

Will Harnish
Head of Digital Estate Planning, MetLife Legal Plans
S.B. 46 Proponent Testimony
December 6, 2023

Chairman Manning, Vice-Chair Reynolds, Ranking Member Hicks-Hudson, and Members of the Senate Judiciary Committee, thank you for the opportunity to provide testimony today in support of Senate Bill 46, which seeks to modernize and update the Ohio Revised Code as it pertains to executing estate planning documents. SB 46 is companion legislation to HB 172, sponsored by Representative Swearingen.

My name is Will Harnish and I am the Head of Digital Estate Planning for MetLife Legal Plans, which is headquartered in Cleveland. Prior to joining MetLife Legal Plans, I practiced Estate Planning for 8 years. I respectfully ask members of the Judiciary Committee for your support of SB 46, which will allow Ohioans to sign and fully execute their estate plans online.

Roughly 60% of Americans do not have an estate plan in place. Several factors play into this, including misunderstanding the importance of estate planning or putting off difficult end-of-life decisions. The percentage for minorities is even lower. At its very core, SB 46 provides another option for Ohioans to effectively execute their estate plan.

Currently, Ohio law allows you to create estate planning documents, such as wills, in a multitude of ways, including the use of electronic means, like personal computer software or online forms. However, Ohioans cannot sign their documents without an in-person signing ceremony. In Ohio, you are unable to have your will signed and witnessed online by utilizing video conferencing technology. You can, however, execute nearly all other important transactions online, such as mortgages and car loans. The Ohio Supreme Court recently enacted rules that allow the vast majority of criminal and civil proceedings to be conducted remotely.

Today's technology can help those who cannot meet in-person execution requirements to create or update their estate planning documents. At MetLife Legal Plans, we have an online execution process in place and working in other states which has helped thousands of families create their estate plans online. *Ohio already took a step in this direction with its e-notary bill in 2019.*

Enacting this bill to allow wills and estate plans to be signed online through video conference is a logical next step. Furthermore, it will allow MetLife to move our notary headquarters and associated jobs from outside of Ohio to the Cleveland area.

I think we can all agree the COVID-19 pandemic required all of us and every industry to make adjustments in our everyday lives, both at work and at home. Today's technology, along with videoconferencing, allowed many of us to carry on our duties despite the lack of in-person contact during the pandemic. This crisis also showed us that many state laws needed updating to match the available technology options that have empowered us to move forward in these difficult times.

I had the privilege of being able to demonstrate to many of you on the Committee through videoconference meetings how our technology currently assists those seeking to create and execute estate planning documents entirely online. I would be happy to answer any questions Committee Members have about SB 46 and how it will benefit many of your constituents.

Thank you again for your time and attention. MetLife Legal Plans respectfully requests your support for this important piece of legislation.

Sincerely,

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