



Digital Estate

by

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Digital Assets



- What they are.
- How you inventory them.
- How do your heirs manage them.
- Do various states handle them differently?
- Do you need a Digital Executor?
..... and more

Inventory

List



E-mail accounts

Social Media Accounts

Online shopping & finance: PayPal, EBay

Cell phone info: carrier, login, pin

Home utilities: phone, electricity, cable

**ANY OTHER PLACE OR BUSINESS YOU
HAVE AN ONLINE PRESENCE!**

Types



- Personal Digital Property
- Personal digital property with monetary value
- Digital business property

Personal Digital Property



- **Computing Hardware**
- **Any information or data** that is stored electronically, whether stored online, in the cloud, or on a physical device
- **Online accounts**

List: <https://www.everplans.com/articles/how-to-close-online-accounts-and-services-when-someone-dies>

Hardware & Contents



- Computers, including hard drives & contents
- Tablet and its contents
- Smartphone/mobile phones, incl call & text history, photos, location data, & other contents
- Digital music player, including any music, playlists, or data on the device
- Digital cameras, incl any photos or videos
- E-reader, incl any books or files on the device
- External hard drives, flash drives with content

Electronically Stored Information And Data



- Any information that you store electronically—*from photos and videos, to text messages and emails, to medical records and legal documents*—is your digital property. This can include information and data that you store on a physical device (such as a computer, a flash drive, or a phone) or that you store electronically (in the cloud).

more.



- Any online accounts you have will necessarily contain lots of personal information about you. In addition, the information necessary to access those accounts is considered your digital property.
- Examples: email and communications accounts, social media accounts, shopping accounts, photo and video sharing accounts, video gaming accounts, online storage accounts, and websites and blogs that you may manage

Personal digital property with monetary value



- Online accounts with credit on them
- Websites that generate \$
- Online businesses

Digital business property



Just what you think it is..... a business that is
based online.

Your Websites



- Domain names if you own any!
- Web page content
- Blogs
- Family Tree webpages

Intellectual Property



- Copyrighted digital materials; ie transcriptions, books, videos?
- Registered trademarks
- Patents

breaking news. . . .



Facebook is changing the way it deals with the user accounts of those that have died. Until now, Facebook memorialized the account held by the deceased, making it viewable but not editable in any way. Now, users have two distinct options from which to choose.

You can choose to a) have your account permanently deleted after you die, or b) nominate a “legacy contact” who will be able to manage your account after you have shuffled off this mortal coil. Your Facebook heir will only have access to certain information and settings.

This option is rolling out in the U.S. initially, with other countries added at a later date. It’s also entirely optional, so those people who prefer not to dwell on their own mortality can ignore this new feature entirely.

User Agreements



Interface With User Agreements

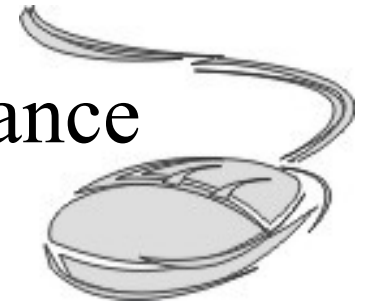
Problems may arise if the terms of service prohibit a user from granting others access to the account. If a user reveals his or her user name and password and another person uses that information to access an account, it could be in violation of these acts as being without "lawful consent."

Or



The act by a personal representative to take control of, conduct or continue any account or asset of a decedent * * * does not invalidate or abrogate any conditions, terms of service or contractual obligations the holder of such an account or asset has with the provider or administrator of the account, asset or Internet website.

Legal uncertainty reinforces the importance of planning to increase the likelihood



that an individual's wishes concerning the disposition of digital assets will be actually carried out. Even individuals with digital property are not taking steps to plan for that property.

Currently, many attorneys do not include such planning as part of their standard set of services, however, they should begin to do so immediately.

State Laws



<https://www.everplans.com/articles/state-by-state-digital-estate-planning-laws>

Connecticut	Nebraska	Oklahoma
Delaware	Nevada	Oregon
Idaho	New Hampshire	Pennsylvania
Indiana	New Jersey	Rhode Island
Maine	New York	Virginia
Maryland	North Carolina	
Michigan	North Dakota	

examples.



[Link to list of popular accounts](#)

Digital Executor



- A Digital Executor does not replace a traditional Executor, but serves in a complementary capacity. In many states, a Digital Executor may not be legally recognized, learn about the laws around digital estate planning in your state.
- You may name a Co-Executor in your will for this purpose.
- Re-write your Will or create a codicil to amend your will.

