**How Clergy, Chaplains, and Celebrants Can Assist Arizona Families**

**to Care for Their Own Dead**

Arizona families have the legal right to custody and control of their own dead. Clergy, Chaplains, and Celebrants play a vital role in helping families to know their rights and to consider whether engaging in aspects of hands-on care for their dead – sometimes known as a “home funeral” – is right for them.

**Legal Authority of Families**

In Arizona, the legislative authority for families to act as unpaid funeral services practitioners is found in **Arizona Statute § 36-326** where the law declares that a body disposition permit may be issued to “a funeral director or other responsible person.” The responsible person is described additionally as the “Authoring agent” in ARS 36-831, starting with the spouse or designated agent.

**Ways You Are Empowered to Assist Families**

Arizona families who are members of a religious congregation or have an active faith tradition may turn to their Clergy for guidance when a death occurs. Others may find themselves supported by a Chaplain in a hospital, hospice, or emergency response setting, or using a Clergyperson booked through a funeral home. Some families rely on a secular Celebrant for assistance in designing or officiating a funeral or memorial. Regardless of the circumstance, Clergy, Chaplains, and Celebrants can:

1. In anticipation of or at time of death, ask “*What plans can we assist you in making?”* instead of “*What funeral home are you using?”*
2. Provide the following information: “Under Arizona law, families may conduct tasks commonly performed by a funeral home, except embalming (which is not required by Arizona law). This may include:
	* caring for the deceased (for example, bathing and dressing);
	* sheltering the deceased at home;
	* filing death notice, handling death certificate/transportation/disposition permit;
	* transporting the body home or to another location for care and viewing (sometimes called a wake or vigil), and to place of final disposition;
	* making arrangements for any ceremony and for final disposition (for example, with a cemetery or crematory, or obtaining county planning commission permission for a home burial).”
3. Support the family and their community in considering options for meaningful hands-on engagement in ceremony and ritual: bathing and dressing the body; visitation with the body at home or in another setting; making or decorating a shroud or casket; carrying and lowering the body and helping to close the grave or witnessing the cremation; creating meaningful, personal ceremony.
4. Familiarize yourself with the additional resources below.

**Additional Information**

Arizona Funeral Resources & Education www.AZfuneral.org

National End-of-Life Doula Alliance www.nedalliance.org

National Home Funeral Alliance www.homefuneralalliance.org

Funeral Consumers Alliance www.funerals.org