



# Ohio Judicial Conference

The Voice of Ohio Judges

## House Civil Justice Committee

Paul Pfeifer

### Interested Party Testimony on House Bill 209

Chair Hambley, Vice Chair Patton, Ranking Member Brown, and members of the House Civil Justice Committee, I thank you for this opportunity to submit interested party testimony for House Bill 209 on behalf of the Ohio Judicial Conference. I am Paul Pfeifer, Executive Director of the Ohio Judicial Conference, former Justice of the Supreme Court of Ohio and former State Senator and Representative.

The Ohio Judicial Conference did not take a formal position on H.B. 407 of the 132nd General Assembly, an earlier effort to eliminate the estate of dower, and we do not have a position on H.B. 209. We submit our testimony to inform you that judges, particularly those with jurisdiction over family law matters, have heard concerns about the elimination of dower from domestic violence advocates and the attorneys who practice before them in court. The most common concern is that by eliminating dower there would not be enough protection in Ohio law for situations involving an unscrupulous spouse who sells real estate or other marital property without informing their spouse. This happens most frequently in the lead-up to a divorce.

This concern has led a group of family law attorneys to discuss possible solutions for maintaining satisfactory spousal protections after the elimination of dower. This may require codifying a new spousal protection, or the enhancement of an existing protection. Other states, particularly those that have already eliminated dower, may provide guidance. There may exist a compromise that would satisfy both the opponents and proponents of this bill. We hope that this Committee and the sponsors, Rep. Carruthers and Rep. Kick, consider the creative suggestions coming from the family law attorneys.

If our assistance on this bill would be beneficial, we would be happy to participate in conversations or help in any way we can. We thank you for considering our testimony. I am available to answer any questions you may have.