



A modern-love dilemma — navigating joint custody of the pup

By Amelia Glynn

We all know pets are great for getting us out of our funk when we're sad or stressed. So what happens when we're going through a breakup and we share our pooch with our soon-to-be ex? Is it better for one person to walk away, or is successful shared custody

possible? Many of us are finding creative solutions to this potentially heartbreaking dilemma.

I confess I'm no stranger to the question of how-do-we-split-the-dog. I first met Lorna Doone (a.k.a. The Doone) while she was tugging on the leash attached to the man who would later become my boyfriend. I grew up with dogs, but there was something different about Lorna, and I fell head over heels in love.

When my boyfriend and I decided to split up, I knew it was for the best, but I was devastated by the thought of breaking up with Lorna, too. She was my friend, exercise partner and world's best

cuddler. Weathering a breakup without her seemed impossible. The problem was, she wasn't my dog—my ex had adopted her from a Pit Bull rescue organization in San Francisco when she was six months old. So I didn't have much pull in the ownership department.

Luckily, our split was amicable and my ex and I managed to bumble our way through a joint custody agreement, sans mediator or lawyer. Sure, some (okay most) of my friends thought I was crazy. And, I'll be the first to admit, the sailing wasn't always smooth—like the time he had to reschedule The Doone's drop-off day because he was spending the weekend with his new girlfriend. But I stuck

it out, and little by little, my ex and I fell into an easy back-and-forth based on courtesy, kindness and a mutual fondness for our sweet girl Lorna Doone.

While joint custody isn't for everyone, or every dog, I have since met a whole pack of people who are blazing their own pet-sharing paths as they navigate this increasingly common nuance of modern love. Some of the arrangements work and some don't, but more than the outcomes, what's interesting is what these arrangements ultimately say about our relationship with our companion animals.

Not so long ago, the idea that pet custody would become a prominent part of divorce cases across the country would have been dismissed as ridiculous. The law has always regarded pets as property—the same as the family car or couch. But the last decade has seen animal rights activists, legislators and legal scholars working together to change the way animals are viewed by the court—and in the process, redefining the age-old legal boundaries between people and their property.

In an unprecedented case in Tennessee last spring, a court appointed a legal guardian to represent the interests of a dog in a custody dispute. The *L.A. Times* has reported a 100-fold increase in pet custody cases in the last 15 years, and Joyce Tischler, founder of the Animal Legal Defense Fund (ALDF), cites that one out of every 20 divorce cases now involves a pet.

"Clearly, society has changed, and pets are becoming a more intrinsic part of the family," says Tischler. "There is increasing evidence that Americans view their companion animals as being inherently

different from other forms of property.” She points out that more than half of companion animal guardians would be “very likely” to risk their lives for their animal, while the same percentage would prefer the company of a cat or a dog to that of a human if stranded on a desert island.

Charles Regal, a pet custody mediator who specializes in helping ex-couples decide who should keep the furry charges, says, “Our culture is trained to be adversarial, as in ‘Let’s fight and win!’ instead of sitting down and working out our differences. The irony is, going to court rarely makes people happy, especially when it comes to their animals. Unfortunately, mediation is often seen as a last resort.”

In Texas, there are several instances where judges have ordered expensive pets in custody disputes to be sold so the money could be split 50/50—often to the horror of both parties. “In these cases, everyone, including the animals, loses,” Regal notes.

The Many Faces of Joint Custody

In casual conversations at the park, in pet stores and over email, I have met many people who have tried, or are trying, to make pet sharing work. Some stories have happier endings than others, but what comes through loud and clear in all of them is the love they share for their companion animals.

Doug started off sharing his dog with his ex, but their swaps were filled with jealousy and not-so-pleasant exchanges. “In the end, it wasn’t the drama that won out, but the reality that I am not home nearly enough to give my dog a life she deserves,” he says. Last spring he relinquished his visitation rights and dropped the pup off at the airport for her flight to be reunited with his ex. He misses his friend, but takes comfort knowing that she now has a big yard and new lab puppy “stepsister” to play with. “At least, that’s the story I’ve been telling myself and everyone else since she’s been gone,” he says.

Maria has been sharing custody of her

Pluses & Minuses

Like most things in life, pet sharing can have its ups and downs.

On the up side:

- When you leave town you know your dog is being taken care of by someone who genuinely loves them (and it’s free!).
- You can share expenses. (In my case, The Doone is due for her second knee surgery and, at \$2,500 a pop, it’s nice to know I can split that with my ex.)
- Especially if you are single, it’s great to have backup you can trust when you need a break.

On the down side:

- You may have to interact with your ex more than you might like (and know details about his life you’d rather not).
- The coordination can be tricky, especially if the schedule is either too loose or too rigid.
- No matter how much you want to share, it might not be the best choice for your pet.

