Don't Let Foot Traffic Get You in a Jam

How Rising Visits and Events Are Increasing Cemetery Claim Risk Exposure

By Domenic Antinucci

Cemeteries nationwide are experiencing notable growth in visitation and operational activity, and it is increasing liability risk exposure.

Baby-boomer mortality is driving demand on cemeteries' basic operations. Additionally, some cemeteries are increasingly turning to events such as twilight tours, movie nights, and 5K runs to draw attention to their location and strengthen ties with local communities.

At the same time, cemeteries need continuous maintenance, updating, and replacement of aging infrastructure. Depending on design, cemeteries may not be prepared for the demands that a new event might require, such as updated technology, electricity, plumbing, and the safety precautions that come with increased foot traffic. These realities are converging, adding both volume and complexity to the risks cemeteries face.

Cemetery operators should regularly inspect pathways, monuments, drainage systems, and other infrastructure, particularly in areas with high visitor traffic. *(Photos by Kates-Boylston)*

Aging Infrastructure Meets Rising Foot Traffic

Cemeteries have many unique safety risks. Trip-and-fall incidents are among the most common cemetery insurance claims in both frequency and severity, with financial, legal, and reputational consequences. Many cemeteries are now past the century mark, with aging roads, sidewalks, and stairs that pose trip-and-fall hazards. Aging sidewalks are the number one cause of trip-and-fall claims. Uneven ground and poor drainage can increase these risks, especially in older properties where maintenance may be deferred.

Despite these risks, some cemeteries are now hosting larger-than-ever community events to generate additional income or awareness opportunities. Big crowds can amplify risk exposures and make it harder to monitor and manage conditions across the property.

These new realities and their associated risks come at a time when the frequency and costs of trip-and-fall incidents are growing. According to Verisk's 2025 General Liability Analysis, the average severity of slip-and-fall claims increased 45% between 2020 and 2024, from $70,000 to $101,000.

Accidents in cemeteries can also lead to mental anguish claims, especially when there is an incident at a service when someone is honoring a recently deceased individual. Mental anguish claims are typically covered under professional liability insurance and are most commonly tied to interference with the right of sepulcher – a family's legal right to honor their loved one in peace.

The rise in cemetery operations due to the aging boomer population will increase the opportunity for errors, and even minor mistakes in the handling of graves, remains, or memorial services can lead to significant claims. These claims can be difficult to manage because the emotional harm is hard to quantify, and cemeteries can face substantial legal awards that may seem disproportionate to what was a minor operational mistake. The financial damages can be compounded by reputational harm, especially in smaller communities.

Being Proactive and Creating a Safer Cemetery

Grounds and infrastructure maintenance are a critical part of prevention and coverage. Cemetery operators should regularly inspect pathways, monuments, drainage systems, and other infrastructure, particularly in areas with high visitor traffic.

In addition to consistently cutting the grass, operators must ensure grave markers and headstones are clearly visible to visitors to reduce the risk of trips caused by unseen obstacles. Proper lighting, signage, and enhanced visibility features are also essential, particularly when the area is used for evening events. All maintenance and repair activities should be documented. Recordkeeping becomes invaluable as evidence of due diligence in the event of a claim.

Before any on-premises event, operators should develop a detailed plan to address attendance, crowd demographics, designated spaces, and any risks associated with the venue and event type. Cemetery personnel should also walk the space beforehand to identify and eliminate obstacles or unsafe conditions. When offering tours, guides must explain the rules before movement begins and then continuously scan for hazards during the event.

Another important element is to designate staff responsibilities in advance and conduct due diligence for events involving third-party vendors. For larger events, third-party security can provide meaningful support for crowd control, access management, and emergency response.

Staff training can also reduce risks. Cemetery staff should be trained in incident response procedures and visitor safety protocols to act quickly when something goes wrong. This includes training to recognize unsafe conditions and report them immediately. Doing so fosters a culture of proactive hazard awareness rather than reactive responses, potentially helping to reduce the frequency of claims. Having staff become CPR or Red Cross-certified provides an additional layer of emergency preparedness, particularly for larger or nighttime events.

Cemetery operators should also review their insurance coverage before announcing or hosting events or undertaking major property

If a branch falls while someone is placing a flag, will your staff be prepared to respond?

improvements. They must ensure policies have the appropriate coverage for general and professional liability, mental anguish claims, and event-related exposures. In the event of an incident, operators should notify their insurance partner immediately, as fast action can help protect the cemetery. Inviting loss control inspections to tour the property annually can help identify emerging risks to changing usage patterns, new programming, and deferred maintenance before they result in a claim.

As the cemetery industry enters a period of sustained growth and increased traffic, further sustained risk exposure should be expected. A single trip and fall or mental anguish claim can come with high costs and reputational damage. The operators who get ahead of these risks through maintenance, training, planning, and proper coverage protect not only their property but the trust families place in them. KB

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If you have accommodations for visitors, make sure you have proper lighting, signage, and safe pathways.