DAMIANO
FUNERAL HOME

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Our funeral home requires the completion of this form and the Cremation Authorization Addendum to authorize cremation.

Consent for Services by Authorizing Agent(s)

NAME OF DECEDENT *(first, middle, last)*			TODAY'S DATE
DATE OF DEATH	PLACE OF DEATH	AGE	SEX

The term "Authorizing Agent" or "Authorizing Agents," used throughout, refers to the individual or individuals retaining the right to control disposition as established by N.J.S.A. 3B:10-21.1 and N.J.S.A. 45:27-22. Authorizing Agent(s) may include an appointed funeral agent named in a decedent's will, an individual so appointed by a court of competent jurisdiction, and/or an individual meeting the criteria set forth by N.J.S.A. 45:27-22.

Authority of Authorizing Agent(s)

☐ The decedent was an active duty military service member who died while on active duty and has authorized the individual listed on his or her United States Department of Defense Record of Emergency Data (DD Form 93) or its successor form, to control his or her funeral and disposition, as provided by N.J.S.A. 45:27-22.

Name: _____

☐ The decedent appointed an authorized funeral agent in a will as provided by N.J.S.A. 3B:10-21.1 and N.J.S.A. 45:27-22. This form does not itself constitute an appointment of a funeral agent. *(**If no funeral agent** is designated, proceed to Authorizing Agent(s) box below.)*

Name: _____

☐ I/We hereby certify that the following individual(s) may claim the right to control the funeral and disposition of the decedent as an Authorizing Agent(s), as set forth by N.J.S.A. 45:27-22:

- Spouse, civil union partner or registered domestic partner. ☐ Yes ☐ No Name: _____
  *(Separated spouses **should** be listed. Divorced former spouses **should not** be listed.)*

- If no spouse, civil union partner or registered domestic partner, proceed to biological and legally adopted children of the decedent.
  *(**Do not** include step-children. Additional names may be attached, with complete information, on a separate sheet.)*

  Children over 18 years old? ☐ Yes ☐ No List Names: _____
  How many? _____ Name: _____
  Name: _____
  Name: _____

- If no children over 18 years old, proceed to biological or legally adoptive parents of the decedent. *(**Do not** include step-parents.)*

  Parent(s)? ☐ Yes ☐ No List Names: _____
  How many? _____ Name: _____

- If no parents, proceed to siblings. List biological siblings and those related by adoption.
  *(**Do not** include step-brothers or step-sisters. Additional names may be attached, with complete information, on a separate sheet.)*

  Sibling(s)? ☐ Yes ☐ No List Names: _____
  How many? _____ Name: _____
  Name: _____
  Name: _____

- If no siblings, state name and relationship of authorizing party.

  Name: _____ Relationship to Decedent: _____

I/We certify that I am/we are related as stated above, 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 by means other than cremation. **Initial** _____

☐ cremation and disposition of cremated remains of the decedent. **This form alone does not itself constitute a cremation authorization. If cremation services are selected, our funeral home requires that a Cremation Authorization Addendum MUST be completed, signed and attached to this Consent for Services form in order to authorize cremation.** **Initial** _____

In addition, I am/we are aware of no objection to these arrangements by any spouse, civil union or registered domestic partner, child, parent, or sibling specified, whose right to control disposition supersedes mine/ours as established by N.J.S.A. 45:27-22. **Initial** _____

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. **Initial** _____

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.

Initial _____

Signature of Authorizing Agent(s)

By executing this form, as the 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, acknowledging and agreeing with every provision initialed by the principal authorizing agent. (Additional names may be attached, with complete information, on a separate sheet.)

Executed at (Funeral Home) _____ this _____ day of _____, 20_____.

NAME	SIGNATURE	DATE
ADDRESS *(street, city, state, zip)*		
TELEPHONE NUMBER	RELATIONSHIP TO DECEDENT	

NAME	SIGNATURE	DATE
ADDRESS *(street, city, state, zip)*		
TELEPHONE NUMBER	RELATIONSHIP TO DECEDENT	

NAME	SIGNATURE	DATE
ADDRESS *(street, city, state, zip)*		
TELEPHONE NUMBER	RELATIONSHIP TO DECEDENT	

Signature of Funeral Director as Witness: _____ Date: _____

NEW JERSEY'S LAW PERTAINING TO RIGHT TO CONTROL THE FUNERAL

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

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).

In the case of an active duty service member who died while on active duty in any branch or component of the United States Armed Forces, including the New Jersey National Guard called to federal active duty, the person designated by the decedent as authorized to direct disposition, as listed on the decedent's United States Department of Defense Record of Emergency Data, DD Form 93, or its successor form, shall be the person appointed to control the funeral and disposition of the remains of the decedent.

If the decedent has not left a will appointing a person to control the funeral and disposition of the remains or the United States Department of Defense Record of Emergency Data, DD Form 93, or its successor form, is not applicable, 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 civil union or domestic partner; except that if the decedent had a temporary or permanent restraining order issued pursuant to P.L.1991, c. 261 (C.2C:25-17 et seq.) against the surviving spouse or civil union or domestic partner, or the surviving spouse or civil union or domestic partner is charged with the intentional killing of the decedent, the right to control the funeral and disposition of the remains shall be granted to the next available priority class as provided in this subsection.
(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.

[Unrelated language omitted]

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

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.

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