**SECTION 8: WORKING WITH FAMILY:**

**ASSIST THE FAMILY:** The Coroner Investigator provides the family with a timetable so they can arrange for final disposition and provides information on available community and professional resources that may assist the family.

When the Coroner Investigator is assisting the family, it is important to:

1. Inform the family if an autopsy is required
2. Inform the family of available support services
3. Inform the family of appropriate agencies to contact with questions (law enforcement, SIDS groups, etc.)
4. Ensure family is not left alone with the body (if circumstances warrant)
5. Inform the family of approximate timetable for release of the body
6. Inform the family of information release timetable (toxicology, autopsy results, etc., as required)
7. Inform the family of available reports, including cost, if any

**NOTIFICATION OF NEXT OF KIN:** The responsibility for formal notification of next of kin lies with the Coroner Investigator. Often, notification of next of kin has occurred by other individuals. The Coroner Investigator must determine that the notification has occurred and has been documented. The following are appropriate next of kin, in descending order:

1. Spouse
2. Adult child (18 and over)
3. Parent
4. Sibling (18 and over)
5. Grandparents
6. Aunt/Uncle

In cases where confusion exists (such as in divorces with remarriage) DO NOT release remains until the questions are resolved.

**NOTIFICATION BASED ON CORONER’S OFFICE IDENTIFICATION**: In cases where the remains have been identified by Coroner’s Office, reasonable attempts will be made to contact the legal next of kin who is to be advised of the location of the decedent, the pertinent details of the fatal event, and that an autopsy is/was performed. The Coroner Investigator making such notification will note in writing the name of the person advised, their relationship to the deceased, the method of notification and the time and date. If the Coroner’s Office representative has made notification, law enforcement should be made aware that notification has been made. When using outside law enforcement to make notification of death ask that they make the notification in person and then have them contact the Coroner Investigator as soon as possible.

**VIEWING OF DECEASED BY NEXT OF KIN:** At the scene of death, in the hospital (inpatient or morgue facility) or at the funeral home, the Coroner Investigator must be guided by the nature of the investigation, a concern for physical evidence that might be on the body and the health and safety of those who might handle the remains. Viewing should only occur when the Coroner Investigator and law enforcement in charge of the investigation concur that no harm will come from family viewing and/or touching the body.

**AT THE MORGUE FACILITY:** Clearly distraught, belligerent, under the influence of drugs or alcohol and disrespectful persons will not be allowed to view a body. No more than two persons from the family will be permitted to view the body. If viewing is to take place, the Coroner, Deputy Coroner or Coroner Investigator will make the body and the viewing area as presentable as possible.

In rare instances where identification depends on the recognition by the family, digital images will be taken by the Deputy Coroner/Investigator and made available for viewing by the family.

**INFORMING FAMILY WHEN AUTOPSY IS OR IS NOT TO BE PERFORMED:** The Coroner Investigator will make every effort to communicate with the next of kin to keep them apprised of what decisions are being made and where the body is at any given time. The Coroner Investigator must also notify next of kin when a decision has been made not to do an autopsy. Notification and communications with the family must be documented in the Report of Death. When a determination has been made that an autopsy will be performed, the Coroner Investigator in charge of the case will so advise the legal next of kin. The Coroner Investigator is advised to use tact, diplomacy, and sensitivity in advising the family of the autopsy requirement. A sensitive approach coupled with information will aid the family at this extremely emotional time.

The next of kin notified should be told the following:

1. That an autopsy will be performed
2. Why it is necessary (homicide, work-related, obscure cause and/or manner, to rule out other conditions, etc.)
3. Where the exam will take place
4. How the release is facilitated when the procedure is complete
5. There is no cost to the family

This communication with next of kin is not for purposes of asking their permission or obtaining their consent. It is advisory and communicates to them the steps this office will be taking in the investigative process. The contact with the next of kin must be recorded on the report of death or through a Supplemental.

