

# AT-NEED WRITTEN STATEMENT OF PERSON HAVING THE RIGHT TO CONTROL DISPOSITION

(Provided to Funeral Director)

## ***PERSON OTHER THAN AGENT***

I, \_\_\_\_\_, hereby represent and assert that I am entitled to control  
Name of Next-of-Kin, Other Person (Printed)

the disposition of the remains of \_\_\_\_\_. I further represent that I  
Name of Decedent (Printed)

am the person having priority to control the disposition in accordance with Subdivision 2 of Section 4201 of the NYS Public Health Law. The order of priority set forth in Subdivision 2 of Section 4201 of the NYS Public Health Law is the following:

- Person designated in written instrument;
- Spouse;
- Domestic Partner;
- Any Child 18 or Older;
- Either Parent;
- Any Brother or Sister 18 or Older;
- Authorized Guardian;
- Person 18 or Older now Eligible to Receive an Estate Distribution, in the following order:
  - Grandchildren;
  - Great-Grandchildren;
  - Nieces and Nephews;
  - Grand-nieces and Grand-nephews;
  - Grandparents;
  - Aunts and Uncles;
  - First Cousins;
  - Great-Grandchildren of Grandparents;
  - Second Cousins;
  - Fiduciary;
  - Close friend or other relative who is reasonably familiar with the decedent's wishes, including his or her religious or moral beliefs, when no one higher on the list is available, willing, or competent to act;
  - Public administrator (or the same official in a county not having a public administrator); or, anyone willing to act on behalf of the decedent who completes the "At-Need Written Statement" form.

I also have no knowledge that the decedent executed a will containing directions for the disposition of his/her remains, or designated an agent by executing a written instrument pursuant to Section 4201 of the Public Health Law.

I also hereby attest that I am not the person who (1) at the time of the decedent's death, was the subject of an order of protection issued to protect the decedent; or (2) has been arrested or charged with any crime allegedly causally related to the death of the decedent. *(NOTE: State law automatically prohibits any such person from having or exercising control of the disposition of the deceased's remains.)*

\_\_\_\_\_  
Signature of "Person Other Than Agent"

\_\_\_\_\_  
Date

Original: Funeral Director | Copy: Next-of-Kin

December 2012