

Cremation and Life Partners: How to Avoid Family Conflict

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/EINPresswire.com/ -- With more people turning to cremation than ever before and with projections indicating the number of cremations will continue to rise, [Local Cremation](#) of Dallas and Arlington is able to assist families, life partners and common-law spouses in their time of need. This family owned and operated business is working to educate individuals about cremation as

an affordable, compassionate and dignified after-death option and has recently made some helpful related legal forms available on its website, www.LocalCremation.com.



According to Wendell Cox, co-founder and owner of Local Cremation, because cremation is irreversible, crematories want only the legal next-of-kin to authorize the cremation in order to avoid future litigation. Texas Health and Safety Code establishes an order of precedence regarding who can authorize cremation (see Texas Health and Safety Code Chapter 8, 711.002.) First is a written instrument signed by the decedent, followed by a spouse and then, in order, all children over 18 years old, surviving parents, brothers and sisters, and finally any surviving family members.

This means that legal pitfalls are possible for individuals who wish to be cremated over their families' objections. Also, common law spouse or life partners do not fall into the categories for decision-making as established by Texas Codes.

"Losing a loved one can be extremely painful, difficult, and becomes a stressful time," said Cox. "When a life partner or common-law spouse is making cremation arrangements for their loved one, and there is conflict with their loved one's blood relatives, the last thing you want to hear is: 'We can't perform the cremation until the next-of-kin issues are resolved and they authorize the cremation, or we have a court order.'"

To support and assist any individual who wants to ensure his or her desire to be cremated is followed, Local Cremation has recently added two of the forms that can help individuals legally

establish prior to death, their preferred arrangements to its website at www.LocalCremation.com/legalforms.cfm

Texas law allows for two legal instruments to approve a cremation when next of kin are not clearly defined or if they present concerns or possible stumbling blocks. Both legal instruments simply require two witnessed signatures and a notary.

The first is language that can be added to a Will that states that a person wants to be cremated, appoints an executor, and bequeaths general assets to survivors. An executor can authorize the cremation when the will states the individual making the will wants to be cremated.

The second legal instrument, defined in the Texas Health and Safety code previously noted, is called an Appointment of agent to Control Disposition of Remains. The appointment of agent defines an agent who has the power to authorize the cremation granted by the individual desiring cremation. This instrument also allows for two successors to be appointed should the original agent not be available to authorize the cremation. This form also requires two witnesses and a notary.

“We are not giving legal advice, but are merely pointing out two legal instruments that allow a person’s wishes to be carried out should you want to appoint your partner or common law husband or wife to authorize the cremation and avoid next of kin issue,” said Mr. Cox. “If an individual has specific assets to bequeath or a significant estate, they should seek legal council that will help them establish a specific will that has a provision stating their desire to be cremated.”

In addition to offering some of the paperwork an individual who wishes to be cremated can use to legally pre-arrange for their after-death preferences, the LocalCremation.com website also allows any individual to pre-plan their own after-death arrangements. Families with established next-of-kin rights may also make cremation arrangements for their loved one via the website. However, Cox stresses that cremation requires personal involvement.

“Cremation is not simply a transaction,” notes Cox. “Staff members at Local Cremation are professionals who prefer to offer their personal attention to every arrangement.”

Specialists at Local Cremation consider it a privilege to memorialize a family’s loved one and will meet directly with families to discuss arrangement options and help them make informed, educated decisions during a difficult and emotional time. Once all arrangements are made, families, spouses or life partners can be confident in secure and dignified handling of their loved one’s remains, because Local Cremation has 24-hour video surveillance of their facilities and offers other security measures as well. In addition to personal attention and industry-leading security, Local Cremation offers more options for making arrangements than many other similar businesses including providing suggestions for memorial service options, offering special tribute items or recommending special services to honor veterans, firefighters, police personnel and

more.

From supporting any individual in pre-planning their own arrangements and legally making such preferences possible to supporting a family in their time of need following a loved one's death. LocalCremation.com is ready to assist. To learn more, visit them online at www.LocalCremation.com. Or, call Local Cremation at (214) 343-4040.

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