



DISINTERMENT-REINTERMENT APPLICATION AND PERMIT - REMOVAL BY COURT ORDER

WEST VIRGINIA BUREAU FOR PUBLIC HEALTH

VITAL REGISTRATION OFFICE

(See opposite side for instructions)

Part I - APPLICATION: Print or Type All but Signature

By presentation of the attached COURT ORDER, issued by the court of _____ County, WV, Civil Action No. _____

to _____, I officially request that a Disinterment-Reinterment Permit be issued to me, (Name of Applicant to Whom Court Order Issued with/or Company Name if Applicable)

(Name of Funeral Director)

(Name of Funeral Home)

(Address of Funeral Home)

to disinter or remove the body or bodies specified in the COURT ORDER located from the current place of disposition,

_____ located at _____, WV, to EITHER (Name of Current Cemetery, Mausoleum, or Holding Place) (City, Town, or Place of Current Disposition or Holding Place)

_____ located at _____ (Name of Cemetery, Mausoleum, or Crematory - leave blank if Court Order specifies multiple locations) (City, Town, or Place of Reinterment, Entombment or Cremation)

OR to multiple locations as specified in the COURT ORDER or as otherwise provided.

It is understood that this disinterment and subsequent reinterment, entombment or cremation is to be made in conformity with the Code and Rules governing the system of Vital Statistics in the State of West Virginia and in accordance with all other applicable laws relating to graves, cemeteries and the proper handling, transportation and disposition of human remains.

(Signature of Funeral Director to Whom the Permit is to be Issued)

(Date Signed)

Part II - PERMIT: This application shall serve as the Disinterment-Reinterment Permit when completed below by the State Registrar of Vital Statistics. This permit becomes VOID 60 (sixty) days after issuance.

Permit No. _____ Date Issued: _____ State Registrar (Signature) (mm/dd/ccyy)

Part III - REINTERMENT: I, _____ confirm that the decedent(s) named in the COURT ORDER (Name of Funeral Director)

was/were disinterred on or beginning on _____ and was/were reinterred / entombed / cremated on or ending on _____ (mm/dd/ccyy) (mm/dd/ccyy)

DISINTERMENT-REINTERMENT APPLICATION AND PERMIT - REMOVAL BY COURT ORDER

Instructions and Legal Citation

This form is to be used to make application for the person or company to whom a court order is issued for issuance of a permit to a licensed funeral director, authorized to do business in the state of West Virginia, for the disinterment and reinterment of a previously interred dead human body or bodies from the original place of final disposition to another location in accordance with WV 64 CSR 32.10.2 .

- 1) Part I - APPLICATION section - The application will normally be completed for signature by the funeral director to whom the permit will be issued. In the case of disinterments / reinterments authorized by court order, no applicant signature is necessary, just the funeral director's signature and copy of the court order. If the names and dates of death of the decedents (if either are known) or their place of reinterment, are not included in the court order, that information must be submitted separately. The Application should be submitted to the Vital Registration Office, preferably five working days or more before the disinterment, in one of the following manners:
 - a. Hand-carried to the office at 350 Capitol Street, Charleston, WV 25301-3701 (UPS or FedEx should also use that address) or
 - b. Mailed by US Mail to Vital Registration Office, ATTN: Disinterment Permits, PO Box 11012, Charleston, WV 25339-1012 or
 - c. In case of emergency, it may be faxed to the office at: 304-558-1787. Before faxing, the office should be alerted to the incoming fax by contacting staff at: 304-356-4179, 304-356-4175 or 304-558-2931. The original application must also be mailed to the address above.
- 2) Part II - PERMIT section - The application will be assigned a permit number, signed and dated by the State Registrar, and returned to the funeral director. If faxed, the faxed copy will be issued a permit number and faxed back for use.
- 3) Part III - REINTERMENT section - Upon completion of disinterment / reinterment, the funeral director must complete this section and mail the now completed form back to the address above. The funeral director should make a copy for his own records before mailing.

Other considerations: 1) SIGNIFICANT CHANGE IN PROCESS: In the past, disinterment / reinterment occurring in the same cemetery did not require a permit. There is no exclusion under the current rule; please submit an application for the disinterment / reinterment in all cases.

The Rule regarding disinterment and reinterment of human remains can be found at: WV 64 CSR 32

§64-32-10. Authorization for Final Disposition.

10.2. Authorization for Disinterment and Reinterment

10.2.a. Upon receipt of a written application signed by the next of kin and the person who is in charge of a disinterment or upon receipt of an order of a court of competent jurisdiction which directs a disinterment, the State Registrar shall issue an authorization for the disinterment and reinterment of a dead body to a licensed funeral director.

10.2.b. Upon receipt of a court order or signed permission of the next of kin, the State Registrar may issue one authorization to a licensed funeral director to permit disinterment and reinterment of all remains in a mass disinterment provided that, insofar as possible, the remains of each body are identified and the place of disinterment and reinterment are specified. The authorization shall be permission for disinterment, transportation, and reinterment.

10.2.c. A dead body deposited in a receiving vault shall not be considered a disinterment when removed from the vault for disposition.

10.2.d. In all cases a court of competent jurisdiction must order disinterment and reinterment before issuance of authorization in which it is the intention that the disinterment of a dead body is to be performed and the casket is to be opened for any purpose, other than solely for removal of the remains for subsequent cremation authorized by a cremation permit issued by the State Medical Examiner's office.