

Coparenting Pets After Divorce



How to share time & responsibilities with a pet plan



Pets are family

When couples divorce there are many important decisions to make, and one of them is the care and well-being of their pets.

Some states now legally recognize pets as more than personal property in divorce proceedings, like Rhode Island, when in June 2024 Governor Dan McKee signed RI H7970 into law creating a custody procedure for pets in divorce and separation proceedings based on the best interests of the animal, with the exception of service or assistance animals. New York, New Hampshire, California, Alaska, and Illinois have also adopted similar laws. Laws like this enable pet owners to make commitments for the care and responsibilities of their pets as part of their divorce while establishing a custody procedure when necessary to protect the best interests of the pet.

Sharing the responsibilities for pets after a divorce can take on multiple forms, and yes, pet parenting plans can be created to align with the needs and abilities of couples and children. The cost of food, supplements, medication, annual check-ups, critical or emergency care, and end of life decisions are not always discussed during a divorce but these expenses, when shouldered

by one spouse alone, can be financially – and emotionally – overwhelming. Having pet insurance may cover most of the routine and emergency expenses, but not all pets are insured and the cost of veterinary care, even routine visits, has increased significantly. And this means that even with insurance, out-of-pocket expenses may exceed the financial ability of one party.

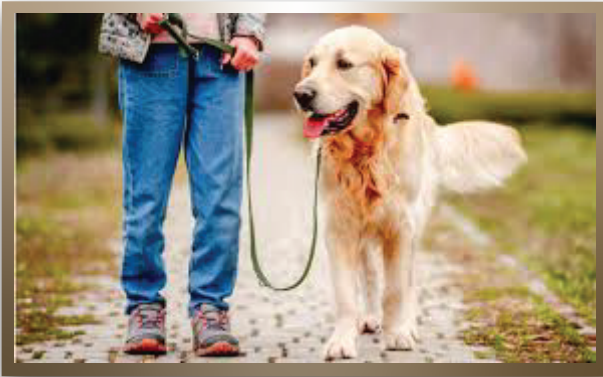


Pet parenting plans can address these issues, and they also eliminate unrealistic expectations or misunderstandings about pet care, define the commitments each party will make to the pet and, establish time sharing schedules and, if and how a pet will transition between homes if parents have shared placement of their children.

The bonds pets have with their humans cannot be overlooked, and the fact that divorce impacts them too should be part of the conversation. Ensuring a pet's happiness and well-being after a divorce is just one way to return their unconditional love.

PET CO-PARENTING

If you are considering sharing time in separate homes with a pet, the schedule should be clear, respectful and practical for both parties. Who will be responsible for pick-ups and drop-offs, the location, and the times that the pet will be exchanged should be defined and convenient. If either party travels for work, agreements should be made about who will care for the pet during that time.



If divorced parties have children, pets can transition between homes on the same schedule as their children. For pets who attend daycare, the responsibility for transportation to and from the facility should be part of each party's scheduled responsibilities.

Caring for pets as they get older or develop health problems can not only be costly, but time intensive as well. How parties agree to manage more intensive pet care and who will make end of life decisions should also be part of a pet plan.

SHARING EXPENSES

Deciding whether pet expenses will be shared, and which ones specifically, is an important financial consideration for both parties. In most of the pet plans my clients have created the costs for all medical care – including annual exams, vaccinations, medications, and emergency care, are usually expenses they elect to share.

Variations for paying these expenses can include each party paying one-half of the costs, an agreed upon percentage, by their percentages of income or any other agreement the parties believe is fair and sustainable.



There is no right or wrong way for sharing these costs, but it is advisable to consider current expenses, costs if a pet becomes ill and increased expenses as they get older.

If a pet attends daycare, how the parties agree to pay the costs should be part of their pet plan even if one party is designated to make the payments. If both parties will be contributing to the cost of daycare, how changes to a daycare schedule are made should also be agreed upon.



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While it may not be the first thing couples think about when they decide to get divorced, the day-to-day responsibilities of caring for their pets and where they will live should be part of their conversation. It's important for couples to have thoughtful conversations about the bond each one of them has with the pet(s), their wishes, and each spouse's ability and desire to continue to provide a home for them.

Whether divorcing couples have an amicable relationship or not, their pets should never be weaponized and used to gain an advantage over or manipulate one another. Pets deserve safe loving homes, care, and companionship from the people they love.

Divorcing couples should also be mindful that pets also experience loss when one of their humans is no longer in their lives. Some studies even suggest pets can experience depression when they lose a pet companion or family member. This should be taken into account if considering separating pets that have bonded.

Pet plans are becoming more common and are easily included in a mediation agreement and Final Divorce Decree.

