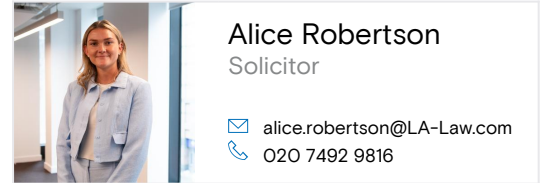




Who Gets the Dog? Legal Considerations for Pets on Divorce

AUTHOR / KEY CONTACT



While many couples may view their pets much like a child of the relationship, upon [divorce](#) the court view pets as chattels. When determining any sort of child arrangement, the court's primary consideration is the best interests of the child; however when it comes to pets, the court will look at who legally owns the pet to decide who will retain ownership.

How Courts Decide Who Keeps the Pet in a Divorce

The court may consider the following when determining pet ownership:

- **Vet Records & microchipping** - Who is registered with the vet and on any tags or microchips;
- **Financial responsibility** - Who pays for the associated expenses of the pet, such as food and vet bills;
- **Primary caretaker** - Who cares for the pet and is responsible for walking and feeding the pet.

Real Case Example: Pet Ownership in Divorce (FI v DO, 2024)

In the recent 2024 case of FI v DO, the husband sought a shared care order for the golden retriever. The wife argued that she should retain the family dog on the basis that it was in the dog's best interests to remain with the children.

The judge reminded the parties that the dog was a chattel. The judge did however give weight to the fact that it would be upsetting for both the dog and the children if the dog was to live with the husband. The husband had left the family home 18 months ago and since then the wife had been caring for the dog. The judge therefore concluded that the wife should retain ownership of the dog.

Have you considered a Pet-Nup?

In order to avoid disagreement about who shall retain the pet on divorce, couples are now including in any [prenuptial agreement](#) what will happen to the pet in the event of the relationship breakdown. A pet-nup can include details as to who the pet will live with and set out visitation arrangements, as well who will meet the costs of the pet's veterinary bills and insurance.

Need Legal Advice on who keeps the pet on divorce or do you wish to obtain a Pet-Nup agreement? Our expert [family law solicitors](#) at Lester Aldridge can help.

Contact our team on [0344 967 0793](tel:03449670793) or email online.enquiries@LA-law.com today to discuss your case, or visit our [Divorce & Separation](#) page for more legal guidance.