

INSTRUCTIONS FOR COMPLETING MARITAL INFORMATION ON WISCONSIN
DEATH CERTIFICATES FOR CASES OF SIMULTANEOUS OR CLOSE INTERVAL
DEATHS OF SPOUSES
STATE VITAL RECORDS OFFICE
NOVEMBER 2008

In Wisconsin, reporting the legal date and time of death (and the marital status of the decedent) on the death certificate is based solely on the date and time PRONOUNCED dead, not according to the date and time the medical certifier believes the individuals may have actually died.

Please read the following explanation and if you have further questions on this subject, please contact Peggy Peterson at (608) 267-7812 or at peggy.peterson@dhs.wisconsin.gov.

RATIONALE:

The time pronounced dead is an absolute, not an educated “guess” that can change as new facts are discovered about the incident.

The coroner/medical examiner is not “deciding” on the chain of inheritance by selecting which of the bodies to pronounce dead first. According to s. 851.55, Wis. Stats., the courts can use evidence other than the death records to clarify the actual time sequence for simultaneous deaths of spouses. The facts concerning the time and order of the pronouncements of death cannot be altered to suit the needs of the family.

HOW TO HANDLE CASES INVOLVING SIMULTANEOUS DEATHS:

- Each decedent must be pronounced dead individually and the pronouncements will never occur at the same exact time. There should be at least 1 minute between pronouncements.
- Make it clear to the funeral director how he or she is to report the time pronounced dead, the marital status and the surviving spouse information on the death certificate. Explain that the information reported is based on the order pronounced dead. Make it clear that this is how it must be done and why. You may want to give the funeral director a copy of this instruction sheet, if that would be helpful. Explain that you will provide the family and the legal representative of the estate with additional information on the probable sequences of death if and when that information is available.
- Follow up if the family requests the documentation. Provide the family and/or the legal representative of the estate with **written** documentation on what appears to be the probable sequence of death (either evidence of who actually died first or presumption of simultaneous death). If it is helpful, you may want to include a copy of this instruction sheet.

EXAMPLES OF PROPERLY COMPLETED DEATH CERTIFICATES RELATED TO SIMULTANEOUS DEATHS:

Example 1: The bodies of a married couple, John and Sandra Johnson (maiden name Smith), were found in their home on January 1. Mr. Johnson was pronounced dead at 4:00 pm and Mrs. Johnson was pronounced dead at 4:05 pm on the same day. The case was ruled a homicide/suicide where the husband was ruled to have killed his wife and then committed suicide. Even though the circumstances of the death scene indicate that the husband probably survived after his wife died, you must enter the information on the death certificate according to the time and the order in which each was pronounced dead.

Name of Decedent	Marital Status	Name of Surviving Spouse
John Johnson	Married	Sandra Smith
Sandra Johnson	Widowed	None

Example 2: Greg and Laura Smith (husband and wife) are killed in a car crash. Laura was pronounced dead at 8:30 am and Greg was pronounced at 8:34 am of the same day. The hour of injury will be listed as the same time for both on each death certificate. In addition, if the interval between onset and death is listed as “instantaneous” for both, it is clear that both parties died at the same time. The marital status information must be completed according to the pronouncement of death times and the order of pronouncement.

Name of Decedent	Marital Status	Name of Surviving Spouse
Laura Smith	Married	Greg Smith Optional: If the family prefers, list the name and then you can add the parenthetical entry: “(died simultaneously)”
Greg Smith	Widowed	None Optional: If the family prefers, list “none” and then you can add the parenthetical entry: “(died simultaneously)”