

Animal lovers set up pet trusts to ensure furry friends are provided for

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It's hard not to enjoy the beautiful sunshine on the beaches of Bermuda, but for Caryn Rosenthal, frequent trips to the island had her thinking some dark thoughts.

What would happen to her little dog, Jax, waiting at home in her Upper West Side apartment, if something happened to her? While Rosenthal's family members love Jax, a mixed breed who scoots around on wheels because his hind legs are paralyzed, she did not want to leave anything to chance.

"People mean well, but who would take him in?" asked Rosenthal, who does voiceovers for commercials. "On my last trip to Bermuda, I said, 'I can't do this anymore.' "

Rosenthal approached Frances Carlisle, a trust and estates lawyer in midtown who specializes in pet trusts. The actress set aside a sum of money for Jax's care and named a person she trusts to find Jax the best home in the event she passes on before he does.

Reaching out from the grave to protect pets used to be for eccentric rich people like Leona Helmsley, who famously left \$12 million to her pampered pooch Trouble, or the British singer Dusty Springfield, who arranged for her cat Nicholas to be fed imported baby food and be put to bed each night on a mattress lined with her nightgown.

But ordinary animal lovers are also scampering to shield their furry loved ones. [Pet trusts](#) are legal arrangements that set money aside for a pet's care and designate a trustee to fulfill an owner's wishes.

Funds for Fido can be as small as \$5,000, experts said, with the typical pet trust financed at \$20,000 to \$100,000. Legal fees range from \$39 for a do-it-yourself [Pet Protection Agreement®](#) to \$2,500 for a complicated pet trust.

"Pet trusts are not just for the rich," Carlisle said. "Of my clients who have pets, 75% have a pet trust. I insist they make some kind of arrangement. I tell them, 'This is part of your family.' "

Pet planning is part a cultural trend that has Americans tuning in TV shows like "Dog Whisperer" on the National Geographic Channel while making pets even more of a priority in their households.

"People are no longer shy about saying, 'My pet sleeps with me,' " said [Rachel Hirschfeld](#), a lawyer in midtown who specializes in pet trusts.

At the same time, there's a growing awareness of what might happen to a pet if his owner doesn't plan ahead. Last year, 41,000 pets ended up in city shelters and 13,000 of them were euthanized, according to the Mayor's Alliance for NYC's Animals, a public-private organization.

Even so, the idea of setting aside money for four-legged friends doesn't appeal to everyone, especially family members who might lose out in the process.

Jennifer Cona, managing partner of law firm Genser Dubow Genser & Cona in Melville, L.I., said she's seen fights erupt when parents leave more money to their pets than to their children. Often, it's because of an underlying family conflict.

In those situations, "it is often far better not to tell the kids in advance because then the parent is going to have to hear everyone's opinion."

To avoid challenges in court - a judge eventually knocked down Trouble Helmsley's loot to \$2 million - it's best to keep your pet trust modest, experts said.

Figure out how much your hairy heir requires by tallying up its annual expenses - food, vet visits, grooming, toys - and multiply that by her life expectancy. But don't go overboard.

"Be realistic," said Kim Bressant-Kibwe, a trust and estates counsel for the ASPCA. "Think of what a prudent person would spend on their pet."

With Hirschfeld's help, Robert Misseri, president of Guardians of Rescue, an animal rights group, recently signed a pet protection agreement on behalf of his three cats - Bo, Dexter and Fin - and for his dog, Haley.

He purchased a \$500,000 life insurance policy to finance their care, which includes regular medical masseuse appointments for Haley. Under Misseri's arrangement, the beloved animals will remain in his Smithtown, L.I., home if he and his wife are no longer there.

"It gives me a great deal of comfort," said Misseri, one of the founders of Rescue Ink, an animal rescue group that spawned the cable TV show "Rescue Ink Unleashed."

Marilyn Spierer, 73, of Gramercy Park, also made a care plan for her loved ones.

She set aside \$50,000 in a trust for her five cats: Biscuit, Sasha, Ramona, Ella Fitzgerald and George Harrison. She made sure to name a guardian who loves cats and would care for them faithfully after she is gone.

"Most people don't like to think about it," Spierer said, but "these are my children."