

Digital Estate Planning

[Download the inventory templates](#)

A Guide to Protecting Your Digital Assets; Presented by: Philip Davis

- Disclaimer
 - This is a collection of good practices that make sense, even while you are in this life. You should use your own good judgment and adapt these recommendations to your own situation.
 - The information in this presentation is for educational purposes, and should not be construed as legal advice.
 - I'm not a lawyer, so if you have questions about any of this, you should consult your own attorney.
- Checklist
 - Will drawn up?
 - Trusts created for the kids?
 - Executor of your estate named?
 - Health directives signed?
 - Funeral arrangements specified?
 - Life Insurance current?
 - Where is your Digital Estate Plan?
- Important Records
 - The Essentials
 - Personal Documents
 - Financial Documents
 - Household Documents
 - Medical Documents
 - Business Records
 - Subscriptions & Memberships
 - Digital Assets
- What Are Digital Assets?
 - Online financial accounts
 - Online purchasing accounts
 - Social media accounts
 - Email accounts
 - Login credentials
 - Passwords
 - Account numbers

- Computer files
 - Digital photos, videos, other media
 - ... and much more
 - VIDEO - What will happen to your digital possessions when you die?
 - Book Recommendation
 - Available on Amazon and other book sites
 - So – What to Do?
 - Nobody enjoys thinking about where all our stuff will end up when we die.
 - One thing's for sure: it won't just go away when we are gone.
 - And may not be freely available to family members who might seek to preserve your digital legacy.
 - Getting Started
 - Take stock of all your accounts and places that you store digital information — ask yourself the following the questions for each:
 - What is its value?
 - To whom is it valuable?
 - What do you want to have happen to it?
 - Create a Plan
 - Digital Asset Inventory
 - Directions for how to access and handle these assets if you are incapacitated or die.
 - Who Needs a Plan?
 - People who
 - Send and receive email
 - Watch streaming video (Netflix, Hulu)
 - Use online banking and investing
 - Buy things online (Amazon, eBay, Craig's List)
 - Use social media (Facebook, Instagram)
 - Almost everyone!
 - If you are incapacitated or die?
 - Will your family and heirs know what to do?
 - Can they access your accounts?
 - Do they know where everything is?
 - What about the Law?
 - Laws governing digital assets are inconsistent or non-existent. Only 19 states have created laws to protect people's digital assets. Florida has no laws governing disposition of digital assets.
 - "There's nothing standardized. And there's nothing in law that addresses it. If we don't address it soon, I see it exploding as a problem."
 - Senator Dorothy Hukill, State Senator, November, 2014, Orlando Sentinel
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(<http://www.readingeagle.com/>)

- Create Your Plan
 - Three simple steps ...
 - Create an inventory your Digital Assets
 - Create instructions for your Digital Executor
 - Share the plan

Inventory Your Assets

- Getting Started
 - Collect all the information needed to access your accounts.
 - Store it in an accessible place with instructions for whoever is handling your affairs.
 - This information becomes your Digital Asset Inventory.
 - Computing Hardware
 - Computers
 - External hard drives or flash drives, tablets, smartphones, digital music players
 - E-readers, digital cameras, and other digital devices
 - Online Accounts
 - Email and communications accounts
 - Social media accounts
 - Shopping accounts
 - Photo, video and music accounts
 - Online entertainment sites — Netflix, Hulu, Amazon, iTunes
 - Airline frequent flyer accounts
 - Online storage accounts, domains, websites, and blogs that you manage
 - Financial Accounts
 - Banks
 - Investments
 - Brokerage firms
 - Retirement plans
 - Credit card, loan, and insurance accounts that you access online
 - Stored Information
 - Any information or data that is stored electronically, whether stored online, in the cloud, or on a physical device.
 - Intellectual Property
 - Copyrighted materials, trademarks, and any code you may have written and own.
 - Heirlooms
 - Photos, home movies, mememtos, etc.
 - Information to Record
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- Web addresses (URLs)
- Login credentials (User ID, Password, Answers to secret questions)
- Access codes and passwords for computers and mobile devices
- Account Numbers
- Location of backups with access information
- Location of important archives
- Account Policies
 - Each online service provider has different policies for handling accounts after death
 - Some resources ...
 - How To Close Online Accounts And Services When Someone Dies
 - What Happens To My Email Accounts When I Die?
- Example: Facebook
 - Delete the account if you have the email and password.
 - Otherwise need birth certificate, death certificate, proof of authority under local law.
 - Delete the account
 - Memorialize the account
- Example: Gmail
 - Deleting a Google account will affect all products associated with that account, including Gmail, YouTube, Google Drive, Google Plus and the Google Play Store.
 - Need: Username, Password
- Example: Yahoo
 - Yahoo's policy prohibits them from disclosing or providing access to private emails.
 - In 2004 a Marine died on duty in Iraq. He was keeping a journal so following generations had access to his writing about the war from somebody who was there on the front lines. The family took Yahoo to court and finally received a CD with all his emails.

