



Who Will Care for Your Pet After You're Gone?

By Dr. Karen Becker

Sadly, an estimated half million dogs and cats are euthanized each year after their owners pass away with no provisions made for their pet.

What would become of your dog, cat, bird or other companion if something happened to you?

I realize this isn't a pleasant thing to think about, but it's actually not complicated to make arrangements for your pet in the event you're no longer able to care for her.

And the peace of mind you'll receive from setting everything up ahead of time will be well worth the effort.

Planning for Pet Care in the Event of Your Death

Your will or testament is one vehicle by which you can legally arrange for the care of your companion animal in the event of your death.

One or more people who agree to take responsibility for your pet are named in the document, along with any assets you want to leave to that person to help with the expense of caring for the animal.

You can also leave your pet with one person and the money to another person, with instructions for reimbursing the new owner for pet-related expenses.

Unfortunately, wills are not handled immediately upon the person's death, and settlements can sometimes be dragged out for years.

To make matters even more complicated, specific instructions for a pet's care contained in a will are not enforceable, nor does a will allow for disbursement of monies over the remaining lifetime of the animal.

So including pet care in your will is only a first step. You'll also need a legal document called a pet trust to make further, specific provisions for your animal.

Pet Trusts

There are different types of pet trusts to consider.

A traditional pet trust gives you a great deal of control of your pet's care after your death. You can specify, for example:

- The person who will handle the finances for your pet (the trustee)
- The new owner (caretaker/beneficiary)
- What expenses the trustee will reimburse to the caretaker
- The type of care your pet will receive
- What will happen in the event the caretaker you specify can no longer keep the animal

This type of trust is legal in all 50 states in the U.S.

Another type of trust is the statutory or honorary pet trust, which is in effect while you're alive as well as upon your death. This type of trust controls how monies are disbursed, including prior to your death if you choose. A statutory trust provides more flexibility than a traditional trust and is the simplest to do, especially if you already know who your pet's caretaker will be after your death, and that person is aware of and agrees with your wishes. Only a handful of states do not recognize the statutory pet trust.

A third type of trust is a revocable living trust, which avoids probate after your death. The benefit of this type of trust is it can eliminate the majority of disputes and challenges to a standard will.

The Importance of Preparing Legal Documents

It's really important to assign ownership of your pet in your will or a trust.

Otherwise, your four-legged family member will automatically go to your residuary beneficiary (the person or persons who'll receive everything not assigned in your final legal documents).

If you have no will or trust upon your death, your pet will go to your next of kin.

When you adopted or purchased your pet, did you sign a contract agreeing to return the animal to the breeder, shelter, or some other entity in the event you can no longer keep your pet? If so, it's a good idea to attach those documents to your will or trust and give a copy to your assigned pet caretaker as well so everyone who may need the information has it. (Breeders and shelters are only interested in insuring your pet isn't abandoned. As long as you've provided for the animal in a will or trust, it will satisfy their requirements.)

An option for paying for future health care for your companion animal is to make a separate arrangement with your vet. Depending on how you feel about your DVM, you can leave money with her, or you can draw up a contract and leave a credit on your account for expected future services your pet may need.

Another option is to purchase pet health care insurance and then designate funds to keep the policy in place after your death.

Who Will Care for My Pet When I No Longer Can?

Certainly this is the most important question of them all. And you know better than anyone who would be the best person to take on responsibility for your pet when the time comes. Give the subject careful thought, because it's possible the people you feel closest to are not the best choice for pet owners.

Not everyone is a 'pet person' – perhaps not even your best friend or your own child or grandchild. Think about how you want your pet to be provided for after you're gone, and then think about who you know with the time, energy and other resources necessary to care for your pet as you would.

Some people don't have the time available to properly care for a pet. Others have too many obligations already or are too busy with careers, child rearing, etc. Perhaps you want your furry best friend to continue eating a raw diet or receiving chiropractic care. Does the caretaker you have in mind share your overall pet care philosophy?

When you decide on someone, then repeat the process all over again and come up with a backup caretaker.

You and your identified caretaker(s) should discuss your plans at length, and it's a very good idea to have the future owner's name, contact information and your pet's care plan in writing. Make sure the caretaker has a copy, close family members, people who visit you regularly, and/or a neighbor you're friendly with. Consider leaving a copy of the document in a conspicuous spot in your home as well.

This will help to prevent a situation in which your pet is relinquished to a shelter because no one realized a plan was in place.

If there is no one you feel would be appropriate to care for your pet, there are fostering options which can provide a temporary home for your pet until a new owner can be found. These include:

- The breeder or shelter you bought or adopted your pet from
- A breed or other rescue organization
- Your local animal shelter
- Your veterinarian

Obviously you'll need to make arrangements ahead of time with one or more of these organizations to take charge of your pet when the time comes, and a method for notifying them immediately.

Ways to Fund Future Pet Care

You can use cash, life insurance, stocks, bonds, annuities and assets like your home or car to provide funding for your pet, and there are various ways to make the funds accessible to your pet's caretaker after your death.

For example, if you have a living trust you can transfer cash or other assets into it yourself. You can also name your trust as beneficiary of your life insurance policy.

I recommend you talk with an attorney or other qualified professional about how to fund your pet's financial future and the proper way to go about it based on your individual financial situation.

For more information and tools to help you plan for lifetime care for your pet, visit [2nd Chance for Pets](#).