



THE LEGAL ADVISOR

The official newsletter of Scranton Road Legal Clinic



Should You Have a Will?

Written by Jasmine Arambula, Legal Extern

Wills are a legal way to express a person's wishes as to matters, for example, pertaining to how their property and assets are to be distributed after their death, who they wish to appoint as a guardian for minor children, and who gets to manage the property until its final distribution. Wills are important to have because they allow a person to clearly and precisely communicate their wishes in a legally binding way.

When do I need a will?

- If you are married, have children, and/or come into "assets" (money or property), you should have a will.
- If you are married, a will is necessary so that you may put in writing whether your spouse will get your assets upon your death. If you want anyone other than your spouse to receive any of your assets, you will need to include that in your will.
- If you have children, and if you want your children to inherit after your spouse, there should be something stated in writing. Furthermore, if you don't want one of (or all of) your children to inherit, then that needs to be in writing as well. If you have minor children, a will is important because you can name not only an "executor" of your estate (the person who is responsible for distributing your assets), but also a "guardian" who will be responsible for raising your children.
- If you are single and do not have any children, but you have assets, then a will is beneficial.

Who doesn't need a will?

- If you are young, do not have many assets to distribute, are single, and/or do not have any children or dependents, then a will is likely not needed (yet).

You can, and should, change and update your will about every 5 years, or as situations in your life change. The Scranton Road Legal Clinic can help you prepare or update a will!

DO YOU WANT TO GET OUT OF YOUR LEASE OR MOVE OUT OF YOUR APARTMENT?

by Lillie Burkons, Staff Attorney

In Ohio, you should inform your landlord in writing of your wishes to renew or not renew, at least 30 days before the end of the term (if you make payments every month, called a month-to-month tenancy).

If you stay past the term, and the lease didn't say anything about renewing or not renewing, you could be considered a holdover tenant, and your lease could be terminated. If, however, the landlord continues to collect your rent, you are considered to be a month-to-month tenant. In other cases, you may feel like abandoning your apartment because your landlord is failing to meet their duties (failing to make the property habitable and safe). Certain steps should be followed to protect your rights.

For example, first you need to notify the landlord, in writing, of the specific issue that needs to be fixed/addressed. At this time, you may contact the court in your jurisdiction and place your money into escrow with the court; that means that you will fill out paperwork and pay rent to the court until the landlord fixes the problem.

The landlord has a reasonable amount of time (usually 30 days, in Ohio) to fix the issue. If, after the reasonable amount of time has passed, and the problem is not resolved, there is a chance you may be able to terminate your lease. However, there are certain legal steps you may need to follow!

If you simply leave the property, you may be sued in court to collect the rent due and you could be required to pay rent through the entirety of the lease term!

As always, the Scranton Road Legal Clinic team is available if you need further guidance.

UNUSUAL LAWS

Strange Laws Around the US

- In Hamilton County it's unlawful to allow your ducks to run at large.
- It's illegal to harbor whales in Perrysburg, OH
- Every citizen in Kentucky must bathe at least once each year.



**Check out online virtual Know Your Rights Workshops at www.scrantonroadministries.org/legal
New Child Support/Child Custody Law Seminar Uploaded**

Formed in 2012, Scranton Road Legal Clinic educates and empowers our neighbors to make educated and prudent legal decisions, while providing the holistic support for the spiritual, emotional and relational problems that often accompany legal concerns. We offer brief advice via our brief advice telephone line at 216.861.5323 or via our online intake form at www.scrantonroadministries.org/legal. Contact us today to discuss your legal need.