legal, legally binding and can and will be upheld by law.

Giving pets everywhere a paw up, Hirschfeld works on behalf and in the best interest of the Pet first while addressing all of the Pet Owners concerns and desires. "Putting your pet into your will, is like a death warrant for your pet," Hirschfeld explained. "Wills that include a Pet's future care are not able to ensure that those instructions will be enforced because the will can only dispense of property - it cannot follow up on any instructions that were left. And, wills are not signed by both parties thus making it a surprise to the future owner that a pet was left to them." Hirschfeld further explains, wills that include instructions on *how* or *how long* to care for a pet are impossible to enforce through legal, moral or ethical means. In short, if a Pet Owner leaves their pet to someone in their will, then they are giving up all their rights and their pets rights to the care they desire. Instead they are "willing" their rights and the rights of their beloved Pet to the New Pet Guardian or Trustee—*hoping* that their New Pet Owner will continue proper care. Sadly, this doesn't always happen, and many Pets find themselves quickly forgotten or homeless.

A Pet Trust is best left to a professional like Attorney Hirschfeld who can work within both the Federal /State Trust Laws and Federal/State Pet Trust Laws. Pet Owners can look forward to working on their Pet Protection Agreement™ which is the detailed outline of how to physically, mentally and emotionally care for their pets.

As Hirschfeld describes, if a Pet is left without a Pet Trust or Pet Protection Agreement™ then NO One is left in charge of those pets. If there is only a will, then it is even worse. Sometimes a will isn't found until weeks later, and by that time, the pet could be suffering from some sort of abuse or neglect. Since instructions in wills aren't enforceable, leaving a pet in a will leaves it up to the named guardian to decide what they will ultimately do with a Pet that's been left behind. Should that guardian be in a place where they are unable or unwilling to take on the responsibility of a pet, then they can do whatever, however, whenever with those once beloved pets. "My goal is to cut down on the animals that wind up in shelters or rescues because their Pet Owner died or became disabled," Hirschfeld says.

Attorney Hirschfeld advises that, "Whenever Pet Owners are in front of a legal advisor or an attorney who will be handling their estate, they should always discuss their Living Property first. A Pet's needs should be considered on a wider spectrum than regular property and children. Legally Pets fall between being property and being a child who requires lifelong care."

Because Pets fall between both categories, sometimes Pets fall *in-between* the cracks and are forgotten which can be life-threatening for them. Pet Law is developing law and considered on the cutting-edge, so treading lightly, with a well-educated and well-informed attorney should be the goal for all Pet Owners. A Pet Trust and a Pet Protection Agreement™ allows Pet Owners to care for their Pets well after they have become disabled and unable to care for them. Pet Owners can care for their Pets through these legal means well beyond the grave too. This is a gift that Pet Parents can offer to their animal companions so that going from one home to another can be a smooth transition. Although our Pets don't have many legal rights of their own, Attorney Rachel Hirschfeld has given Pet Owners all over the world, the rights to their Pets care forever!

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Legal Planning for Pet's Continued Care

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**<http://petriarch.com/pdfs/LawReviewArticle.pdf>

This article was written in collaboration with Attorney Rachel Hirschfeld, esq.

*Donald and Sara Hassler are co-authors of the award-winning children's book, **Loving Marley**, and reside in Connecticut with Marley and Belle the real-life inspiration for the PugTale Adventures storybooks www.lovingmarley.com. The Hasslers are active members of the press through the Dog Writers Association of America. For more information visit them online at www.responsiblepetowner.com.*

ASK AUNT MARTHA INFO HERE

Insert Aunt Martha Picture Here with this info below it

Aunt Martha wants to hear from you!

Friends can join us online at: responsiblepetowner.com to sign Aunt Martha's guestbook.

To Ask Aunt Martha a question or to become a reference contact to help others please email us at: askauntmartha@responsiblepetowner.com

Your questions, comments and tips, could appear in the next issue of *Pug Talk*. You might become an inspiration to someone on responsible pet ownership.

Ask Aunt Martha... is a companion column to *the Responsible Pet Owner* and an open discussion forum for all issues relating to responsible pet ownership. Contact us at: askauntmartha@responsiblepetowner.com

Aunt Martha is a character in the PugTale Adventures storybooks. She is modeled after and based on a real-life woman who loves animals and has been a responsible pet owner since early childhood.

