



## What happens to pets in a New Jersey divorce?

On behalf of Heymann & Fletcher posted in [divorce](#) on Thursday, March 26, 2015.

For many New Jersey residents, their pets are like children. Therefore, when a couple's marriage ends in [divorce](#), who receives "custody" of the family pet becomes a point of contention. The parties soon discover, however, that the courts treat pets as property, which means that the rules of property division -- and not child custody laws -- govern how the court rules.

Couples lose control of the decision-making process when they allow a New Jersey judge to make the choice on their behalf. To avoid this eventuality, the parties may come to an agreement outside of the courtroom. A divorce can be likened to the emotional equivalent of a roller coaster, but if the parties can get off the ride and work together, an infinite amount of possibilities appear.

Some couples across the country are devising pet-parenting plans using child-custody agreements as models. Time is split between each party, and expenses are shared. Provisions can be added regarding how the parties will deal with conflicts that may arise, and a time-sharing schedule can be tailored to the needs of each party.

As a country, people spend millions of dollars each year on their pets. People are emotionally invested in the welfare of their pets and do not want to give them up in a divorce. It might be easy for a couple to spend a good deal of time and money battling over the family pet in court, but there is a real possibility that one or both parties will be dissatisfied. By stepping back and coming together, the parties can negotiate an agreement that allows both parties the opportunity to continue to have a beloved pet in their lives.

**Source:** [macombdaily.com](#), "[Family law courts don't decide custody for our furry friends](#)", Alisa Peskin-Shepherd, March 25, 2015