

How to sign your estate plan in Ohio

Your documents only work if they're signed the right way. This is the checklist for signing day.

Ohio has different signing rules for different documents. Some need a notary, some need two witnesses, and a few accept either. The simplest way to cover all of them is to sign everything at one table with a notary and two eligible witnesses in the room.

Two ways to sign

At our office (recommended)

We schedule about 45 minutes and provide the notary and two witnesses. No extra cost. You leave with everything signed and a plan for funding.

On your own

Many banks and credit unions offer free notary service to their customers, and shipping stores often have one for a small fee. Call ahead, tell them you're signing estate documents, and ask whether they can provide two witnesses. Most can't, so plan to bring your own.

What each document needs

Document	What it needs in Ohio
Pour-over will	Two adult witnesses who watch you sign. A notary isn't required for the will.
Financial power of attorney	Notary. Banks and the county recorder expect it.
Health care power of attorney and living will	Either two eligible witnesses or a notary
Trust, certification of trust, and deed	Notary

Your plan arrives with its own signing instructions. Follow those; they're written for your documents and your state.

Who can be a witness

- An adult who watches you sign
- **Not** anyone who inherits under your will (Ohio can void that person's gift if they're one of only two witnesses)
- **Not**, for the health care documents, a relative by blood, marriage, or adoption, the person you name as your agent, or your attending physician

The easy rule: use two adults who aren't family and aren't named anywhere in your documents.

Signing-day checklist

- ☐ Bring a current photo ID for each person signing
- ☐ Don't sign anything before the notary and witnesses are in the room
- ☐ Sign and initial every page where the instructions ask, and date each document
- ☐ Keep the documents together and unstapled from other papers
- ☐ Afterward, store the originals somewhere safe and fireproof, and tell your successor trustee where
- ☐ Give your health care agents and doctor a copy of your health care documents
- ☐ Send us scans of everything so we can start funding your trust

Sources: Ohio Revised Code 2107.03 and 2107.15 (wills), 1337.25 (financial power of attorney), 1337.12 (health care power of attorney), 2133.02 (living will). ClearMind Capital is not a law firm and does not give legal advice.