



THE TIM BARKLEY LAW OFFICES



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Pet Trust Checklist

The Maryland Legislature passed, and Governor O'Malley signed into law, the Maryland pet trust statute. The law makes pet trusts binding and enforceable for the first time in Maryland, but only applies to trusts **created after October 1, 2009**. Complete one copy of this checklist for each pet, and bring it to your attorney in October!

CLIENT

Name: _____

PET INFORMATION

Legal Name: _____

Familiar or "Nickname": _____

Breed: _____

Date of Birth: _____

Parentage: _____

Markings/Identifiers/License/Registry: _____

Registry Information (e.g., AKA, CFA, etc.): _____

HEALTH ISSUES

Describe any significant health problems or physical challenges your pet has:

FIDUCIARIES

You need to fill three "jobs" – caregiver, trustee and enforcer – and each should ideally have a backup. One person could serve as caregiver and trustee, but ideally the enforcer should be a different individual, since he or she is overseeing both the care and the expenditure of funds. Consider how many "checks and balances" you feel are necessary.

The caregiver will usually be a trusted individual or shelter/rescue organization. The trustee position can be filled by individuals (usually family members), local professionals (attorneys, accountants, etc.) or corporations (banks, trusts departments, etc.). The enforcer will generally be an individual or shelter/rescue organization. Each choice has its benefits and costs, which we can discuss at our meeting.

CAREGIVER

Who should provide the day-to-day care for your animal?

First Choice: _____

Address _____

If that caregiver is unable or unwilling to serve, who should serve?

Second Choice: _____

Address _____

TRUSTEE

Who do you want to serve you in the management of trust assets?

First Choice: _____

Address _____

If that trustee is unable or unwilling to serve, who should serve?

Second Choice: _____

Address _____

ENFORCER

Who should enforce your intentions and oversee the caregiver and trustee?

First Choice: _____

Address _____

If that enforcer is unable or unwilling to serve, who should serve?

Second Choice: _____

Address _____

TRUST PROVISIONS

Please describe your plan for the care of your pet, in general terms:

DIET:

___ usual and customary for an animal of this type, in the discretion of my caregiver, or

___ otherwise: _____

EXERCISE:

___ usual and customary for an animal of this type, in the discretion of my caregiver, or

___ otherwise: _____

COMPANIONSHIP:

___ usual and customary for an animal of this type, in the discretion of my caregiver, or

___ otherwise: _____

LIVING ARRANGEMENTS:

___ usual and customary for an animal of this type, in the discretion of my caregiver, or

___ otherwise: _____

MEDICAL CARE:

usual and customary for an animal of this type, in the discretion of my caregiver, or

otherwise: _____

EUTHANASIA:

usual and customary for an animal of this type, in the discretion of my caregiver, or

otherwise: _____

BURIAL OR CREMATION AND DISPOSITION OF REMAINS:

in the discretion of my caregiver, or

otherwise: _____

EXCESS FUNDS should be distributed:

to my caregiver, or

to the other beneficiaries of my will/trust (e.g., children), or

otherwise: _____

NOTES: