

Cleveland Memorial Society

⌘ Annual Meeting ⌘

Sunday, Oct. 18, 2009 at 3:00 p.m.
West Shore Unitarian Universalist Church
20401 Hilliard Blvd.
Rocky River, Ohio 44116



Beth Shapiro, MSSA, LISW-S, is a hospice social worker. She is also on the adjunct faculty of Case Western Reserve University Mandel School of Social Work where she teaches classes on death and dying. She will speak on "Demystifying Hospice," providing basic information about the hospice movement including its history, philosophy, and current protocols. She will cover admission criteria, services provided, payment sources, and a review of some common myths about hospice. We were interested to hear on NPR the other day, about the remarkable success of hospice in prison settings, in such places as Angola, Louisiana, where they improve the quality of inmates' lives, not only for the terminally ill, but also their fellow caregivers.

➔ Refreshments will be served ➔

Changes In Our Partner Funeral Homes

Last fall we negotiated a new contract with our funeral directors, dropped two, and added one. We no longer have a contract with Nicol-Wells-Kloss or with Claus Funeral Home. Claus went out of business. We decided not to renew the Nicol-Wells contract for several reasons, not the least of which was that Craig Nicol's funeral director's license was suspended by the State of Ohio due to felony convictions.

First, if you had chosen Claus or Nicol-Wells, you received a notice from Jackie Stimpert asking you to select another provider. **You must do this now.**

If you know of family or friends who signed up with Claus or Nicol-Wells, please contact them and make sure they have chosen a new provider and mailed the form back to the office.

Second, if you were signed up with those directors and did **not** receive a notice, call the office at 216.751.5515

Our new provider is Maher-Melbourne Funeral, located at the corner of Mayfield and South Belvoir Road in South Euclid. We interviewed Kevin Maher and were impressed with his attitude and by the fact that this is a family-run business. He took care before he approached us to be sure he could provide quality services to our members at our agreed-upon costs. As always, Kevin will serve Memorial Society members anywhere in the county.

Third, please do **not** visit Maher-Melbourne unless you have an appointment **and** you have special arrangements you need to make with them.

New Prices- An immediate cremation will now cost \$625 and a simple burial will be \$850. These fees are paid to the chosen provider at the time of death.

Don't Forget the Durable Power of Attorney

While most people think of wills or trusts when they think of estate planning, they often overlook an important piece of the estate plan, namely, the durable power of attorney (also known as a financial power of attorney). A durable power of attorney is a document that an individual (the principal) can use to designate someone (the agent or attorney-in-fact) to handle their financial affairs on their behalf. The agent will only have the authority to handle matters that the principal specifies in the document and the principal can be very detailed as to what authority they want their agent to have. For example, the principal can specify that the agent is authorized to write checks and pay bills, access certain bank accounts, file tax returns, and execute certain documents and deeds when they are no longer able to do so. This is often a concern of individuals as they get older or those who may have been hit by a serious illness. However, the young and healthy should also consider executing a durable power of attorney to plan for emergencies and the unknown. Without a durable power of attorney in place, court intervention may be necessary to handle such matters. The agent's authority begins at a time designated in the document. In most

cases, the power of attorney will state that the authority begins once the principal signs the document. However, the principal can indicate that the authority does not begin until a particular event occurs such as when the principal becomes incapacitated or is declared incompetent. These are often called "springing powers of attorney" because they do not "spring" into effect until the designated event occurs.

Most powers of attorney do not specify when the agent's authority ends. However, the authority always ends when the principal dies. Additionally, the principal may revoke the document or change his or her agent at any time.

Because of the powers and authority that an agent can be given in a durable power of attorney, it is very important to designate someone that is trustworthy and responsible to serve as the agent and to fully understand the terms of the durable power of attorney itself.

