

# GardenHill Funeral Director Service, Inc.



579 Grove Street  
Irvington, NJ 07111

Betty R. Hill, Manager  
NJ Lic. No. 4156

Tel.: 973-675-8401  
Fax: 973-866-5656

[www.garden-hill.com](http://www.garden-hill.com)

## *Funeral Agent*



### **WHAT IS A FUNERAL AGENT?**

A funeral agent is an individual named by the deceased in his or her will as the person in charge of making funeral arrangements. The rights of the funeral agent supersede the right of all others, including the spouse and other relatives such as children and parents.

Executors of estates, friends, clergy members, social workers, a specific relative and others can be named funeral agents. Funeral directors, however, should never be named funeral agents.

After the death and before the will is probated, the executor will inform the funeral agent that they are in charge of the funeral and let them know how much money is available to spend on arrangements.

### **WHO NEEDS A FUNERAL AGENT?**

If you think your relatives will not honor your funeral wishes or prearrangements, or if you are on bad terms with relatives, do not know where they are or do not have any relatives living, you should appoint someone you trust as your funeral agent.

The funeral agent option is the legal way for you appoint a specific person to arrange your funeral.

## **APPOINTING A FUNERAL AGENT IS GOOD WAY TO ENSURE THAT YOU GET THE FUNERAL YOU WANT.**

### **How to Appoint a Funeral Agent**

In order to appoint someone as your funeral agent, you will need to visit an attorney. Inform the attorney you want to name a funeral agent in your will according to N.J.S.A. 45:27-22. The attorney will need to either draw up a new will or amend your existing will to include language similar to this:

### **Appointment of Funeral and Disposition Representative**

"I hereby nominate, constitute and appoint [insert name] to serve as my Funeral and Disposition Representative, pursuant to P.L. 2003, c. 261. My Representative shall have the authority and power to control the arrangements for my funeral and the disposition of my remains. My Executor shall notify my Representative of this appointment, and shall advise my Representative of the financial means available to carry out the Funeral and Disposition arrangements. In the event [insert name] should predecease me or for some other reason not qualify to serve as my Funeral and Disposition Representative, then I nominate, constitute and appoint [insert name of alternate] as my Funeral and Disposition Representative."

**Note** New Jersey's Civil Union Law took effect on February 19, 2007. The law mandates that civil union couples must receive the same benefits and protections and be subject to the same responsibilities as spouses in a marriage, whether they derive from statute, administrative or court rule, public policy, common law, or any other source of law. Therefore, the New Jersey Civil Union Law extends the right to control disposition to civil union partners in exactly the same way as it extends this right to spouses.