



BUYNAK LAW FIRM

GREEN BURIALS AUTHORIZED

California has become one of the five states allowing a composted burial of humans after death. The law takes effect in 2027 but regulations are being developed currently. It is expected that the regulations will follow the approach of cremation and its distribution of ashes.

The composting process involves placing human remains in a steel box with biodegradable materials, which help the body decompose naturally. That decomposition will produce soil, which can then be given to family members who may spread it or use it to grow plants. The regulations will dictate the final process.

If you desire this environmental approach for your final resting place, it is important to make that election within your estate planning documents – normally, we prepare Disposition Instructions for the agent you elect to follow your directives for your last resting place. Lacking such Instructions, this procedure may not be possible as your agent/executor/trustee may be hesitant to individually adopt this new approach in light of the opinions & desires of other family members.

This is just one aspect of your estate planning – normally there is a need for the Trust, Will, Advance Care Directive, Durable Power of Attorney, Personal Gift Distributions, etc. Probate should be avoided – the court proceeding that occurs if you do not have a Trust. The cost of a set of trust documentation is far less than the costs of a probate; trust administration is private while the Will probate process is public through the court system.

Helping Clients Thrive!

S. Timothy Buynak, Principal