

# THE BIG SLEEP: YOURS



Clay Myers

We've all heard one version or another of the story of the wise old woman who dies and leaves every cent of her vast wealth to her poodle. I consider this a happy ending; it's when the entire fortune goes to cats that I get seriously depressed. What depresses me even more is that everyone knows these "happy ending" stories, but hardly anyone knows that more than 500,000 dogs and cats are euthanized every year because their Humans died, or became incapacitated, without making any plans for their welfare.

Nonprofit groups like 2nd Chance 4 Pets ([www.2ndchance4pets.org](http://www.2ndchance4pets.org)) are trying to whittle down the zeros in that terrible statistic. Can you imagine suddenly going from a comfortable, loving home to a

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noisy, loveless prison where your chance of “parole” stinks? Young and healthy orphan dogs have a chance at a happy life, but older and infirmed dogs all too often end up having to be “put down”—and I don’t mean *criticized*. I know this isn’t what you’d want for your dog, but have you done anything to prevent it?

**Selecting a Caregiver** Do you know who’s going to take care of your dog(s) when you’re not around? Do you think Mary Puppy Poppins will suddenly materialize when you need her? Don’t count on it.

Ideally, you want someone who loves your dog, and is well-suited to take care of her, keeping in mind that no one on earth is as wonderful as you. Do you have someone in mind? Good. Now think of a second person, and a third. Check with each of them to see if they’ll act as guardians.

Don’t sugarcoat the job. Explain exactly what it entails (fresh steamed green bean treats, organic meals, non-stop playtime). If your prospective caregivers don’t know your dog, please introduce them and make sure they “click.” If something terrible happens and you disappear, you don’t want your Bruno to be traumatized by a stranger entering his home and whisking him away. This is especially important if Bruno is big and scary and might give your caregiver reason to reconsider the commitment.

### **Money, money, money**

If your potential alter egos can’t afford to support your dog in the manner to which he is accustomed, or aren’t prepared for the increased costs an aging dog may bring, they’ll need help from you. You can leave money directly to the caregiver (risking financing their next trip to Acapulco) or you can leave funds safely in trust. The law won’t let you leave anything directly to your dog (all those wealthy widow stories notwithstanding). I can’t imagine why. Do the courts think dogs will blow their inheritance on toys and cute outfits? And two-leggers won’t?

Although laws are starting to change, your state probably considers your dog property. That’s so dumb. Even cats aren’t

property. Even gerbils aren't property. We're all beings just like you, only some of us are furrer. Maybe dogs shouldn't be surprised given some of the crazy laws on the books. In Alabama it's against state law to wear a fake mustache that causes laughter in church. In New Mexico, "idiots" may not vote (although nothing says they can't run for office). The four-legged shouldn't completely despair, however. Oklahoma has a state law stating that Humans who make "ugly faces" at dogs may be fined and/or jailed. There *is* hope.

You can provide funds for your dog through your estate or from life insurance proceeds, or arrange to have them come from a bank account or savings if you become incapacitated. Unfortunately, your wishes must be in writing. No one will take your dog's word for it.

#### **Legalities count**

Money left *in trust* for your dog is available immediately if you're disabled or dead. Money left *in your will* can be stuck in probate while your dog sells old bones on the street to raise money for bargain kibble. That's something to think about.

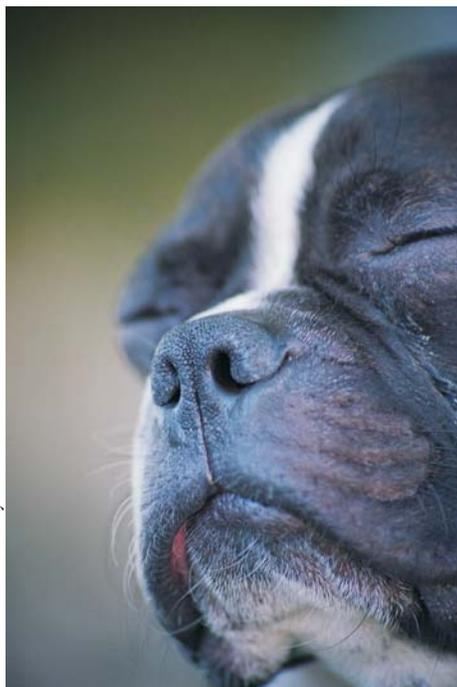
There's a wonderful nonprofit website ([www.estateplanningforpets.org](http://www.estateplanningforpets.org)) offering sample documents and information on various kinds of trusts (which differ from state to state). They even help you calculate how much money your dog will need over her lifetime. (Find other useful sites at [www.dogs4dogs.com](http://www.dogs4dogs.com).)

If you have a large estate and want to leave a lot of it for your dog's care, you may need a brilliant estate attorney to set up a trust. Diverting inheritances to a dog can bring out the worst in your heirs. Make sure you don't overfund the trust or it may be invalidated. (Ask you lawyer about adding an *in terrorem* clause which says that if heirs contest the will, they'll lose their entire inheritance. This is especially important if you want to leave a large sum to a four-legger. Dog-hating judges or heirs may question your sanity. Well, we question *their* sanity right back!)

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One new trend we love is leaving your house in trust to your caregiver for the life of your dog. Talk about enlightened thinking! The trauma of losing a Mom or Dad is bad enough without having to lose our home and TIVO, too. Consult your attorney if this option appeals to you. One caveat: to keep the gravy train coming, Humans have been known to “milk” funds left for animals, even substituting a look-alike long after the designated doggy “heir” has died. Circumvent potential shenanigans by having your dog’s DNA tested. Also inform your trustor that ten-year-old dogs won’t generally live another 35 years.

