



Quite often when a person passes away, the surviving family members are faced with the responsibility of making funeral arrangements-usually while under a great deal of emotional duress. To relieve their families of this burden, many people are planning their funerals in advance. Others, however, for many different reasons, do not have a plan in place at their death.

For those who do not have a plan in place, Washington law (RCW 68.50.160) permits such a person to leave a written document expressing his or her wishes regarding the place or method of disposition of his or her remains. The document must be signed in the presence of a witness.

Washington law sets forth the list of those with authority to make funeral arrangements. The list is established in order of priority:

2011 Legislative changes to the Right to Control Disposition of Human Remains (RCW 68.50.160)

The passing of Substitute House Bill 1691 makes several amendments to the statute concerning the right to control disposition of a decedent. These changes went into effect July 22, 2011:

If disposition instructions have not been given by the decedent and prearrangements do not exist, the right to control disposition now dissolves in the order named:

- 1.) A “designated agent” of the decedent has the primary right to control the decedent’s disposition. The “designated agent” is established through a written document signed by decedent in presence of a witness.
- 2.) Spouse or registered domestic partner.
- 3.) Majority of surviving children
- 4.) Surviving Parents
- 5.) Majority of surviving siblings
- 6.) A court appointed guardian

When a government agency or charitable organization provides funds for the disposition of human remains, the cemetery authority or funeral establishment may not be held criminally or civilly liable for cremating human remains.

Note that a spouse may be the step-parent of the decedent’s biological children. A majority of the surviving adult children must be in agreement as to the chosen funeral arrangements. This includes adult children who may be estranged from their deceased parent.

Whether by means of funeral arrangements, a written expression of wishes, or a designated agent, providing direction may be a lasting gift for surviving family members.

*LEGAL DISCLAIMER: The information contained herein is not, nor is it intended to be, legal advice. You should consult an attorney for individual advice regarding your specific situation.*



**WOODLAWN**  
**FUNERAL HOME,**  
**CEMETERY & CREMATION**

**APPOINTMENT OF DESIGNATED AGENT**

I, \_\_\_\_\_, appoint \_\_\_\_\_ as designated agent to provide decision making authority and financial responsibility for my funeral and/or disposition arrangements.

The designated agent understands:

- A valid written document expressing my wishes regarding the place or method of disposition, signed in the presence of a witness is sufficient legal authorization for the procedures to be accomplished.
- Any arrangements I have prepaid or filed with a licensed funeral establishment or cemetery authority are not subject to cancellation or substantial revision.
- If arrangements have not been prepaid or filed with a licensed funeral establishment or cemetery authority, the designated agent has full authority of all decision making and financial responsibility.
- If the cost of executing my prearrangement wishes exceeds the amount prepaid by me (if any), the designated agent will assume financial responsibility for the cost of goods and services purchased.

**Declarant Authorizing Appointment**

Signature:	Date:
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**Appointed Designated Agent**

Name:	
Address:	Phone:
Signature:	Date:

**Witness**

Name:	
Address:	Phone:
Signature:	Date:

If my appointed agent is unwilling or unable to serve, I appoint a contingent agent, named below, having the same responsibilities and obligations as my designated agent.

**Contingent Designated Agent**

Name:	
Address:	Phone:
Signature:	Date: