

(b) Only one floral piece shall be placed at the grave site. Excess floral pieces may be utilized as the family wishes or shall be removed by funeral director.

(c) The next of kin or representative shall sign a Grave Configuration Form and a Marker Form prior to the committal service.

Amended by R.2016 d.144, effective November 7, 2016.
See: 48 N.J.R. 733(a), 48 N.J.R. 2242(b).
Rewrote (c).

SUBCHAPTER 5. DISINTERMENTS

5A:4-5.1 General

Interments at the Veterans' Memorial Cemetery are also considered permanent and final. Disinterments will be permitted only for cogent reasons and then only with the prior written authorization of the Director of the Division of Veterans' Services for the New Jersey Department of Military and Veterans' Affairs.

5A:4-5.2 Administrative requirements

(a) Disinterments from the Veterans' Memorial Cemetery will be approved only when all living immediate family members of the decedent, to include the person who initiated the interment (regardless if he or she is a member of the immediate family), give their written consent, or when a court order or State instrumentality of competent jurisdiction directs the disinterment.

1. "Immediate family members" are defined as the surviving spouse, whether or not he or she is remarried; all adult children of the decedent; the appointed guardian(s) of minor children; and the appointed guardian(s) of the surviving spouse or of the adult child(ren) of the decedent.

2. In the absence of a surviving spouse and children, the decedent's parents will be considered "immediate family members."

(b) All requests for authority to disinter the decedent's remains will be submitted in writing to the New Jersey Department of Military and Veterans' Affairs, Director of Veterans' Services, and include the following information:

1. A full statement of reasons for the proposed disinterment;

2. Notarized statements by all eligible living immediate family members of the decedent to include the person who initiated the interment (regardless if he or she is a member of the immediate family), that they consent to the proposed disinterment; and

3. A notarized statement, by the person requesting the disinterment that those who supplied affidavits comprise all of the living immediate family members of the decedent.

(c) In lieu of the documents in (b) above, an order of a court of competent jurisdiction will be considered. The Brigadier General William C. Doyle Veterans' Memorial Cemetery and/or officials of the Cemetery should not be made a party to the court action, as this is a matter among the family members involved.

(d) When a disinterment has been authorized, written notification will be sent to the funeral home and/or requester. The notification must inform the requester that costs related to the disinterment must be at private expense and that a date and time for the disinterment must be coordinated with the Cemetery Interment Office for scheduling purposes. Sensitive or unusual cases that could impact negatively on the State of New Jersey would be referred to the Office of the Attorney General for resolution.

5A:4-5.3 Operational requirements

(a) Disinterments will be supervised at the grave by the Cemetery Superintendent or his or her designated representative.

(b) Special care will be shown toward adjacent graves and headstones to avoid or minimize damage.

(c) Cemetery personnel will reopen the grave to one foot above the top of the casket or casket container. Cremated remains that are inurned may be fully uncovered.

(d) Cemetery personnel will not handle remains or otherwise participate in any other aspect of the disinterment operation of a full casket.

(e) A disinterment charge will be made to the family for the supervision of, and participation in, the disinterment operation as follows:

1. Disinterment of a full casket: \$500.00;
2. Disinterment of a buried urn: \$200.00; and
3. Disinterment of an unburied urn: \$100.00.

(f) The headstone or marker removed from the grave will not be shipped to the cemetery where the remains are to be reinterred. If the remains are to be buried at another cemetery under the jurisdiction of the Veterans' Administration a new headstone will be ordered by the director of the receiving cemetery. There is no charge to the next of kin for the new government-furnished headstone/marker. The old marker will be disposed of in accordance with provisions outline by the Veterans' Administration.