



## The Assisted Reproductive Technology ("ART") and the "ART" of Inheritance.

By Lisa Monihan and Colleen Meredith

Assisted Reproductive Technology ("ART") first made headlines in 1978 with the birth of Louise, the world's first "test-tube baby." Since then, ART has made an increasing impact on how babies are conceived. In 2015, 72,913 babies were born in the United States alone by use of ART, according to the Center for Disease Control and Prevention, which reports fertility clinic success rates statistics. Today, approximately 1.6 percent of all infants born in the United States each year are conceived using ART.

One issue that might affect your family's estate planning is the timing of the birth of a child conceived through ART. Because of advancements in ART, a child could be born many years after the death of one or both of the parents. It is important that your estate planning documents (in other words, your will or trust agreement) address this possibility.

On March 14, 2017, new Ohio law provisions became effective, which clarify the inheritance rights of such posthumously-born children (or more remote descendants). It is important that you should have your estate plan reviewed to determine how this new law might affect your wishes on leaving an inheritance to your family members.

Our estate planning attorneys can help you understand how the new law will impact your estate planning intentions for your children, grandchildren, and future generations. If you have estate planning documents in place, we can review them to determine how future children or grandchildren will be treated if a child of ART is welcomed into your family. If you do not have a current estate plan, we can guide you through the intricacies of the new law and prepare estate planning documents which reflect your intentions on leaving an inheritance for all your beneficiaries, including, possibly, children of ART.