

# PROBATE COURT OF BUTLER COUNTY, OHIO

## DISINTER REMAINS MISCELLANEOUS INSTRUCTIONS

**\*\*\* PLEASE NOTE: ALL FORMS MUST BE TYPEWRITTEN \*\*\***

The Court has standard forms for persons seeking to disinter remains of a decedent.

Any person, including the surviving spouse, who is eighteen years of age or older and of sound mind may file an application in the probate court of the county in which the decedent is buried requesting the court to issue an order for the disinterment of the remains of the decedent. At any time prior to the hearing, the Applicant must obtain a permit from the Board of Health (or other appropriate agency) authorizing the disinterment. At the present time, there is no State prescribed permit form; therefore an authorization letter will be sufficient. Said authorization letter shall specifically recite 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 which would preclude disinterment.

The probate court may hold a hearing on the application and may issue an order for the disinterment of the decedent's remains, if good cause for disinterment is shown. No disinterment shall be made under Ohio Law if the decedent died of a contagious or infectious disease, under a permit has been issued by the board of health of a general health district or of a city health district.

There is no state prescribed permit form; therefore an authorization letter will be sufficient. Said authorization letter shall specifically recite 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. In order to obtain this authorization letter, it will be necessary to ascertain whether the City of Hamilton Health Department, City of Middletown Health Department or the Butler County Health Department is the appropriate agency. They may be contacted as follows:

Hamilton City Health Department  
345 High Street 3<sup>rd</sup> Floor  
Hamilton, OH 45011  
(513) 785-7080

Middletown City Health Department  
One Donham Plaza  
Middletown, OH 45042  
(513) 425-1818

Butler County Board of Health  
301 South Third Street  
Hamilton, OH 45011  
(513) 863-1770

**A deposit of \$125.00 is due at the time of filing.** Please confirm the amount with the clerk since filing fees may have changed subsequent to the date of this instruction sheet.

Please complete the following forms in their entirety and attach any required documentation:

- 25.0 Application for Order to Disinter Remains
- 1.0 Next of Kin
- 25.1 Judgment Entry Setting Hearing on Application for Disinterment
- 25.2 Notice of Hearing on Disinterment
- 25.3 Affidavit of Service of Notice of Hearing on Disinterment
- 25.4 Verification of Disinterment
- 25.5 Waiver of Notice of Application to Disinter
- 25.6 Order to Disinter Remains