



Pet Trusts - Planning Today For Loving Care Tomorrow

There are more pets than children in American households. For many people, old and young alike, pets are as much a part of their family as any human.

There are health and financial benefits to owning a pet. Indeed, there is now an impressive body of scientific evidence, gathered over the last 30 years, that pets can help a person stay healthy, speed up recovery after major illness, manage blood pressure, protect the heart and blood vessels, deal with stress, improve mood and sense of well-being, lessen feelings of isolation and loneliness, and provide a sense of purpose. The National Center for Infectious Diseases reports on its website that "pets can decrease your blood pressure, cholesterol and triglyceride levels, and feelings of loneliness." http://www.cdc.gov/healthypets/health_benefits.htm

For the elderly especially, a pet can dramatically improve their health. But who will take care of the beloved pet who outlives its owner? What will happen to the pet if its owner must transition her residence to a facility that does not allow pets? How can a person provide for the continued care of a pet who has given so much?

Dixie, Elmo, Patch, and Spats are Mildred's family. They provide Mildred with loyalty, unconditional love, affection, and companionship. They have given her a purpose and a feeling of fulfillment. They depend on her for her own love of them and for the very best care she can offer: the right food, the right exercise, the right veterinary attention, the right medications.

But what happens when Mildred is no longer able to care for her beloved "darlings." She wonders, "How can I ensure that my pets will continue to receive proper care if I am unable to provide it myself? Who will take care of them? Who will understand their unique personalities?" Elmo the beagle lies around on the floor, couch, or bed most of the time and craves an occasional scratch behind his ears. Dixie the poodle is frisky and high maintenance. Patch the cat likes Mildred's lap, while her brother, Spats, prefers napping in the sun or under the bed spread.

Many assisted and supportive living centers do not allow their residents to own pets. Mildred's most disturbing thought is that her pets could be euthanized at a shelter or veterinary office if she dies or becomes incapacitated. The sad fact is that unless she makes appropriate arrangements, her fear could become a dreadful reality. According to one estimate, one-half a million pets are euthanized in shelters each year because their human caregivers have predeceased them.

A new Massachusetts law provides an answer: a trust for the care and feeding of Mildred's pets. The new law allows a pet owner to set up a trust for the care of one or more designated domestic or pet animals. The law provides that no part of the principal or income of the trust may be converted to the use of the trustee or for any purpose not for the benefit of the covered animal.

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Another good feature of the new law allows the pet owner to name a person to enforce the terms of the trust, to make sure the person who is to take care of the pet lives up to his/her obligations. The trust terminates when there is no living animal covered by the trust. At that point, any unexpended trust property can be transferred (a) as directed in the trust, (b) under the residuary clause in the pet owner's will, or (c) to the pet owner's heirs.

By "planning today for loving care tomorrow," Mildred can meet her pets' future needs while giving herself peace of mind. By consulting with an estate planning attorney who is knowledgeable about the new Massachusetts Pet Trust law, Mildred can be assured that her pets will be well-cared for when she is no longer able to care for them herself.

If you are interested in creating a pet trust for your pet, call our office at 508-994-5200 to see if you qualify for a no cost initial consultation. We generally charge \$500 for a consultation but this fee will be waived if you mention this article.

This article is for general informational purposes only and does not constitute legal advice. For specific questions, you should consult a qualified attorney. This article was written by Attorney Michelle D. Beneski of Surprenant & Beneski, P.C. The law firm has offices in New Bedford, Hyannis, and Boston and specializes in estate, tax, Medicaid and disability planning.

Is it Time to get your Ducks in a Row?

Tuesday, March 8th (code: Cape) 1:30pm-3:00pm

Cape Cod Island Association of Realtors Conference Center
22 Mid Tech Drive, West Yarmouth

Thursday, March 24th (code: Kimwell) 6:30pm-8:00pm

Kimwell
495 New Boston Road, Fall River, MA 02720

Thursday, March 31st (code: SHH) 6:30pm-8:00pm

Sacred Hearts Nursing Home
359 Summer Street, New Bedford, MA 02740



Here's What You'll Learn...

- How living trusts avoid probate, why wills don't and what good trust planning costs.
- How your Healthcare Proxy, Living Will and the new HIPAA release must work together.
- How to avoid death taxes, guarantee IRA stretch outs and plan for disabled kids or grandkids.
- How to "bulletproof" your children's and grandchildren's inheritances from their divorces, debts, lawsuits, medical expenses, irresponsible life styles and transfers out of your bloodline.
- How to protect your home and savings from \$8,300/month nursing home bills and Medicaid without buying long-term care insurance – even if you or a loved one is in a nursing home now.
- How qualified veterans and their spouses can get up to \$1949/month for at-home health care or assisted living costs from a little-known VA benefit for non-service connected disabilities.

Elder Law Attorneys Reveals the Legal Steps You Should Consider Right Now If Your Loved One Is In a Nursing Home Or About To Enter One Soon.



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Please call Pat with any questions at either 508-678-5263 or cell 508-269-3598. Her email is travlnon@comcast.net

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Spring Word Search

K L S O I L L I R P A D U O L C R R
 I D T C E S N I O S H O V E L G A L
 T P R G O F W O R M Z S W D N L H G
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April	baseball	bird
bloom	butterfly	dig
caterpillar	chick	cloud
daffodil	earth	egg
flower	fog	garden
grow	hatch	insect
kite	leaf	lilac
March	May	nest
picnic	plant	puddle
rainbow	raincoat	rainy
roots	season	Seed
shovel	Shower	soil
spring	sprout	stem
storm	sunshine	thaw
tulip	umbrella	violet
warm	water	weed
wind	worm	

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Elder Law Today

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