If your good intentions are bigger than your fund for legal expenses, you might contact PetGuardian ([www.petguardian.com](http://www.petguardian.com) or 888-843-4040). For a fee much smaller than most estate attorneys charge, they’ll provide a comprehensive Pet Trust Program. They’ll allow you to go on-line and make as many changes as you like at no additional cost, will do a cost analysis to help you to understand how much to leave, and will document care instructions for your potential caregivers. They even offer a Backup Caregiver Program provided by Best Friends Animal Society ([www.bestfriends.org](http://www.bestfriends.org)) in case your designated caregivers back out or die before your dog does.



Shannen M. Roy

Want to read more? Check out attorney Peggy Hoyt’s *All My Children Wear Fur Coats: How to Leave a Legacy for Your Pet*; or try *When Your Pet Outlives You*, by David Congalton and Charlotte Alexander; or Lisa Rogak’s *PerPETual Care: Who Will Look After Your Pets If You’re Not Around?*

Wait! I have more ideas. If you have a close relationship with your vet, he or she may be willing to help find your baby a new

home should something happen to you. Or you might leave money to your local shelter with the *written* promise that they'll put your dog in foster care until they find her an appropriate home. Contact the head of the nicest shelter in your area and see if they'll accommodate your wishes. And don't forget sources closer to home like pet sitters, groomers, and friends active in animal rescue organizations. Chances are they'll not only *be able* to help, but will also actually *want* to help. Finally, check out Alternatives to Pet Trusts at *PetGuardian* to locate a facility in your area offering lifetime care. Just make sure the facility can offer the same kind of care your pets are accustomed to. Housedogs like Jiggy and me wouldn't adapt well to an outdoor sanctuary, but bigger, tougher dogs probably would.

**Your Dog's Biography** Chances are you don't fit in a cookie-cutter mold, and your dog doesn't either. We all have quirks and weird habits. Even if you have someone who loves your dog and wants to care for her, if she doesn't know all about your dog your baby will suffer.

If you write a short biography of your friend now, it could be helpful not only to the ultimate caregiver, but also to dogsitters and other temporary caregivers. Most of us have a particular comfort food we can't live without (like broccoli) or a favorite toy (don't you dare throw away my purple, squeaky frog even if you think it looks like a purple slug). Maybe we're not good around tots (I'm too small) or other dogs (Jiggy's too macho). You also need to spell out your philosophies about food and vaccinations and such so no one pollutes us with chemicals. Pretend you're Kitty Kelley, telling all. (Have you ever wondered why there are so many women named Kitty and so few named Puppy? What's up with that?) Mom's "short biography" of us now runs seven pages long, and she revises her *magnum opus* as needed.

If you have two or more dogs who love each other, make sure you tell everyone that they absolutely positively have to stay together no matter what! Jigs and I have never been apart for more

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than a few hours. Losing Mom and Dad would be tragic; losing each other would be fatal.

Making a bio of your dog is easy. Just fill out the MY DOG'S LIFE form at *dogs4dogs*. Of course, what's a filled out form if it doesn't get into the right hands? Leave a copy near where you keep your leashes and your doggy emergency kit. And make sure your good intentions are circulated to anyone that might be called upon to care for your dog in your absence (like neighbors, vets, dog sitters, butchers, bakers, and candlestick makers).

**What You Can Do Now** I know it's a lot more fun to play with your dog in the here and now than to plan for the future with you gone, but please don't procrastinate. Poop happens when you least expect it. Do the following right now. I'm not busy. I'll wait.

- Fill out the MY DOG's LIFE form at *dogs4dogs*.
- Go to *www.2ndchance4pets.org*, click on Emergency ID Cards, fill them out; put a card in every family member's wallet and glove box and post one or more at your home.

- Call those people who say they'd love to have your dog and see if they'd *really* love to have your dog.
- Print and fill out the simple document from the Humane Society ([www.hsus.org](http://www.hsus.org): Planning for Your Pet's Future Without You) or make a handwritten and signed codicil to your will.
- Write something referring friends or heirs to this book to help them care for your dog or to "re-home" her if that becomes necessary.
- Write a check to your designated caregiver if you have one.
- Put all the above in an easy to find place in an envelope marked: TO BE OPENED UPON MY DEATH OR DISABLEMENT. Give it to your kennel or dogsitter if you go out of town without us.
- Tell everyone concerned where your dog likes to hide when she's scared.

**Other** If you followed our suggestions above, you've made a good start.

**Things To Consider** You still need to formalize arrangements. (Mom says laws make even the most logical things illegal, especially things like codicils to wills.) Remember, friends and relatives (who otherwise appear sane) may not share your love for your dog or even for animals in general. If you don't want us dumped in a shelter, exiled to a garage, or shuffled off to some evil stranger, then make arrangements now to keep that from happening. Update arrangements every six months or whenever circumstances change. You don't want to leave this world with a guilty conscience? That's bad karma (and you don't want your karma to run over your dogma).

Mom has this saying that I borrowed to use on Jiggy when he's being obnoxious. You can use it on yourself: LOVE IS A VERB. It's not enough to *feel* love; you have to actually *show* love. And nothing shows love more than providing for our welfare in the absence of you.