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| **Policy: Autopsy Refusal** | **Union County Coroner Office** |

PROTESTS BY NEXT OF KIN: When family member’s 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.)