

Committees:

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Chairman Hillyer, Ranking Member Galonski, and members of the Ohio House Civil Justice Committee,

Thank you for hearing sponsor testimony on House Bill 7, the Probate Omnibus Bill. Originally introduced by then Representative Bob Cupp in the 133rd General Assembly, he has entrusted me to carry this bill upon his election to Speaker. I am joined here today by Joint Sponsor, Representative Brian Stewart.

House Bill 7 makes small, yet important, changes to a multitude of aspects surrounding probate law. My joint-sponsor and I will highlight some of those changes today in our testimony.

Notable provisions I would like to touch on include:

Name Change Statute Adjustments: H.B. 7 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.

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. 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.

Actions Referred to Retired Judges: H.B. 7 would give elected judges the discretion to order the referral of a case to a private judge, rather than mandate it upon request of the parties. The bill would require the parties to create a provision in their private judging agreement to allow for termination of the relationship with the private judge. The termination procedure would be up to the parties, but would be by mutual agreement. The bill also clarifies that when the referred action is concluded, whether by resolution or termination, jurisdiction is automatically returned to the referring judge so they can adjudicate any subsequent motions or modifications.

This legislation is the result of conversations that we have had with our proponents, notably 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 7. This final product features the collaboration of many offices that worked together swiftly and efficiently.

The Probate Omnibus Bill received unanimous support, with no opposition, last general assembly in the House Civil Justice Committee, Senate Judiciary Committee, its Ohio House Session vote, and its Ohio Senate session vote. I look forward to continued unanimous support in the 134th General Assembly.

Proponents of this legislation include:

- Ohio Supreme Court,
- Ohio Judicial Conference,
- Ohio Association of Probate Judges,
- The Ohio Bar Association,
- Ohio Association of Domestic Relation Judges,
- Ohio Prosecuting Attorneys Association.

Thank you for hearing my testimony; I will now take any questions you may have before Representative Stewart highlights further provisions of the legislation.