

Persons Authorized to Direct Disposition of Remains DoDI 1300.18

E2.41E2.42. Person Authorized to Direct Disposition of Human Remains (PADD).

A person, usually the PNOK (see E2.45E2.46.), who is authorized to direct disposition of human remains. For disposing of human remains, under the authority of Reference (1), the Secretary of the Military Department concerned is deemed to have such standing if no other such person is available. Service members will *shall* identify a PADD on their DD Form 93. (See instructions at Enclosure 7.) Absent the identification of a PADD by the Service member, then the PADD is recognized in the following order:

E2.41.1E2.42.1. Surviving spouse. The legal spouse is one who was married to the deceased as prescribed by civil law, was not divorced from the deceased and has not remarried at the time disposition of remains is to be made. The latter might apply in the case of a Service member who has been declared deceased, body not recovered at the time of the casualty incident, and whose remains are later recovered and identified. If the spouse has remarried at the time disposition is to be made, the right of disposition will go to the next person in order of priority, and the remarried spouse will take priority under paragraph E2.41.8E2.42.8.

E2.41.2E2.42.2. Children who have reached the age of majority in order of seniority (age).

E2.41.3E2.42.3. Parents in order of seniority (age) unless legal custody was granted to another person by reason of court decree or statutory provision. Step-parents, who have not adopted the Service member, serve in *loco parentis* and are not considered parents for PADD purposes.

E2.41.4E2.42.4. Blood or adoptive relative of the individual who was granted legal custody of the Service member by reason of a court decree or statutory provision. The person to whom custody was granted remains the PADD despite the fact that the individual had reached the age of majority at the time of death.

E2.41.5E2.42.5. Brothers or sisters of legal age in order of seniority (age). When the deceased person has full siblings, half-siblings, or step-siblings, the order of precedence is the full siblings then the half-siblings. Step-siblings are not eligible to direct disposition of remains. Adopted siblings are treated the same as full siblings when adopted by both of the deceased person's biological parents. Adopted siblings are considered as half-siblings when adopted by only one of the deceased person's biological parents.

E2.41.6E2.42.6. Grandparents in order of seniority (age).

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E2.41.7E2.42.7. Other adult blood relatives in order of relationship to the individual under the laws of the deceased's domicile. When two individuals are of equal relationship, priority will be determined by age.

E2.41.8E2.42.8. Remarried surviving spouse. The remarried surviving spouse is one who was not divorced from the deceased and has remarried at the time disposition of remains is to be made. The latter might apply in the case of a Service member who is declared deceased, body not recovered, and whose remains are later recovered and identified.

E2.41.9E2.42.9. Persons standing in *loco parentis*. *Loco parentis* means any person(s) or institution who acted in place of the member's parent(s) for a period of not less than 1

year at any time before the member joined the military. Seniority in age will control when the persons are of equal relationship.

E2.41.10E2.42.10. Legal representative of the estate may make disposition of remains when all efforts to identify or locate a person in categories (1) through (9) are unsuccessful. The legal representative must be properly appointed by a civil court having jurisdiction of the decedent's estate.

E2.41.11E2.42.11. When all known persons in categories (1) through (10) relinquish disposition authority or cannot be identified or located, then disposition of the remains will be made by the administrative determination of the Secretary of the Military Department concerned or their designee.