Tucker Ellis LLP



Susan L. Racey

Partner

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Susan Racey focuses her practice in the areas of estate and business succession planning, trust and estate administration, charitable giving, taxation, probate litigation, and equine law.

An OSBA Certified Specialist in Estate Planning, Trust and Probate Law, Susan strategically designs estate plans that achieve clients' goals while protecting their assets and optimizing their tax outcomes.

Susan handles the administration of complex trusts and estates, as well as litigation involving contested matters in the probate courts.

She advises trustees and other fiduciaries on the management of trusts and estates, their fiduciary responsibilities and legal and ethical duties, and the scope and limits of their fiduciary positions. Her guidance empowers fiduciaries to make informed, compliant decisions that protect and enhance the interests of trusts and their beneficiaries.

Because of her extensive experience in trust matters, Susan is frequently invited to serve in key fiduciary roles. Her opinion is highly sought after in complex and controversial cases, where her insight and judgment provide valuable guidance. She is recognized as a trusted authority whose experience helps resolve challenging fiduciary issues effectively and prudently.

Susan prepares prenuptial and postnuptial agreements to help clients make critical decisions regarding their assets, providing clarity and control upon termination of the marriage, whether by death or divorce.

She frequently advises individuals and charities on the issues of charitable giving.

Susan has lectured on a wide variety of estate planning, charitable planning, prenuptial and postnuptial and trust and estate administration topics. She is engaged as an expert in litigated disputes involving trusts and as an expert consultant to arbitrators and mediators to assist parties

in creatively resolving their disputes with the use of trusts.

Highly respected in the Cleveland market, Susan has been ranked annually in Chambers USA's High Net Worth Guide: Private Wealth Law (Ohio) since 2021. Sources describe her as a "fierce advocate for her clients," "personable and so technically strong," and "very thorough, very careful and very nice to work with."

Education

- Case Western Reserve University School of Law (J.D., magna cum laude, 1989); Order of the Coif; Law Review, Editor
- University of Dayton (B.A., 1986)

State Admissions

- Ohio, 1989
- Florida, 2016

Certifications

- OSBA Certified Specialist in Estate Planning, Trust and Probate Law

Service Areas

- Estates, Trusts & Probate
- Financial Services – Transactional
- Opportunity Zones
- Corporate Law
- Financial Services
- Estate, Trust, and Fiduciary Litigation

Industries Represented

- Accounting Firms
- Civic Organizations
- Nonprofit Organizations
- Private Households & Individuals
- Professional Organizations
- Real Estate
- Religious Organizations

Publications & Events

LEGISLATIVE TESTIMONY

- Statement of the Ohio State Bar Association in Support of Senate Bill 199 (May 2022)
- Statement of the Ohio State Bar Association in Support of Senate Bill 210 (March 2022)
- Statement of the Ohio State Bar Association in Support of Senate Bill 199 (October 2021)
- Statement of the Ohio State Bar Association in Support of Senate Bill 210 (October 2021)

RECENT SPEAKING ENGAGEMENTS

- "'Beyond I Do:' Navigating Postnuptial Agreements for Asset Protection and Peace of Mind," OSBA Asset Protection Institute, Ohio State Bar Association (December 2024)
- "California Dreamin': Bringing Community Property Benefits to Ohioans," 51st Annual Estate Planning Institute, Cleveland Metropolitan Bar Association (October 2024)
- "Postnuptial Agreements: What to Know and How It Could Impact Your Practice," Columbus Bar Association Family Law Committee (January 2024)
- "The Who, What, When, Where, and Why of Planned Giving Vehicles," Case Western Reserve University (November 2023)
- "At Long Last: Postnuptial Agreements Allowed in Ohio – What Does That Mean to a Family Law Practitioner?", Cleveland Law Library (November 2023)
- "Estate Planning Attorney: The Who, What, Why, and How," Wills & Trusts Class, Case Western Reserve University School of Law (November 2023)
- "Postnuptial Agreements in Ohio: New Discussions With Your Clients Required," 50th Annual Estate Planning Institute, Cleveland Metropolitan Bar Association (October 2023)
- "Selected Highlights From the 134th General Assembly: Wrongful Death Beneficiary Claims and Notice Provisions, Enactment of Postnuptial Agreements, Notary Modernization, and More," Marvin R. Pliskin Advanced Probate and Estate Planning Institute, Ohio State Bar Association, Columbus, Ohio (September 2023)
- "Legislative Update: Postnuptial Agreements, Claims Against the Estate, and More," Advanced Estate Planning Institute, Cincinnati Bar Association, Cincinnati, Ohio (June 2023)
- "Postnuptial Agreement Update: Now Allowed in Ohio – What Does that Mean to Practitioners?", Fifth Annual Solo and Small Firm Institute, Ohio State Bar Association, Columbus, Ohio (May 2023)
- "Postnuptial Agreements in Ohio: Opportunities and Issues," ACTEC 2023 Ohio Fellows Meeting, Cincinnati, Ohio (April 2023)
- "At Long Last: Postnuptial Agreements Allowed in Ohio – What Does That Mean to a Family Law Practitioner?", The Center for Principled Family Advocacy (April 2023)
- "At Long Last: Postnuptial Agreements Allowed in Ohio – What Does That Mean to an Estate Planner?", Cleveland Metropolitan Bar Association (March 2023)
- "Postnuptial Background, Update, and Practical Applications to S.B. 210," Ohio State Bar Association CLE Seminar (January 2023)
- "The Ohio Legislative Process and Recent Developments for Estates and Trusts" and

