

Next of Kin

The following is the Federal “next of kin”, this law is what must be followed first and foremost when determining who owns the remaining “Rights of Interments” of a grave lot.

Unlike most estates that can be divided equally among the “Next of Kin”. “Rights of Interment” can only be divided a maximum amount of times, limited by the number of “Rights” purchased, and the number of them remaining.

Meaning, if there is only 1 Right of Interment remaining, and there are 5 surviving children, lot “Rights” can only be used once. Unless in the case of cremation where the “Rights” are divided to the number of cremations per grave allowed by the cemetery.

The remaining “Rights” are then on a “first come first serve” to the children of the owners(s), not spouses or grandchildren, etc. without permission of the other living children of the original owner(s)

"Next of kin" means a person having the following relationship to the subject, in the following order of priority:

(1) The spouse;

(1-A) A domestic partner: For purposes of this section, "domestic partner" means the partner of the subject who:

(a) Is a mentally competent adult;

(b) Had been legally domiciled with the subject for at least 12 months immediately preceding the death of the subject;

(c) Is not legally married to or legally separated from another individual;

(d) Was the sole partner of the subject; and

(e) Was jointly responsible with the subject for each other's common welfare as evidenced by joint living arrangements, joint financial arrangements or joint ownership of real or personal property;

(2) An adult son(s) or daughter(s);

(3) A parent or parents;

(4) A adult brother(s) or sister(s);

(5) An adult grandchild or grandchildren;

(6) An adult niece(s) or nephew(s) who is the child of a brother(s) or sister(s);

(7) A maternal grandparent(s);

(8) A paternal grandparent(s);

(9) An adult aunt(s) or uncle(s);

(10) An adult first cousin(s); or

(11) Any other adult relative(s) in descending order of blood relationship.