

Who will care for my pet? A reality check

By Linda T. Cammuso

We love our pets, we pamper them and we treat them like family — often to the chagrin of those who live pet-free lives. As a pet owner and an estate planning attorney, I'm often astounded at the number of pet owners who fail to consider the possibility that their pets could outlive them, or that they could reach a point in their lives where they are no longer capable of caring for them. Consequently, they do not make provisions for their pets who bring so much enrichment to their lives.



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Responsible pet owners should be aware there is a legal

solution that ensures the security of your pet's future and brings you peace-of-mind knowing that your animal will not become one of the millions who end up in overburdened pet shelters, or even worse, being euthanized. The solution is a pet trust. In basic terms, a pet trust is a legally binding document used by pet owners to ensure that their pets are lovingly and financially cared for when the owners are no longer able to do so.

Two basic considerations in creating pet trusts are financial and human. The steps to creating the actual trust include choosing a trustee and trust protector (people who will be in charge of the funds), funding the trust and selecting remainder beneficiaries (the individuals or charities who would take any remaining funds after the pet's death).

•Choosing a trustee and trust protector: Some pet owners feel that family members love their pets as much as they

do and assume that "My daughter or son will take the cats for sure." You need to have the talk with those whom you would like to care for your pets to make sure that the person you select really does want the responsibility and will love and care for your animal according to your wishes. You might be surprised to find that the first person you selected might not actually be the one for the job. At the very least you'll know whether or not to select someone else. You can also name different people in the roles of caring for the pet and overseeing the money for the pet's benefit.

•Funding the trust: A sum of money will need to be included in the trust to cover costs of care. In determining the amount needed, your attorney will help you evaluate your pet's life expectancy, day-to-day costs, medical care and general health, grooming and food costs among other costs.

•Remainder beneficiaries: If funds are remaining in the trust following the death of your pet, they would then be distributed according to your wishes. The beneficiaries you select could be family members, a friend, a charity or even a pet shelter.

Creating a trust for your animal is an extraordinary act of love and compassion. When setting up a trust document, it is advisable to work with an estate planning attorney who can either amend your existing estate plan or develop an estate plan for you that includes a pet trust.

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