



Everything You Wanted To Know About Funerals,
But Were Afraid to Ask.

by Kathleen M. O'Connor, J.D., LL.M

Because I Could Not Stop for Death (479)

Because I could not stop for Death – He kindly stopped for me – The Carriage held but just Ourselves –
And Immortality.
We slowly drove – He knew no haste And I had put away My labor and my leisure too,
For His Civility –
We passed the School, where Children strove At Recess – in the Ring – We passed the Fields of Gazing
Grain – We passed the Setting Sun –
Or rather – He passed Us – The Dews drew quivering and Chill – For only Gossamer, my Gown – My
Tippet – only Tulle –
We paused before a House that seemed A Swelling of the Ground – The Roof was scarcely visible – The
Cornice – in the Ground –
Since then – 'tis Centuries – and yet Feels shorter than the Day I first surmised the Horses' Heads
Were toward Eternity –

Emily Dickinson

The old adage that the only certainties of life are paying taxes and death is well known. While paying taxes is not always inevitable, death does remain an absolute certainty. Along with death comes the necessity of disposing of our remains. The overwhelming sentiment, informed no doubt by our basic human nature to deny our mortality for as long as possible, is for us to ignore the reality of death during our lifetime and to leave the task of planning to someone else to tend to after our death.

Why pre-plan your funeral? The first reason is that it is a thoughtful and generous gift to your survivors. Whether death arrives quickly or after an extended illness, it typically leaves a wake of grief and sadness for your survivors to deal with. By pro-actively planning your own funeral needs, you can alleviate that burden for your loved ones. By making the arrangements during your lifetime, you can invite your loved ones to participate in the planning and give them the opportunity to hear directly from you why you are making particular choices. Such conversations can make your funeral a far more meaningful and personal celebration of you and your life.



The second reason is that you will have the type of services that you want and that are meaningful to you. You will be the one making those decisions for yourself. Making your own plans can be particularly important in certain family settings, such as second marriages or when adult children do not readily agree or get along. In those circumstances, pre-planning eliminates or reduces the possibility of disagreement during an already difficult and emotional time. If you do not make your own arrangements, Massachusetts law directs that the following people, in order, will make the decisions: your spouse, your adult children, your parents, your siblings, your guardian, or any other person authorized or obligated by law.

A third, and equally compelling reason, is to save money. The average cost of a traditional funeral is between \$8,000 to \$10,000. The average cost of cremation is between \$2,000 and \$4,000. When pre-planning, you are able to consider the price of the services and shop around. If the planning is left until after death, your survivors will have little time to consider alternative options to reduce the costs. At such a difficult time, the heart is making the decision, not necessarily the bargain loving head that governs so many of our other life transactions.

All funeral homes provide both pre-arrangement services as well as pre-financing services and they can expertly guide you through the many choices to consider in deciding about the disposition of your remains. Embalming is not required in Massachusetts under any circumstances. You can select a full funeral, a grave side service, a burial without a service, entombment in a mausoleum, or cremation, with or without services and/or a burial.

If you decide to be buried, the purchase of a cemetery plot should be part of your pre-arrangements, and should include, if possible, a personal visit to the cemetery to select a plot (or plots if there will be more than one person ultimately buried). While there is no law in Massachusetts that requires a casket for burial, you should check with the cemetery as it may have rules requiring the use of a certain type of container. Perpetual care of a grave is often included in the cost of the purchase.

Another significant item to consider is the monument that you would like to mark your grave. Most cemeteries have some restrictions on the type, size and design of a marker or monument for the grave. You should inquire about such restrictions when making a decision about which cemetery you wish to purchase a plot in.



Finally, the details of your service or memorial are important considerations. For many people, there is a religious service that accompanies the funeral and burial service. Included in any service are considerations of flowers, music, photographs, videos, readings, clothing, visitations, memorial donations, etc.

Funeral homes are governed by the Federal Trade Commission's Funeral Rule (<http://www.consumer.ftc.gov/articles/0300-ftc-funeral-rule>). In brief, the Funeral Rule states that you, the consumer, have the right to choose the funeral goods and services you want; you must receive a General Price List (GPL) that states your right to choose what you want; if there is a law requiring you to buy any particular good or service, the funeral provider must disclose it on the price list and must reference the specific law; the funeral provider cannot refuse to handle a casket or urn you bought elsewhere, or charge you a fee to do so; a funeral provider who offers cremations must make alternative containers available; and you cannot be charged for embalming that your family did not specifically authorize, unless it is required by state law.

If you decide to pre-pay for your funeral services, in addition to pre-planning, state regulations (239 CMR 4.00) provide safeguards to protect your monies and requires that the funds be deposited in a bank and that bank, or trust company, is the trustee of that account. If you are a Veteran, you may qualify for funeral or burial assistance. You should check with your local Veterans Affairs office to verify what benefits you would be eligible for. A surviving spouse or eligible child is entitled to a one time lump-sum death benefit of \$225 payable post-death. Your surviving spouse, or eligible child, should contact their local Social Security Office to claim this benefit.

In addition to your local funeral home, there are numerous publications and other resources available to help you work through all these details, starting with on-line sites. While the topic of planning your funeral may create some initial discomfort, those who do follow up and make plans report a surprising level of satisfaction with taking charge of their final arrangements.

About the Author

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