

IN USE PRIOR TO THE IMPLEMENTATION OF ELECTRONIC REGISTRATION – WILL BE UPDATED

- ❖ When presenting the Certificate of Death registration, the funeral director may request certified copies on behalf of the decedent's immediate family or legal representative, as long as the recipients of the copies are entitled to a certified copy.
 - ◆ Immediate family members include:
 - ◆ Surviving spouse (who has not broken the legal marriage relationship by remarriage)
 - ◆ Parent
 - ◆ Child (if age 18 or older)
 - ◆ Brother
 - ◆ Sister
 - ◆ Legal representatives shall prove representation.
 - ◆ The following do **not** hold entitlement unless they can prove that they need to resolve property and benefits rights:
 - ◆ In-laws
 - ◆ Step-parents or step-children (if the relationship has been broken by divorce or remarriage)
 - ◆ Aunts & Uncles
 - ◆ Cousins
 - ◆ Friends & everyone else

- ❖ When requesting certified copies at the time of registration, the funeral director should give the County Registrar sufficient time and resources to properly review and register the record.
 - ◆ When requesting certified copies at the time of registration, the funeral director must also present to the County Registrar:
 1. A signed and dated statement on the funeral home's business letterhead that clearly indicates representation; and
 - a) Identifies the decedent, date of death, and county of death;
 - b) Includes the number of copies requested and the amount of money remitted (with a funeral home business check);
 - c) States if the copies are to be mailed or picked up and by who; and
 - d) States if a one-time no-fee copy is for VA purposes, IF the Armed Forces item on the Certificate of Death is 'Yes'

Funeral Director's Entitlement to Certified Copies

- ❖ Funeral directors may request additional certified copies up to one year after the date of death on behalf of entitled immediate family members of the decedent served by that funeral home.
 - ◆ The application process is the same as for at the time of registration, except photo identification may also be required, at the discretion of the registrar of vital records.
 - ◆ The alternate method of application requires a notarized signature and photocopy of current, government-issued photo identification.

- ❖ Entitled family members or other legal representatives of the decedent may apply for certified copies at any time directly with the County Registrar or the State registrar. Their application process includes:
 1. Written application;
 2. Proof of entitlement;
 3. Purpose for the copy;
 4. Proof of identity (i.e., photo I.D.);
 5. Notarized signature unless applying in person; and
 6. Remittance of fee with the application – which is for the search and is non-refundable if no record is found.

- ❖ A legal representative acting on behalf of entitled family members may apply for and receive certified copies, or send a staff person to pick up the copies IF that staff person is in “direct” employment with the legal representative.
 - ◆ A disqualified ‘runner’ would be someone representing a service contracted to pick up and/or deliver for other companies.
 - ◆ When sending a ‘runner’ to pick up certified copies:
 1. At the time of the request, indicate the name of the individual staff person who will be returning to pick up the copies; and
 2. Advise the runner to be prepared to show valid, current, government-issued photo identification AND proof of representation.

- ❖ Regardless of the method of receipt, fee payment must be remitted on the representative's business account.

- ❖ After one year from the date of death, funeral directors are no longer considered legal representatives of the decedent's family.
 - ◆ Entitled immediate family members and surviving spouses may apply directly with the County Registrar or the State Registrar.

Funeral Director's Entitlement to Certified Copies

- ❖ If the certified copy is for insurance purposes and the applicant is otherwise not entitled, the applicant must also provide a copy of the policy showing the policy number and the name(s) of the policy owner/holder and beneficiaries.
 - ◆ The supporting documents must provide proof that the applicant holds property and benefits rights.
- ❖ If the certified copy is to settle an estate and the applicant is otherwise not entitled, the applicant must also provide a copy of the proper appointment documentation or supporting evidence proving they hold property and benefits rights.

For Veteran's Purposes:

- ❖ The funeral director may obtain the one-time no-fee certified death record at the time of registration.
 - ◆ The certified copy shall be stamped 'For Veteran's Purposes Only.'
 - ◆ The written application for copies must specify that the one-time no-fee copy is being requested.
 - ◆ The 'Armed Forces' question on the Certificate of death should be answered 'Yes.'
- ❖ After the Certificate of Death has been registered, requests for the one-time, no-fee VA copy:
 - ◆ Require a written request from an entitled person and a copy of the benefits letter from the VA to the applicant that clearly indicates a certified copy of the death record is needed; OR
 - ◆ The applicant may contact their local Veteran's Affairs office for assistance; OR
 - ◆ The applicant may go through the regular application process and pay for a certified copy.

Requests for replacement copy exchanges:

- ❖ After a correction has been processed, funeral directors may within one year after the date of death request that previously-issued certified copies be replaced on behalf of the entitled family members of decedents served by that funeral home. After one year, the entitled person shall make the request for the replacement.
- ❖ Each copy to be replaced shall be relinquished to the County Registrar along with a written application for an exchange.
- ❖ The applicant should be prepared to show proof of entitlement and identity, and provide a notarized signature if the request is not in person.