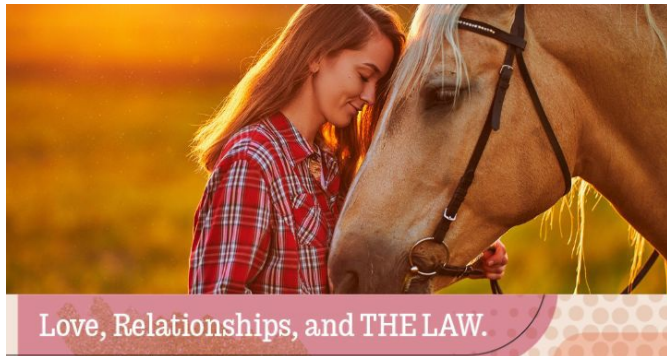


Who Will Take Care of My Horse When I Die?

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February 9, 2024



'Want a stable relationship? Get a horse.'

"Horses lend us the wings we lack." "There is no better place to heal a broken heart than on the back of a horse."
"...for there is no other feeling in the world to compare with it if one loves a great horse. It gives a thrill that nothing else ever can. It cannot be put into words, because words cannot express it."

Horse people are familiar with these quotes. We see them on signs at the barn, at the tack shop, and in memes on Facebook. Anyone who has experienced the joy a horse can bring knows that a relationship between a person and their horse cannot be compared to any other relationship.

When our horses die before we do, some say we will see them again on the "rainbow bridge." But what comes of our horses if we die first? Who will take care of them when we cannot? Where will they live, and what funds will be used for their care?

In North Carolina, horses are considered personal property; so, in estate administration, a horse is treated no different than a vehicle or a couch that you own at the time of your death. **If you die with a will** (called "testate"), your horse will go to the named beneficiary(ies) in your will who receive your tangible personal property or to the beneficiary named to specifically receive your horse. **If you have a revocable trust and "pour over" will** (where everything you own, including your horse, becomes owned by your trust at the time of your death), the trustee will manage the horse for the benefit of the beneficiaries named in the Trust. **If you die without a will** (called "intestate"), the state decides where your property goes, including your horse – usually to your spouse or closest blood relative.

It is critical for horse owners to consider and plan for their horse's future: Does the person receiving your horse from your estate want to own a horse or know how to care for a horse? Will that person have enough funds to support your horse for your horse's lifetime? If funds do not come with the horse, how long can the person realistically keep the horse? What will your horse's fate be then? What is the person authorized (and not authorized) to do for your horse? Where will the horse live? Should the horse be out to pasture full-time or brought into the barn? What are the horse's needs: chiropractic work, acupuncture, magnetic pulse therapy, daily exercise? What medical treatments are authorized or not authorized for your horse? Leaving these matters to chance is a risky venture for your horse's well-being.

If you own a horse, you at least need a will. Click [HERE](#) to read more about why everyone needs a will. In most cases, you should establish (either in your will or revocable trust) express trust provisions for the benefit of the horse. If you do decide to establish a trust for your horse, use an attorney experienced in preparing

trusts for equines.

A trust for your horse, drafted by an equine law attorney, can ensure your beloved equine partner receives the care, attention, and compassion he deserves for the rest of his life. A trust for your horse will identify the proper caregivers, have funds exclusively for the care and well-being of your horse, and provide instruction on health, fitness, medical care, and humane treatment.

Our horses give us a relationship like none other. Equine trusts will ensure our horses receive the care they need and deserve until they can join us on the rainbow bridge.

This is a part of our February series: "Love, Relationships, and the Law." For more insights, click here.

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