*Lisa J. Roth
Ziegler, Metzger & Miller, LLP,
and Counsel for the Cleveland Memorial Society*

Betsy Schrader – Board Member & Tireless Volunteer

We lost a beautiful soul and a tireless worker when Betsy Schrader died in May 2009. She was 87. Betsy had been a member of the CMS board since the early 1980's and served as vice-president since the mid-1980s. At her memorial service, her children sang in three-part harmony as she had taught them. She was a pianist and singer, a world-class gardener, fluent in three languages, familiar with four others, and a relentless

organizer. She had lived in Brazil and the Far East. Betsy founded the Language Bank in 1964. It provides free on-call translation services 24/7 for nurses, doctors, emergency room personnel, ticket agents, police officers, RTA operators, social workers, and any one else who serves and works with Cleveland's diverse ethnic population. It is now part of the International Service Center. Betsy



organized a door-to-door petition drive resulting in the establishment of an EMS service in Pepper Pike. She volunteered with Ohio Senior Health Insurance Information Program to help seniors negotiate the maze of public and private health care related programs. When folks arrived with sacks of bills, letters and statements, Betsy sorted out the mess, got bills reduced or forgiven, and

sent people home stress free. Betsy was a graduate of Cornell University and a member of Plymouth Church. She donated her body to the Case Western Reserve University School of Medicine to benefit all of us by enhancing the education of future doctors. Thank you, Betsy, for your life of service to CMS, your family, and the greater good.

When is a Coffin a Casket?

During contract negotiations with our funeral directors late last year, we learned that the base price of cardboard coffins had risen to \$200, notwithstanding several problems in use, such as not holding together on a rainy day or for persons over 200 pounds. There is a \$300 type made in China with a weight limit of 250 pounds. So, the Society decided to facilitate the design and manufacturing of simple wood coffins locally. An Amish cabinetmaker agreed to produce one for \$150. This was made and delivered to one of our partner directors. After some suggested design modifications, it became the basis for our Mark II model, delivered last December.

The Mark II is all wood, has six rope handles, a modest lining and small pillow. The delivered cost is \$175. Three of these have been used by two of our directors, and four are on order. The coffin is entirely bio-degradable for simple burial and is acceptable for all green cemeteries, such as Foxfield Preserve (see page 5)



Interestingly, green burials are not a new concept. Orthodox Jewish coffins must be biodegradable in accordance with the laws of Ecclesiastes, i.e., 2nd century B.C.E. Orthodox Jewish coffins must have pegs in place of metal screws and be certified by a rabbi. This means that the tree for the coffin must not be cut on the Sabbath, nor may it be made into boards, nor may the coffin be made, or even moved, on the Sabbath.

Incidentally, we learned that a coffin has 6 sides while a casket has 8.

– Bill McCullam



Veterans' Benefits

The 2009 edition of *Federal Benefits for Veterans, Dependents & Survivors* is now available online at no charge. The site is:

http://www1.va.gov/OPA/vadocs/current_benefits.asp

You can also order it for \$5 from your Office of Veterans Affairs.

Rhymes with Orange



DO I NEED AN URN?

No, you do not. Cremated remains are given to you in a sturdy container which you can store in your home, or bury or open to scatter the ashes.

If you want an urn, there are several alternatives. Your funeral director will have samples at the funeral home or you can look on-line. For example, a company located in Lebanon, Ohio (near Dayton) makes wooden urns. You can choose the style, the wood and the finish. Each one is hand made and they can be used for people or pets. The company is Elegant Sawdust and you can look at their catalogue at <http://www.elegantsawdust.com/> or call (937) 912-4163 for a brochure.

Green Burial at Foxfield Preserve



Last month I had a chance to go with friends to look over Foxfield Preserve, the new green burial site near Wilmot, Ohio. The drive took about an hour and a half from Chagrin Falls, and ended in deep country, surrounded by Amish farms. Foxfield Preserve is a part of The Wilderness Center, tucked into the northwest corner of Stark County, with a long view over the Sugar Creek valley. It opened about a year ago and has 22 acres of former pasture, half meadow and half woodland-to-be. The meadow has been seeded with prairie plants, and the woodland is being reforested with native hardwoods. The middle of the preserve is a gentle hilltop looking over farms and forest.

We drove along the winding gravel drive that loops around each area, looking over all the possible burial plots. After our selection was made, the preserve manager located the nearly invisible silver markers that indicated the boundaries of a 10' x 20' rectangle. Each plot has its GPS coordinates recorded, and a properly equipped visitor can easily find a particular plot even after years of natural growth have made things look quite different. A grave marker is allowed, but the lettering must be on an unpolished stone about the size of a laptop computer, and that lies flat and has an irregular shape.

