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Chairman Eklund, Vice Chair Manning, Ranking Member Thomas, and members of the Senate Judiciary Committee,

Thank you for hearing sponsor testimony on Sub House Bill 464, the Probate Omnibus Bill. Originally introduced by then Representative Bob Cupp, he has entrusted me to carry this bill upon his election to Speaker. I am joined here today by Joint Sponsor Representative John Rogers.

This legislation is the result of conversations that we have had with the Ohio Supreme Court, Ohio Judicial Conference, Ohio Association of Probate Judges, the Ohio Bar Association, Ohio Association of Domestic Relation Judges, and Ohio Prosecuting Attorneys Association. We thank each of these organizations for their valuable input on House Bill 464. The resulting sub bill of House Bill 464 features the collaboration of many offices that worked together swiftly and efficiently.

House Bill 464 makes small, yet important, changes to a multitude of aspects surrounding probate law and logistics of assigned retired judges' pay. Notable probate law changes are logistical adjustments to spouses that take ownership of deceased spouse's vehicles, expansion of the Ohio Legacy Trust Act, and adjustments to overall trust laws in Ohio.

There are four other notable provisions I would like to highlight:

Name Change Statute Adjustments: H.B. 464 modernizes Chapter 2717 of the Revised Code by amending 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. The proposal would also enact a new statutory procedure 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. This is especially important and timely; many Ohioans are still facing delays with licensing documents due to the initial closures our state agencies faced earlier this year. The inclusion of probate courts in correcting identity errors seeks to quicken this process.

Guardianship Non Profit Appointment: This legislation allows probate courts to appoint appropriate non-profit corporations organized under the laws of this state to be guardians of the person. This approach is presently available only for wards with developmental disabilities and non-profit corporations with a contractual relationship with the Department of Developmental Disabilities. These revisions would create a small county alternative to the Guardianship Services Board as currently permitted in revised code.

Logistical Changes to Assigned Retired Judges Pay: Under the law before the budget bill, local courts paid out ALL compensation to assigned retired judges, then sought reimbursement from the Supreme Court. The intent of the budget bill was to help out assigned retired judges by having the Supreme Court pay the funds, then seek reimbursement from the local courts. This has caused logistical problems though; it has become difficult to account for the judges' hours worked for purposes of reporting to OPERS for healthcare benefits. These retired judges lose healthcare options as they return to take cases, so the revised code allows them to receive a healthcare payment if they reach certain hours each quarter. Second, the judges were receiving paychecks from various municipalities and receiving multiple W-2s, making record-keeping difficult. To correct this problem, House Bill 464 allows retired assigned judges to receive their payment from the Supreme Court and active assigned judges to receive their payment from the local municipality. The Supreme Court and the local municipalities would then reimburse one another as appropriate.

Mental Health APRN Changes: This change would permit specially trained mental health nurse practitioners to testify and provide opinions on civil commitment hearings at both the initial phase and at extension hearings. Two years ago, in H.B. 111 of the 132nd General Assembly, the legislature allowed mental health APRNs to initiate emergency hospitalization of those with a serious mental illness, which begins the civil commitment process. That enactment was important because the number of psychiatrists who practice in hospital and community settings has dropped substantially, especially in rural areas. In some areas of the State where there were not enough doctors available to work through the initial process, mentally ill people were simply being returned to the streets. This change would now allow mental health nurse practitioners to testify at extension hearings as well, correcting the above mentioned issue regarding shortage of Doctors that are available to testify.

Through the direct input of our interested parties and my fellow House members, this legislation concisely addresses their suggestions of improvements to Probate and Trust law. House Bill 464 received unanimous support in our chamber, and I look forward to continued support in the Senate.

Thank you for hearing my testimony; I will now take any questions you may have.