



Unclaimed/Indigent Cremation Program

Summary

The Socorro County manager's office administers the Unclaimed/Indigent Cremation Program for deceased persons who have passed away within the geographical boundaries of Socorro County.

It is our mission to provide a deserved, lawful, proper and dignified manner of disposition for those decedent residents who are indigent or go unclaimed upon death, and to handle every case accurately and lawfully with the utmost attention. Socorro County respects each individual in the community and will treat all with maximum regard and dignity.

Local funeral homes under contract with Socorro County will provide direct cremation only.

PLEASE NOTE: This program does not assist with funeral expenses, viewing at the funeral home or any other service at the funeral home or a place of worship, neither before nor after cremation.

Program Eligibility

Eligibility for the Unclaimed/Indigent Cremation Program is based on the deceased person who must meet all three of the requirements listed below per New Mexico State Statute upon death:

1. Indigent Status

- a. Deceased persons shall be considered to be an indigent if his/her estate is insufficient to cover the cost of burial or cremation ([NMSA 1978 §24-13-2](#)).
- b. Applicants will be asked to verify income and assets of the decedent prior to application review.

2. Socorro County Resident

- a. A resident is defined as someone who has lived in Socorro County for a minimum of six months prior to the time of passing.
- b. Applicants must provide proof of residency for the decedent (i.e. property tax bill, utility bill, etc.)
- c. If the deceased person is not a resident and declared indigent, cremation expenses shall become the responsibility of the county of residence of the deceased person ([NMSA 1978 §24-13-3](#)).
 - i. If the decedent is not a resident of Socorro County at the time of death, Socorro County cannot proceed any further and will send/direct applicants to the appropriate county of residence.

- ii. In the event that the decedent's primary residence is out of the state of New Mexico, but he or she passes away in Socorro County, the occurrence will be handled on a case-by-case basis.

3. Property/Assets Ownership

- a. For the purposes of [NMSA 1978 §24-13-2](#), decedents are deemed indigent when they do not own property/assets of sufficient value to cover the cost of burial or cremation. If the decedent is unclaimed (no known next of kin) and had known assets or property of sufficient value to defray the expenses of cremation or burial, per [NMSA 1978 §24-13-3](#), invoices for the expenses shall be forwarded to such person or official authorized by law to be appointed administrator of the estate of the deceased to pay expenses from the estate.
- b. All available assets of the deceased shall be used to reimburse the county for the cost of burial or cremation. Should the county be required to pay expenses for burial or cremation of the unclaimed decedent who has left an estate, the estate shall reimburse the county for those expenses.
- c. Should any funeral director or other person allowed by law to conduct the business of a funeral director accept money from the relatives or friend of a deceased person whom the board of county commissars had determined to be an indigent or an unclaimed decedent, the funeral director shall immediately notify the Board of County Commissioners of the payment or offer for payment, and the Board of County Commissioners shall not thereafter pay for the burial or cremation, the funeral director shall immediately refund the money paid to him by the board of county commissioners for the burial or cremation. In other words, if the County pays for the burial, you may not pay any towards burial in addition to the County's payment.

Services Provided

The responsibility of Socorro County, under state statute, is to provide direct cremation only. This is defined as the disposition of a dead human body as quickly as possible, without a funeral, graveside services, committal services or memorial service, whether public or private, and without embalming of the body unless embalming is required by the place of disposition ([NMSA 1978 §61-32-3\(I.\)](#)).

The county shall ensure that the body is cremated no later than 30 days, after a determination has been made that the body has not been claimed, but no less than two weeks after death ([NMSA 1978 §24-13-1](#)).

If the decedent has known legal next of kin, in accordance with state statute, he or she must acknowledge and adhere to the county program's policies and procedures of disposition, and have no further say in the proceedings. At that time, in adherence with the program's procedures and policies of disposition, Socorro County will then assume the responsibility for proper disposition ([NMSA §24-12A-2](#)).

Releasing of Cremated Remains

The cremated remains may be released, provided the cost of cremation has been reimbursed, in full, to Socorro County, no earlier than ninety days following the date of death and no later than a period of two years from the time of cremation; remains will be held by the current contracted funeral home during this time.

If the decedent is a veteran, the reimbursement date may be expedited, pending verification from the Office of Veteran Affairs.

Please note: If the veteran decedent qualifies for burial in the [Santa Fe National Cemetery](#), the burial of cremated remains may occur when the [New Mexico Department of Veterans Services](#) claims them, which may be prior to two years after the date of death, and/or prior to any other party interested in reimbursement for releasing.

