

## Estate Planning for Digital Property

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Gray Plant Mooty

www.DigitalPassing.com

It's important to include your digital property—passwords, online accounts, and electronically-stored information—in your estate plan. Digital property is becoming an integral part of our business, financial, and personal lives. By planning ahead, you can arrange for full access to your digital property, keep administration costs down, and ensure that no valuable or significant digital property is overlooked.

Traditionally, after a person became incapacitated or died, the fiduciaries and family members would go to the person's home, look through the paper records, and watch the U.S. mail for bills, account statements, and other important information. Today, many statements are delivered by e-mail; important financial records are stored in smartphones, computers, or in the cloud; and bill payments, tax return filings, and other financial transactions are handled electronically. Also, new types of property are being created in and only exist in the digital world, like Internet domain names, video game characters, and virtual currencies including Bitcoin.

Compared with traditional types of property, digital property may have four additional, significant obstacles for fiduciaries to overcome: (1) passwords, (2) data encryption, (3) criminal laws regarding unauthorized access to computers, and (4) data privacy laws. These obstacles can make it practically impossible for fiduciaries to access your digital property if you don't plan ahead.

How should you plan ahead? First, make a list of your important passwords, online accounts, and digital property, and specify what should be done with each item on your list if you become incapacitated or after you die. Keep your list up-to-date, store it in a secure location, and let your fiduciaries and family members know how to access it. A form to use for your list can be downloaded here: <http://tinyurl.com/n7trjyg>

Second, if you store valuable or significant digital property in the cloud, back up your data to a local computer or local storage device on a regular basis. Fiduciaries and family members can access the local computer or local storage device without the obstacles that may prevent them from accessing your data stored in online accounts.

Third, work with an estate planning attorney to update your will, power of attorney, and revocable living trust to address digital property. Your estate planning documents should: (1) specify your wishes about the distribution of or deletion of your digital property; (2) provide your consent to divulge the contents of your electronic communications to your fiduciaries; (3) authorize your fiduciaries to access your computing devices, storage devices, accounts, and data; and (4) permit your fiduciaries to bypass, reset, or recover your passwords on your computing devices and to decrypt your encrypted data, if desired. If you haven't reviewed or updated your estate plan in the last two or three years, it's probably time for a review and update anyway!

***My Digital Audit:  
Passwords, Online Accounts, & Digital Property***

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***Voicemail & Home Security Systems***

Name: \_\_\_\_\_

Home address: \_\_\_\_\_

Telephone #: \_\_\_\_\_

Voicemail # & password: \_\_\_\_\_

Security company & phone #: \_\_\_\_\_

Security system password: \_\_\_\_\_

Vacation home address: \_\_\_\_\_

Telephone #: \_\_\_\_\_

Voicemail # & password: \_\_\_\_\_

Security company & phone #: \_\_\_\_\_

Security system password: \_\_\_\_\_

Business address: \_\_\_\_\_

Telephone #: \_\_\_\_\_

Voicemail # & password: \_\_\_\_\_

Personal cell phone # & password: \_\_\_\_\_

Voicemail # & password: \_\_\_\_\_

Business cell phone # & password: \_\_\_\_\_

Voicemail # & password: \_\_\_\_\_

Safe/lockbox location & combination: \_\_\_\_\_

Safe/lockbox location & combination: \_\_\_\_\_

Other: \_\_\_\_\_

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*Computer Passwords*

Home computer #1 description:

Username & password:

Username & password:

Username & password:

Username & password:

Home computer #2 description:

Username & password:

Username & password:

Username & password:

Username & password:

Home computer #3 description:

Username & password:

Username & password:

Username & password:

Username & password:

Office computer #1 description:

Username & password:

Office computer #2 description:

Username & password:

Other devices:

Multiple horizontal lines for recording device information.

