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Estate Planning in the Digital Age

After a death, it's easy to be caught off guard by the unexpected—especially when it involves online accounts. Today, much of our personal and financial lives are stored digitally, making it essential to account for digital assets in any comprehensive estate plan

Digital assets fall into four categories.

Electronic items with monetary value

- Cryptocurrencies and domain names

Online access to financial information

- Bank and investment accounts

Electronic communications

- Email accounts
- Public and private messages
- Social media accounts

Other online activities

- Family photos and videos
- Hobbies

- Genealogy
- Volunteer information

Considering these categories when planning an estate are crucial. Email accounts can be critical for transferring utilities, banking and investment accounts, and much more. Even with a proper will, there is no universal solution for managing the digital portion of a person's estate.

Not only do privacy laws change frequently, every website and company a person has an account with also has its own privacy policy that could supersede state law.

To read more on Estate Planning, check out the ***Ohio Elder Law Handbook (KFO94 Z.9 F3)*** or access it on our online catalog. Additionally, **§ 7:25** of the ***Ohio Elder Law*** is available on **Westlaw** and can be emailed upon request.

inside this issue



- 1 Smartphone App Location Data Not Protected by the 4th Amendment
- 2 AI Hallucination in High-Profile Cases
- 3 Resource Spotlight: eBooks
- 3 My Ex Hacked Me! Stalking in Family Law Cases CLE



New Local Rule (5)F

The new rule mandates that each local court develops its own plan with the clerk of court and applicable justice system partners.

Rule 5(F) will take effect on Sept. 1, 2025. The court, or the appropriate court division, must adopt its initial report and compliance plan by July 1, 2026.

Read more here: https://www.courtnewsOhio.gov/happening/2025/lawEnforcementReporting_072225.asp

Smartphone App Location Data Not Protected by the 4th Amendment

On July 2nd, the Supreme Court of Ohio ruled that location data voluntarily provided to smartphone apps is not protected by the Fourth Amendment.

This ruling came from a Franklin County robbery case where the victim met a person advertising a computer for sale on LetGo, a location-based app used to buy and sell goods.

The police used an investigative subpoena to request the username affiliated with the sale and robbery. Additionally, LetGo provided a single longitude and latitude coordinate related to the user's last known location. The user's last location is collected through the application's most recent use.

Justice Kennedy wrote that, "users make the affirmative choice to download LetGo. . . people who use a cellphone app that facilitates local sales through in-person transitions do not have a reasonable expectation of privacy because they are revealing their location to the public by using the app."

The Ohio Supreme Court sent the case back to the Franklin County Court of Common Pleas, directing it to move forward in line with the ruling that allows the evidence to be used. Attorneys still have the option to request reconsideration from the Ohio Supreme Court or appeal to the U.S. Supreme Court.

Read more: <https://www.courtnewsOhio.gov/cases/2025/SCO/0702/241083.asp>

AI Hallucination in High-Profile Cases

On July 7, 2025, a federal judge ordered two attorneys representing Mike Lindell, CEO of MyPillow, to each pay \$3,000 after they submitted a court filing riddled with errors generated by artificial intelligence—including citations to cases that do not exist. Judge Nina Y. Wang of the U.S. District Court in Denver identified more than two dozen such mistakes, including references to fabricated cases.

This type of error, known as an AI hallucination, occurs when an AI tool produces information that is nonsensical or inaccurate but presents it as factual. While using AI in legal work is not itself illegal, attorneys are bound by federal rules requiring that their claims be well-grounded in fact and law. Citing fake cases violates that obligation.

As AI's use in the legal system is projected to grow exponentially, it is crucial that attorneys independently review and verify any AI-generated content before submitting it to the court.

Read more: <https://www.npr.org/2025/07/10/nx-s1-5463512/ai-courts-lawyers-mypillow-fines>

To read more about AI use in the Ohio court system visit: <https://www.ropesgray.com/en/sites/Artificial-Intelligence-Court-Order-Tracker/states/ohio>

Resource Spotlight: eBooks

Our eBook catalog has over 1,400 Ohio and national titles available for use on your personal device. As we continue to follow the theme of navigating the legal landscape in the digital age, our eBook catalog has the following books available.



- *Artificial Intelligence*
- *Cryptocurrency and Digital Asset Regulation*
- *Electronic Discovery for Small Cases*
- *Electronic Evidence for Family Law Attorneys*

My Ex Hacked Me! Stalking in Family Law Cases CLE

Nearly every family law attorney has received that call from their client where the client says their ex has hacked their phone. This CLE explores the reality of hacking/stalking cases. You'll learn how most stalking is not from the hacking of a device, but from shared accounts or devices. We'll explore often overlooked areas of stalking, and how you can work with your client to shut it down. Finally, you'll learn the most cost-effective ways of utilizing an expert witness to prove stalking has occurred.

When

Tuesday, September 23, 2025
12:00 PM - 1:00 PM EST

Where

ZOOM

Price

\$60

Register here:

<https://tinyurl.com/CMBA0923>



new eBooks

Artificial Intelligence

<https://lexisdl.com/library/cocll/title/11439711>

Couse's Ohio Form Book

<https://lexisdl.com/library/cocll/set/501910>

Cryptocurrency and Digital Asset Regulation

<https://lexisdl.com/library/cocll/title/9058732>

Electronic Discovery for Small Cases

<https://lexisdl.com/library/cocll/title/1744161>

Electronic Evidence for Family Law Attorneys

<https://lexisdl.com/library/cocll/title/3444757>

LexisNexis Ohio Rules of Court Annotated

<https://lexisdl.com/library/cocll/set/2103468>

Ohio Business Entities

<https://lexisdl.com/library/cocll/set/501509>

Ohio Evidence Courtroom Manual

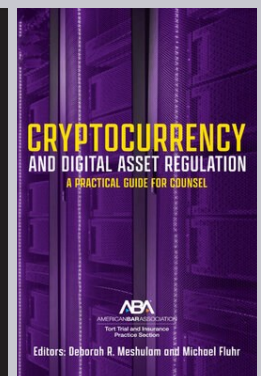
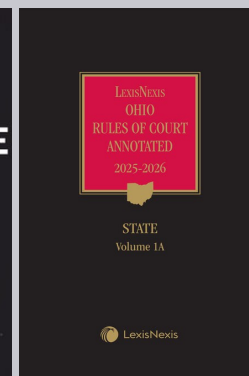
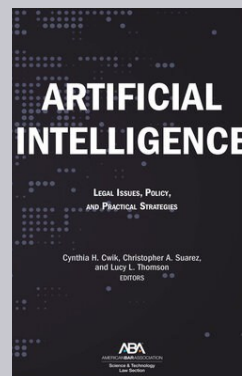
<https://lexisdl.com/library/cocll/title/5842468>

Ohio Jury Instructions

<https://lexisdl.com/library/cocll/set/1444269>

Moore's Federal Practice

<https://lexisdl.com/library/cocll/set/501507>





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1

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Download the LexisNexis Digital Library app from the Google Play store or the Apple App Store.

2

Open the app

Open the app and enter your library code (**cocll**) and select the Stark County Law Library.

3

Log-in

Enter your username and password. Your password is your 4-digit PIN. If you've forgotten your username or PIN, please contact the library.

4

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