Each plot accommodates a maximum of two people, and only one can be buried. The other must be cremated. There is an additional charge for a second interment.

The technical requirements for green burial are simple. No embalming fluid may

be used, protecting the ground water from toxic contamination. All containers, such as caskets, urns, shrouds, or even cardboard boxes, must be biodegradable. Caskets must be strong enough to support the weight of an adult body. No vaults or grave liners are permitted.

Foxfield Preserve encourages the planting of a memorial tree on those plots in the woodland area. This will help in their reforestation plan. You can choose from a list of approved native trees and buy one from the Cemetery or bring in one of your own. However, any plant material brought in must be approved by the Cemetery as to its origin (not dug up from a nature preserve, for instance) and species (native only).

When you choose to be buried far from home, there is the additional cost of transportation of your body from home or the funeral parlor to the burial site. Your funeral director can arrange this if your family doesn't want to rent a truck and do it themselves. This additional mileage is not included in the Memorial Society's contract price. The cemetery, having been alerted to the arrival, will have a grave prepared. A price list is available at

<http://www.foxfieldpreserve.org/documents/FoxfieldPreservePriceList.pdf>

Actually buying the plot was simple and easy, with a minimum of paper work. Jennifer Quinn, the Preserve manager, answered all our questions easily and was a pleasure to do business with. We had plenty of time afterward to go to Kidron and have lunch at Lehman's Hardware.

– Jane McCullam

Who Are You Dealing With?

There are several large corporations which move into a market, buy up local funeral homes and continue to run them. What's interesting is that the large corporation continues to use the name of the local funeral home. That way, you don't know that you are really dealing with a huge corporation, not your friendly local funeral home. Even though the former local owners may still work at the funeral home, marching orders come from the corporate headquarters.

Here's a list of "local" funeral homes that are actually owned by Service Corporation International, a Texas company that is the largest seller of funeral and cemetery services in the country. This is not a slam or an accusation against anyone. Just know with whom you are dealing. You can also educate other people who are not members of the Memorial Society about these matters.

Berkowitz-Kumin-Bookatz, Cleveland Heights
Craciun Berry – Cleveland, West Side
Corrigan Craciun – Cleveland, West Side
Craciun Berry – Westlake
Craciun – Middleburg Heights
DiCicco and Sons – Mayfield Heights
Gattozzi and Son – Chesterland
Wood-Kortwright-Borkoski – Ravenna
Whitehaven Memorial Park (cemetery) – Mayfield Heights

President's Report

During the past year, we have learned that one of our former funeral homes had enticed some of our members to enter into pre-need funeral contracts. Had we known this, we would have stopped the practice immediately. Now some of our members are wondering what they purchased.

Do Not Agree To A Pre-Need Funeral Contract.

Why does the Cleveland Memorial Society give this advice?

1. The language of the contracts is confusing. Under the new law, pre-need contracts can be revocable, irrevocable, guaranteed or not guaranteed. Do you want to deal with this? The money you pay can be put into a life insurance contract or a trust fund. **But** the funeral director doesn't have to do that immediately. He can wait 30 days before depositing the money. If the money is used to buy a life insurance policy, who do you think earns a commission? Right!! That commission comes right off the top.

2. You can't take it with you. If you decide to relocate, your pre-need contract may be transferable to another funeral home at your new location. **But** there is a fee and it may be up to 10% of the contract price.

One couple decided to relocate to Hawaii to be closer to their child. Assuming they die there, what money is available to them under their pre-need contract? Are the prices higher in Hawaii or Ohio? If they have a "guaranteed price" contract here in Ohio, what prices will they pay in Hawaii?

3. What happens when the funeral home goes out of business? “Oh, this funeral home has been there for 3 generations. It’s rock solid.” you say. Be advised - the funeral business is changing, fast. Up to 80% of students enrolled in one mortuary school in Ohio are not “legacy” students, that is, their families are not in the funeral business. They are not taking over a family funeral home from Dad or Mom – or Grandpa or Grandma. These students are business people.

