



What Happens When You Pass Before Your Pets?

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GRAND RAPIDS, Mich. – Founded in 2005, April 11 is National Pet Day and the observance is used to encourage people to help out orphaned pet companions.

Whether you're a dog, cat or even a horse owner, most of us assume we will outlive our animal counterparts so the notion about what happens to them, if you pass away before they do, has likely never crossed your mind.

When preparing an estate plan, pet owners often fail to include provisions that provide for their pet's care upon the owner's death. According to a January 2022 article by ABC News, the number of pets surrendered to shelters due to the declining health or death of a caretaker is up from 7.3% in 2009 to 10.2% during the pandemic. Many of these cases could have been avoided had the pet owner asked their attorney to prepare a pet trust.

Under Michigan law, it is possible to create a trust that outlines how a pet is to be cared for in the event its owner passes away. Naming a caregiver of their choice, providing a monetary sum for a pet's care and providing explicit care instructions for the new caregiver are examples of what can be included in a pet trust. With a little planning and foresight, a pet owner can ensure that their pet will be properly and lovingly cared for after the owner passes away.

Pet owners interested in establishing a trust that secures the protection and care of their pet should contact an experienced estate planning attorney such as Foster Swift attorney Jonathan J. David. David is a published author on estate planning issues, regularly contributing to national and regional publications on the topic.

You can read his free estate planning e-book which includes a section on pet trusts on page 37 at: [Estate Planning-You Have to Start in Order to Finish-2021.pdf](#) (fosterswift.com). For more information on pet trusts and other estate planning issues, contact attorney Jonathan J.

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Horse owners may find Foster Swift's Equine Law blog at equinelawblog.com valuable. It provides content related to equine activity liability, sales and contract disputes and boarding best practices among other trending topics.