

**APPOINTMENT OF AGENT  
TO CONTROL DISPOSITION OF REMAINS**

I, \_\_\_\_\_ (principal), residing at \_\_\_\_\_, being of sound mind, willfully and voluntarily make known my desire that, upon my death, the disposition of my remains shall be controlled by the following person in accordance with Section 711.002 of the Health and Safety Code and, with respect to that subject only, I hereby appoint such person as my agent (attorney-in-fact):

Original Agent:      Name: \_\_\_\_\_  
                                 Address: \_\_\_\_\_  
                                 Telephone: \_\_\_\_\_

Except as provided under the Special Directions set forth below, all decisions made by my agent (whether original or successor) with respect to the disposition of my remains, including cremation, shall be binding.

**SPECIAL DIRECTIONS**

Set forth below are any special directions limiting the power I have granted to my agent:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SUCCESSORS.**

If my agent dies, becomes legally disabled, resigns or refuses to act, I hereby appoint the following persons (each to act alone and successively, in the order named) to serve as my agent (attorney in fact) to control the disposition of my remains as authorized by this document:

1.      First Successor:      Name: \_\_\_\_\_  
                                 Address: \_\_\_\_\_  
                                 Telephone: \_\_\_\_\_

2.      Second Successor:      Name: \_\_\_\_\_  
                                 Address: \_\_\_\_\_  
                                 Telephone: \_\_\_\_\_

If the person with the right to control the disposition of my remains fails to make final arrangements or appoint another person to make final arrangements for the disposition before the earlier of the 6th day after the date the person received notice of my death or the 10th day after the date of my death, then the person is presumed to be unable or unwilling to control the disposition, and the person's right to control the disposition is terminated. The right to control the disposition is then passed to the following persons in the following priority: (1) any other person in the same priority class under Subsection (a) of §711.002(a), Texas Health and Safety Code, as the person whose right was terminated, or (b) a person in a different priority class, in the priority listed in said Subsection (a). [See TEX. HEALTH & SAFETY CODE §711.002(a-1)(text of subsec. (a-1) as added by Act of June 17, 2011, 82nd Leg., R.S., ch. 1336, §2, 2011 Tex. Gen. Laws \_\_\_\_\_).]

### **DURATION.**

This appointment becomes effective upon my death.

### **PRIOR APPOINTMENTS REVOKED.**

I hereby revoke any prior appointment of any person to control the disposition of my remains.

### **RELIANCE.**

I hereby agree that any cemetery organization, business operating a crematory or columbarium or both, funeral director or embalmer, or funeral establishment who receives a copy of this document may act under it. Any modification or revocation of this document is not effective as to any such party until that party receives actual notice of the modification or revocation. No such party shall be liable because of reliance on a copy of his document.

### **LIMITATIONS.**

No person may control the disposition of my remains if, in connection with my death, an indictment has been filed charging the person with a crime under Chapter 19, Texas Penal Code, that involves family violence against the decedent. [See TEX. HEALTH & SAFETY CODE ANN. §711.002(l) (West Supp. 2012).]

If I die in a manner described by 10 U.S.C. Sections 1481(a)(1) through (8), and if a United States Department of Defense Record of Emergency Data, DD Form 93, or a successor form, is in effect at the time of my death, then the DD Form 93 controls over this instrument, provided that the form was properly completed, signed by me, and witnessed in the manner required by the form. [See TEX. HEALTH & SAFETY CODE ANN. §711.002(a-1)(West Supp. 2012)(text of subsec. (a-1) as added by Act of May 20, 2011, 82nd Leg., R.S., ch. 95, §1, 2011 Tex. Gen. Laws 536).]

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Principal

STATE OF TEXAS §

**ACKNOWLEDGMENT**

COUNTY OF DALLAS §

This document was acknowledged before me on \_\_\_\_\_, 2013,  
by \_\_\_\_\_, principal.

\_\_\_\_\_  
Notary Public, State of Texas

**ASSUMPTION**

**THE AGENT, AND EACH SUCCESSOR AGENT, BY ACCEPTING THIS APPOINTMENT, ASSUMES THE OBLIGATIONS PROVIDED IN, AND IS BOUND BY THE PROVISIONS OF, SECTION 711.002 OF THE HEALTH AND SAFETY CODE.**

**Assumption by Original Agent**

I, the original agent and attorney-in-fact named by the principal in the foregoing instrument, do hereby accept the appointment and assume the obligations provided in, and agree to be bound by the provisions of Section 711.002 of the Texas Health and Safety Code, including the duty to faithfully carry out the directions of the principal contained in the foregoing instrument to the extent that I am, or that the principal's estate is, financially able to do so.

Executed on \_\_\_\_\_, 2013.

\_\_\_\_\_  
original agent

**Assumption by First Successor Agent**

I, the first successor agent and attorney-in-fact named by the principal in the foregoing instrument, do hereby accept the appointment and assume the obligations provided in, and agree to be bound by the provisions of Section 711.002 of the Texas Health and Safety Code, including the duty to faithfully carry out the directions of the principal contained in the foregoing instrument to the extent that I am, or that the principal's estate is, financially able to do so.

Executed on \_\_\_\_\_, 2013.

\_\_\_\_\_  
first successor agent

**Assumption by Second Successor Agent**

I, the second successor agent and attorney-in-fact named by the principal in the foregoing instrument, do hereby accept the appointment and assume the obligations provided in, and agree to be bound by the provisions of Section 711.002 of the Texas Health and Safety Code, including the duty to faithfully carry out the directions of the principal contained in the foregoing instrument to the extent that I am, or that the principal's estate is, financially able to do so.

Executed on \_\_\_\_\_, 2013.

\_\_\_\_\_  
second successor agent