

AFFIDAVIT FOR DISINTERMENT AND REINTERMENT OF A DEAD BODY
MICHIGAN DEPARTMENT OF COMMUNITY HEALTH

The applicant being duly sworn, disposes, and says that:

1. On the _____ day of _____, _____, _____
 was buried in _____ Cemetery located in the
 county of _____, grave number _____, lot _____, section _____,
 other location, such as a mausoleum (specify) _____
 Date of death _____ Place of death _____ Age _____
 Cause of death _____

2. A permit for the disinterment and reinterment of the deceased is hereby requested on behalf of: _____
 Name of petitioner _____ Relationship to deceased _____
 Address _____
 Said body is to be reinterred in: _____
 _____ Cemetery, located in _____
 The reason for seeking removal of said body is: _____

3. The owner(s) of the lot or burial right where the body is currently interred is (are):
 Name(s) of owner(s) _____

The owners(s) hereby consent to the disinterment of the decedent:
 Signature(s) of owner(s) _____

4. Consent of the next surviving kin as required by rule 325.8052 is hereby granted (see reverse side).

Signature	Date	Relationship

5. The applicant further swears that to the best of his/her knowledge he/se obtained all approvals in items 3 and 4 above as required by law and rule, and that he/she takes this oath with the full understanding that he/she assumes responsibility for the proper disinterment and reinterment of the decedent.

Name of Funeral Director _____
 Address _____
 License No. _____ Signature _____

Subscribed and sworn to before me this _____ day of _____ 20_____
 Signature, Notary Public _____
 _____ County, Michigan
 My Commission expires: _____
 (Notary Stamp or seal to left.)

R 325.8051 Discovery of remains; notification of police required; exception.

Rule 1. A person who inadvertently discovers a burial or parts of a human skeleton shall immediately notify the police authority of the jurisdiction where the remains are found. If preliminary inspection by the police authority indicates that the remains are those of a prehistoric or historic Native American, the state archaeologist of the Michigan history division, department of state, shall be immediately notified of the finding. This rule does not apply to archaeological excavations conducted by representatives of established scientific institutions or societies.

R 325.8052 Disinterment permit; applications; fee. SUPERCEDED BY MCL700.3206

MCL700.3206 Right and power to make decisions about funeral arrangements and handling, disposition, or disinterment of decedent's body; presumption; priority; shared rights and powers; personal representative or nominated personal representative; guardian; special personal representative; additional persons; reasonable attempt to locate person; effect of section on anatomical gift; "nominated personal representative: defined.

- (1) Subject to 1953 PA 181, MCL 52.201 to 52.216, and to part 28 and article 10 of the public health code, 1978 PA 368, MCL 333.2801 to 333.2899 and 333.10101 to 333.11101, a person with priority under subsections (2) to (4) or acting under subsection (5), (6), (7), or (8) is presumed to have the right and power to make decisions about funeral arrangements and the handling, disposition, or disinterment of a decedent's body, including, but not limited to, decisions about cremation, and the right to possess cremated remains of the decedent. The handling, disposition, or disinterment of a body shall be under the supervision of a person licensed to practice mortuary science in the state.
- (2) The request shall be accompanied by a fee established by the local health department pursuant to section 2444 of Act. No. 368 of the Public Act of 1978, as amended being §333.2444 of the Michigan Compiled Laws. (2) The surviving spouse or, if there is no surviving spouse, the individual or individuals 18 years of age or order, in the highest order of priority under section 2103, and related to the decedent in the closest degree of consanguinity, have the rights and powers under subsection (1).
- (3) If the surviving spouse or the individual or individuals with the highest priority as determined under subsection (2) do not exercise their rights or powers under subsection(1) or cannot be located after a good-faith effort to contact them, the rights and powers under subsection (1) may be exercised by the individual or individuals in the same order of priority under section 2103 who are related to the decedent in the next closest degree of rights or powers or cannot be located, the rights or powers under subsection (1) pass to the next order of priority, with the order of priority being determined by first taking the individuals in the highest order of priority under section 2103 and then taking the individuals related to the decedent in the closest or, as applicable, next closest degree of consanguinity in that order of priority.
- (4) If 2 or more individuals share the rights and powers described in subsection (1) as determined under subsection (2) or (3), the rights and powers shall be exercised as decided by a majority of the individuals. If a majority cannot agree, any of the individuals may file a petition under section 3207.
- (5) If no individual described in subsections (2) and (3) exists, exercises the rights or powers under subsection (1), or can be located after a sufficient attempt as described in subsection (9), and if subsection (6) does not apply, then the personal representative or nominated personal representative may exercise the rights and powers under subsection (1) either before or after his or her appointment.

R 325.8053 Affidavit content.

Rule 3. An affidavit shall contain all of the following information:

- a) The name and address of the licensed funeral director to whom the permit is to be issued.
- b) The name and address of the person petitioning for the permit.
- c) The name of the lot or the burial right owner.
- d) The name of the deceased.
- e) The present location of the grave, including the lot number, the section number, or other location, such as a location in a mausoleum.
- f) Reinterment location.
- g) Relationship of petitioner to deceased.
- h) Reason for disinterment.
- i) Approval of all persons who may have a claim for the deceased as specified in R 325.8052.
- j) Written consent of the lot or burial space owner or owners, if other than petitioner.

R 325.8054 Local health officer; duties.

Rule 4. The local health officer or his or her designated representative shall do all of the following:

- a) Review the affidavit for disinterment-reinterment.
- b) Issue the disinterment-reinterment permit if the consent required by R 325.8052(1) has been obtained, or deny the disinterment-reinterment permit if the consent required by R 325.8052(1) has not been obtained.
- c) Provide instructions or guidance to the funeral director on the handling of the disinterred body which is necessary to protect the health of the public and those handling the disinterred body.
- d) Retain the affidavit for a period of not less than 5 years.

R 325.8055 Disinterment of cremated remains; opening casket; permit not required.

Rule 5. (1) A permit is not required to disinter cremated remains. A request to disinter cremated remains may be made to the cemetery by the next surviving kin, as designated in R 325.8052, on an affidavit described in R325.8053. The affidavit shall be maintained as part of the permanent records of the cemetery from which the cremated remains are removed.

(2) A permit is not required to open a casket to remove an article or to place an article in a casket.

R 325.8056 Cemetery retention of permit.

Rule 6. A duplicate copy of the permit shall be maintained as part of the permanent records of the cemetery from which the deceased was removed.

R 325.8057 Transportation of disinterred body.

Rule 7. A disinterred body shall not be accepted for transportation by common or contract carrier unless it has been enclosed in a container which insures against leakage, offensive odors, and other menaces to the public health and safety. A disinterred body may be transported by private vehicle, under the supervision of a licensed funeral director, if enclosed in any suitable container which insures against leakage, offensive odors, and other menaces to the public health and safety. The licensed funeral director in charge of disinterment shall be responsible for the proper conduct of the disinterment and removal.