



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

| | | | |
|--|---------------------------------|--|----------------------|
| BILL NUMBER: HB 881 | | DATE: 2/13/2023 | |
| COMMITTEE: Judiciary | | | |
| TESTIFYING: <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES | | | |
| WITNESS NAME | | | |
| BUSINESS/ORGANIZATION: | | | |
| WITNESS NAME: ANDREW M. MITCHELL | | PHONE NUMBER: 573-659-2280 | |
| BUSINESS/ORGANIZATION NAME: THE MISSOURI BAR | | TITLE: | |
| ADDRESS: 326 MONROE | | | |
| CITY: JEFFERSON CITY | | STATE: MO | ZIP: 65101 |
| EMAIL: govrel@mobar.org | ATTENDANCE: In-Person | SUBMIT DATE: 2/13/2023 3:31 PM | |
| THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo. | | | |



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| WITNESS NAME | | | |
| INDIVIDUAL: | | | |
| WITNESS NAME: ARNIE C. "HONEST-ABE" DIENOFF-STATE PUBLIC ADVOCATE | | PHONE NUMBER: | |
| BUSINESS/ORGANIZATION NAME: | | TITLE: | |
| ADDRESS: | | | |
| CITY: | | STATE: | ZIP: |
| EMAIL: arniedienoff@yahoo.com | ATTENDANCE: Written | SUBMIT DATE: 2/13/2023 11:54 PM | |
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I Support this Bill on its current face. There still needs to be some discussion and possible Amendments. Let's get this Legislation Correct before going to "Prime-Time."



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| WITNESS NAME | | | |
| BUSINESS/ORGANIZATION: | | | |
| WITNESS NAME: CODY BARBO | | PHONE NUMBER: 617-913-4904 | |
| BUSINESS/ORGANIZATION NAME: TRUST & WILL | | TITLE: CEO AND CO-FOUNDER | |
| ADDRESS: 961 W LAUREL ST | | | |
| CITY: SAN DIEGO | | STATE: CA | ZIP: 92101 |
| EMAIL: kristina@therxngroup.com | ATTENDANCE: Written | SUBMIT DATE: 2/10/2023 3:35 PM | |

THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

Chair Evans and Members of the House Judiciary Committee, My name is Cody Barbo, and I am the CEO and co-founder of Trust & Will, a company founded in 2017 to modernize and democratize the estate planning process. I would like to express my support for HB 881, the Missouri Electronic Wills and Electronic Estate Planning Documents Act, introduced by Representative Phil Christofanelli. Today, less than half of Americans have a Will, and the percentage is even lower for Black, Hispanic, and other historically underserved communities. We live in a digital age and a post-COVID world where you must be able to do everything online, from paying your bills to attending school to signing a contract. Every Missourian deserves the right to create an Electronic Will to divide their assets and care for their loved ones after they are gone. HB 881 provides a safe, affordable, and efficient solution to this problem. The acceptance of Electronic Wills has been gaining momentum since Nevada passed the nation's first Electronic Will law in 2017. Since then, ten additional states and the District of Columbia have passed legislation permitting Electronic Wills, and nine states have introduced the concept. In 2020, the Uniform Law Commission (ULC) approved the Uniform Electronic Wills Act and, in 2022, went one step further by approving the Uniform Electronic Estate Planning Documents Act to fill a gap in the law to allow for the electronic execution of other estate planning documents. In 2019, the Council of State Governments adopted shared legislation encouraging the adoption of Electronic Wills and recognizing the technological safeguards to prevent fraud and coercion. And in 2020 and 2021, during the COVID pandemic, several state Governors authorized emergency orders or temporary legislation to allow for the electronic execution of a Will. It's time for Missouri to modernize its estate planning process. State law already allows for the electronic execution of legal documents. Missouri enacted its version of the Uniform Electronic Transactions Act (UETA) in 1999. The law makes it clear that electronic signatures and records are accorded the same force and effect as their paper counterparts, provided proper steps have been taken to ensure attribution of the signatories and integrity of the records. Today, over ten years later, online transactions and digital authentication have become mainstream methods of conducting commercial and personal business. HB 881 will extend parity to testators to execute and store their testamentary documents electronically. It is essential to recognize that HB 881 is not creating a new type of Will - it is only creating a new path to create a Will. While the legislation authorizes an additional method to create Wills, if a Missourian wants to create and execute a Will the traditional way, they can. HB 881 benefits consumers by giving them a convenient and affordable option. The benefit of Electronic Will technology is it enables providers of Electronic Wills to keep costs low, which makes them more accessible to historically disadvantaged communities who have been left behind by our legal system. During times of "stay-at-home" and social distancing orders, it is essential that Missourians, especially high-risk and elderly individuals, have the option to execute their Will electronically. Furthermore, Electronic Wills give unconventional

Missourian families a safety net and enable those with disabilities to complete transactions independently. Thank you for your time, and I strongly urge the House Judiciary Committee to support HB 881 to allow Missourians to sign their Will electronically. Sincerely, Cody Barbo Trust & Will CEO and co-Founder



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| REGISTERED LOBBYIST: | | | |
| WITNESS NAME: ERIC D. JENNINGS | | PHONE NUMBER: 573-659-2280 | |
| REPRESENTING: THE MISSOURI BAR | | TITLE: GENERAL COUNSEL | |
| ADDRESS: 326 MONROE | | | |
| CITY: JEFFERSON CITY | | STATE: MO | ZIP: 65101 |
| EMAIL: ejennings@mobar.org | ATTENDANCE: In-Person | SUBMIT DATE: 2/13/2023 3:33 PM | |
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