

Forget Me Not

Your Devotion, Your Planning

By *Lauren Gabourel*

Mocha just had to get that adorable new collar. And Dash, your turtle just had to have the newly renovated pond with lush vegetation for snacking. Oh and what about that multi level kitty play tower for Miss Molly? Her life would not be complete without it! If you're like many pet owners you want nothing but the very best for your pet companion. Regular vet visits, nutritious food, shelter and daily doses of affection are musts. Whether your pet comes from a world renowned breeder or a local animal shelter they find new permanent homes in your heart. Your pet should never be forgotten.

As a devoted pet owner please take a moment to address an issue that could be life altering to your pet's future. Ask yourself the following questions, "What would happen if tomorrow I unexpectedly pass away? If tragedy strikes, will my spouse or other family members care for my beloved pet companions the way I would want? What would become of my pet?"

In the event that you pass away, your pet legally becomes tangible personal property. What does this mean? Your pet is no longer a part of your family in the eyes of the law. Without specific legal plans left behind, a pet becomes property just as your car, clothing or furniture would be. In the event of your death, animal control could confiscate your pet, unless you have a spouse or family member there offering to take responsibility. This means your loving pet companion could end up in a rescue or shelter with the hundreds of other animals waiting for a home.

Pet owners must take certain action to ensure that their pets will be properly cared for in the event of their disability or death. “There is currently a lack of awareness with this issue,” warns estate lawyer and animal lover Donna Stidham. “People need to know that if they own a pet, they need to include them in their [estate] plan.” Being a pet owner herself, Stidham knows the importance of working with a lawyer who is aware of current estate laws pertaining to pets and who are sensitive to the needs of pet owners. As a member of the Animal Legal Defense Fund, Stidham is current with laws governing estate planning for pets and how to draft rock solid estate documents to ensure a pet’s future well being. Pet owners can chose to make plans for their pets in several ways, but in general estate planning will include the following steps: choosing a caretaker, compiling information about how you want your pet cared for, providing funds for the caretaker.

In many cases Stidham urges pet owners to establish Pet Trusts. “Pet Trusts can ensure that there are funds available and a caretaking system in place to care for your pet” says Stidham. In Pet Trusts, owners can delegate caregivers, appoint trustees to oversee caregivers, protect money that is to be used to care for the pet and leave specific instructions on how the pet is to be cared for, *i.e.* feedings, environment and medications. This legal document is paramount when pet owners want to ensure their wishes are carried out in their absence. The Trust will protect the money you leave intended for you pet. According to Stidham, “Assets you leave in your Pet’s Trust are not subject to the caregiver’s creditors, marital disputes or bankruptcy.”

There are endless considerations that will arise when making estate plans. Stidham urges pet owners to consider the following: current heirs having the means and willingness to care for pets, pets with long life expectancy such as parrots or tortoise, pets requiring special needs such

as environment or medications, and making plans to ensure that wishes are respected in the pet owner's absence. These aspects and countless more need to be taken into consideration and discussed with an estate planning attorney.

Taking action and enlisting the help of a qualified estate planner will ensure that all bases are covered for your pet's planning. "Without planning, pet owners are leaving too much to chance," expresses Stidham. As pet owners, we like to think that we are acting responsibly by giving our pets the best care and love. Don't let planning for your pet be the one area that your responsibility waivers. Your planning may result in the last act of love and devotion you give to your beloved pet companion.

For more information about estate planning for you and your pets, please contact the Law Office of Donna Stidham located at 7945 W. Sahara Ave., Suite 108, Las Vegas, NV 89117. Phone (702) 444-3713 or e-mail at donna@stidhamlawoffice.com.