

## FUNERAL PLANNING DECLARATION

This declaration is made this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

I, \_\_\_\_\_, being at least eighteen (18) years of age and of sound mind, willfully and voluntarily make known my instructions concerning funeral services, ceremonies, and the disposition of my remains after my death in accordance with Indiana law (IC 29-2-19).

I hereby declare and direct that after my death \_\_\_\_\_ (*name of designee*) shall, as my designee, carry out the instructions that are set forth in this declaration. If my designee is unwilling or unable to act, I nominate \_\_\_\_\_ as an alternate designee.

I hereby declare and direct that after my death the following actions be taken as indicated by my initialing or making my mark before signing this declaration:

**(1) Disposition:** My body shall be: (*choose one*)

\_\_\_ Buried-- I direct that my body be buried at \_\_\_\_\_ Cemetery.

\_\_\_ I own a cemetery space there. (Lot/Space \_\_\_\_\_)

\_\_\_ I do not own a space in that cemetery.

\_\_\_ I have no cemetery preference and leave that decision to my designee.

\_\_\_ Cremated-- I then direct that my cremated remains be disposed of as follows:

\_\_\_ Scattered at \_\_\_\_\_

\_\_\_ Buried at \_\_\_\_\_

\_\_\_ Given to and retained by \_\_\_\_\_

\_\_\_ I have no preference. This decision is up to my designee.

\_\_\_ Entombed-- I direct that my body be entombed at \_\_\_\_\_ Cemetery.

\_\_\_ I do/do not (*mark one*) own a mausoleum crypt in that cemetery.

\_\_\_ I intentionally make no decision concerning the disposition of my body, leaving the decision to my designee named above.

**(2) Services:** My service arrangements shall be:

Obtained from \_\_\_\_\_ Funeral Home of \_\_\_\_\_, Indiana -or- \_\_\_ I have no funeral home preference.

I direct that the following ceremonial arrangements be made:

\_\_\_ Funeral services in funeral home chapel

\_\_\_ Funeral services at \_\_\_\_\_ Church/Synagogue

\_\_\_ Graveside services at \_\_\_\_\_ Cemetery

\_\_\_ I have no service preference and leave that decision to my designee

**(3) Memorial and Merchandise:**

I direct the following selection of a grave memorial or marker: *(Subject to cemetery regulation)*

- Upright monument \_\_\_\_\_
- Slant face marker \_\_\_\_\_
- Flat marker \_\_\_\_\_
- I have no preference and leave that decision to my designee
- Special inscription or artwork \_\_\_\_\_

I direct that the following merchandise and other property be selected:

- Casket \_\_\_\_\_
- Vault or grave liner \_\_\_\_\_
- Cremation urn \_\_\_\_\_
- I have no preference and leave these decisions to my designee

In addition to the instructions listed above, I request the following:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If it is impossible to make an arrangement specified in subdivisions (1) through (3) because a funeral home or other service provider is out of business, impossible to locate, or otherwise unable to provide the specified service; or if the specified arrangement is impossible, impractical, or illegal; I direct my designee to make alternate arrangements to the best of the designee's ability.

It is my intention that this declaration be honored by my family and others as the final expression of my intentions concerning my funeral and the disposition of my body after my death. I understand the full import of this declaration.

Signed \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ IN

**Witnesses to signature:**

The declarant is personally known to me, and I believe the declarant to be of sound mind. I did not sign the declarant's signature above for or at the direction of the declarant. I am not a parent, spouse, or child of the declarant. I am not entitled to any part of the declarant's estate. I am competent and at least eighteen (18) years of age.

Witness \_\_\_\_\_ Date \_\_\_\_\_

Witness \_\_\_\_\_ Date \_\_\_\_\_

## **The Funeral Planning Declaration-- What you need to know before you sign**

### **What it is.**

A Funeral Planning Declaration is a legally binding document allowing a person to direct how their body is to be disposed of at the time of their death and what services are to be held. It is provided for by Indiana law, IC 29-2-19.

The instructions given in a Funeral Planning Declaration supersede and override the wishes of all others including your immediate family. A Funeral Planning Declaration is not for everyone.

### **Who should not execute a Funeral Planning Declaration.**

If you want to allow your family to plan the funeral services that will be most meaningful to them, you do not want to execute a Funeral Planning Declaration. It will only restrict them in what they want to do.

Without a funeral planning declaration, the law provides that the right of disposition falls to your family. Your husband or wife first, then your adult children, then parents, then the next degree of kinship to inherit.

If you simply want to express your wishes to them but still allow them to make the final decisions, you might consider doing this through conversation or a letter to your family.

### **Who should execute a Funeral Planning Declaration. It is most appropriate for those who:**

- Do not have any immediate family to carry out funeral planning and disposition arrangements.
- Have strong feelings as to what should happen upon their death.
- Have wishes that are likely to be objected to by their family because those wishes break from family or religious tradition.
- Anticipate conflict between family members as to what should be done.

### **In order to be valid and to be assured your wishes will be carried out:**

- You must be at least 18 years of age and of sound mind to execute a declaration.
- Indicating your wishes is not sufficient. You must name a person (designee) to carry out the wishes expressed in the declaration. It is also wise to name an alternate designee to carry out your wishes in the event the original designee is unavailable or unable to act. You can not name your funeral director as your designee.
- The declaration must be signed and must be witnessed by competent witnesses over the age of 18 who are not related to you and who will not be entitled to part of your estate.
- You must provide a means of funding your wishes. One way this can be done is to execute and fund a preneed contract as provided for under Indiana law (IC 30-2-13). Your funeral director can assist you in doing this.
- You can not expect your wishes to be carried out if they are impossible, impractical, or illegal. Also bear in mind that church or cemetery regulations may restrict what can be done. If you have an unusual request, you should check to see if it is possible before requesting it.
- The existence of the declaration must be known and it must be made available at the time of death. Do not include it in your Will or store it in a lock box or safe deposit box. Give a copy to your designee or other trusted friend or family member. Leave a copy with the funeral home you have requested to carry out the service details.
- This information is not meant to replace competent legal advice. Contact your attorney if you have any questions or concerns about a Funeral Planning Declaration before you sign one.