Even if a funeral home passes to the next generation, who are you then dealing with then? Funeral homes are now sold and rented out in ways that we’ve not seen before. What if your pre-need contract funeral home goes bankrupt? Is sold to a national chain? Oh, you say, it can’t happen here? It already has happened here and is happening daily. (See the list on page 7).

Here’s a real case from Carroll County, Ohio. Four families purchased irrevocable pre-need contracts from Allmon-Dugger Funeral Home between 1986 and 1994. In 1998, the funeral home was sold to Equity Corp. International, a Texas corporation. Equity Corp. merged with SCI. The families did not receive any paperwork telling them the status of their pre-need accounts for the next four years. In 2002, the Edward Cotton Family purchased the home from SCI, and Edward Cotton died. An SCI printout dated 2003 showed that the balances in the accounts were less than the families had paid to the original funeral home – sometimes after 20 years. Where did all the interest on these accounts go? No one knows. The records are fragmented and incomplete after so many transactions.

4. The professionals say, “Don’t do it.” *Smart Money Magazine’s* July 2009 edition contained an article titled “It’s Your Funeral” by Contributing Editor Peter Keating. He said, “Preplan but don’t pre-pay. Let your loved ones know what you’d like, but don’t pay for it yet.”

Keating went on to advise that you should know your rights under the Federal Trade Commission Funeral Rule. For example, you can purchase a casket from an independent supplier (Costco now has caskets for sale) and your funeral home must use that casket with no additional charge to the family. You must be provided with a General Price List and, if you want something other than an immediate cremation or burial under our Memorial Society contract, you can pick and choose what you want from the General Price List. You don’t have to buy a “package.”

All memorial societies and funeral consumer alliances across the country are members of FCA, the Funeral Consumer’s Alliance our umbrella organization. Executive Director Josh Slocum is a nationally recognized expert on the funeral industry and has testified on Capitol Hill. He recommends using a Payable on Death account at your local bank. At your death, the account goes to your named survivor(s). Josh agrees that prepaying in order to spend down for Medicaid purposes can be a good thing, but you should not pay your money to the funeral home. He suggests contacting Medicaid to see if a private, irrevocable account at a bank, earmarked for the funeral, will satisfy Medicaid requirements. You won’t be able to cash out the account, but you can assign it to any funeral home.

Slocum also advises against pre-need contracts because, even if you think you understand what you’re signing, your children or other survivors won’t.

5. The new law does not help you. A new pre-need law went into effect in July, 2009. It's an improvement but does not protect the customer as it could. For example, there is no provision for a victim compensation fund. If you get cheated, you are out of luck. There is no fund to compensate you. The overwhelming majority of funeral directors are honest people who run clean businesses. What of the minority? How do you know?

You are supposed to be notified by the trust or the insurance company within 60 days when they receive the money you paid. What happens if you aren't? These 60 days plus the 30 days the funeral director can hold your funds now means 3 months have passed. Are you still keeping track of these dates? If you decide to cancel a revocable (make sure to read the fine print) contract, the funeral director may get to keep a fee of up to 10%.

The Ohio Board of Embalmers and Funeral Directors, on which I serve, is supposed to collect information regarding the pre-need contracts at each funeral home. But that Board has no expertise in accounting, auditing, statistics or economics. It has no resources to examine the contracts it receives and the law does not require it to do so. So the regulatory board designed to protect the public is powerless under the new law.

6. Trust funds and insurance companies that hold your money can go out of business. They implode. They declare bankruptcy. For example, the Lincoln Memorial Life Insurance Co. bit the dust and went into receivership. It left consumers with pre-need contracts in Illinois, Texas and Missouri holding the bag. One of the principals was indicted for theft-related charges. Colorado's Commissioner of Insurance has ordered the Neptune Society to appear at a hearing to answer charges that the company misled consumers and manipulated prepaid, pre-need funeral accounts in order to skirt Colorado law and maximize profits.

