

All My Children Wear Fur Coats – How to Leave a Legacy for Your Pet

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Have you ever wondered what would happen to your pet if something happened to you? Perhaps you are like many people who assume friends or family will step in to take care of your beloved pets, much like they would care for an orphaned child. The sad truth is, if affirmative steps are not taken to ensure an enforceable plan for your pets, many have an uncertain future. There are numerous horror stories of pets that have been abandoned, run-away, killed by cars or placed in animal shelters where they were later euthanized. As responsible pet owners we must consider the long-term care needs of our “children who wear fur coats” in the event of our disability or death.

Surveys report there are more than 140 million dogs and cats sharing our hearts, our homes and even our beds. These figures do not include the millions of horses, birds, reptiles and other pets we call “kids.” We treat them like our children, sometimes better. We worry about them when they are not with us and wonder whether they will be properly cared for when we are gone. They love us unconditionally, help reduce stress and even increase our longevity. They do so much for us, yet few of us have done anything to ensure the long-term care of our pets in the event we are unable to provide for them personally. In many states, simply making a will or a trust that includes our pets may not be sufficient. Many states do not recognize provisions that attempt to provide for our pets. Therefore, it is critical to evaluate all of the possible options when planning for your pets.

Many states do not allow pets to be the beneficiary of a trust or will, yet studies indicate that a fair number of people do want to include their pets in their estate plan. As a result, each year additional states adopt legislation permitting pets to receive testamentary gifts (at death) from their owner. Historically, gifts to pets have failed for two reasons: 1. The gift violates the rule against perpetuities that requires a trust to have a finite life measured in human terms; and 2. The gift is deemed only an honorary trust and not enforceable. When planning for pets these issues must be considered. Other important issues include the identification of a caregiver for the pet; the compensation for the caregiver; whether the caregiver will also administer the trust assets; long-term care issues related to illness or death of the pet; and the ultimate beneficiary of the assets, just to name a few.

It is also important to consider how to handle the untimely death of a beloved pet. There are a number of ways to memorialize the life of a departed pet including memorial services; special burial or cremation options; living memorials; songs, poems or scrapbooks; and charitable contributions. In addition, knowing and understanding the stages of grief and ways to recover emotionally from the loss of a pet are important considerations.

A one-of-a-kind book, *All My Children Wear Fur Coats – How to Leave a Legacy For Your Pet* addresses all of the issues related to estate planning for your pet and ways to memorialize and cope with the loss of a pet. For more information or to order a copy, visit LegacyForYourPet.com, LegacyPlanningPartners.com or Amazon.com. Contact The Law Offices of Hoyt & Bryan, LLC, 254 Plaza Drive, Oviedo, Florida 32765, Phone (407) 977-8080, Facsimile (407) 977-8078, web site HoytBryan.com.

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