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Don't Forget To Protect Your Furry Family: Estate Planning for Your Pets

It's sad but true that many pets end up in shelters after their owner dies or becomes incapacitated. In fact, the Humane Society estimates that between 100,00 to 500,000 pets are placed in shelters each year for exactly this reason. Even worse, a large number of these animals are ultimately euthanized. Unfortunately, the law considers pets to be nothing more than personal property. In the eyes of the law, pets are just like cars, furniture, and electronic devices. Unless you take the proper steps to include your pet in your estate plan, your beloved companion could end up in a shelter or worse following your death or incapacity.

Don't worry, though. There are things you can do to make sure this doesn't happen.

In this week's post we'll detail how you can use estate planning to ensure your pets receive the best possible care when you're no longer able to care for them yourself. Consult with us as your estate planning lawyer to put the proper legal documents in place to provide for your furry friend's—or friends'—future care.

Select A Caregiver For Your Pet

Selecting a trustworthy caregiver is the first—and most important—step in protecting your pet via your estate plan. You might assume that your kids, relatives, or friends will step in and care for your pet should something happen to you, and they may even tell you as much in conversation. However, properly caring for most pets is a major commitment of time, energy, and finances, so you shouldn't rely on simple promises to ensure your pet's future is secure.

It's best to come up with a list of potential candidates, and then have a frank talk with each of them, discussing the extent of care your pet requires and whether they have any personal issues (allergies, housing, children, other pets, etc.) that might prevent them from providing the proper care.

If you don't know any suitable caregivers, charitable groups, such as the [Safe Haven® Surviving Pet Care Program](#), can provide for your pet in the event of your death or incapacity.

Create A Detailed Care Plan

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Once you've chosen your pet's caregiver—along with one or two alternates in case something happens to your top choices—then you'll need to outline all of your pet's care requirements. At the very least, your caretaking instructions should include your pet's basic requirements. This includes dietary needs, exercise regimen, medications, and veterinary care. If you are like most pet owners, you probably want your pet to receive *more* than just the bare necessities, so consider leaving instructions for any other special treatment you want your furry friend to receive.

From special grooming arrangements and yummy treats to weekly visits to the park and favorite toys, your care plan can provide your beloved companion with whatever lifestyle you wish for them. Finally, don't forget to address what you want to be done at the end of your pet's life, such as burial, cremation, and/or memorial services.

Funding For Your Pet's Continued Care

When determining how much money to put aside for your pet's care, you should carefully consider the pet's age, health, and special care needs. Remember, you're covering the cost of caring for the animal for the rest of its life, and even basic expenses can add up over time.

In addition to the bare necessities like food and vet visits, make sure you also calculate the costs for any special treatments or services you include in the care plan and leave enough money to pay for them. And if you end up leaving more money behind than needed, you can always name a remainder beneficiary such as a family member or charity, to inherit any funds not spent on the pet.

Create A Pet Trust

Since pet care can be quite complicated and costly, the best way to ensure that your wishes are properly carried out is to set up a pet trust. It's possible to leave care instructions and funding for your pet in a will. However, a will cannot guarantee the new caregiver will use the funds properly—or even that they will care for your pet at all.

In fact, a person who's left their pet in a will can simply drop the animal off at a local shelter and keep the money for themselves. A pet trust, on the other hand, allows you to lay out legally binding rules for how the funds in the trust can be used. Additionally, pet trusts can

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cover multiple pets, work in cases of incapacity as well as death, and they remain in effect until the last surviving animal dies.

To ensure your wishes are accurately carried out, you should name someone other than the caregiver as a trustee. This way, the trustee can manage the funds and make sure they are used exactly as spelled out in your care instructions.

Do Right By Your Furry Family

Although leaving assets in a pet trust is fairly simple, creating a properly drafted trust that includes all of the necessary terms can be quite complex. To this end, reach out to us, your estate planning lawyer, for support in creating your pet trust.

We can make sure that your pet trust contains all of the necessary elements to guarantee that your beloved companions will continue to receive the love and care they deserve, no matter what happens to you. Contact us today to schedule an appointment.

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