Aunt Martha Text is here – Please begin with Opening Comments here

One day while at our vet's office, Manchester Veterinary Clinic, Manchester CT, we met a new staff member. A young girl, who I had not seen before, dressed in scrubs, approached us and cooed over our two pugs, Marley and Belle. While talking she told us that she too had a pug, and that his name was Puggy. After talking about our dogs, she introduced herself to us and told us that she had adopted her pug dog from a rescue group. We're always interested in rescue dogs and those that choose to offer a homeless pet a forever home. Upon more conversation, we learned that this young lady and her husband had chosen to adopt a senior pug that was both blind and deaf. Surprised and impressed I asked our new found pug person if she would like to be a part of one of our articles for Pug Talk, specifically our upcoming article for the Rescue Edition. Amy shows us that what we experience in our young life, carries onto the choices we will make in our adult life. Bravo to Amy's parents for introducing her to the value of senior love, and Horray! for Amy and her husband for opening their hearts and home to a once-loved then-forgotten pug in need. We are pleased to share Amy's touching story with everyone about her adoption of Puggy.

Over the last decade, my parents have adopted two pugs, both with different disabilities. Micki, who is no longer with us, was adopted at the age of twelve and lived until he was eighteen. He was completely blind and deaf, but had a heart of gold. Gus, who was adopted at age eight, had only one eye and severe hip injuries due to being hit by a car. Both Micki and Gus had a tough time adjusting to their new life at first, but it was not too long after being adopted that they really felt at ease in their new home. This gave me some insight on what it would be like to rescue a senior pug.

In December of 2008, my husband and I decided that it was time to adopt a pug. My love for neglected animals has been a profound part of my life. I always wanted to give the love and attention to a pug in particular, one that was not so fortunate to have a warm and loving home. From my experience with senior pugs, I knew that adopting a senior pug with some sort of disability would truly be rewarding. After looking at several available senior pugs and their stories, I came across one that was very touching. It was a heart wrenching story of two pugs, Pugsly and Missy, who were surrendered to a pug rescue as a result of severe neglect. Pugsly and Missy's owner suddenly passed away. They were left to the owner's daughter who sadly kept them at her late father's house with no one to care for them. They spent three agonizing months tied up outside with minimal food and water. Regardless of weather conditions, Pugsly and Missy were left to fend for themselves with what little food and shelter were provided. Through it all, they found a way to survive. The daughter's friend ultimately reported Pugsly and Missy to a beagle rescue, which then contacted a pug rescue.

Pugsly and Missy were brought in to foster care in August of 2008. The pug rescue was originally told that they were both in good shape. It was not until the doctors saw Pugsly and Missy that they realized how bad their condition was. Pugsly was diagnosed with hypothyroidism, anemia, a urinary tract infection, and severe flea infestation. Thankfully, he was heartworm negative. During his first two days in foster care, Pugsly constantly cried and scratched himself until he bled. Pugsly's skin was so raw that it was constantly oozing and had patches of hair loss. He looked severely malnourished as his spine and ribcage were visible. It was determined by doctors that Pugsly was almost completely blind as he could only see shadows. In addition to his blindness, Pugsly also had severe hearing loss. He did not respond when his name was called nor did he move his head like most pugs do when people talk to them. The only hearing he had was with the occasional high pitched noises. Pugsly's loss of eyesight and hearing were results of lengthy poor health or conditions left untreated. Missy's medical conditions were no better. Pugsly and Missy needed so much medical attention that it was in their best interest to be cared for individually. They spent some time together getting medical treatment, but this would be the last time that they would see each other.

After reading Pugsly's article and seeing his disturbing photos, I knew that this sweet little soul would be mine, forever. I contacted the pug rescue and completed the adoption paperwork. We were overwhelmed with joy when Pugsly's foster mother asked us when we would like to pick him up. Although it was just after the holidays, I knew that the best present of all was yet to come. My husband and I made a six hour road trip to Virginia to pick up our new little one. Our only hope was that Pugsly would feel comfortable with us. We entered the house where Pugsly was being fostered, and saw what looked like this little lonely pug sitting inside an open cage. All of the younger foster pugs were excited and running around, but we were immediately drawn to Pugsly because he did not know what was going on. At a mere ten pounds, Pugsly felt so light when I picked him up. I did not want to let him go because I waited so long for this moment. He had the softest fur I had ever felt. He turned his head to smell my face and I gave him his first kiss. My husband was eager to hold him so I handed Pugsly over. We could not help but notice that his tail was wagging uncontrollably. Holding back tears, this was the moment we were longing for. Pugsly was in our arms at last.

Pugsly, who we now call Puggy, had some separation anxiety at first. Wherever my husband and I went, Puggy was there. He would not lie down until he felt our presence in the room. There were nights where he had difficulty sleeping as if he still thought he would be left alone. He slowly began to feel comfortable with our other dog Bailey as well. When Puggy first came home, Bailey smelled his eyes and sensed something was wrong so she was very careful with him. They got along fairly quickly as they would cuddle with each other all the time. It took some time for Puggy to find his way around our home due to his blindness, but eventually he managed. My husband and I would bathe him regularly to insure that he would not scratch or bite himself. In addition to several antibiotics, he continued his thyroid medication and needed digestive enhancers since he had gone so long without food or water. Interestingly, he would not drink water. We would give him wet food, which has some water in it, as well as added water to his dry food so he

would stay hydrated. About a month after we brought him home, he started to drink water again. His sense of security was in knowing that we would not leave or abandon him. We were determined to give him the best care he could possibly get, and he learned to trust people again.

It has been one year since we adopted Puggy. He is currently off all medications and is no longer anemic. Although he does have medicated eye drops to help with his glaucoma and cataracts, his inability to see completely is no longer a handicap for him. He manages to run around our house without bumping in to walls. Although he can get around inside pretty well, I do have to carry him outside to go to the bathroom since he cannot go up or downstairs. He lets me know when he has to go out by running around in circles. As far as his hearing, Puggy can still only hear high pitched sounds. Whenever I clap my hands or snap my fingers he knows I am around. Occasionally, I will say the word "Puggy!" in a high pitched voice. He will immediately sit up in his bed with his ears perked up after just sleeping. If I do not go to him right away he will come find me. Puggy uses his sense of smell and ability to see some shadows to get around. If he is not sleeping when I come home, he will make little grunting noises because he can smell my presence. I will even wiggle my fingers in front of his nose and mouth to let him know I am there and he will get excited. Despite the fact that it has only been one year, it feels like Puggy has been with us his entire life.

My husband and I have adjusted really well to living with a special needs pug. We have gotten into a routine where Puggy's needs come first. This means giving him eye drops regularly, taking him outside to go to the bathroom when he needs to go, feeding him and making sure he gets to his food bowl, bringing him from room to room just so he can snuggle and be with us, and holding and kissing him to let him know we love him. Our lives have changed forever. I have learned to be more patient and to love in ways I never thought possible. Each morning I wake up with a big smile on my face because I am so thankful to have Puggy in my life. I never thought helping a senior pug with special needs would be so fulfilling. Puggy was once a lethargic and lonesome pug and he is now full vigor and life. My husband and I have provided a warm and loving home for him and, as a result, he has grown to trust and love us.

So you may be asking why I decided to adopt a senior pug with such medical conditions. I have always felt that younger pugs get adopted out much quicker than older ones. Who does not want a young, energetic, fun-loving pet to grow old with? Not many. On the other hand, how many people are willing to be selfless and think about saving the life of an older pug that was not as fortunate to have a forever home? For me, I knew that adopting a senior pug who is almost completely blind and deaf would be a great challenge. However, I knew it would be the best thing I could do for him and that with everything he has been through, he would truly be grateful. Indeed, the love we get from Puggy is truly unconditional.

Senior pugs do not get the recognition or placement that they need and deserve. Regardless of their medical condition, senior pugs have a will to survive which is truly amazing. They are very mellow and loving companions. Senior pugs are very grateful for life's littlest treasures, such as being able to eat, drink, and curl up on the couch next to you in a warm home. They begin to trust you as quickly as you fall in love with them. If given a chance, a senior pug will provide you with the loyalty and companionship that is like no other.

-Amy Federici