



Ohio Revised Code

Section 109.25 Attorney general is necessary party to charitable trust proceedings.

Effective: November 19, 1975

Legislation: House Bill 347 - 111th General Assembly

The attorney general is a necessary party to and shall be served with process or with summons by registered mail in all judicial proceedings, the object of which is to:

- (A) Terminate a charitable trust or distribute assets;
- (B) Depart from the objects or purposes of a charitable trust as the same are set forth in the instrument creating the trust, including any proceeding for the application of the doctrine of cy pres or deviation;
- (C) Construe the provisions of an instrument with respect to a charitable trust;
- (D) Determine the validity of a will having provisions for a charitable trust.

A judgment rendered in such proceedings without service of process or summons upon the attorney general is void, unenforceable, and shall be set aside upon the attorney general's motion seeking such relief. The attorney general shall intervene in any judicial proceeding affecting a charitable trust when requested to do so by the court having jurisdiction of the proceeding, and may intervene in any judicial proceeding affecting a charitable trust when he determines that the public interest should be protected in such proceeding.
