

Descent of Burial Rights to Heirs

A burial right is an intangible asset, not subject to any will or personal gift. It must be assigned by a legitimate owner of burial right or a group of owners based solely on adopted cemetery policies and practices. Management encourages the use of the Burial Right Assignment Form to avoid uncertainty and conflicts over unassigned burial space in the future.

These steps should be followed for unassigned burial space:

1. Unassigned burial rights continue beyond the death of the original purchaser/s to blood descendants. Spouses have joint tenancy. The spouses of any direct heirs have precedence in future burials assignments over their children.
2. The first to hold burial rights is a surviving spouse.
3. If there is no surviving spouse, then to any child/ren; if there is more than one, they all share the rights equally and must all agree to every assignment.
4. If there is/are no surviving child/ren, then to any grandchild/ren; if there is more than one, they all share the rights equally and must all agree to every assignment.
5. If the purchaser/s has/ve no child/ren and no direct survivors, the burial rights go to the surviving sibling/s of the purchaser/s and those descendants.
6. Burial rights can be revised at any time by the rights holder/s to accommodate cremation burial or an accidental/sudden death. Burial rights can be assigned to anyone.
7. In at-need situations, the deceased and his/her surviving spouse may be granted burial rights by the holder/s of burial rights. (Wisconsin Statutes 157.10)
8. Management has the right and power to make prudential final judgments about complicated and pressing burial arrangements so that the spirit of these steps is kept, even if the precise letter is impossible to attain.