

Tom Lynch's Complaint

John Eadie, President
Funeral Ethics Organization
Public Policy Special Advocate
NY Statewide Senior Action Council
275 State Street
Albany, NY 12210-2101

12 August 2008

Dear John Eadie, et al:

On the front page of the Spring-Summer 2008 issue of the FEO Newsletter, in an article titled "Black Eye for Green Burial Council," Lisa Carlson, writes and publishes the following sentence:

The Lynches have been vocal against families caring for their own dead, even though Michigan has an excellent home burial statute, the ideal low-cost "green" option, if one didn't have to use a funeral director, too.

The portion of that sentence referencing "The Lynches" is grossly in error, does damage to our family and our firms' reputation for ethical service and attributes to us motives and conducts that are simply untrue.

I have known and corresponded with Ms. Carlson since 1997, by phone, by email, over dinner at conferences. I have paid dues to the FCA, the FEO, read and recommended her book on caring for our own dead and looked the other way while she has bad-mouthed me and my work in the press, on the Internet, and to colleagues and strangers alike. I've done so because I share her interest in the proper care of the living and the dead. And because I thought she would eventually recognize that we agree on far more than we disagree. My record on these matters is abundant and in print, searchable and accessible on-line and in libraries. Google "Lynch, Thomas, funeral director," for a sampling.

This is to advise that I am no longer willing to extend the courtesy of grinning and bearing Ms. Carlson's sloppy work. However feckless her words are, words matter. When she attacks me it is one thing. When she attacks my family, our name, our work, that is quite another.

Long before I knew Lisa Carlson, I learned from my father the importance of people caring for their own dead. I'd seen it with families he served as a funeral director and in the conduct of family funerals here and at home wakes in Ireland. Which is why when our mother died in her own bed, after months of family care, it was her daughters who did her hair, her sons who dressed her, lifted her into her casket, her grandchildren who carried her to the grave. And why, when my father died in Florida I flew there with my brother to prepare his body and bring him home. It's why I've advised families to build their own coffins and urns, dress their own dead, go the distance with them to the grave or retort, scatter their ashes, dig their own graves, watch their pyres burn -- anything they need or want to do to get a handle on what is happening. I've laid our local dead out in barns and garages and in their own beds, in their own homes, embalmed and unembalmed, and assisted with only so much as I was asked to do and set my fees for same accordingly. "Home Wakes" has appeared on our GPL for years not because of Lisa Carlson, but because we believe in much of what she believes in. It's also why I've spoken to thousands of funeral directors, hospice workers, clergy and educators for thirty years and published dozens of

articles and a couple of books and seen two documentary films based on those books come into being.

I've also written and spoken extensively about the abuses of preneed sales, a "vendorized" marketplace, and the estrangement of the living and the dead, much of it owing to cemetery and mortuary protocols.

I've also served as chair of our state association's consumer protection committee, worked with my brother and others to pass landmark consumer protections here, and have written in venues from the LA Times to the New York Times on consumer abuses in the marketplace. When our state association leadership seemed to be taking a direction at odds with the highest principles of consumer protection, I dropped my membership, after fifty years, and kept up my work with the State Board in Mortuary Science on which I serve by appointment of the Governor. And I've taught my staff, including my sons, to carry on in those traditions. We have never solicited a funeral; we've never junk mailed our townspeople or telemarketed them for future business. We've never paid a commission for sales or a fee for referrals. We let our service speak for itself. But we do answer the phone twenty-four hours a day and go out to assist, regardless of the hour, when we are called. Ours might be the only funeral firm in Michigan that has worked to place a crematory in a municipal cemetery, so that the 40% of families who cremate their dead hereabouts can avail of the same publicly funded and beautifully landscaped commemorative venue as those who bury their dead. This is a public cemetery -- funded by tax dollars. We have no business interest in this, only civic. We are disallowed by state law from any business interest in a cemetery or crematory. We believe, however, that for families who cremate their dead, more and more of whom want to witness and participate, a local retort in a cemetery a few blocks away is better than the one in an industrial park off the Interstate twenty miles distant. Same for our interest in and provision of options with regard to "green" or "natural" burial. To the extent that it meets the particular needs of families who call us, we feel duty bound to pursue their interests, having found that what is good for our local consumers is good for us. Contrary to Ms. Carlson's shoddy polemics, "The Lynches," as she calls us collectively, have walked the walk and talked the talk for family centered, consumer friendly, ethical funeral service for three generations now.

