



Ohio Judicial Conference

The Voice of Ohio Judges

House Civil Justice Committee

Paul Pfeifer

Interested Party Testimony on House Bill 279

June 8, 2021

Chair Hillyer, Vice Chair Grendell, Ranking Member Galonski and members of the House Civil Justice Committee, I thank you for this opportunity to submit interested party testimony for House Bill 279 on behalf of the Ohio Judicial Conference. I am Paul Pfeifer, Executive Director of the Judicial Conference.

The OJC's Probate Law & Procedure Committee has reviewed and discussed H.B. 279. We agree with the sponsors, Representative Brown and Representative Oelslager, that Ohio's Wrongful Death law should be clarified, particularly the concept of "other next of kin." We have one concern and some suggestions on how the bill may be improved.

We are concerned that the bill's 30-day notice to other next of kin is too short for a potential claimant to receive notice, schedule a meeting with an attorney, and file a claim, particularly with ongoing mail delivery issues. We suggest increasing the timeframe to at least 60 days.

We suggest creating a statutory definition of "other next of kin." This is not currently in the bill, so current inconsistent definitions created by appellate decisions or local rules will continue to confuse practitioners and parties.

We appreciate the opportunity to testify on H.B. 279. We hope to work with the sponsors, the proponents and this Committee on possible improvements for the bill. Thank you.