The Illinois Funeral Directors Association was the trustee of a pre-need trust fund. Illinois funeral directors paid their customers' pre-need contract money into the IFDA trust fund, supposedly a safe investment. According to a *Chicago Tribune* report, the State comptroller's office had to conduct an investigation to find out why the "safe" trust fund had declined in value by about 32% and found out that "...the trust's decline is not the natural byproduct of market gyrations. In the course of a three-year investigation that included the Department of Financial and Professional Regulation, regulators found a series of questionable investment decisions by the funeral trade group. The fund's directors, for example, invested heavily in sophisticated corporate-owned life insurance policies taken out on themselves and other insiders. Board members also used the trust fund as a personal piggy bank, borrowing money from it to make loans to association members, according to documents provided by the comptroller's office." What a situation!!! Not only are the consumers worrying, so are the funeral directors who "guaranteed" prices and now will have to come up with the services they promised – no matter how much is in the consumer's "trust" account

How many more stories do we need?

The Solution: **Do not sign a pre-need contract. Period. End**

– Linda M. Betzer, President, Cleveland Memorial Society

Using the Library At a Time Of Grief

Roy D. Miller, a librarian with the Brooklyn Public Library, wrote an article titled "An Adult Opportunity: The Library" outlining how libraries can benefit those who are dealing with grief. Here are some of his insights:

First, skilled librarians can guide the grief-stricken to the books or other materials to help us deal with the pain. Books can be inspirational and informative. They can get us to think in new ways or remind us that others have felt the same way. All of this assistance is provided for free.

Second, the library has resources with information on consolation, death, etiquette, wills, or letter-writing that family and friends may not possess, offering fresh insights to meet your individual needs.

Third, the library is a place where one can go to be among people but not with people. While family and friends are important to the grieving process, sometimes you need to get out of the house and get away from the familiar. In the library, you can be anonymous and quiet, yet surrounded by other people.

Elections

The Nominating Committee of Beth Shapiro, Jane McCullam, and Ann Rowland proposes the following slate for election:

President – Linda Betzer
Vice-President – Bill McCullam
Secretary – Mark Binnig
Treasurer – Bob Poe

Trustees: – Patty Moll (2012)
– Jane McCullam (2012)
– Joy Caires (2012)
– Katherine Malmquist ((2010)

Continuing in office are Janice Carlsen, Muriel Black (terms expire in 2010); Martha Manning, Beth Shapiro, and Jack Ulman (terms expire in 2011). The proposed new trustee is Katherine Malmquist.

Katherine is a Chagrin Falls (South Russell) resident. She received her BA from Hiram College, a JD from the University of Toledo College of Law and an MLS from Kent State University School of Information Science. Katherine worked at various universities as a law librarian before switching to public libraries. She has worked for the Cuyahoga County Public Library system for over nine years as Branch Manager and currently is working at the Gates Mills Branch Library. Whenever possible, Katherine enjoys needlepoint, outdoors, riding and her cats. And, of course, reading!

Our Mailing List

Thank you to Don and Jackie Stimpert who have been working hard to update our mailing list. Will you help them? Talk to everyone you know who is a member of the Cleveland Memorial Society and ask if they got this newsletter. If not, have them call the office at (216) 751-5515 to give Jackie their new address. Better yet, talk to everyone you know about joining the Cleveland Memorial Society. Tell them the benefits of membership, such as feeling secure that your funeral planning has been done and learning to be an informed consumer.



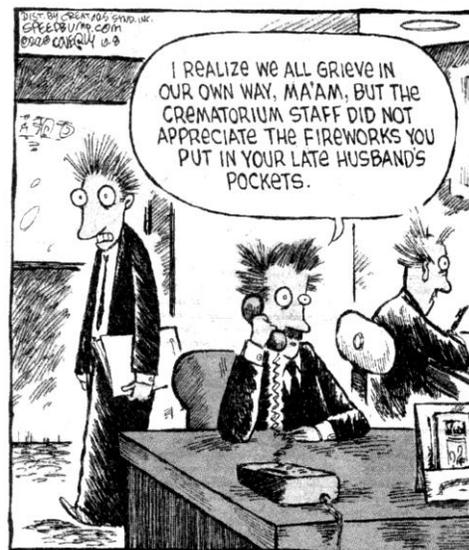
Thank you, Jackie Stimpert, our Executive Secretary, for keeping our Memorial Society running smoothly every day. Jackie works with distraught people every day, providing information and comfort. Her dedication and enthusiasm makes the Cleveland Memorial Society one of the best in the country. Thanks also to Don Stimpert for his computer savvy and help with the mailing list.

