



Ohio Revised Code

Section 2137.11 Disclosure of contents of electronic Communications held in trust when trustee not original user.

Effective: April 6, 2017

Legislation: House Bill 432 - 131st General Assembly

Unless otherwise ordered by the court, directed by the user, or provided in a trust, a custodian shall disclose to a trustee that is not an original user of an account the content of an electronic communication sent or received by an original or successor user and carried, maintained, processed, received, or stored by the custodian in the account of the trust, if the trustee gives the custodian all of the following:

(A) A written request for disclosure in physical or electronic form;

(B) Either a copy of the trust instrument that includes consent to disclosure of the content of electronic communications to the trustee and a certification by the trustee, under penalty of perjury, that the trust exists and the trustee is a currently acting trustee of the trust or a certification of the trust under section 5810.13 of the Revised Code that includes a statement that the trust authorizes disclosure of the content of electronic communications to the trustee;

(C) If requested by the custodian, either of the following:

(1) A number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the trust's account;

(2) Evidence linking the account to the trust.
