

As veterinarians, we realize that many of our clients are very fond of their pets. However, some would like to use their concern for a pet's welfare to change from an owner/pet relationship to one of guardianship. However "guardian" is a legal term that has significant legal implications and repercussions.

Its use to describe the relationship between animals and their owners is inappropriate. On the basis of these conflicts, *the American Veterinary Medical Association (AVMA) and the Missouri Veterinary Medical Association recommend that "guardian" not be adopted, even to semantically describe the relationship between humans and their animals.*

Information for Service Providers

- *Animal abandonment laws are predicated on the basis that animals are property.* Guardianship removes the status of animals as property.
- *The veterinarian's responsibilities become unclear when a guardian's direction is contrary to the best interests of the animal.* Veterinarians may be required to go to court to obtain a judicial determination as to whether or not theirs or the guardian's direction is the appropriate course of action. Inability to provide timely treatment to an ill or injured animal during the course of court proceedings creates the potential for unnecessary animal suffering. For example, debate as to whether to treat a compound fracture versus selecting euthanasia for the animal could create the potential for continued pain, infection and other complications while awaiting a judicial decision.
- *Veterinarians may not be able to lawfully prescribe or dispense controlled substances or legend drugs to a guardian who no longer has legal status as the owner of an animal (i.e., current law assumes animals are owned and that owners receive drugs and administer them, as prescribed, to the animal).*
- *Guardianship may create questions as to whom (guardian) or what (guardianship) is responsible for payment of associated animal services.* Personal payment guarantees may need to be obtained.
- *Interstate transport* - Service providers may have an obligation to prevent the physical transfer of an animal from a guardianship state to an ownership state.

Pet Guardianship: A Veterinarian Perspective



*Important information
on the guardianship
issue from your*

*Missouri Veterinary
Medical Association*

