

## How Cemetery & Crematory Staff Can Support Vermont Families Who Care for Their Own Dead

Vermont families have the legal right to custody and control of their own dead. Whether the death was anticipated or unanticipated, once time and cause of death are established, the family may choose to care for and transport the body, file the death certificate, arrange for disposition, and conduct any other aspect of after-death care without the assistance of a funeral director, or using one for some but not all of these tasks.

### Legal Authority of Families

In Vermont, the legislative authority for families to act as unpaid funeral services practitioners is found in [18 V.S.A. § 5207](#). Certificate furnished family; burial-transit permit

*“Within 24 hours after death, the death certificate shall be made available upon request to the family of the deceased, if any, or the undertaker or person who has charge of the body. The certificate shall be filed with the person issuing the burial-transit permit obtained by the person who has charge of the body before such dead body shall be buried, entombed, or removed from the town. When the death certificate is so filed, the officer or person shall immediately issue a burial-transit permit under legal restrictions and safeguards.”*

### Ways You Are Empowered to Assist Families

Your business may provide some of the services of a funeral director – for example, filing the death certificate in conjunction with a direct cremation. Or you may typically rely on a funeral home to walk a family through much of the process. Regardless of your services, cemetery and crematory staff that sell directly to the public can be prepared to work with families who are acting as their own funeral director:

1. Ensure that your staff are fully aware of the following information and are able to share it with interested families: “Under Vermont law, families may conduct any or all tasks commonly performed by a funeral home, except embalming (which is not required by Vermont law). This may include:
  - caring for the deceased (for example, bathing and dressing);
  - sheltering the deceased at home;
  - filing death notice, handling death certificate/transportation/disposition permit;
  - transporting the body home or to another location for care and viewing (sometimes called a wake or vigil), and to place of final disposition;
  - and making all arrangements for any ceremony and for final disposition (for example, with a cemetery or crematory).”
2. Unlike licensed funeral services practitioners, there is no legal time limit for how long families may spend caring for their deceased family member in a private setting. Be prepared to receive the body directly from a family who has chosen to shelter and transport the deceased themselves.
3. Support the family and their community in considering options for meaningful hands-on engagement in ceremony and ritual. For a burial this can include carrying and lowering the body or remains and helping to close the grave. For cremation this could include decorating a cremation container obtained in advance or witnessing the cremation.
4. Familiarizing yourself with the additional information resources below will further equip you to serve families who choose to care for their dead.

### Additional Information

- Vermont Funeral Resources & Education [www.vermontfuneral.org](http://www.vermontfuneral.org)
- National End-of-Life Doula Alliance [www.nedalliance.org](http://www.nedalliance.org)
- Funeral Consumers Alliance [www.funerals.org](http://www.funerals.org)
- New Hampshire Funeral Resources *How Funeral Directors Can Support Home Funeral Families*
- Green Burial Council *Opening, Closing, and Maintaining a Green Burial Cemetery*
- Green Burial Council *On the Way to the Green Burial Cemetery: A Guide for Families*