What do they do?



<https://www.everplans.com/articles/how-to-name-a-digital-ex>

Archiving personal files, photos, videos, and other content you've created

- Deleting files from your computer/devices, or erasing them
- Maintaining certain online accounts, which may include paying for services to continue (such as web hosting services)
- Closing online accounts, ie social media accounts, subscription services, or accounts that are paid for (such as Amazon Prime)
- Transferring any transferrable accounts to your heirs
- Collecting & transferring any money or usable credits to heirs
- Transferring any income-generating items (websites, blogs, affiliate accounts, etc.) to your heirs
- Informing any online communities or online friends of your death

Secure Storage



- There are three main ways you can securely store this kind of sensitive information that would be accessible.
- With an attorney.
- With an online storage service like Everplans where I found this information.
- In a locked file cabinet or safe.

E-Mail



- What happens to Email Accounts on death?
- Typically in the Terms of Service of every digital company to NEVER share your account information with anyone other than you.
- Terms of Service..... the endless legalese you always agree with.
- Not all are created equal.
- <https://www.everplans.com/articles/what-happens-to-my-email-accounts-when-i-die>

Google Mail



– Accessing a deceased person's mail

If you need access to the Gmail account content of an individual who has passed away, in rare cases we may be able to provide the contents of the Gmail account to an authorized representative of the deceased person.

At Google, we're keenly aware of the trust users place in us, and we take our responsibility to protect the privacy of people who use Google services very seriously. Any decision to provide the contents of a deceased person's email will be made only after a careful review.

If you are the authorized representative of a deceased person and wish to proceed with an application to obtain the contents of a deceased person's Gmail account, please carefully review the following information regarding our two stage process:

Part 1

We require the following information:

1. Your full name
2. Your physical mailing address
3. Your email address
4. A photocopy of your government-issued ID or driver's license
5. The Gmail address of the deceased person
6. The death certificate of the deceased person. If the document is not in English, please provide a certified English translation that has been prepared by a competent translator and notarized
7. The following information from an email message that you have received at your email address, from the Gmail address in question:
 - The full header from the email message. See [instructions](#) on how to find headers in Gmail and other webmail email providers.
Copy everything from 'Delivered-To:' to 'Content-Type:'
 - The entire content of the message

Mail or fax this information to:

EverPlans



- <https://www.everplans.com/articles/how-to-close-online-ac>
- Show the webpage
- Show my high-lighted list

SecureSafe



SecureSafe provides a service that will transfer your files and passwords to your associates, friends, and relatives that you designate, should something happen to you. You can determine exactly who should receive your data. I find it interesting that SecureSafe is based in Switzerland, a country that knows something about security, secrecy, and financial affairs. Operation is conducted in accordance with Swiss laws.

<http://www.securesafe.com>

BestBequest



BestBequest is a well-known, cloud-based “digital safe deposit box.” BestBequest’s unique LegacyVault allows you to preserve and protect your will, insurance policies, account passwords, financial investments, keepsake photos, and more with patent-pending security processes and 256-bit AES encryption. You can also create private videos to provide clear and specific instructions for each family member. The easy-to-use guided process ensures that your legacy is complete, safe, and organized for your loved ones, providing peace of mind when they need it the most. A **BestBequest Protect Plan subscription** is regularly priced at \$149 per year, billed annually. A monthly plan is also available at \$14.99. See <https://www.bestbequest.com> for more information.

DocuBank



DocuBank provides an online vault called SAFE that is a place for members to securely store files. The company allows members to designate one person who will be able to access all of their online files once they have received proof of the member's death or permanent incapacity. The service is designed to not only provide instructions after death, but also to make sure the information is available to next of kin should a member become disabled or incapacitated.

Details may be found at <http://www.docubank.com>.

Video at <https://www.docubank.com/index.cfm?event=about>

Dead Man's Switch



Dead Man's Switch allows its members to write email messages to chosen recipients and then to save them (without sending) on the Dead Man's Switch servers. The company will email the sender periodically, asking the sender to click a link. If the link is not clicked within a few days, the emails you wrote to the recipients you specified are then sent.

Details are available at <https://www.deadmansswitch.net/>.

Deadman



Deadman is a similar name to the previously-listed description but is a different company. It is a service that will periodically contact you by phone, email, or text-message to make sure everything is OK. If you don't respond, Deadman will email, call, or text any number of people that you define and send them documents, photos, or any other electronic file. Deadman is your insurance policy.

