

In Pets We Trust

By Reg P. Wydeven
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When I was in sixth grade, my folks let me get a turtle. My sister was allergic to anything with dander, so dogs, cats, or other mammals were out. That left fish or reptiles. We actually got a box tortoise, who was black with beautiful yellow stripes. I named our turtle Bernard Irving after Disney's 'The Rescuers' mouse and a very close family friend.

After we read the book, "How to Care for your Box Tortoise," we learned that if the turtle had red eyes, it was a boy, and if it had amber eyes, it was a girl. Needless to say, I gave her a boy's name.

We fed Bernard bananas, strawberries and raw hamburger. We let her roam around the yard, but because she walked so slowly, we'd get distracted and lose her under our shrubs. Our neighbors thought we were slightly crazy walking around the yard calling to our turtle, as if she'd come running.

My sophomore year of college, she slowly stopped eating and her shell started to peel. After talking to our veterinarian friend, he said there wasn't much we could do for her. I let her go in the woods near our house. While she probably didn't make it through the winter, I like to think she's still frolicking in the woods with the bunnies and squirrels.

I sure loved Bernard, and if I would have gone to the big shell station in the sky before her, I would have made arrangements for someone to take care of her. This type of planning is becoming more popular, and one pet owner recently raised the bar.

Leona Helmsley, a wealthy hotel and real estate magnate who died Aug. 20 at age 87, left \$12 million in trust for her beloved Maltese dog named Trouble. In her will, Helmsley decreed that Trouble would be left in her brother's care, and that when it dies, its remains will be buried next to her own in an extravagant family mausoleum.

The Humane Society of the United States estimates that 50 pets are euthanized each hour due to an owner's death. Accordingly, pet trusts are becoming more and more common. These trusts are typically established to allow pets to continue to live comfortably in their past homes with a professional caretaker, for future veterinary bills, or to compensate a new owner for taking on the responsibility of the pet.

Before she passed, Helmsley claimed that the majority of her multibillion-dollar estate would go to charity and not to her family. She did make individual bequests to several relatives ranging from \$5 to \$10 million. Two of her grandchildren, however, were specifically excluded from her estate, as she claimed in her will they got nothing "for reasons that are known to them."

Thirty-nine states plus Washington, D.C., currently have laws governing pet trusts. Most of these laws are patterned after the Uniform Probate Code, a federal statutory model that was revised in 1990 to address pet trusts.

Many animal welfare groups have lobbied for a federal bill that would create tax benefits for pet owners who create such trusts, then leaves the remaining money to charity when the animal dies.

If I ever get another turtle, I hope to set up a trust for her. More importantly, I hope I have \$12 million to fund it.