

# **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 is required at the time of filing. Current Court Costs are posted at:**  
<https://www.probatect.org/about/general-resources>.

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 9<sup>th</sup> floor of the Probate Court, 230 East 9<sup>th</sup> 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 (Form 25.00)

- Complete form

Surviving Spouse and Next of Kin (Form 1.00)

- List the surviving spouse, if there is one, and all *next of kin* (those people who were or would have been entitled to inherit *if* there were no will)
- Be sure to specify *complete* addresses of all of those listed.

Entry Setting Hearing on Application to Disinter Remains (Form 25.1)

- 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 (Form 25.5)

Notice of Hearing to Disinter Remains (Form 25.2)

- All parties who are listed on the Surviving Spouse and Next of Kin form (Form 1.00) 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 (Form 25.5) or perfect certified mail notice (Form 25.2) on each individual.
- If certified mail notice is used, present notice (Form 25.2) 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 Form 25.3)

- Complete form and have notarized.

Order to Disinter Remains (Form 25.6)

- 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<sup>th</sup> 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<sup>th</sup> floor where you will pay the deposit.

**Step 3: The Hearing – What to bring with you**

At the date and time of the hearing, you should report to the 9<sup>th</sup> 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 (Form 25.4)

- 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.