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86-321

April 23, 1986

The Honorable Charles Lee Teppenpaw
Dallas County Coroner-Elect
P.O. Box 267
Fordyce, Arkansas 71742

Dear Coroner-Elect Teppenpaw:

This opinion is in response to your recent inquiry in which you submitted the following questions: (1) must the county coroner be notified of all deaths that occur under suspicious or unusual circumstances within the county; and (2) may a deputy coroner lawfully sign a death certificate. I have researched the Arkansas statutes governing these two questions and have formulated appropriate answers which I will set forth in the next two paragraphs.

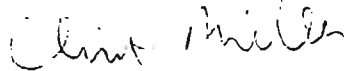
With respect to the first question you have raised, Arkansas Statute Annotated § 42-301 (Repl. 1977) states that the county coroner must be notified of any deaths that occur within a county where the circumstances of the death are unknown or it appears that the death was the result of foul play. This requirement is quite definite and there are no exceptions. Another Arkansas statute, Arkansas Statute Annotated § 42-1212 (Supp. 1985) states that notification of suspicious deaths must also be given to the State Crime Laboratory and the chief law enforcement official of the county or municipality in which the death occurs. Arkansas Statute Annotated § 42-615 (Supp. 1985) also states that the State Medical Examiner, the county sheriff and the county coroner are to be notified of suspicious or unusual deaths.

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With respect to the second question you have raised, Arkansas Statute Annotated § 82-513(e) (Supp. 1985) states that the State Medical Examiner or the county coroner shall determine the cause of death and shall sign the death certificate for unusual or suspicious deaths. Because the statute mentions only these two officials, all other officials are excluded. Therefore, deputy coroners may not sign medical certifications stating a cause of death.

The Attorney General is authorized to render formal and official opinions to officers and departments of the State government only. Necessarily, therefore, the foregoing is not to be considered a formal opinion of the Attorney General but is an informal and unofficial expression of view given with the desire to be helpful to you.

Sincerely yours,

A handwritten signature in cursive script that reads "Clint Miller".

CLINT MILLER
Assistant Attorney General

CM:lv