

# Funeral Arrangements

*The material in this handout represents general legal principles. The law is continually changing; although the information in the handout was current as of the date it was drafted, some provisions in this pamphlet may have changed. It is always best to consult an attorney about your legal rights and responsibilities regarding your case.*



According to the Federal Trade Commission's "Funeral Rule":

- You have the right to choose the funeral goods and services you want (with some exceptions).
- If state or local law requires you to buy any particular item, the funeral provider must disclose it on the price list, with a reference to the specific law.

While thinking about your funeral may be discomfoting, planning for it in advance may prevent emotional stress and financial problems for your survivors. For these reasons, you may want to consider doing the following:

- Talking to your family about your funeral wishes;
- Making your own funeral arrangements prior to your death;
- Paying your funeral expenses, or allocating funds for that purpose;
- Giving directions for the use of your body or organs for medical research or donation

When talking to your family or leaving instructions, think about issues such as burial versus cremation, where you wish to be buried or how your remains will be kept, and any details you want to include in your ceremony.

Although discussing the cost of a funeral seems callous, it is an important consideration when you are pre-funeral planning. Many funeral providers offer various "packages" of commonly selected goods and services that make up a funeral. But when you arrange for a funeral, you have the right to buy individual goods and services, rejecting any items you do not want.

- Funeral providers offering cremations must make alternative containers available. See <https://www.ftc.gov/news-events/topics/truth-advertising/funeral-rule> for more details.

Additionally, you should be aware that pre-planning a funeral does not necessarily mean you must prepay for the funeral. You should fully investigate the terms of any prepayment plan before purchasing one and determine whether a refund is possible if you change your burial wishes. You should also request an estimate for desired services and let the provider know you are shopping around. This estimate will provide a valuable baseline for negotiation when services are actually needed.

## Military Funerals

If you have served in the military, you may be eligible for special funeral and burial benefits. Military funeral honors are available upon request to all veterans, including military retirees, except for those who have been dishonorably discharged. These honors, which are performed by at least two uniformed service members and (if available) a bugler, include the folding and presentation of an American flag and the playing of Taps. In addition, veterans are entitled to a government-

furnished headstone or marker, as well as a Presidential Memorial Certificate.

To arrange military honors, your funeral director will typically make the arrangements by calling **1-877-MIL-HONR (645-4667)**.

For more detailed information on the benefits available to service members, please visit [https://www.cem.va.gov/burial\\_benefits/](https://www.cem.va.gov/burial_benefits/) .

The following Military One Source link also provides helpful information <https://www.militaryonesource.mil/leaders-service-providers/casualty-assistance/funeral-directory-and-planner-resources/> .

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