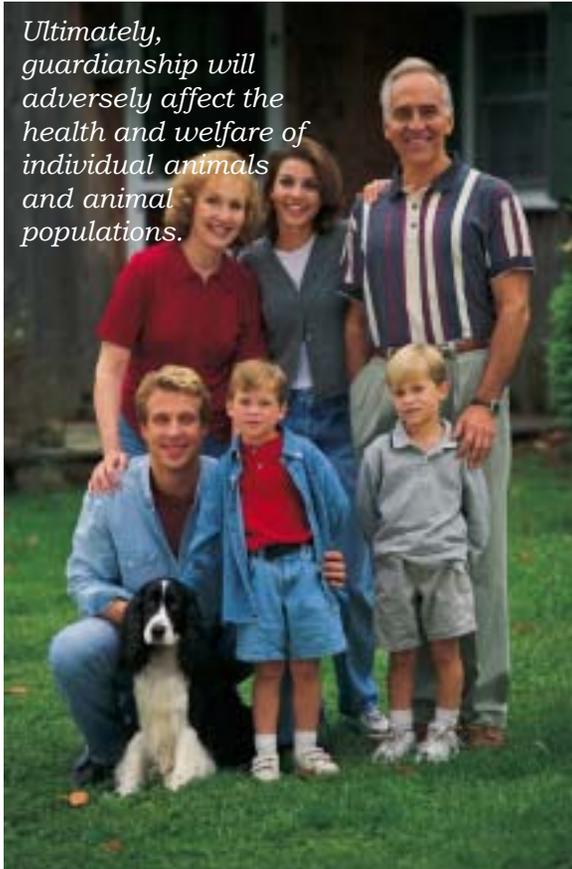


Animals

- ***Under guardianship, people may be less willing to possess animals because of concerns about increased liability.*** Some responsible individuals and animals would thereby be deprived of the benefits of the human-animal bond.
- ***Guardianship may reduce a person's willingness to seek appropriate services for animals in a timely fashion.***
- ***Guardianship may leave the welfare of animals in limbo during associated legal proceedings.*** A delay in the veterinarian's ability to provide medical care is one example.

Ultimately, guardianship will adversely affect the health and welfare of individual animals and animal populations.



***For more information on guardianship, visit:
www.mvma.us/guardianship***



Missouri Veterinary Medical Association
2500 Country Club Drive
Jefferson City, MO 65109
Email: mvma@mvma.us

The Truth About Pet Guardianship



*How Guardianship Can Hurt
Our Four-legged Friends*

*Important Information From the
Missouri Veterinary Medical Association*

Our pets bring us love, joy, and laughter. Some would like to use the concern for our pet's welfare to convince us to change our owner/pet relationship to one of guardianship.

Though this sounds innocent, we hope you will spend a few minutes to discover the serious rights you give up and financial obligations you take on should the term "guardian" find its way into our ordinances, state laws and legal system. Read on to see why guardianship can actually harm the animals we love.

Animal Owners

- **With respect to veterinary care, animal owners will have less authority and fewer treatment options.** Required treatment may exceed the financial capacity of the owner to pay, yet guardianship will require that owners accept such financial burdens.



- **Use of guardian gives rise to its counterpart "ward."** The ward is defined as the person for whose benefit the guardianship has been established. Wards have legal rights. Applying human guardianship law to animals would mean that animals have legal rights that can be recognized in court (i.e., animals would have legal standing). This may subject owners to civil lawsuits filed by third parties on behalf of the animal.

- **Owners wishing to relieve animal suffering by euthanasia may no longer have that option.** Non-health justifications for euthanasia may no longer be acceptable under guardianship. Spaying and neutering may also not be possible, if such procedures were not deemed to be in the best interest of the animal.

- **Generally owners have authority over release of their animals' medical records.** Under guardianship, a veterinarian, contrary to the owner's wishes, may be able to release information to third parties, or may choose not to release medical records to the owner or others because he/she believes it is not in the animal's best interest to do so.

- **Background checks may be required to ensure that transfer of an animal from one guardian to another is in the best interest of the animal.** Transfer of guardianship from one guardian to another, for profit, may not be legal. Third parties may have the opportunity to impede transfer proceedings if they deem such action to be in the best interest of the animal.

- **Homeowners' property loss insurance may no longer cover animal-related claims** should animals be no longer defined as property under the law. Under guardianship, animals would no longer be considered property.



- **In states having guardian registries, animal guardians may be required to register** and to comply with all laws and regulations pertaining to that registration. Requirements for registration could include background checks, bonding, and conflict-of-interest evaluations.

Society

- **Guardianship may preclude the responsible use of animals** for agricultural production (food and fiber), research, exhibition and entertainment (e.g., racing, circuses, rodeo), and companionship. Use of animals and animal products for such purposes may no longer be legal.



- **Guardianship may affect the ability of governmental agencies to control and quarantine animals and require vaccination.** Ensuring animal and public health requires the ability to effectively control and eradicate disease. Quarantine, vaccination, and sometimes depopulation, are necessary components of effective disease control and eradication.

- **Homeless/unwanted animals**—Financial burdens and inability to control burgeoning populations may both contribute to the problem of unwanted animals.

- **The concept of guide dogs and hearing dogs may be objectionable under guardianship;** therefore, there may be fewer animals available to provide such services. The use of animals for search and rescue may also not be acceptable.