

Trusts, Wills Safeguard Pets When an Owner Dies

By William Loeffler, PITTSBURGH TRIBUNE-REVIEW

She was known as the "Queen of Mean" for her bullying, skinflint ways, but hotel heiress Leona Helmsley wasn't stingy when it came to her dog.

When she died in 2007, Helmsley had created a \$12 million trust for her pet Maltese, a female named Trouble. Although Trouble later had to settle for a measly \$2 million, she still lived better than most people, spending her final years in Sarasota, Fla., with a security guard and a caretaker who reportedly spent \$100,000 annually on her food, grooming and other essentials.

Call her eccentric, extravagant or three pups shy of a litter, Helmsley had the basic idea right, animal advocates say. We humans typically cherish our dogs, cats or birds as members of the family. But what becomes of Fido or Garfield should they outlive their owners? That's where a pet owner might consider providing for their them in their will.

"This has to do with responsible pet ownership," says Jolene Miklas, director of communications for Animal Friends. "Every pet owner, no matter their age or their health, should know what will happen to their pet if they're not able to take care of them."

Owners shouldn't assume that family members will adopt the pet in the event of their death, says Gretchen Fieser spokeswoman for the Western Pennsylvania Humane Society. She says the deceased's relatives might not have the time or the money to care for the animal.

A 2010 survey by the American Pet Products Manufacturers Association found that pet owners spent an average of more than \$1,400 annually on a dog or cat. The survey, which polled 544 dog owners and 483 cat owners, included expenses such as routine and emergency veterinary visits, food, cages, shampoo, flea collars and vitamins.

"A lot of people do consider their pets like family," Fieser says. "To our grandparents, that would have been crazy. I hope it becomes even more common that people really think about their pets. ... Do the pets have medical needs of their own? Who's going to have financial responsibilities? We see it here, where a stressed family member comes in and says, 'My parent died, my aunt died and they have these pets and nobody can take care of them,' so they wind up in a shelter."

Fieser's sister, Martha DeLargy, recently included her miniature pinscher, Ya-Ya, in her will. A retired Air Force master sergeant, she grew up in Allison Park and now lives in Maryland, where she works for the U.S. Department of Veterans Affairs.

DeLargy's will stipulates that her dog go to live with her sister, Fieser, should Delargy die first. She also left her sister money for the dog's care.

"I was actually getting ready to travel over to Thailand," DeLargy says. "I was making out a new will. Being in the military, they always stress keeping your family will up to date. In my line of work, I started thinking, 'What about the poor little dog if something happened to me?' I just asked my attorney to put him in the will and he did."

Legally, animals are considered property and cannot directly inherit money. Their owners can leave money in their will to a trusted friend or relative for the care of their pet and hope that their instructions are carried out.

As of last year, 44 states had enacted pet trust laws. Pennsylvania law stipulates that a trust may be established by the owner while the animals are alive. The trust terminates on the death of the animal(s). "The time to think of this is not when you're in hospice," says Bob Fragasso, CEO of Fragasso Financial Advisors, Downtown, and the owner of five dogs and four cats, all rescued. "The time to think of this is when you're healthy."

Dianne McGill is executive director of Ore.-based Banfield Charitable Trust. They are the charitable partner of Banfield Pet Hospital, a privately owned company that operates about 700 veterinary clinics inside PetSmart stores. They provided money and training for **the Pet Peace of Mind program, a pet-care service for terminally ill patients that was launched in June by Family Hospice and Palliative Care in Mt. Lebanon.**

"Very few people take the time to think through what will happen to their pets when the die," McGill says. "No one intends to leave a homeless pet, but it happens because pre-planning didn't take place."