

Funeral Choices of Chantilly
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CODE OF VIRGINIA

§ 54.1-2800. Definitions. "Next of Kin" means any of the following persons, regardless of the relationship to the decedent; any person designated to make arrangements for the disposition of the decedent's remains upon his death pursuant to § 54.1-2825, the legal spouse, child over eighteen years of age, custodial parent, noncustodial parent, siblings over eighteen years of age, guardian of minor child, guardian of minor siblings, maternal grandparents, maternal siblings over eighteen years of age and paternal siblings over eighteen years of age, or any other relative in the descending order of blood relationship.

§ 54.1-2825(A). Any person may designate in a signed and notarized writing, which has been accepted in writing by their person so designated, an individual who shall make arrangements and be otherwise responsible for his funeral and the disposition of his remains, including cremation, interment, entombment, or memorialization, or some combination thereof, upon his death. Such designee shall have priority over all persons otherwise entitled to make such arrangements, provided that a copy of the signed and notarized writing is provided to the funeral service establishment and to the cemetery, if any, no later than 48 hours after the funeral service establishment has received the remains. Nothing in this section shall preclude any next of kin from paying any costs associated with any funeral or disposition of any remains, provided that such payment is made with the concurrence of any person designated to make arrangements.

B. Where a person has designated in a U.S. Department of Defense Record of Emergency Data (DD Form 93) or any successor form an individual to make arrangements for his funeral and disposition of his remains, and such person dies while serving in any branch of the U. S. Armed Forces as defined in 10 U.S.C. § 1481, such designee shall be responsible for making such arrangements.

§54.1-2818.1. Prerequisites for Cremation. No dead human body shall be cremated without (i) permission of the medical examiner as required by §32.1-284 and either (ii) visual identification of the deceased by the next-of-kin or his representative, who may be any person designated to make arrangements for the decedent's burial or the disposition of his remains pursuant to §54.1-2825 or an agent named in an advance directive pursuant to §54.1-2984. When visual identification is not feasible, other positive identification of the deceased may be used as a prerequisite for cremation.

FINAL DISPOSITION

Following the cremation, the Authorizing Agent directs Funeral Choices to undertake the actions set forth on the Authority to Cremate and Order for Disposition form to arrange the final disposition of the cremated remains of the Decedent. If the cremated remains are shipped at any time, the Authorizing Agent directs that Funeral Choices utilize registered U.S. Mail with a return receipt or a shipping service that uses an internal system for tracing the location of the cremated remains during shipment and requires a signed receipt of the person taking delivery of the cremated remains.

The Authorizing Agent understands that if no arrangements for the final disposition, release or shipment of the cremated remains are made in this Authorization, Funeral Choices shall hold the cremated remains for ninety (90) days after the cremation. If during the ninety (90) day period the cremated remains are not retrieved by the person designated on the Authority to Cremate and Order for Final Disposition to receive them or by the Authorizing Agent then Funeral Choices may dispose of the cremated remains according to §54.1-2808.1 of the Code of Virginia.

§54.1-2808.1. Disposition of cremains. A funeral director may dispose of the cremains of an individual by interment, entombment, inurnment, or by scattering the cremains, if after ninety days from the date of the cremation, the contracting agent has not claimed the cremains, or instructed the funeral director as to final disposition. The funeral director shall keep a permanent record of all cremains, which identifies the method and site of final disposition. The costs and all reasonable expenses incurred in disposing of the cremains shall be borne by the contracting agent. Upon the disposition of the cremains, the funeral director shall not be liable for the cremains or the method of final disposition. Any funeral director in possession of unclaimed cremains prior to July 1, 1993, may dispose of such cremains in accordance with the provisions of this section. However, no funeral director shall, without written permission of the contracting agent, dispose of cremains in a manner or a location in which the cremains of the deceased are commingled, except in the scattering of cremains at sea, by air, or in an area used exclusively for such purpose, or plane, temporarily, the cremains of persons in the same container or urn.

Authorizing Agent Date

Witness Date