Details may be found at: <http://www.deadman.io/>.

Knotify.me



Knotify.me is an application that answers your question, “What happens to all my online accounts if I get amnesia, Alzheimer’s or if I leave this world?” With knotify.me, you set future notifications to be sent to your family and beloved people or to yourself, ensuring that nothing of your digital life will be wasted. You can edit or postpone a notification at any time. Knotify.me transfers your online property/heritage (urls, domain names, e-mail & social network accounts, etc) to whoever you wish to continue it in the future.

Details may be found at <https://knotify.me>.

Afternote



Afternote is a FREE secure online platform aimed at helping people store everything that matters to them the most in life and in death. Your account contains four sections: Bucket List, Timeline, Wishes, and Messages. These allow you to plan, organize, and store everything from what happens to your social media accounts after you die to planning your funeral, leaving messages for loved ones, and setting up a bucket list. By inviting three trustees, they will be able to access your account after your death, so they can inform friends and family about all the important information and answers you have left behind.

See <https://www.afternote.com/> for more information.



**Don't let your online
accounts outlive you.**

.....and

Skeletons ????



<https://www.everplans.com/articles/checklist-how-to>

Reasons For Disposal: The **D.I.E.S** Chart

- Dangerous
- Illegal
- Embarrassing
- Secret

Why might someone want things erased from the earth upon their passing in the first place? Tip: Do not put any of the stuff below in your actual Will. You want these things to remain private and a Will becomes a **public record**.

Dangerous



- Dangerous: Anything that poses a safety threat, especially to kids...or teenagers looking to raid the medicine cabinet.

Illegal



- Items that would have gotten you arrested if the cops searched your house while you were still alive.

Embarrassing



- Here's a quick test: Could you put this item in plain sight when the family comes over for Thanksgiving? If you answered 'no' then it falls into this category.

Secret



- Information, affiliations or relationships you wouldn't want getting out to your family, friends or general population.

Skeleton List

<https://www.everplans.com/articles/checklist-how-to>



do you need a Cleaner ?



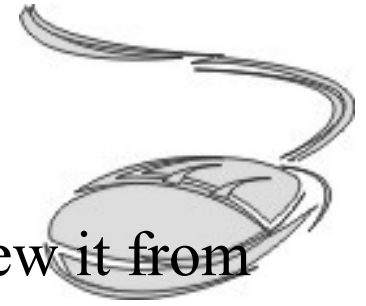
- The one thing you will need is a person you trust implicitly to carry out your wishes. We call this person a Cleaner, and they should do exactly what you ask without judgement. They'll go through your computer, dresser drawers, medicine cabinet and anywhere else questionable items might be lurking. Then they'll actually delete and or destroy them without question or complaint.
- Disclaimer: This checklist should not be viewed as legal advice in any way. Just a helpful guide.
- <https://www.everplans.com/articles/checklist-how-to-identify-skeletons-in-your-closet>

So

.....



Review Your Estate Plan



Once you've completed a will, it's a good idea to review it from time to time, and consider changes if:

The value of your assets change

You marry, divorce or remarry

You have or adopt a child

You move to a different state

The executor of your will dies or becomes incapacitated or your relationship changes

One of your heirs dies

The laws affecting your estate change



Your Web History isn't
going to delete itself!



Let's not make this more
awkward or painful than it
has to be!



Securely share essential info
with the important people
in your life.

The End



Questions





"He who laughs last
probably made a
backup."

List



- <https://www.everplans.com/articles/checklist-how->

www.Everplans.com



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made easy.

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Everplans: Planning Workbook and Checklist

-19 pages

Another . . .



RedCrossWorkbook.pdf from:

www.redcrosslegacy.org/willsbook

Free Estate Planning and Charitable Giving Guide



Secure your future and see all your wishes honored — let us send you a **FREE** hard copy of *Touching the Future: Guide and Workbook for Estate Planning and Charitable Giving* or receive an electronic version of this guide right now by downloading it directly. This 44-page guide is in a handy workbook format that allows you to keep all your important information in one place, including:

- A record of property;
- Family and business contacts including lawyer, executor, trustee and power of attorney;
- Funeral arrangements and who should be notified;
- Banking and insurance details;
- Current desires for distribution of property; and more.

Request your free guide by completing the form below.

Notes



- <https://www.everplans.com/important-documents>
- <https://www.everplans.com/articles/reasons-to-org>
- <https://www.everplans.com/articles/checklist-how->
- <https://www.everplans.com/articles/an-encouraging>
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