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BURIALS – GOING GREEN, GREENER AND GREENEST

By: Michael Gilfix and Carolyn A. Chandler

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Perspectives: Estate Planning

By Michael Gilfix & Carolyn A. Chandler

Burials—Going Green, Greener and Greenest

Clients increasingly are interested in the most personal of recycling. Think to suggest it as an option when drafting their advance directives

erhaps the first time most people would've heard of a "green burial" was in the last episode, aired during summer 2005, of the blockbuster HBO series, Six Feet Under. The featured family ran a conventional funeral business and, at the end of five seasons, one of two middle-aged brothers in charge of the funeral home, Nate Fisher, died. At Nate's request, his burial was green.

"Green burial" means, generally, that embalming fluids are banned and the body is put into the ground with biodegradable materials only (fabric burial shrouds or simple, biodegradable coffins of renewable wood or cardboard). Oh yes, there's also no use of cement vaults. Traditional Jews and Muslims have always had green burials, without calling them by that name. But increasingly, the idea is catching on with others, for environmental and financial reasons.

Six Feet Under's fictional Fisher family "lived" in California. That's also where our very real practice is based and where, increasingly, clients are requesting green burial provisions be inserted into their advance health care directives.

As a result, our firm now routinely asks, when draft-



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ing advance directives, whether clients want to specify a traditional burial, a cremation or a green burial. We recommend all practitioners do the same. Your clients will thank you. Indeed, nearly a quarter of the 1,087 respondents to AARP's Funeral and Burial Planners Survey conducted in May 2007, and published in November 2007, said they were "interested" or "very

interested" in an eco-friendly alternative to the standard funeral home burial.

Advisors may want to take it a step further and ask clients if they also want to specify a green burial in a natural setting—or, go all the way, to a conservation green burial.

How Green Is My Burial?

Obviously, cemeteries that accept traditional Jews and Muslims provide green burials. But the Green Burial Council also has approved green burial cemeteries in seven states: New Jersey, New York, Ohio, Oregon, South Carolina, South Dakota and Washington. These standards—no embalming fluids, etc.—were developed by the Green Burial Council, a non-profit organization founded in 2005 and based out of Santa Fe, N.M. Joe Seehee, executive director and founder of the council, has worked in this field (so to speak) since 2002 and the death care industry since 1999. Information about the council's standards—which seek to make burial sustainable for the planet, meaningful for the families and economically viable for the provider—can be found at www. greenburialcouncil.org.

Green burials in natural settings follow the same guidelines as green burials in traditional cemeteries, but also focus on choosing a burial area that promises to maintain or even enhance the natural flora and fauna. A natural rock (which can be engraved) or native vegetation (shrub, tree, etc.) can mark the grave. But even if there isn't an engraved rock, a geographic information system can be used to locate a loved one's remains, thoroughly biodegraded, in the future. It's hard to put an exact number on how many cemeteries offer green burials in a natural setting because portions of traditional cemeteries are revising their rules to allow for them.

A conservation green burial fulfills all of the requirements of a green burial in a natural setting but also serves a land conservation purpose. Long-term covenants or deed restrictions ensure conservation values are retained for the burial grounds. According to the Green Burial Council's website, only one burial ground in the United States meets the standards for a conservation burial: Ramsey Creek Preserve in South Carolina.

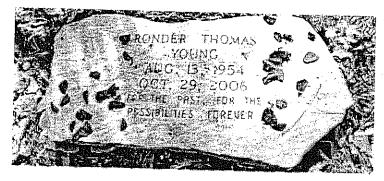
William Campbell, a Green Burial Council board member, founded Ramsey Creek Preserve, which opened in 1998 in rural Westminster, S.C., and is not defined by its burial function. Instead, Ramsey Creek is a stunning 75-acre nature preserve that, Campbell says, is "a place for people to visit and enjoy." There have even been weddings on the grounds, Campbell notes. At press time, 138 people have been buried at the nature preserve. And, in the past three years, Campbell has seen an increase in the number of people interested in a conservation burial; almost 500 plots have been sold.

The website www.greenburialcouncil.org/providers.php can help you find both providers offering natural burials and green cemeteries near clients.

The Old is New Again

Green burials are not new, but rather a return to how everyone, regardless of

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A typical green burial is half the price of a funeral and traditional burial in the United States.

religious affiliation, used to handle bodies before the funeral industry blossomed in the wake of the Civil War. The pioneers buried people without caskets. The modern practice of embalming didn't develop until the Civil War, when the bodies of fallen soldiers were prepared for long trips home from battlefields.

To this day, there is no law requiring embalming. In fact, traditional Jews and Muslims view embalming as a desecration of the deceased.

Yet, according to a July 2008 report by *National Geographic*, every year, U.S. funerals and burials consume 800,000 gallons of embalming fluid as well as 30 million board feet of casket wood, 90,000 tons of steels, and a whopping 1.6 million tons of concrete.

Green burials are now particularly popular in Great Britain, where to date, there are almost 250 natural burial grounds open or planned, according to the London-based Natural Death Center.

Costs

Costs are a major incentive for many people choosing green burials, Campbell reports. The average price of a

funeral in the United States in 2006 was \$6,195, according to the National Funeral Directors Association's biennial Member General Price List Survey. When cemetery costs such as a lot, vault and plot marker are added, the total can be well over \$10,000.

A typical green burial is half that price.

But green burials are not simply more cost effective, they also can serve a higher purpose: At Ramsey Creek Preserve, for instance, 10 percent of the burial cost goes into a restoration fund for the nature preserve and 5 percent goes into a fund that does watershed protection and restoration of a historical church on the grounds.

Don't Be Squeamish

If we advisors can discuss clients' children and money, surely we can bring ourselves to discuss the final disposition of these clients' remains. Don't hesitate. Many will welcome being educated about green burials. Clearly, these green options are in harmony with today's ecologically sensitive movements that are finding expression in virtually every field.

To ensure a clients' wishes are honored, consider having inserted into advance health care directives this provision: "Disposition of Remains: Green Burial—It is my wish to have a green burial, with no casket and with no embalming or other chemical-based preservation steps. It is my wish that my body be wrapped in simple cloth and placed in the earth after a memorial service out of doors or in a private home."

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