

GREENE COUNTY PROBATE COURT

45 North Detroit Street, Xenia, Ohio 45385

Phone: (937) 562-5280 or (937) 426-1779

Fax: (937) 562-5316



HON. THOMAS M. O'DIAM
Judge

AMY E. SHUMWAY
Chief Deputy Clerk

SAMANTHA L. WATKINS
Court Administrator

VALERIE E. BELL
Deputy Clerk

ANGIE R. DICKARD
Deputy Clerk

BRANDY N. FITE
Deputy Clerk

November 16, 2020

Proponent Testimony on H.B 464 House Civil Justice Committee

Chair Hambley, Vice Chair Patton, Ranking Member Brown, and members of the House Civil Justice Committee, I thank you for this opportunity to submit proponent testimony for House Bill 464. I am Judge Tom O'Diam of the Greene County Probate Court. I have been Judge of this Court since August, 2013 and was recently re-elected to my second full term. I am a member of the Ohio Judicial Conference Probate Law and Procedure Committee, the Ohio Association of Probate Judges, National College of Probate Judges, and the Ohio State, Dayton, and Greene County Bar Associations.

I support the Name Change Modernization amendment drafted by Representative Grendell for consideration in this Committee. This is a proposal to modify Chapter 2717 of the Ohio Revised Code in two respects:

1. To amend the existing name change procedure to make the process faster, more efficient and at a lower cost to applicants by eliminating hearing and publication notice mandates and granting probate courts more discretion to determine the best way to administer each action on a case-by-case basis.
2. To enact a new statutory procedure in to allow probate courts to correct specific errors in a person's chain of identity so the individual's current legal name is conformed for all purposes in all identity documents.

As in many counties, Greene County Probate Court has experienced a sharp increase in the number of name change cases in the past few years. The increase in volume exposed several problems and limitations in the current way in which we can correct certain name discrepancies through the existing name change statute, R.C. §2717.01, or birth record correction procedures in R.C. §3705.15. These issues may be more prevalent in Greene County because we are home to Wright Patterson Air Force Base, one of the largest military installations in the world and the largest single-site employer in Ohio. Additionally, almost every defense contractor working with the Air Force has offices or research and development facilities in Greene County. As a result, we have a disproportionately large percentage of residents who were not born in Ohio and who move

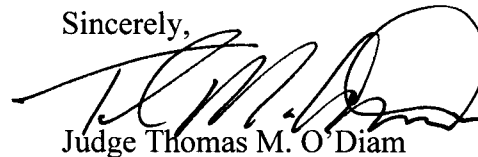
in and out of the state frequently. Nonetheless, the same name correction problems and limitations exist throughout Ohio, thus the need for this legislative modernization.

The proposed statutory changes will improve public service by simplifying the process for changing a person's legal name or correcting errors or inconsistencies in their legal name in various identity documents. It will also improve judicial efficiency by giving courts discretion to determine the best way to handle each case. This will aid probate courts in facilitating the work of the Ohio Bureau of Motor Vehicles in its Ohio REAL ID program issuing federally compliant drivers' licenses and identification cards according to Department of Homeland Security regulations.

The Ohio Judicial Conference and the Ohio Association of Probate Judges both support this effort to modernize the legal name change process, create a name conformity process, and allow the probate courts to better serve the citizens of Ohio.

Thank you for your consideration and time in reviewing my testimony on this potential addition to H.B. 464. Although I am unable to attend the hearing in person, I would be happy to follow-up on any questions you may have.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. M. O'Diam', with a large, stylized flourish at the end.

Judge Thomas M. O'Diam