

PLANNING AHEAD, DIFFICULT DECISIONS

Death Certificates



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Filing a Death Certificate

A death certificate is a necessary step once a death has occurred. Vital Statistics Services, an office established by the Wyoming Department of Health, administers this process in Wyoming. Section 35-1-418 of the Wyoming Statutes Annotated requires the filing of a death certificate within three days after a death or the date on which a body is discovered. The certificate is filed with the local registrar of the registration district in which (1) the death occurred, (2) the body was found, or (3) the body was removed from a moving conveyance (if death occurs in a moving conveyance). The local registrar is a person appointed by the state to promote and supervise vital registration in a given district.

A death certificate should contain the deceased person's Social Security number, among other information required on the form. This information must be completed before the body can be transferred to another state and before the remains can be disposed of. Typically, the funeral director who first assumes custody of the body must ensure that this process is completed. To obtain this information, the funeral director will ask the deceased person's family or anyone who is the most qualified to provide the information.

Before a death certificate can be filed, it must contain a medical certification of time, date, place, and cause of death. This will usually be completed by the physician in charge of a patient's care unless a post-mortem examination is required (which is often the case if the cause of death is unknown). Furthermore, if the cause of death is thought to be due to unnatural causes, the coroner and a qualified physician will investigate the cause of death. If someone is presumed dead, but a body cannot be located, the state registrar may prepare a death certificate after receiving a court order.

While the funeral director is required to ensure that the death certificate is filed, the "personal representative" of the deceased person must ensure that the medical certification is completed and submitted to the coroner. A personal representative is a person who is given the responsibility to ensure that a deceased person's final affairs are taken care of after death. It includes an executor or administrator appointed by a court to manage the deceased person's estate.

Obtaining a Death Certificate

It is often necessary for family members and others to obtain certified copies of a death certificate. For example, a certificate may be necessary in the following situations:

- Filing and recording an affidavit of survivorship to establish title to jointly owned property;

- Transferring ownership of jointly owned vehicles;
- Filing estate tax returns;
- Demonstrating the authority of a successor trustee;
- Proving death to a life insurance company;
- Proving death to a creditor;
- Providing evidence of death for a wide variety of litigation purposes.

It is often a good idea for the personal representative to obtain numerous (10 or more) certified and regular photocopies of a deceased person's death certificate. Many different entities, such as banks and brokers, may require a certified copy. It may be easier and less expensive to order more copies initially than to request more official copies later.

The state registrar of vital records may not disclose information from or permit inspection of a death certificate unless authorized by the rules and regulations of Vital Records Services (also known as Vital Statistics Services). The following parties may obtain a death certificate:

- i. A member of the immediate family;
- ii. A lawyer representing the immediate family;
- iii. A bank, an executor of the estate, an insurance company, or anyone requiring a death certificate to pay a policy or death benefit on the decedent;
- iv. A funeral home acting for the immediate family;
- v. The judicial branch or a department of the federal, state, or local government if needed in the performance of their duties. The state registrar may require the signature of a member of the immediate family.

In addition, other individuals and organizations may obtain certified copies of a death certificate if they demonstrate that the information is necessary to determine a personal or property right. For instance, an unmarried person who jointly owned real property with a deceased person may need a certified copy to establish her or his status as sole owner of the property.

Parties not named on the death certificate may be required to prove their relationship to the deceased or their identity. As of August 2013, the fee for obtaining a death certificate was \$10. Vital Records Services will charge a \$13 search fee for every five years searched if the date of death is unknown. Fees must be paid in advance. Vital Records Services offers printable application forms and other directions for obtaining death certificates and other vital records: http://www.health.wyo.gov/rfhd/vital_records/deathrequest.html.

Death certificates that are at least 50 years old should be obtained from the Wyoming State Archives at <http://wyoarchives.state.wy.us>. Certified copies of such records must be made available to any person who provides the required application and enough information to locate the certificate.

Approximate Timeline

Event	Timing	Person(s)	Required Information
Pronouncement of death	After death	Attending physician	
Medical certification of time, place, and cause of death	After death unless a post-mortem exam is required	Licensed physician certifies cause of death and delivers signed or electronically authenticated copy to funeral director, who files it with state Attending physician certifies cause of death unless unavailable to certify at time of death If cause of death is not natural, then notifies county coroner for investigation and completion of death certificate	Any knowledge of circumstances of death
Funeral director assumes custody of body	After death pronouncement, when family, hospital, or authorities contact funeral director	Funeral director	
Funeral director collects information to complete and files death certificate	Certificate must be filed with registrar within three days of death or discovery of body, but before body is transported out of state or disposed of.	Funeral director completes certificate in consultation with family and others who have information.	• Full Name • SSN • Dates of birth and death • Place of birth and death • Marital status • Names of parents • Person providing information • Armed forces status • Method and place of disposition • Funeral home or facility • Cause of manner of death
Obtaining certified copy of death certificate from Vital Statistics Service	Any time after available	Immediate family, lawyer representing immediate family, bank, personal representative, insurance company, or person with required interest	• \$10 fee and form • Full name • Date of death • City or county of death • Relationship to deceased • Purpose • Signature • Mailing address • Current photocopy of driver's license, state ID card, or passport or notarized signature
Obtaining death certificate from Wyoming State Archives	Fifty or more years after year of death	Publicly accessible through state archives	Enough information as possible to help locate the record

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