



Ohio Revised Code

Section 2107.71 Civil action to contest validity of will.

Effective: [March 22, 2019](#)

Legislation: [House Bill 595 - 132nd General Assembly](#)

(A) A person interested in a will or codicil admitted to probate in the probate court that has not been declared valid by judgment of a court pursuant to division (A)(1) of section 5817.10 of the Revised Code may contest its validity by filing a complaint in the probate court in the county in which the will or codicil was admitted to probate.

(B) Except as otherwise provided in this division, no person may contest the validity of any will or codicil as to facts decided if it was submitted to a probate court by the testator during the testator's lifetime and declared valid by judgment of a court pursuant to division (A)(1) of section 5817.10 of the Revised Code. A person may contest the validity of that will or codicil as to those facts if the person is one who should have been named a party defendant in the action in which the will or codicil was declared valid, pursuant to division (A) of section 5817.05 of the Revised Code, and if the person was not named a defendant and properly served in that action. Upon the filing of a complaint contesting the validity of a will or codicil that is authorized by this division, the court shall proceed with the action.

(C) No person may introduce, as evidence in an action authorized by this section contesting the validity of a will, the fact that the testator of the will did not file a complaint for a judgment declaring its validity under Chapter 5817. of the Revised Code.
