

Affidavit is a signed statement, duly sworn to by the maker thereof, before a notary public or other officer authorized to administer oaths.

Cemetery Affidavits and Acknowledgements

Use Cemetery Application/Affidavit Statements and forms sparingly

Most situations and requests to the cemetery's management do not require affidavits. A simple review of procedures outlined in the *Rules and Regulations* are in most cases sufficient to meet cemetery requirements. However under some circumstances, the cemetery may choose and/or require affidavits as the best means of accomplishing an objective.

An affidavit of designation may be an original owner's (parent's) best way to achieve a goal of leaving/providing/ensuring burial space for a physically or mentally challenged and dependent adult child.

Under circumstances where the Rules and Regulations do not provide a full procedure and a request for affidavits cannot be completed the cemetery may require "court order action" to accomplish an objective.

Affidavits are intended to be an amendment to cemetery records clarifying the Original owner's intent.

Affidavits in general are cemetery prepared forms where someone is making a statement to be recorded in cemetery records for a particular burial space. These generic forms are reviewed and deemed acceptable by legal counsel to assist with the protection of Catholic Cemeteries as an entity, its management, the Roman Catholic Diocese of Rockville Centre, the original owners within Catholic Cemeteries, their heirs, funeral directors, monument dealers, and other interested parties with a clear statement that is evidenced as sworn to in front of a Notary Public that will allow decisions to be made by cemetery management. These affidavits are presented to the cemetery's management for review and consideration of acceptance. When accepted the form is affixed to the original owner's record, in essence an amendment or modification to the cemetery record system has been made.

The affidavit form is prepared for free; however, a fee is collected for the "recording of the affidavit" in the cemetery records.

When a third party prepares an affidavit, it must be in an acceptable format to cemetery management. The cemetery at its own discretion can choose to accept or reject the document based on form, legibility, paper quality and its overall content.

Due to the conditional nature of a "Living Trust" with variations in appointment, consignment, and similar conditions beyond the scope of exact, clear and concise instructions, our cemetery's management has opted not to accept, record, recognize or follow these instructions. Original lot owners are encouraged to utilize the appropriate and approved method and use the cemetery affidavit system as prescribed.

Some examples of approved cemetery affidavit/document forms include:

- Application for Duplicate Certificate of Right of Burial (Duplicate Certificate).
- A Designation of unused burial space.
- Close a grave prohibiting future burials.
- Permission to bury, entomb, inurn, inscribe, or erect a memorial
- Disinterment or Removal from a burial space
- Removal of a cemetery monument
- Special use - Color of a monument
- Inscription of a different surname
- A surrender or refund request
- A Temporary Receiving/Burial Agreement
- A revocation of a prior affidavit.
- Limit burial to only those legally entitled to burial.
- Identification of a legal heir at law.
- Identification of a person previous identified in a cemetery affidavit.
- Relinquish Right of Interment