

John J. Ready & Associates

905-A Canterbury Road
Westlake, Ohio 44145

Phone 440-871-4000
Fax 440-871-3494
www.readylaw.com

John J. Ready, Esq. * †
jready@readylaw.com

Sarah E. English, Esq. †
senglish@readylaw.com

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Dear Senator Bacon,

I am writing to you in your capacity as members of the Senate Justice Committee, and am prepared to testify in person, or have you consider this my written testimony for your consideration regarding HB 407 which was passed by the House on June 11, 2018 and which was introduced in the Senate on June 11, 2018.

I am an attorney in private practice, for over thirty years, I am a OSBA Board Certified Family Relations Law Specialist, and have spent the last 30+ years representing husbands, wives, and children, going through contested divorces.

I write with firsthand knowledge, over decades of experience, how dower levels the playing field, and preserves the status quo with regard to family finances, until the divorce, or dissolution can be concluded by a court of equity. I have seen spouses, both husbands and wives, attempt to refinance, sell, retitle, or give away real estate during a bad marriage, who are motivated by greed, addiction, malevolence, or revenge. What is being proposed in HB 407 is a gateway for spouses to be defrauded by someone motivated to commit a fraud upon marital property rights.

Please consider the following:

1. Dower protects an innocent spouse by preventing their spouse from selling marital real estate unilaterally, and without notice.
2. Dower protects a spouse from having their spouse unilaterally borrowing on the equity of a marital residence, thereby defeating the spouse's rights by, in essence, liquidating and then spending or hiding marital assets.



3. Dower protects an innocent spouse from loss by eliminating the ability of a spouse to give away marital real estate, or non-marital real estate which might otherwise be necessary to equitably divide a marital estate.

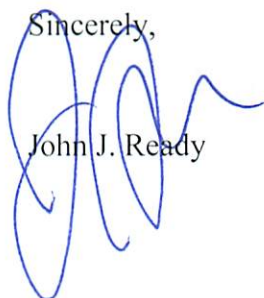
The arguments in favor of eliminating dower are essentially that other states have eliminated it, so Ohio should also. This is hardly justification for eliminating something that protects innocent spouses in our state.

The testimony I read, which was available on the links for HB 407 which analogize real estate to other assets are simply inaccurate. Pensions and 401k's are currently protected from liquidation by a spouse by ERISA and the Retirement Equity Act signed by President Reagan in 1984.

In these days of the internet and on-line refinancing etc., it is more important than ever that this simple low-tech tried and true method of protecting innocent spouses in Ohio be preserved. If you enable one spouse to defraud another spouse you are increasing the likelihood that the innocent spouse, or their children, may become dependent on the State of Ohio for their financial well being.

I would be happy to supply further information by formal or informal testimony upon request. Thank you.

Sincerely,

A handwritten signature in blue ink, consisting of several large, overlapping loops and a trailing flourish.

John J. Ready

JJR/mm