

## It's Your Funeral

In New Jersey and many states, your next of kin controls your funeral and/or the disposition of your remains. Your spouse or civil union partner comes first, then your child or children, then your parents. Usually this is not a problem, as all parties know what you want and generally get along. However, we had a situation where Dad was on his third marriage and all of his children were the children of wife number one. The children and the new wife had diametrically opposed wishes, and family strife was high.

In the Matter of the Estate of Travers, a young man died tragically with no spouse/civil union partner or children. Mom and Dad had divorced with enough acrimony that they refused to agree on their son's funeral. Result: a legal action was filed in Chancery, and a Judge, after a hearing, appointed Dad. Elapsed Time: months. Expended legal fees: significant.

The Alternative: New Jersey and Pennsylvania statutes permit you to designate a Funeral and Disposition Representative in your Will. In New York State a designation may be by a separate document. It's your funeral. Please contact an attorney to make sure this is a part of your complete Estate Plan.

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