

INSTRUCTIONS FOR APPLICATION FOR ORDER TO DISINTER REMAINS

These instructions are intended as a guideline only and should not be relied upon as a comprehensive list when filing an application to disinter remains.

Prior to the Hearing on the Application for Order to Disinter Remains, the Applicant must obtain a permit from the Board of Health (or other appropriate agency) authorizing the disinterment. An authorization letter that specifically states that it has been issued in compliance with R.C. 517.23(B) and that the decedent did not die of a contagious or infectious disease will suffice. In order to obtain this authorization letter, it is necessary to contact the city in which the decedent died. You may contact these agencies at the addresses listed below:

Died Within Cincinnati City Limits

Cincinnati Health Department
Vital Statistics
1525 Elm Street
Cincinnati, Ohio 45210
(513) 352-3120

Died Within Reading City Limits

City of Reading Health Department
1000 Market Street
Reading, Ohio 45215
(513) 733-3725

Died Within Norwood City Limits

Norwood Health Center
2059 Sherman Avenue
Norwood, Ohio 45212
(513) 458-4600

Died Within St. Bernard City Limits

St. Bernard City Hall
110 Washington Street
St. Bernard, Ohio 45217
(513) 242-7772

Died Within Hamilton County but outside Cincinnati, Reading, Norwood and St. Bernard City limits

Hamilton County Department of Health
250 William Howard Taft 2nd Floor
Cincinnati, Ohio 45219
(513) 946-7800

A filing fee of \$48.00 is required at the time of filing. Please confirm the amount with the Cashier since filing fees may have changed subsequent to the publication of this instruction sheet. **The fee must be paid in cash, money order, certified check, MasterCard, Discover, or American Express. No personal checks will be accepted.**

The forms may be obtained from the Issue Desk on the 9th floor of the Probate Court, 230 East 9th Street, Cincinnati, Ohio or by downloading the forms from the web site.

PROCEDURAL STEPS

Step 1: Complete the following forms
Application for Order to Disinter Remains (H.C. 612.00) <ul style="list-style-type: none"> - Complete form
Surviving Spouse and Next of Kin (H.C. 612.01) <ul style="list-style-type: none"> - List the surviving spouse, if there is one, and all <i>next of kin</i> (those people who were or would have been entitled to inherit <i>if</i> there were no will) - Be sure to specify <i>complete</i> addresses of all of those listed.
Entry Setting Hearing on Application to Disinter Remains (H.C. 612.02) <ul style="list-style-type: none"> - Fill in the name of the decedent only, the Court will fill in hearing date & time and sign & date the form.
Waiver of Notice of Hearing on Application to Disinter Remains (H.C. 612.03) Notice of Hearing to Disinter Remains (H.C. 612.04) <ul style="list-style-type: none"> - All parties who are listed on the Surviving Spouse and Next of Kin form (612.01) are entitled to be notified of the hearing on the Application to Disinter Remains, at least seven(7) days prior to the Hearing to Disinter Remains. - You must either obtain a waiver from each individual (612.03) or perfect certified mail notice (612.04) on each individual. - If certified mail notice is used, present notice (612.04) with certified mail return (green card) taped to back of form, to the Court the day of the hearing.
Affidavit of Notice to Disinter Remains (H.C. 612.05) <ul style="list-style-type: none"> - Complete form and have notarized.
Order to Disinter Remains (H.C. 612.06) <ul style="list-style-type: none"> - Fill in the name of the decedent only, the magistrate will complete and sign the form pursuant to his order.
Step 2: Setting of Hearing and Filing of forms
When all forms have been completed, present them to the magistrate’s assistant at the information desk on the 9 th Floor of Probate Court for a magistrate to be assigned. All forms are then taken to the available magistrate for review and setting of hearing date. Take the forms to the cashier on the 9 th floor where you will pay the \$48.00 deposit.
Step 3: The Hearing – What to bring with you
At the date and time of the hearing, you should report to the 9 th floor information desk to inquire where the hearing will take place. At this time, the magistrate will ask for the Authorization Letter (if you did not file it

with the initial paperwork) and any waivers or notices (with certified receipts attached) that were needed from the next of kin. The magistrate will ask you questions regarding the application and determine whether to grant the disinterment.

If the magistrate signs the Order to Disinter Remains you must take the original to the Cashier along with any copies to be stamped.
The copy is given to the cemetery.

Step 4: Filing of Verification of Reinterment

Verification of Reinterment (H.C. Form 612.07)

- This form must be completed by the Funeral Director or an employee of the cemetery and must be filed within 30 days of the date of the Order to Disinter Remains.

After you have this form completed present it to the magistrate for approval and then file the approved form with the cashier.

**PROBATE COURT OF HAMILTON COUNTY, OHIO
JAMES CISSELL, JUDGE**

DISINTERMENT OF _____, DECEASED

CASE NO. _____

**APPLICATION FOR ORDER TO DISINTER REMAINS
[R.C. 517.24]**

Applicant says that the decedent died on _____, and is buried in _____ Cemetery, Hamilton County, Ohio.