***E-Mail Accounts***

<u><b>E-Mail Provider</b></u>	<u><b>E-Mail Address</b></u>	<u><b>Password</b></u>
Home e-mail:	_____	_____
Work e-mail:	_____	_____
Google Gmail:	_____	_____
Microsoft Outlook/Hotmail:	_____	_____
Yahoo! Mail:	_____	_____
Other:	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

***Social Networking Accounts***

<u><b>Service</b></u>	<u><b>Username</b></u>	<u><b>Password</b></u>
Facebook:	_____	_____
Google+	_____	_____
LinkedIn:	_____	_____
Pinterest:	_____	_____
Tumblr:	_____	_____
Twitter:	_____	_____
Other:	_____	_____
_____	_____	_____
_____	_____	_____

***Instant Messaging, Chat, & Videoconference Accounts***

<u><b>Service</b></u>	<u><b>Username</b></u>	<u><b>Password</b></u>
AOL Instant Messenger:	_____	_____
Google Hangouts:	_____	_____
ICQ:	_____	_____
Jabber:	_____	_____
Skype:	_____	_____
Yahoo! Messenger:	_____	_____
Other:	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

***Financial Accounts***

Intuit Quicken software password: \_\_\_\_\_

Mint.com username & password: \_\_\_\_\_

PersonalCapital.com username & password: \_\_\_\_\_

PowerWallet.com username & password: \_\_\_\_\_

Tax preparation software password: \_\_\_\_\_

Bank #1 name & Web address: \_\_\_\_\_

Username & password: \_\_\_\_\_

ATM/debit card PIN: \_\_\_\_\_

ATM/debit card PIN: \_\_\_\_\_

Bank #2 name & Web address: \_\_\_\_\_

Username & password: \_\_\_\_\_

ATM/debit card PIN: \_\_\_\_\_

ATM/debit card PIN: \_\_\_\_\_

Brokerage #1 name & Web address: \_\_\_\_\_

Username & password: \_\_\_\_\_

ATM/debit card PIN: \_\_\_\_\_

ATM/debit card PIN: \_\_\_\_\_

Brokerage #2 name & Web address: \_\_\_\_\_

Username & password: \_\_\_\_\_

ATM/debit card PIN: \_\_\_\_\_

ATM/debit card PIN: \_\_\_\_\_

Credit card #1 name & Web address: \_\_\_\_\_

Username & password: \_\_\_\_\_

PIN: \_\_\_\_\_

Credit card #2 name & Web address: \_\_\_\_\_

Username & password: \_\_\_\_\_

PIN: \_\_\_\_\_

***Financial Accounts (Continued)***

Credit card #3 name & Web address: \_\_\_\_\_

Username & password: \_\_\_\_\_

PIN: \_\_\_\_\_

Credit card #4 name & Web address: \_\_\_\_\_

Username & password: \_\_\_\_\_

PIN: \_\_\_\_\_

Credit card #5 name & Web address: \_\_\_\_\_

Username & password: \_\_\_\_\_

PIN: \_\_\_\_\_

Other: \_\_\_\_\_

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*Domain Names, Web Pages, & Blogs*

<u>Domain Name &amp; Registrar/Host</u>	<u>Username</u>	<u>Password</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

*Online Storage Accounts*

<u>Website</u>	<u>Username</u>	<u>Password</u>
Apple iCloud:	_____	_____
Dropbox:	_____	_____
Google Drive:	_____	_____
Microsoft OneDrive:	_____	_____
Other:	_____	_____
_____	_____	_____
_____	_____	_____

*Online Shopping & Auction Accounts*

<u>Website</u>	<u>Username</u>	<u>Password</u>
Amazon:	_____	_____
Barnes & Noble:	_____	_____
Craigslist:	_____	_____
Ebay:	_____	_____
PayPal:	_____	_____
Western Union:	_____	_____
Other:	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

***Video Games & Virtual Worlds***

<b><u>Website</u></b>	<b><u>Username</u></b>	<b><u>Password</u></b>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
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_____	_____	_____
_____	_____	_____
_____	_____	_____

***Intellectual Property***

<b><u>Website or Other Location</u></b>	<b><u>Username</u></b>	<b><u>Password</u></b>
DeviantArt:	_____	_____
Flickr:	_____	_____
Imgur:	_____	_____
Instagram:	_____	_____
Photobucket:	_____	_____
Shutterfly:	_____	_____
YouTube:	_____	_____
Vimeo:	_____	_____
Other:	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____



*Digital Music, eBook, Video and Other Media Accounts*

<u>Website</u>	<u>Username</u>	<u>Password</u>
Amazon Kindle/Prime:	_____	_____
Apple iTunes:	_____	_____
Barnes & Noble Nook:	_____	_____
Hulu:	_____	_____
Netflix:	_____	_____
Pandora:	_____	_____
Spotify:	_____	_____
YouTube:	_____	_____
Other:	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

*Other Online Accounts*

<u>Website</u>	<u>Username</u>	<u>Password</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
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