

What Georgia Families Need to Know About Funeral and Burial Costs in Wrongful Death Claims

Understanding the Costs Families Face After a Tragic Loss

When a loved one dies unexpectedly due to someone else's negligence, families are often left to deal with overwhelming emotional grief and sudden financial stress. One of the first costs many encounter is planning and paying for a funeral and burial. These expenses aren't just painful—they can be staggering.

In Georgia, [wrongful death claims](#) can help families recover the expenses they incur for funeral and burial arrangements. But understanding what qualifies, what's considered "reasonable," and how to claim these costs isn't always straightforward. If your family is facing this situation, a wrongful death lawyer in Georgia can help you navigate the process and demand full compensation.

What Are Typical Funeral and Burial Expenses in Georgia?

Even modest funeral services can quickly become costly. Many families are surprised to learn that funeral and burial expenses can easily exceed \$10,000. The more personalized the service, the higher the price.

Here's a breakdown of common costs associated with a funeral in Georgia:

- **Funeral Home Services:** Body preparation, embalming, casket rental or purchase, viewing, and coordination of memorial services.
- **Cremation Services:** Instead of traditional burial, families may choose cremation. Costs often include crematory fees, urn purchase, and optional memorial services.
- **Body Composting (Natural Organic Reduction):** An eco-friendly alternative where the body is transformed into soil through natural processes.
- **Cemetery Expenses:** Plot purchase, burial vault, headstone or marker, and interment fees.
- **Transportation:** Hearse services and family vehicle transportation.
- **Obituary Notices:** Publication costs in local or national newspapers.
- **Religious or Cultural Traditions:** Clergy honorariums, music, flowers, or ceremonial arrangements are often provided.

All of these may be considered part of a wrongful death claim if they are deemed reasonable and necessary under Georgia law.

What Does Georgia Law Say About Recovering Funeral Costs?

Under Georgia law, families can file a wrongful death claim to recover the “full value of the life of the decedent,” as well as related expenses. These claims are typically made in two parts:

- **Wrongful Death Claim:** This seeks damages on behalf of the surviving family for the value of the decedent’s life, such as lost income and companionship.
- **Estate Claim ([Survival Action](#)):** Filed by the decedent’s estate to recover costs like medical bills, conscious pain and suffering, and funeral and burial expenses.

Funeral and burial costs usually fall under the second category and are payable to the estate. This is why it’s so important to work with a knowledgeable attorney who understands how to file both types of claims correctly.

Who Can Recover These Expenses in Georgia?

Not every family member is automatically entitled to file or recover money in a wrongful death case. Georgia has a clear order of priority when it comes to who can bring a claim:

- The surviving spouse
- If no spouse, the surviving children
- If no spouse or children, the surviving parents
- If none of the above, the administrator or executor of the estate

The person who files the claim may not be the same person who paid for the funeral. However, the court can still award reimbursement to the estate, and it can then be distributed appropriately.

What Counts as “Reasonable” Funeral and Burial Expenses?

Insurance companies will often dispute funeral and burial expenses they believe to be excessive. Georgia courts generally allow recovery for “reasonable” expenses, but that’s a flexible standard. Factors that can affect whether an expense is considered reasonable include:

- The decedent’s background or religious customs
- Typical costs in the geographic area
- The financial means of the family
- The services selected and their market rate

A skilled wrongful death attorney can present evidence to justify higher expenses and defend the family’s right to a dignified service.

What If the Family Can’t Afford Funeral Costs Upfront?

Unfortunately, many families must find a way to pay these expenses out of pocket or through crowdfunding while waiting for the legal process to unfold. While some funeral homes offer payment plans, others require full payment up front.

There are a few options that may provide immediate assistance:

- **Life Insurance:** If the decedent had a policy, it may help cover costs; however, insurance claims can take time to process.
- **Crime Victims Compensation Fund:** In Georgia, this program can provide assistance to families in cases involving criminal acts.
- **Attorney Assistance:** In some cases, attorneys may assist in negotiating with funeral providers or arranging advance payment against a future settlement.

Still, recovering funeral expenses through a wrongful death claim is the surest way to hold the responsible party financially accountable.

What Role Does a Wrongful Death Lawyer Play in These Cases?

The financial recovery process after a wrongful death is not automatic. Insurance companies often delay, deny, or minimize payouts—even in clear-cut cases. A wrongful death lawyer can help by:

- **Gathering Evidence:** Including death certificates, invoices, and funeral service documentation.
- **Valuing the Claim:** Ensuring that all recoverable costs, including funeral and burial, are fully documented.
- **Negotiating with Insurers:** Fighting to ensure the family receives fair compensation.
- **Filing Suit if Necessary:** If the insurance company refuses to offer a fair settlement, your attorney can take the case to court.

The legal team at [Gary Martin Hays & Associates](#) understands the emotional and financial toll of losing a loved one unexpectedly. We work tirelessly to help Georgia families recover every dollar they're entitled to.

Common Insurance Tactics to Watch Out For

Insurance companies often attempt to reduce the funeral-related portion of wrongful death claims. Here are a few common tactics:

- **Disputing the Cause of Death:** Claiming the death wasn't the result of the insured's negligence.
- **Blaming the Victim:** Suggesting shared fault to reduce the payout.
- **Undervaluing Expenses:** Calling costs excessive or unnecessary.

- **Delaying Payment:** Hoping families will settle for less out of desperation.

An attorney can help push back against these tactics and demand the compensation you deserve.

What Other Damages Can Be Recovered in a Georgia Wrongful Death Case?

In addition to funeral and burial expenses, a wrongful death claim may include:

- **Lost Wages and Benefits:** Income the deceased would have earned.
- **Loss of Companionship:** Emotional loss suffered by family members.
- **Medical Bills:** For treatment provided before death.
- **Pain and Suffering:** If the decedent experienced conscious suffering before passing.
- **Punitive Damages:** In cases involving reckless or intentional conduct.

Each case is unique, and the total value of a wrongful death claim can vary significantly depending on the specific circumstances.

Why It's Important to Act Quickly

Georgia has a strict deadline—or statute of limitations—for filing a wrongful death lawsuit. In most cases, families have just two years from the date of death to file. Waiting too long could mean losing your right to seek any compensation at all.

It's also important to begin building your case while the evidence is still fresh. Funeral records, eyewitness accounts, and medical documentation can all become harder to collect over time.

Get the Help Your Family Deserves

The loss of a loved one is always difficult. But when that loss was preventable, the pain is even harder to bear. While no amount of money can bring someone back, a wrongful death claim can provide the financial security your family needs to move forward and hold the at-fault party accountable.

At the Law Offices of Gary Martin Hays & Associates, P.C., we fight for Georgia families who've lost someone due to negligence. We'll make sure your funeral and burial expenses are included in your claim, along with every other damage you're owed. Let us help you seek justice with compassion and strength.

[Contact us today](#) to schedule a free consultation.