

Estate Planning for Pet Owners

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This Weekly Newsletter
is brought to you by

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Several of us at the Hook Law Center are pet owners. Our pets are important to us, like members of our families. We find that many of our clients are pet owners, as well, but they often forget to make provisions for their pets in the event that they were to become unable to care for them. Fortunately, this common mistake can be quickly remedied with a little advance planning.

Start by considering what you provide for your pets -- food and water, shelter, veterinary care, and, of course, love. Next, consider who you would want to provide these things for your pets if you were temporarily unable to -- say, in the event you were in an accident or hospitalized. Also consider who might be willing to do so on a more permanent basis, in the event of your death. Speak with these individuals to ensure they would be willing to do so. Once you have identified these individuals, you can begin to put into place proper planning for your pets.

Your power of attorney is an excellent place to name the individual (and any alternates) who would care for or make arrangements for your pet in that you become unable to do so. This document typically permits you to name an individual or individuals who can handle your affairs, including bill paying, handling bank accounts, and buying or selling property. If you are a pet owner, we generally recommend that you include a provision in your power of attorney which specifically states that your agent is authorized to care for or make arrangements for the care of your pets, including paying for their medical treatment, medications, and other necessary expenses. If the person you would want to care for your pets is not the person you would want handling your financial affairs, that is no problem - you can create a limited power of attorney for the sole purpose of providing for your pets.

It is also a good idea to make provisions for your pets in your will or trust, naming an individual who is to receive your pets upon your passing, or giving your executor or trustee the ability to select an individual to receive your pets. Although you may not leave a sum of money directly to your pets, you can provide that the person who receives your pets will also receive a sum of money, with a request that the money be used for the pets' care. If you would prefer, you can leave the money to that person "in trust," to be doled out by a trustee as the pets' needs arise. Such an arrangement provides a system of checks and

Estate Planning for Pet Owners (con't)

balances, to ensure that the money is used appropriately, and that it does not run out too soon. You may also want to consider providing in your will or trust that, if your pets do not survive you, the sum of money you would have given to their caregiver(s) will instead pass to your local animal shelter or another non-profit for the benefit of other animals.

After putting these important documents in place, take steps to ensure that your pets' transition from your home into another will be as seamless as possible. We recommend preparing a letter of instruction for the next caregiver, to alert that individual of your pets' preferences, feeding habits, medical conditions and medications, contact information for your veterinarian, and any other important information about how to care for your pet. Hook Law Center has a form for this; be sure to ask us for a copy next time you visit. We also recommend that you provide the individuals you have selected as successor caregivers with a copy of your power of attorney and/or will or trust, as necessary, as well as a copy of the letter of instruction. Be sure to make arrangements for how they would enter your home and retrieve your pets in the event of an emergency, as well - giving them a copy of your house key, or letting them know where they can get one, is a good idea. If the individual you name lives far away and may not be able to reach your pets immediately in the event of an emergency, you might consider making arrangements with a neighbor or friend who lives nearby to care for your pets temporarily.

With a little advance planning, you can ensure that, in the event of your death or incapacity, your pets will be cared for. Don't let your pets be forgotten during an emergency; start making plans today.



An Amazing Pit Bull

Hook Law Center: Kit Kat, tell me about that amazing pit bull dog called Patrick.

Kit Kat: Well, this is a sad story that, fortunately, has a happy ending. Patrick is a pit bull dog that belonged to Kisha Curtis of Newark, NJ. She was a horrible mother to him. He was starving and uncared for. In the end, she got rid of him by dropping him down a garbage chute and leaving him to die. He did nothing to deserve this. He was a good dog. Today, he lives with foster parents and is recovering nicely. He had to undergo physical therapy, though, he was in such bad shape.

However, as is often the case, good comes out of terrible occurrences. This is what happened here. Patrick's mother was prosecuted, and a new animal rights movement was born called "Patrick's Movement." Lori Wheeler, on hearing this horrific story, felt compelled to do something. She had had an abusive father, and she lost her mother when she was 13. However, her dog, Ringo, helped her through those hard times. As she got

older, she became determined to help unfortunate animals. When she heard about Patrick, she sprang into action. Because national laws are so difficult to pass, she has been advised to advocate and work for changes in animal abuse laws on a state-by-state basis. So that is what she is doing--working tirelessly on animal welfare. She does not limit her assistance to dogs. She has been involved in abuse of a variety of animals including horses, elephants, tigers, and too many to list here. Ms. Wheeler says, "Patrick gave me courage through his journey. As he healed and became stronger each day, so did I. I credit Patrick and his journey for putting me on the path I should have been on 25 years ago. Thanks to Patrick, I have helped over a thousand animals over the past three years. Thanks to him I will continue to help thousands more."

What a beautiful story! In the end, good triumphed over bad, and we can't ask any more than that.

(<http://shine.yahoo.com/pets/amazing-pit-bull-started-animal-rights-movement-142700097>)(11-27-13)

Upcoming Events

- Shannon Laymon-Pecoraro, Esq. will speak at the Parkinson's and Caregivers Coffee Break on medical/legal issues concerning elders and those with significant health issues. The coffee break will take place at St. Andrew's United Methodist Church, 717 Tucson Rd., Virginia Beach, VA 23462 on **February 5, 2014** from 10AM-12:00PM.
- Hook Law Center is a sponsor of the American Heart Association Ball which will take place on **March 8, 2014** at the Norfolk Botanical Gardens. For event information, contact Stephanie Phipps at 757-628-2608
- Hook Law Center will be presenting a live webinar on POAs, AMDs and the Ethics of It All in Charlottesville, VA on **April 10, 2014**. This webinar will be hosted by Virginia Continuing Legal Education.
- Shannon Laymon-Pecoraro, an attorney at Hook Law Center, is a member of the advisory board of the Hampton Roads Chapter of the American Parkinson Disease Association. Please visit our website if you have any questions about this event on **April 12, 2014**.

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