Boston Terriers with her ex for the last year. They have remained close friends and share “the girls” literally every three days. “I have to admit that I have patted myself on the back a few times when commended by others for our strength and our graciousness,” she says of their arrangement. However, this fall her ex announced that she was planning to move to NYC, which would morph their current 17-minute walk between homes into a distance of 2,500 miles. “When we first broke up, we agreed that we wouldn’t separate the dogs because their bond was too strong,” Maria says. But now they are faced with that prospect. “Who knows,” she muses, “I may follow my dog to NYC. Crazier things have happened.”

When Sue divorced her husband, she decided to keep two of her dogs while her husband kept the third. That worked for a while, until his dog took to escaping from his home (with its huge backyard) and finding his way to her flat, several miles away (with no yard). After she found him barking at her door for the

third time, he moved in permanently and stayed until he died at age 14 and a half.

Inga’s ex, Dave, still takes her Lab/Pit Bull mix Jake for walks and weekends even though she retained custody. “Having someone else to help out whom I trust and who loves my dog as much as I do has been great,” she says. “Asking a friend to dog-sit can feel like I’m putting them out, but Dave is always happy to spend time with Jake.”

It Works for Me, But Is It Good for My Dog?

While growing up with divorced parents, I shuttled between houses every two weeks and hated it. So why would I potentially subject my dog to the same instability and stress?

“This is a great question,” says Dr. Lore Haug, a veterinary behaviorist in Sugarland, Texas. “Most people are too attached to assess the situation from the animal’s perspective.” And while she concedes that joint custody is an option, it may not be beneficial if the pet has shown difficulty adjusting to new environments. As she notes, “If your dog gets anxious when you rearrange the furniture, living in two homes might be a stretch.”

If you think your pet can handle it, Dr. Haug advises that you first determine your primary motivation for wanting to share your pet. “Is it because you travel two weeks out of the month and need reliable doggie care? Or is it because you don’t want to let go? It’s important to weigh the pros and cons before you decide joint custody is the answer,” she says.

Smoothing Out the Bumps

- Hire a dog walker to orchestrate the go-betweens.
- Schedule longer periods between swaps to keep transition-related stress to a minimum.
- If you also share custody of your child, consider putting your dog on the same schedule.

Planning Your Pets' Future

When Your Relationship Is in the Past

- Don't let your pets become pawns in an emotional tug of war. Vow to do what is best for them.
- Avoid using email to resolve "hot button" issues. Emails generally escalate conflict.
- Choose a time and place to talk that is mutually convenient.
- Brainstorm instead of debate.
- Listen. Have a dialogue instead of two monologues.
- Stay focused on your pets' well-being.
- Write down any agreements you reach, and make sure they are clear, specific and realistic.
- If communicating with each other is too difficult, consider hiring a skilled mediator.

Overall, routine and consistency are key for making it work. "If you and your ex have very different ideas about how your animal should be raised, it can send mixed messages to your dog and result in anxiety, depression or even aggression," she warns. Agreeing on and maintaining a similar feeding, exercise and training schedule can help minimize unnecessary stress.

Letting Go

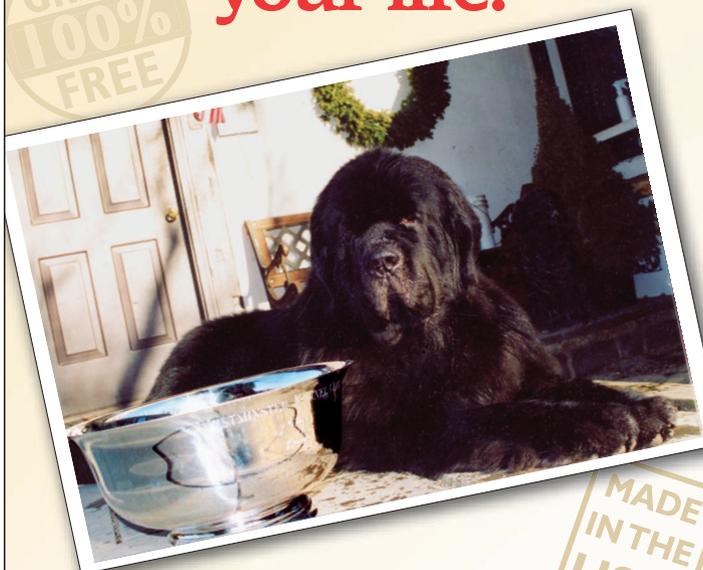
Now that I'm traveling more and simultaneously searching for a new apartment, I'm seeing a lot less of The Doone. Last summer, I made a promise to myself that I would keep her in my life as long as it made us both happy. I know she has a good home with my ex and his new family and their big back yard. And meanwhile, I'm figuring out how to be happy in the midst of change. As much as it breaks my heart to imagine my life without The Doone, I know it might be finally time to let go. **B**

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