Applicant says that (s)he is eighteen years of age or older and of sound mind, and did or did not assume financial responsibility for the funeral of the decedent. The relationship of Applicant to the decedent is _____
Applicant says that disinterment would not be against the religious beliefs of the decedent.

Applicant asks to reinter remains in _____ Cemetery.

Applicant has secured will secure a permit [R.C. 517.23(B)] from the Board of Health (or other authorized agency) which shall state whether the decedent died of a contagious or infectious disease and whether disinterment is permissible.

Check whichever of the following are applicable:

- To applicant's knowledge, decedent did not leave a Will.
- Decedent's Will has been admitted to probate in this Court.

Attached is a list of the surviving spouse, next of kin, legatees and devisees known to the applicant, which list includes those persons entitled to notice of the application for disinterment.

Attorney for Applicant

Applicant

Typed or Printed Name

Typed or Printed Name

Address

Address

() _____
Phone Number (include area code)

() _____
Phone Number (include area code)

Sworn to and subscribed in my presence this _____ day of _____ .

Notary Public

**PROBATE COURT OF HAMILTON COUNTY, OHIO
JAMES CISSELL, JUDGE**

DISINTERMENT OF _____, DECEASED

CASE NO. _____

**ENTRY SETTING HEARING ON
APPLICATION TO DISINTER REMAINS**

The application to disinter remains filed by _____ is hereby set for hearing on the _____ day of _____, at _____ o'clock ____ M. in this Court. The Court is located at Room 10150, Tenth Floor, 230 E. Ninth Street, Cincinnati, Ohio 45202-2145.

The Court orders that notice of hearing be given to the surviving spouse and next of kin.

James Cissell, Probate Judge/Magistrate

**PROBATE COURT OF HAMILTON COUNTY, OHIO
JAMES CISSELL, JUDGE**

DISINTERMENT OF _____, DECEASED

CASE NO. _____

NOTICE OF HEARING TO DISINTER REMAINS

An application has been filed in this Court to disinter the remains of the decedent. The hearing on the application will be heard on the _____ day of _____, at _____ o'clock ____ M. in this Court.

The Court is located at Room 10150, Tenth Floor, 230 E. Ninth Street, Cincinnati, Ohio. 45202

Applicant

**PROBATE COURT OF HAMILTON COUNTY, OHIO
JAMES CISSELL, JUDGE**

DISINTERMENT OF _____, DECEASED

CASE NO. _____

AFFIDAVIT OF NOTICE OF HEARING TO DISINTER REMAINS

The undersigned applicant states that all persons interested in the application, as described by R.C.517.24 (13)(2)(a), have been notified of the application to disinter remains by certified mail, return receipt requested, have waived notice of hearing to disinter remains; or their names or addresses are unknown to applicant and cannot with reasonable diligence be ascertained.

Applicant

Sworn to and subscribed in my presence this _____ day of _____.

Notary Public

**PROBATE COURT OF HAMILTON COUNTY, OHIO
JAMES CISSELL, JUDGE**

DISINTERMENT OF _____, DECEASED

CASE NO. _____

ORDER TO DISINTER REMAINS

An application for Order to Disinter Remains came on for hearing on the _____ day of _____.

The Court finds that all interested parties, whose names and addresses are known, have been given certified mail notice, return receipt requested, or have waived notice of hearing on the application.

The Court further finds that the statements contained in the application are true and that no testimony was adduced to establish that disinterment would be against the decedent's religious beliefs.

The Court further finds that a permit has been issued pursuant to R.C. 517.23(B) by the Board of Health (or other authorized agency) and that it has been filed herein.

It is the Order of this Court that:

- (1) Applicant be and is hereby authorized to disinter the remains of the decedent;
- (2) Applicant be and is hereby authorized to reinter the remains of the decedent at _____ Cemetery; and
- (3) Unless the grave stone or marker is relocated to the site of reinterment, Applicant shall cause said grave stone or marker to remain at the site of original interment.
- (4) Applicant shall file a Verification of Reinterment within thirty (30) days that the remains of the decedent have been reinterred.

James Cissell, Probate Judge

**PROBATE COURT OF HAMILTON COUNTY, OHIO
JAMES CISSELL, JUDGE**

DISINTERMENT OF _____, DECEASED

CASE NO. _____

VERIFICATION OF REINTERMENT

The undersigned, being a [] Director or [] other title (specify) _____
of the _____ Cemetery, states that the remains
of _____, Deceased, were reinterred on
the _____ day of _____, pursuant to an order of the Court.

Signature

Typed or Printed Name

Cemetery

Address

() _____
Phone Number (include Area Code)

**PROBATE COURT OF HAMILTON COUNTY, OHIO
JAMES CISSELL, JUDGE**

IN THE MATTER OF _____

CASE NO. _____

**ENTRY DISPENSING WITH SETTING OF HEARING
ON APPLICATION TO DISINTER REMAINS**

The Court orders that the setting of a hearing be dispensed with in this matter.

James Cissell, Probate Judge