

Beyond the Grave- What Happens to Your Digital Assets When You Die?



What would happen to your online persona if you died? After all, it is the digital age, and individuals are creating online personalities on a more regular basis. In addition, banking, and bill pay services are not digital. Many times, an individual does not even receive any paper record that an account exists as confirmation notices are sent to email accounts rather than physical addresses.

Digital assets are those which exist in a solely electronic and non-tangible manner such as email, online photos, and online accounts ranging from PayPal to Facebook, LinkedIn, and YouTube and the content posed on them. Most are protected by user names, passwords, and security questions which, for obvious reasons are not widely shared- not even with loved ones. When an unexpected death occurs, loved ones face a challenge obtaining access to those passwords and the content they access. Further, many people no longer receive paper bank statements, tax returns, or bills, so there is no paper trail for the family to follow to determine what accounts may exist and at which institutions.

Without knowledge of specific access credentials, family members may face substantial issues accessing the decedent's online universe. The reason for this is that an account user typically accepts a provider's terms and conditions when creating an account. These terms usually prohibit the user from permitting anyone to access their account except for himself. As such, many providers stand tough when confronted with a decedent's loved one who is attempting to access or shut down an account without being able to provide the specific access credentials associated with the account. Some online searching

has led to some nice summaries of what is required to gain access to some of the most popular social media tools. For example,

Facebook requires a copy of the deceased's death certificate and prevents unauthorized users from logging on, though Facebook will typically also honor requests from family or an executor to permanently close an account.

Gmail is a tough one. It makes no guarantees that it will grant access to the deceased's email account. An individual must provide a name, address, email and a copy of a driver's license or government-issued ID, and a loved one will need a copy of the deceased's email address, including the "headers" that show email tracking details. A copy of the death certificate is also required.

LinkedIn requires a "verification of death" form that includes the deceased's email address, LinkedIn profile URL and a death notice.

Twitter is probably the more reasonable requiring only a name, contact information and relationship to the deceased, as well as a link to a public obituary.

Obviously, there is a wide range of what is required to access an account, and for accounts like email and PayPal, the ability to gain access could be of utmost importance in resolving a decedent's affairs. In order to minimize the hassle that your loved ones may face in the event of your untimely death, there are some steps that you can take now to plan for the future.

First, make a list of the digital and technological assets that you own including items from laptop and desktop computers to important electronic documents and records to purely digital items like websites you own, email and social media accounts, and online payment accounts. List out your login credentials for all of the assets you have listed. There are some online companies (naturally, based on the topic of this post) that can help you organize and store this information, but creating a hard copy on your own will be just as effective. For items such as online accounts, determine who will be responsible for this information and the assets they access. Keep a list of usernames and passwords and discuss with your chosen individuals where your list will be kept. This way, in the event of your death, that information will be easily accessible by the correct people.

Using a document such as a power of attorney, you can also legally give those individuals the authority to tend to your affairs on your accounts. While it is unclear just how broad of an authority you can give based on those various user agreements discussed above, having proper legal documentation to act should ease some burden on the loved ones who will be tasked with wrapping up your virtual affairs. As always, you should seek an attorney's advice regarding your own situation, but with the proper planning now, you can add a good amount of organization and clarity to your loved ones in the future.

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