

## Court Rules Pets Have Special Value

**New Jersey appellate court rules the value of a pet can't be measured in money alone.**

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A New Jersey appeals court recently ruled that pets, like family heirlooms, have more than just monetary value to their owners and that this so-called "special subjective value" should be considered in resolving custody disputes.

The opinion, issued March 10, came from a three-judge panel in a case involving a New Jersey man and woman who were engaged to be married but then broke up. The panel ruled money was inadequate compensation for Doreen Houseman, whose former fiancé, Eric Dare, kept their dog after the break-up of their relationship, despite an oral agreement that she would keep the pet.

According to a court document announcing the panel's decision, Houseman and Dare had a relationship for 13 years before it ended in May 2006. They had purchased a pug, named Dexter, for \$1,500 in 2003. When they broke up, Houseman took the dog and its "paraphernalia." According to the court document, she left one of the dog's jerseys and some photographs behind as mementos for her ex-fiancé.

Houseman alleged they had an oral agreement that the dog would be hers. She did keep Dexter for several months after she and Dare separated, but she gave him the dog to watch while she went on vacation in February 2007. He refused to return the pet when she returned. Shortly thereafter she sued him.

In that trial, the court found that Houseman and Dare had an oral agreement, but that Dare could retain ownership of Dexter because he was already in possession of the dog. Dare had to pay Houseman \$1,500, the value of the Pug agreed on by the couple.

Explaining its reversal of the trial-court decision, the appellate court ruled that pets, like heirlooms, family treasures and works of art, induce a "strong sentimental attachment" that monetary damages cannot compensate. The case was sent back to court for further proceedings.