

# Cremation Society of New Jersey, Inc.

Thomas J. McNamara, Manager - N.J. Lic. No. 3565

583 Van Houten Avenue

Clifton, NJ 07013

**Phone 800-833-2843 Fax 973-614-8411**

## CREMATION AUTHORIZATION

The undersigned hereby requests and authorizes Cremation Society Of New Jersey, Inc., in accordance with the laws for the State of NJ to cremate the remains of \_\_\_\_\_ who died on DATE \_\_\_\_\_ at LOCATION \_\_\_\_\_ and to have the cremated remains to particles of uniform size. The undersigned certifies and represents that he or she has the right to authorize this cremation and agrees to hold Cremation Society Of New Jersey, Inc. harmless from all liability and expense including attorneys' fees that may incur as a result of its compliance with the request.

The undersigned assumes all responsibility for the cremation of the afore-mentioned remains and authorizes Cremation Society Of New Jersey, Inc. to make arrangements for said cremation.

\_\_\_\_\_  
Print Name of Next of Kin/Legal Representative

\_\_\_\_\_  
Relationship/Authority to sign

\_\_\_\_\_  
Signature of Next of Kin/Legal Representative

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip

# Authorization of Services by Appropriate Parties

Funeral Home:	Funeral Home Street Address:	
City:	State:	Zip:
Name of Decedent:	Date of Death:	

**Authorized Funeral Agent**

The deceased has appointed an authorized funeral agent as defined in N.J.S.A. 3B:10-21.1 and N.J.S.A. 45:27-22

Print Name: \_\_\_\_\_

*(If no funeral agent, proceed to surviving heirs at law.)*

**Surviving Heirs at Law**

I/We hereby certify that the decedent left the following surviving heirs at law:

Spouse, Civil Union Partner or Domestic Partner *(Separated spouses should be listed. Divorced spouses should not be listed.)*

Yes  No Name: \_\_\_\_\_

If no spouse/civil union/domestic partner proceed to biological and legally adopted children of the deceased *(do not include stepchildren)*:

Children over 18 years old?  Yes  No How many? \_\_\_\_\_ List names below.

\_\_\_\_\_

\_\_\_\_\_

If no children over 18 years old proceed to biological and legally adoptive parents of the deceased *(do not include stepparents)*:

Parent(s)?  Yes  No How many? \_\_\_\_\_ List names below.

\_\_\_\_\_

If no parents proceed to siblings. List biological siblings and those related by adoption. *(No stepbrothers or stepsisters.)*

Sibling(s)?  Yes  No How many? \_\_\_\_\_ List names below.

\_\_\_\_\_

If no siblings state name and relationship of authorizing party.

Name: \_\_\_\_\_ Relationship to Decedent: \_\_\_\_\_

Having disclosed the survivors above, I/we certify that I/we am/are the closest living next of kin to the decedent and that I/we am/are related as stated above, that I/we have charge of the body and as such possess full legal authority and power, according to the laws of the State of New Jersey, to execute the authorization form and to arrange for the disposition of the remains of the decedent.

In addition, I/we am/are aware of no objection to these arrangements by any spouse, civil union or domestic partner, child, parent, or sibling specified.

I/we authorize this funeral home to perform the funeral arrangements of the decedent in accordance with the terms outlined in the accompanying Statement of Funeral Goods and Services Selected.

**Indemnification**

As the Authorizing Agent(s), I/We hereby agree to indemnify, defend, and hold harmless the funeral home, its officers, agents, and employees of and from any and all claims, demands, causes of action, and suits of every kind, nature and description, in law or equity, including any legal fees, costs, and expenses of litigation, arising as a result of, based upon or connected with this authorization, including the failure to properly identify the decedent or the human remains transported to the funeral home, claims brought by any other person(s) claiming the right to control the disposition of the decedent, or any other action performed by the funeral home, its officers, agents or employees, pursuant to this authorization, excepting only acts of willful negligence.

**Attestation**

By executing this form, as Authorizing Agent(s), the undersigned warrant that all representations and statements contained on this form are true and correct, that these statements were made to induce the Funeral Home to arrange for the final disposition of the body of the decedent, and that the undersigned have read and understand the provisions contained in this form. The activities the firm provides that require permission from the next-of-kin include the transfer of remains, embalming, cremation, entombment and burial.

Name:	Date:	Signature:
Address:		

Name:	Date:	Signature:
Address:		

Name:	Date:	Signature:
Address:		

# New Jersey's Law Pertaining to Right to Control the Funeral

## Right to Control N.J.S.A. 45:27-22

a. If a decedent, in a will as defined in N.J.S.3B:1-2, appoints a person to control the funeral and disposition of the human remains, the funeral and disposition shall be in accordance with the instructions of the person so appointed. A person so appointed shall not have to be executor of the will. The funeral and disposition may occur prior to probate of the will, in accordance with section 40 of P.L.2003, c. 261 (C.3B:10-21.1). If the decedent has not left a will appointing a person to control the funeral and disposition of the remains, the right to control the funeral and disposition of the human remains shall be in the following order, unless other directions have been given by a court of competent jurisdiction:

- (1) The surviving spouse of the decedent or the surviving domestic partner. (Effective February 19, 2007 Civil Union Partners have the same rights under this statute as spouses.)
- (2) A majority of the surviving adult children of the decedent.
- (3) The surviving parent or parents of the decedent.
- (4) A majority of the brothers and sisters of the decedent.
- (5) Other next of kin of the decedent according to the degree of consanguinity.
- (6) If there are no known living relatives, a cemetery may rely on the written authorization of any other person acting on behalf of the decedent.

For purposes of this subsection "domestic partner" means a domestic partner as defined in section 3 of P.L.2003, c. 246 (C.26:8A-3).

b. A cemetery may permit the disposition of human remains on the authorization of a funeral director handling arrangements for the decedent, or on the written authorization of a person who claims to be, and is believed to be, a person who has the right to control the disposition. The cemetery shall not be liable for disposition pursuant to this authorization unless it had reasonable notice that the person did not have the right to control the disposition.

[Unrelated language omitted]

d. A person who signs an authorization for the funeral and disposition of human remains warrants the truth of the facts stated, the identity of the person whose remains are disposed and the authority to order the disposition. The person shall be liable for damages caused by a false statement or breach of warranty. A cemetery or funeral director shall not be liable for disposition in accordance with the authorization unless it had reasonable notice that the representations were untrue or that the person lacked the right to control the disposition.

## Appointment of Person to Control Funeral and Disposition N.J.S.A. 3B:10-21.1

Prior to probate, a decedent's appointment of a person in a will to control the funeral and disposition of human remains may be carried out in accordance with section 22 of P.L.2003, c. 261 (C.45:27-22). If known to them, a person named executor in a will shall notify such a person of their appointment and advise them of what financial means are available to carry out the funeral and disposition arrangements.