**PROTESTS BY NEXT OF KIN:** When family members express opposition to the autopsy that is not allayed by the discussion of the reasons why the autopsy is required, the Coroner is to be made aware of the opposition. When relaying this information to the Coroner, a phone number for the next of kin is to be provided so that further discussion can be implemented.

If the legal next of kin expresses concerns or objections to an autopsy, the Coroner Investigator will explain the specific reasons why the Coroner’s Office has jurisdiction, why the death requires an autopsy and try to help the next of kin understand Coroner’s Office's involvement. Document time, date, person with whom discussions were held and pertinent issues discussed. If next of kin concur in the decision to autopsy, this will also be documented in the case file. If requests or limitations are included, the family should be advised whether these are or are not possible.

Where objections to the autopsy continue, or the Coroner’s Office is unable to accommodate the desired limitations, the Coroner’s Office may consult with the Office of the Prosecuting Attorney to obtain an opinion as to whether the autopsy must be performed for the Prosecuting Attorney to carry out legal responsibilities adequately.

If the Office of the Prosecuting Attorney and the Coroner’s Office agree that adequate information can be obtained without an autopsy, or with a modified procedure, this will be done. The family will be required to sign an official Coroner’s Office autopsy waiver form.

If it is not possible, the family will be informed by the Coroner’s Office that the body will be held for a reasonable time (24 hours) unless circumstances compel that the interval should be shorter. An extension of time may be granted if it does not jeopardize the ends of justice or expose any citizen to a dangerous situation. During this time, the family may pursue legal avenues to prevent the autopsy. These may include:

1. Contacting the Prosecuting Attorney
2. Obtaining a court order to prohibit the autopsy.

(In either of these situations, the family should be strongly advised that it might be to their benefit to obtain legal counsel.)

**NEXT OF KIN NOT LOCATED - AUTOPSY REQUIRED**: In autopsy cases where the decedent has been identified and the next of kin has not been located, cannot be located or are unknown, information in the report or a Supplemental must document efforts made by the Coroner Investigator in attempting to locate and/or notify next of kin.

**UNIDENTIFIED REMAINS - AUTOPSY REQUIRED:** In cases where remains are unidentified and an autopsy is necessary, the establishment of a positive identification and search for next of kin will not preclude the autopsy from commencing. Attempts to establish identity will commence as part of the ongoing investigation by the law enforcement agency responsible for the case. The Coroner’s Office will aid in this matter by providing any pertinent information that may be derived from the examination of the clothing and/or the body.

**PRIVATE AUTOPSY REQUEST**: In cases where the coroner has declined jurisdiction or determines that there is no state need for autopsy; the coroner may provide available resources so the next of kin can arrange their own autopsy at the family’s expense.

**FUNERAL HOMES DESIGNATED BY FAMILY**: The staff of the Coroner’s Office is discouraged from recommending the use of one funeral home or mortuary/crematory service over another. If family members or others inquire about facilities in an area, they should be referred to the alphabetical list in a telephone book or the Coroner Investigator may read to them from an alphabetical list which includes all funeral homes in that given area. The family member should be allowed to decide which if any services they might require by interviewing mortuary or crematory services directly. The exception to this would be a request by family members to conduct family burials or if they inquire as to what services they might perform themselves.

It is the responsibility of the lead Coroner Investigator to obtain the funeral home preference of the family as soon as practical.

**COST OF AUTOPSY WHEN DEATH OCCURRED OUTSIDE COUNTY**

Whenever an autopsy is performed, and the injury causing death occurred within the boundaries of a county other than the one in which the autopsy was performed, such other county shall pay the costs of the autopsy. The cost of such autopsy shall be no greater than the actual value of the services of the technicians and materials used. Money derived from the fees paid for such autopsies shall be credited to the coroner’s laboratory fund created in section [313.16](http://codes.ohio.gov/orc/313.16) of the Revised Code.