



# WHEN SISTER DEATH VISITS A PEACE AND JUSTICE ISSUE

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As Secular Franciscans our conversations may occasionally turn to Sister Death, and when they do, we generally speak of her in terms of our salvation, heaven and hell, but we fail to discuss her with our spouses or family members. Coming to terms with our own death is the part of the conversation we tend to avoid, because we like to think we are immortal, or to feel we are. Yet if we avoid this issue, our families will be set up for unnecessary pain and anxiety at a future time. We may have avoided confronting our own death for the moment, but in the process we failed to prepare a place for peace in the hearts of our family members. How can that be that justice for our loved ones?

Recently, a fraternity's Ongoing Formation topic was "Applying our Rule and Way of Life to End-of-life Issues." One member lamented that his mother continues to refuse to talk about this "elephant in the room," and that he will be responsible for her funeral and her estate's disposition.

Beginning with the Rule of 1221, and in each of the succeeding Rules we have been directed to take care of our end-of-life issues in advance, more specifically, to make a last will and testament. According to the Rule of 1221, each member must make a will within three months of their profession. The language of each Rule that followed seems to have diminished the urgency. In 1888, *Misericors dei Felius* used the phrase "in their own time."

At first glance, we may have assumed, or perhaps may not even have noticed, that our current **Rule** does not state that we are to make out a will. Our General Constitutions does. Article 19 of our Rule is concerned with peace and justice, and it is under these topics that our General Constitutions discusses the importance of a will. The admonition to create a will still exists, but the tone now concerns peace among family members. Article 23.3 of our General Constitutions states, "To preserve peace in the family, the brothers and sisters should, in due time make a will and testament for the disposition of their goods." So what does all this mean to us today in the United States?

Many years ago my wife and I drew up our wills and, looking them over recently, we found the language to contain nothing special except that in the event of our deaths our children should be cared for by their uncle until they turned 18 years of age. And wouldn't you know it, the day we signed our wills one of our young sons asked "who gets the truck?" (Ouch!)

Recently, my wife and I decided to do a little research about our end-of-life issues, and here are some things we discovered:

1. Did you know that funeral expenses in California can easily cost \$10,000 or more? The cost of a burial plot or a niche can vary widely; a pine box might cost more than a bronze casket. If we are to offer peace and justice to our family members at the time of our death we must take care of our funeral arrangements beforehand. Then, our families will not be put on the spot wondering "what did mom or dad want for their funeral?" or "IT'S GOING TO COST HOW MUCH?!"
2. In California, having a will does not protect assets in excess of \$100,000 from probate court. Probate can take up seven years to complete and the state can take up to 50 percent of the resources. Almost any house here is worth more than \$100,000, so what can be done? We met with a lawyer and had a Living Trust prepared.
3. When we visited the cemetery office in the Diocese of Orange we purchased a "Catholic Funeral Plan" that allowed all of our arrangements to be preplanned. With this plan, no one can make changes to the arrangements except the signer of the contract. This is a legal document, which must be followed. If the "Song of St. Francis" is to be played during the funeral it must be included.

Acting on these things and moving beyond only creating a will provides justice for our family members... justice for the in-laws, the outlaws, and the one who wanted our truck. What we will have provided is a sense of peace. This is the love Jesus spoke of when he said "love one another".

*The question is: if you haven't already begun to preplan your funeral, why not?*