"Sometimes It Takes More Than a Village: Status of Marital Agreements in Ohio and New Developments," 17th Annual Estate Planning Seminar, Boy Scouts of America (September 2022)

- "Estate Planning Charitable Giving: What, Why, and How?", Cleveland Zoological Society Planned Giving Breakfast (September 2022)
- "For Better or for Worse: Status of Marital Agreements in Ohio and New Developments," 15th Annual Estate Planning Seminar, Boy Scouts of America (September 2020)
- "Claims Against the Estate," 14th Annual Estate Planning Seminar, Boy Scouts of America, Cleveland, Ohio (September 2019)
- "Till Divorce or Death Do Us Part: Status of Marital Agreements in Ohio and New Developments," Marvin R. Pliskin Advanced Probate and Estate Planning Seminar, Columbus, Ohio (September 2019)
- "Until Divorce or Death Do Us Part," Hot Topics for Estate Planners, Cleveland Metropolitan Bar Association, Cleveland, Ohio (June 2019)
- "Estate Planning Charitable Giving: What, Why, and How?", Planned Giving Breakfast, Cleveland Metroparks and Cleveland Zoological Society, Cleveland, Ohio (March 2019)

PUBLICATIONS

- "Live and Legal: Lawmakers Deliver Postnuptial Agreements to Ohio Through Senate Bill 210," *Probate Law Journal of Ohio* (January/February 2023)
- "Is It Time for Ohio to Consider a Move Toward Stronger Silent Trust Legislation?," *Probate Law Journal of Ohio* (March/April 2022)
- "What to Do When a Prenuptial Agreement Is Not Part of 'I Do,'" *Crain's Cleveland Business* (November 2019)
- "The Postnuptial Agreement Renaissance – Can Ohio Emerge from the Dark Ages?", *Probate Law Journal of Ohio* (July/August 2019)
- "SLATs Offer Opportunity to Save on Estate Taxes," *Crain's Cleveland Business* (November 2018)
- "Keeping the Champagne on Ice: Ohio Law Ups Age Limit on Custodial Accounts for Minors," *Crain's Cleveland Business* (November 2017)
- "How to Protect Inherited IRAs," *Crain's Cleveland Business* (November 2014)
- "Estate Planning for Non-Traditional Families," *Probate Law Journal of Ohio* (March/April 2013)
- "Are You Smarter than an Estate Planner?," *Cleveland Metropolitan Bar Journal*, Vol. 1 No. 15 (June 2009)

MEDIA

- "Lawmaker Wants to Bring Postnuptial Agreements to Ohio," Spectrum News 1 (July 2021)
- "Boomer Factor: Law Firms Face Retirement Needs of Largest Generation in U.S. History," *Crain's Cleveland Business* (January 2020)
- Komen Ohio Pink Divas Campaign, "Sunny Side Up," CBS-19 News (October 2019)

Honors

- Chambers High Net Worth
  - » Private Wealth Law (Ohio) (2021–2026)
- Estate Planning Council of Cleveland, 2024 Exceptional Service Award
- Martindale-Hubbell® AV Preeminent® Peer Rating
- ALM, Women Leaders in the Law (2015)
- Ohio Super Lawyers® (2006–2026)
  - » Top 50 Women Ohio Super Lawyers® (2024)
  - » Top 25 Women Cleveland Ohio Super Lawyers® (2024)
- The Best Lawyers in America® (2007–2027)
  - » 2017 Cleveland Lawyer of the Year (Litigation – Trusts and Estates)

In the Community

- American College of Trust & Estate Counsel, Fellow
- Case Western Reserve University School of Law
  - » Society of Benchers (2026)
  - » Planned Giving Committee
- Cleveland Metropolitan Bar Association
  - » Estate Planning, Probate & Trust Law Section
    - » Chair (2009)
    - » Vice Chair (2008)
    - » Secretary (2007)
    - » Treasurer (2006)
    - » Speakers Chair (2005)
- Cleveland Metropolitan Bar Foundation
  - » Trustee (2010–2015)
  - » Communications & PR Committee, Co-Chair (2010–2011, 2013–2015)
- Ohio State Bar Association
  - » Estate Planning, Trust and Probate Law Section Council (2016–present)
    - » Executive Committee (2022–2025)
    - » Vice Chair (2025)
    - » Secretary (2023–2024)
    - » Treasurer (2022–2023)
  - » The Marvin R. Pliskin Advanced Probate and Estate Planning Seminar
    - » Co-Chair (2021)
    - » Planning Committee (2020–2025)
  - » Estate Planning, Trust and Probate Law Section, Member
- Cuyahoga County Bar Association, Unauthorized Practice of Law Committee (2006–2007)
- Estate Planning Council of Cleveland
- Estate Planning Institute
  - » Chairman (2003)
  - » Curriculum Committee (1999–present)
- Fieldstone Farm Therapeutic Riding Center, Trustee (2014–2019)
- Fieldstone Farm Therapeutic Riding Center (TRC) Foundation, Trustee (2020–present)
- Cleveland Zoological Society, Board of Trustees (2020–present)
- Susan G. Komen Northeast Ohio, Board Member (2019–present)
- The Steak Club Foundation
- Arabian Horse Association, Board Member (2025)
- Arabian Horse Foundation, Trustee (2022–present)
- College Now, Professional Advisory Council
- Hattie Larlham, Art in the Woods, Planned Giving Co-Chair
- University Hospitals Diamond Advisory Group