Speakers Are Available

We need **you** to help your Memorial Society find speaking engagements. How about your AARP group? Your retirement crowd? Your church group? Rotary, Kiwanis, Lions or other service organization? Call the office at 216-751-5515 to provide the information. You'll be doing your group, your friends and your Memorial Society a favor. The presentation will be entertaining, including some pretty good funeral jokes, like this one.

A man and his wife were sitting in the living room, and he turned to his wife and said, "Just so you know, I never want to live in a vegetative state, dependent on some machine, and fluids from a bottle. If that ever happens, just pull the plug." Whereupon, she got up, unplugged the television and threw out all his beer.

Speed Bump | Dave Coverly



The Funeral Consumer's Alliance has an excellent and informative website at: <http://www.funerals.org>. This site provides phone numbers for all memorial societies nationwide, pamphlets and other information concerning the death industry and your legal rights.

The Cuyahoga Bar Association, in coordination with the Ohio Hospice & Palliative Care Organization, offers a Living Will Information Kit on its website. Go to <http://associationdatabase.com/aws/OHPCO/pt/sp/livingwills>

DONATIONS

Each year, members are asked for donations. Let's face it, it's been a bad year for the economy whether you are employed or retired. But think how badly your family would be hurt economically if they suddenly had to pay \$10,000 for a funeral.

Think a \$10 donation doesn't mean much? For \$10 brochures can be mailed to 15 prospective new members. If you gave \$10 last year, can you give \$20 this year?

MY SPECIAL GIFT OF \$ _____ IS ENCLOSED

Name _____

Address _____

Phone _____

My group would like to have a Memorial Society speaker. Call me

at _____

Please return your donation and this tear-off slip to:

Cleveland Memorial Society
21600 Shaker Blvd.
Cleveland, OH 44122

Donors 2009

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 Helen F. Adams
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 Allen Luikart
 Elenore B. MacFarland
 Edna Magdych
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 Hildred Makowski
 Flo T. Marcinko
 Katherine K. Marshall
 Dick & Betty Marshall
 John & Elizabeth Martin
 Wayne & Ingrid Matz
 Jane Maver
 Mildred A. McCarty
 Hugh & Lois McCorkle
 Gloria J. McCullough
 Joseph McCullough
 James McGill
 William McLaughlin
 Norma C. Meaker
 Anton & Ruth Michelich
 John & Ruth Michelich
 Joan Hoagland Milder
 Louis W. Miller
 Marianne E. Miller
 Sally & Bob Miller
 Marjorie J. Miller
 James Milligan
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 Bertha A. Osbourn
 Roberta L. Ott
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 Joy L. Payton
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 Edward & Lucy Peck
 Richard B. Peppler
 Mr. & Mrs. Robert D. Peter, Jr.
 Carol G. Petersen
 Mr. & Mrs. Gayne Petranek
 James Petras
 Beth Pfohl & William Keller
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 Betty A. Root
 Melvin & Eleanor Rose
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 Jeanette Schmutzok
 Sharon Schnell & R. Drew Sellers
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 Allan and Mary Zaebst
 Abbey M. Zalud

These funeral directors are our contracted participating firms

**F. J. Corrigan
Burial & Cremation Services**
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Orange Village, OH 44022
440-349-1900

Fioritto Funeral Home
5236 Mayfield Road
Lyndhurst, OH 44124
440-442-5900

Dicken Funeral Home
323 Middle Ave.
Elyria, OH 44035
440-322-3244

**Busch-Boswell-Jones-Deck
Mortuary and Cremation
Service**
4334 Pearl Road
Cleveland, OH 44109
216-459-2660

**Maher-Melbourne Funeral
Home**
4274 Mayfield Road
South Euclid, OH 44121
216-382-4500

Malloy Memorial Service
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Cleveland, OH 44107
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**Cummings & Davis Funeral
Home**
13201 Euclid Ave.
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6330 Center St.
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440-255-1655

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