Ms. Carlson and I do disagree on one element of the law in the State of Michigan. I believe the state, any state, the community at large, has an interest in the disposition of the dead. And that they may legislate accordingly. In Michigan, this takes the form of requiring a mortuary science licensee to sign a death certificate before it is filed. Ms. Carlson and I have discussed this at length and in particular. After thirty five years in funeral service, it is my view that this law has done more good than harm. I did not write the law, nor lobby for its passage, nor do I know of any active lobby to rescind it. The failure to have a dog in a fight that as far as I know does not exist in Michigan, that Ms. Carlson mostly imagines from her perch in Hinesville, is apparently a grievous thing. All I've ever said to her is that I do not oppose the law as it stands and am disinclined to lobby for a change. Ms. Carlson takes umbrage with that opinion and therefore fashions me, in her newsletter, a vocal opponent of families caring for their own dead. And throws all of my siblings and their various firms, in and around this area, into the same kettle of disapprobation.

This does me, my family, our name and our reputation damage. She is welcome to the umbrage but not to libel.

This is to instruct you and your board that unless the sentence referenced above is retracted in full, with a detailed apology, signed by Ms. Carlson and co-signed by your board and delivered by mail to the complete mailing list of the FCO, the Green Burial Council, including the editors

of The American Funeral Director, Mortuary Monitor and The Director Magazine, within thirty days, I will bring suit for relief and damages against the FEO, Lisa Carlson and the board of directors, jointly and severally, in the parlance of this disagreeable business.

I have never initiated a civil suit. It is not my style. I called Ms. Carlson within an hour of reading her newsletter, made known my complaint and waited for an apology. None was forthcoming. This is in keeping with my long and now tiresome experience of her. She has plenty of quibble and no aptitude for contrition. I said that I thought one of her failings was she didn't know who was on her side, didn't know who her friends really were. She seems always willing to let the perfect be the enemy of the good.

I am not perfect, nor is our firm. But we are very good. I believe the record will bear that truth. And I will not let stand any gratuitous statements to the contrary published by Ms. Carlson in a newsletter that poses as something to do with ethics.

If you think she is good, then get on with the apology. If you think she is perfect, then we'll be enemies after all, and have it settled in a court of law.

Either way,
Thomas Lynch
Lynch & Sons Funeral Directors
Milford, MI 48381

FEO Responds

I, Lisa Carlson, editor of the Funeral Ethics Organization newsletter, and with the support of the current FEO board, apologize to the Lynches, individually and collectively, for the statement I made in the Spring-Summer '08 issue: "The Lynches have been vocal against families caring for their own dead, even though Michigan has an excellent home burial statute, the ideal low-cost "green" option, if one didn't have to use a funeral director, too." If readers thought that meant that the Lynches didn't encourage family participation in the funeral experience, we have been assured that they do. To avoid misunderstanding, the sentence is hereby retracted.

Perhaps a more accurate statement would have been, "Several of the Lynches appear to be concerned that there is a growing consumer effort to change the Michigan laws that require a funeral director to file the death certificate and oversee final disposition, even for home burial, the ideal low-cost "green" option, if one didn't have to use a funeral director, too. This requirement puts the funeral director in a position of authority and creates an obligation that might cost a family anywhere from a few hundred dollars to several thousand dollars. Tom Lynch has stated to me personally that he will lobby against such a change in the laws, change that would allow families to care for their own dead without a funeral director."

One of the purposes of the FEO newsletter is to be provocative, to challenge the *status quo* if consumer needs are not always being met, with the hope that the funeral service industry members can improve the ways in which they care for the dead . . . and the living. FEO is happy to include in its newsletter diverse views on funeral-related issues.

Lisa Carlson, editor
Funeral Ethics Organization newsletter