

Estate Planning for Man's or Woman's Best Friend



*Jeffrey C. Goss, Esquire
Brubaker Connaughton Goss &
Lucarelli LLC*

In my family I have my wife and children, and together we have our beloved dogs, Rosebud and Charlie. In the order of who is the happiest to see me when I get home from work, I would like to tell you that it is my wife and children, but not by a long shot. My dogs fall over themselves to get to me when I walk in the door. I am sure this is no surprise for many of you who consider your pets to be an important part of the family and the daily household routine.

In fact, as I write this, my dogs are lounging under my chair and on a nearby sofa (yes, we have some relaxed rules...). They are my sounding board and tend to agree with everything I say and never talk back!

Unfortunately, many pet owners do not think about what happens to their pets should the owner become disabled or die. It is necessary to provide a plan for a pet's food, shelter and general care. While many of you reading this are thinking you have a plan in place for your pet in the form of an informal conversation with a neighbor or family member, this is neither sufficient nor does it take care of the logistics, including financing the care. It is not difficult to incorporate such a plan within your estate plan that addresses all these details.

Leaving a pet to a trusted friend or family member within an estate plan should address the pet's care pending delivery to the designated person, any nec-

essary medical treatment that may be needed, and what to do if the person you have designated is no longer able or willing to take your pet. Your Will and Durable Power of Attorney need to address this care and provide direction and authority to an executor or agent to care for and pay for a pet. If you want to ensure that your pet is cared for throughout the pet's life, you can go further by setting up a pet trust that allows you to provide funds, and a trustee to oversee the funds, to pay for a caretaker and any related pet bills.

So how much should you leave for the care of your pet? This comes down to your finances, the kind of pet (cat, dog, bird, horse, etc.), and the amount of care you feel is appropriate. I can tell you that pets can be very expensive, as one of my dogs is recovering from recent surgery, and I know that my Will and Power of Attorney do not properly address this type

of event. I am not suggesting you need to set aside a small fortune as Leona Helmsley did, but setting aside a modest amount is important to consider. Of course, you need to make sure the person you name is willing to care for your pet, but also provide alternate instructions allowing an executor, agent or trustee to place your pet with a suitable substitute home if needed, and even allow for euthanasia if another home cannot be found. If a Power of Attorney or Will does not provide authority for the payment of pet bills, it will not be considered a necessary expense and could be legitimately challenged as unnecessary. Make sure this does not happen by revisiting your estate plan, and see that your "friends" are cared for appropriately.

Now, as my friends are trying (not so subtly) to tell me, it's snack time!



BRUBAKER CONNAUGHTON
GOSS & LUCARELLI
ATTORNEYS AT LAW

TEL 717 945 5745

FAX 717 945 5764

URBAN PLACE
480 New Holland Avenue, Suite 6205
Lancaster, PA 17602

BCGL-LAW.COM

CONTACT US

Theodore L. Brubaker	John A. Mateyak
Rory O. Connaughton	Stacey Morgan
Jeffrey C. Goss	Theresa Mongiovi
Brett D. Jackson	Robert W. Pontz
Mark E. Lovett	Timothy E. Shawaryn
Andrew F. Lucarelli	Angela Sanders
Candice Marple	Becky Wilhelm
Dana Panagopoulos	Christine D. Wilson
Susan Garber	Sarah Glatfelter