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January 15, 2020

Letter of Support of Brian C. Layman
In Support of H.B. 357 (Legacy Trust Act Amendments)
Before the House Civil Justice Committee
Ohio House of Representatives
January 21, 2020

Ohio House of Representatives
House Civil Justice Committee
Hon. Stephen D. Hambley
77 S. High Street, 11th Floor
Columbus, OH 43215-6111
via email: rep69@ohiohouse.gov

Dear Rep. Hambley and members of the House Civil Justice Committee:

My name is Brian C. Layman. In addition to maintaining my CPA license, I have been licensed to practice law in Ohio for 19 years and in Florida for 15 years. My firm is a boutique law firm providing estate and business planning services. Our clients represent all economic strata, from impoverished widows and widowers to special needs children to wealthy families and successful business owners. During my career, I have focused my practice on estate, tax, business succession, tax and asset protection planning. I have been certified as a Specialist in Estate Planning, Trust and Probate Law by the Ohio State Bar Association and am a Fellow of the American College of Trust and Estate Counsel.

I served as one of the primary proponents of the technical corrections to Ohio's Legacy Trust Act, which have been incorporated into H.B. 357 ("Technical Corrections"). My testimony is limited to the Technical Corrections and not other components of the Bill.

As a practicing lawyer, it would be malpractice if I did not explain to clients that they could use benefits offered in other states; one of those benefits is a Domestic Asset Protection Trust ("DAPT"). In 2013, Ohio's version of the DAPT, known as the Legacy Trust was state of the art and well received nationally. Since its passage, the Legacy Trust has been a boon for Ohio by keeping and attracting trust assets to Ohio and allowing Ohio professionals to provide these important services.

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Trust and Estate Planning Attorneys
Preserving a Lifetime of Accomplishments
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Since 2013, several states have either enacted or improved their DAPT statutes. Ohio needs to keep pace. In many cases, practitioners will decide which state to use based on not only the current version of the DAPT statutes, but also the willingness of the state legislature to improve its statutes over time.

It has been 6 years since the Legacy Trust was enacted. In that time, practitioners have identified specific issues which can improve the Legacy Trust Act. I support inclusion of the Technical Corrections into H.B. 357. The national landscape to retain and attract capital and talent continues to become more competitive. The inclusion of the Technical Corrections into H.B. 357 is an important factor in helping Ohio remain a leader for business owners, entrepreneurs and professionals.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brian C. Layman". The signature is written in a cursive, flowing style with a horizontal line extending to the right.

Brian C. Layman