

Westchester

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Women's Bar Association

A Chapter of the Women's Bar Association of the State of New York

PERSUADING THE POWERS THAT BE

Graziella's Restaurant in White Plains was the setting for the April 19th General Membership Meeting which included a CLE Program entitled "Persuading the Powers That Be." The Program was designed to show members what the Women's Bar of the State of New York ("WBASNY") has accomplished or is trying to accomplish in promoting legislation in Albany. After President Jody Fay's Welcoming Remarks, the Program began with an overview of the Legislative Process by Sandra Rivera, Esq., Legislative Consultant to WBASNY. Ms. Rivera spoke about the role of a Lobbyist under the New York State Lobbying Act and the timing of the legislative process in Albany.



Next, five practitioners in their respective fields gave an overview of five areas of law in which WBASNY has promoted or is currently promoting significant legislation. Susan Kaufman, Co-Chair of WBASNY's Legislation Committee and Chair of Westchester Chapter Legislation Committee, served as Moderator for the Program.

The five Speakers were: Lisa Winjum, Esq., Director of the Public Affairs and Communications at Planned Parenthood Hudson Peconic; Kerry Lawrence, Esq. partner in the law firm of Briccetti, Calhoun & Lawrence; Hon. Sondra Miller, Chair of the Matrimonial Commission formed in 2005 by Chief Judge Judith S. Kaye and Director

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A Message From The President

Ok everyone. It's June already and I want to talk to you about membership. Not just any membership but



Jody Fay

your membership in The Westchester Women's Bar Association. Shortly, you will all be receiving a renewal form for your membership and you will probably be thinking, "didn't Jody just hound me to renew this winter?" Well, yes I did. But here's how it works. Our year for membership runs from June 1st to May 31st. Renewal notices go out during the summer, second notices in September, third and final notices in November and then the phone calls start. You see, we have to certify our membership totals to The Women's Bar Association of the State of New York (WBASNY) by January 31st of each year. The number of members that we certify to WBASNY dictates how many directors or representatives we will have each year, hence how much power we, as a chapter will have. So, although you may have paid your dues in January 2006 in response to my pesky phone call, you were

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WESTCHESTER WOMEN'S BAR ASSOCIATION

Annual Dinner and Installation of Officers

Keynote Address by Janet DiFiore

Westchester County District Attorney

Wednesday, June 14, 2006

Mamaroneck Beach & Yacht Club

Mamaroneck, New York

Cocktails 6:00 p.m. • Dinner 7:30 p.m.

Who Will Take Care of My Pet When I No Longer Can?

Don't Leave Things to Chance. Ask Rachel Hirschfeld About Pet Trusts

What Do You Mean She's "Just A Dog?"

Animal Companions as Family Members

You are just about to sign your will and estate documents when you ask the lawyer about Max, Harley and Louie. "Max, Harley and Louie?" the lawyer exclaims. "Who are Max, Harley and Louie? There are no beneficiaries named Max, Harley or Louie in any of these documents. Are Max, Harley and Louie estranged cousins who will act as default beneficiaries?" No, Max, Harley and Louie are your beloved mixed breed bichon, Russian blue cat, and African gray parrot.

Don't Count On The Will

A Brief History

In her will, Jane left \$10,000.00 to her sister, Nancy, for the care of her dog, Max. Nancy cried at her sister Jane's funeral then took Max to the pound and left with the \$10,000.00 for a shopping spree in Paris. No one, including the court, could do anything about that.

As in a trust for a child, a pet trust is created by the pet's owner (the grantor), who leaves money to a trustee to make payments to a designated caretaker for the lifetime of the animal. Any remaining assets at the death of the pet usually go to a charity but they can also be paid to surviving family members if desired.

Additionally, when you include in the pet trust a place that offers a perpetual-pet-care program you have insured the ultimate protection for providing for your pets after you're gone.

The Bond Between My Animal and I

Doris Duke Left \$100,000 In Trust For Her Dog, Robert

Pets are an important part of the lives of many individuals. Considering the close bond between pet owners and their pets, it is not surprising that a substantial number of owners want to make provisions for the care of their pets should they be unable to do so themselves.

Because pets are considered property, they cannot legally inherit. Jane is not

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permitted to leave anything directly in her will to her pet. The provision asking Nancy to care for the pet with monies left is a mere request and the court has no power to enforce her wishes.

Recently, however, the law did make provisions to plan for uninterrupted care for our pets should we become incapable of caring for them ourselves. We now can create an enforceable trust with a pet as a primary beneficiary by forming a pet trust.

What Is A Pet Trust?

Secure Your Pets Future

A pet trust is a legally sanctioned arrangement providing for the care and maintenance of one or more companion animals in the event of ones disability or death.

Because it's a legally enforceable arrangement, pet owners can be assured that their directions regarding their companion animal will be carried out. Since you, the pet owners, know the particular habits of your companion animals better than anyone else, take the time to memorialize them. You can describe the kind of care your pets should have and list the persons who would be willing to provide that care. No one knows your animal better than you. You can be very specific from the brand of food your dog likes to the park he prefers to the veterinarian you prefer.

Those of us who think of our companion animals as family members are becoming aware of the fact that part of our responsibility to these dependent creatures is to make sure that their care

and comfort continue in the event of our death, disability or a catastrophic event.

You may think you don't need a pet trust. You may believe your family or fiends will take care of your pets forever when you can not. You are sure that either your sister Jane, your friend Joe or your children will take care of them should you become incapable of caring for them yourselves. So why do you need a pet trust? There are lots of reasons. Your sister Maria just moved and her co-op doesn't allow animals. Your friend Joe got married and his wife and the dog just don't get along. Your daughter would love to take the pets but although your grandson Jason loves the dog he just found out he is allergic to the cat. Harley is a 10 year old cat with all the issues of an aging animal. The costs, the care and the time needed to care for her are just some of the reasons she will not be easy to place or keep. So what are we going to do with 10 year old Harley?

Conclusion

Don't Leave Things To Chance

A pet trust is affordable and simple. The benefits of having a pet trust are more than simply the piece of mind of knowing that an animal that you care about is going to be cared for and protected. It memorializes your animal's needs their doctors, medications and favorite toy; it chooses the caretakers for them. What was once the province of the rich, famous and eccentric is now affordable to everyone.

The pet trust may be your animal's best friend. ♦