

# Law Offices of Rachel Hirschfeld

## Pet Trusts

1-877-7-PET-TRUST

[www.pettrustlawyer.com](http://www.pettrustlawyer.com)

Don't leave things to chance. A caretaker Pet Trust is an affordable and simple way to ensure a loving home for your animal companions when you can no longer take care of them.

The benefits of having a Pet Trust are more than simply the peace of mind of knowing that your pets are going to be cared for and protected. It memorializes your animal's needs, their veterinarian, medications and favorite toy: it chooses the caretakers for them.

### What was once the province of the rich and famous is now affordable to everyone

In America, more adults have pets than children. 84% of pet owners consider their animal companions to be their children. More than 25% of people in the U.S. now live alone, many of them elderly pet owners. For many seniors, a pet is their only family, providing love, affection, and a reason to get up in the morning. 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.

Very often nobody wants to take on the responsibility for your pets and the animals are left unloved and in many cases destroyed. The Hirschfeld Pet Trust<sup>™</sup> is a structured method to provide for the well being of your pets. If anything should happen to you, funds will be placed in an account and distributed over the pets remaining life to ensure their well being and respecting your wishes.

If care instructions and funding for pets are not provided for in a trust, the pets may be put to death or turned out to roam the streets. Abandonment of pets at the death or incapacity of the owner is not an unusual occurrence. A simple story might suffice to illustrate my point.

### Don't count on the will

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 then 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 in a Will. Jane is not permitted to leave money directly in her will to her pet. The provision in Jane's Will asking Nancy to care for the pet with the monies left for this purpose is not enforceable by a court.

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

Naming NY SAVE in your Pet Trust as a beneficiary, as well as your pet, helps a loving and generous cause which provides -----.

### What is a Pet Trust?

A Pet Trust is a legally sanctioned arrangement providing for the care and maintenance of companion animals in the event of the owner's disability or death.

Because the Pet Trust is legally enforceable, pet owners can be assured that their directions for the care of their companion animal will be carried out. Since you, the pet owner, know the particular habits and

needs of your pet, take some time to make a list to describe the care that your pet should have, how he likes to be walked, his favorite food and the veterinarian you prefer.

Pet Trusts are not without drawbacks. Animals can't complain to a probate judge if their trustee is shortchanging them on food or accommodations. And a dishonest trustee could fraudulently extend the life of the trust to continue receiving a trustee stipend.

A San Francisco maid was appointed trustee for an ordinary looking black cat. When the cat died, the woman adopted a look-alike to keep the trust fees flowing. She was on her second replacement cat before her fraud was detected. Some Pet Trusts include a provision that the pet's DNA and Microchips be regularly checked.

However, pet laws do take into account one key fact of modern life: Surviving adult children may be reluctant to carry out a parent's final wishes.

If it was just you and your pet, and you were not so sure that your children living halfway across the country would be able or willing to care for your pet, you may obtain peace of mind by setting up a Pet Trust.

### Conclusion

Some Pet Trusts are complicated, some are modest. Some are established to meet the needs of one healthy pet. Some come with detailed instructions for the care of multiple pets or pets with health issues.

But the elements of every pet trust are the same:

You need a trustee to manage the funds--

A caretaker to take physical care of your animal companion--

A non-profit back-up to take your pet if the caretakers of your choice are not able--

And detailed instructions on how to care for your pet.

The more specific the instructions, the smoother the transition for both the caretaker and the animal companion.

When you go home, your animal companion may greet you at the door. When you look into those trusting eyes you will recognize the need for The Hirschfeld Pet Trust. A Pet Trust is the only way to protect your animal companions.