Document Your Assets

- Your Digital Asset Plan
 - Store this information in a secure-but-accessible location:
 - With an attorney or Digital Executor
 - With an online storage service
 - In a locked file cabinet or safe
 - [Download the inventory templates](#)
 - Save Locally
 - Record the info in a spreadsheet
 - Save the files on a flash drive or other media
 - Update the files regularly
 - Suggestion: use a password management program for passwords and other sensitive information.
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- Use Cloud services for accessibility
- Online Storage Service
 - There are many online services that will store your inventory and instructions
 - Fees and services vary
 - Study these carefully before making a commitment
 - Digital Death and Afterlife Online Services List - lists over 50 services
- Example: Everplans
 - A secure, digital archive. It contains:
 - Wills, Trusts, and insurance policies
 - Important accounts and passwords
 - Info about your home: bills, vendors, etc.
 - Health and medical information
 - Advance Directives and DNRs
 - Final wishes and funeral preferences
 - And much more...
- Cautions
 - Don't put passwords and other sensitive in your regular will
 - Encrypt information that is kept online
 - Backup files regularly
 - Use "due diligence" when using an online service

Share the Plan

- Name a Digital Executor
 - Should be someone that you trust
 - Should be comfortable with computers and technology
 - Your Digital Executor will be responsible for managing your local and online digital assets.
 - Templates
 - Download a template to use in documenting your digital inventory:
 - Spreadsheet (MS Excel)
 - Document (MS Word)
 - PDF File (Print and fill out by hand)
 - Get a zip file with all three: <http://ocalamug.org/resources/technical/digital-inventory.zip>
 - Sample 1
 - Sample 2
 - Provide Instructions
 - What do you want done with your accounts?
 - Where is the inventory located?
 - Who else has access to the information?
 - What do you want to be posted online upon your death?
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- You might want to:
 - Have your executor archive everything
 - Provide access to designated content to specific individuals or groups
 - Delete some or all of your digital assets
 - Let your executor decide what to do with your assets
 - Be specific and make your wishes clear!
- Other Examples:
 - Your Executor might
 - Post a final message online or send one to family and friends
 - Post a video of your life story on your YouTube channel when you die
 - Post a photo album chronicling your life on Flickr.

Final Thoughts

- Review & Update
 - Essential ...
 - Review at least once a year
 - Update when accounts have changed
 - Provide an updated copy to your Executor
 - Backup the information and store in a safe place
 - Digital Estate Planning is Important
 - → Get started now
 - → Consider the plan to be a living document
 - → Discuss with your Executor
 - → Backup your data
 - Your Action Checklist
 - Assets identified
 - Information collected
 - Inventory completed, stored, backed up
 - Instructions created
 - Digital executor named
 - Plan given to the executor
 - Remember to review and update the plan regularly
 - Recommendation #1
 - Create a binder with copies of all your important documents, including your digital inventory
 - Put a copy of this binder (spreadsheets, files, and scanned documents) onto a flash drive
 - Give the flash drive to your Digital Executor and keep another copy in a safe place
 - Recommendation #2
 - Use standard formats for your files so that they will be readable in the future
 - **Best:** Plain text, RTF, RTFD, PDF
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- **Acceptable:** MS Office (.docx, .xlsx)
- **Poor:** proprietary formats that might change

Resources

Books and Articles

- [Your Digital Afterlife by Evan Carroll and John Romano](#). This book, along with other resources can be found on the website [The Digital Beyond](#).
- [Florida lawmaker working on measure to address digital life after death | Reading Eagle](#)

Websites

- [The Digital Beyond](#)
- [State-by-State Digital Estate Planning Laws](#)
- [Florida Health, Legal, and End-of-Life Resources:](#)
- [Digital Death and Afterlife Online Services List | The Digital Beyond](#)
- [Digital Estate Planning: How To Organize All Your Digital Property and Assets | Everplans](#)
- [Keeping a Secure List of Passwords, Online Accounts, and Digital Property | Digital Passing](#)
- [Going Paperless And Your Digital Afterlife](#)
- [How To Close Online Accounts And Services When Someone Dies](#)
- [What Happens To My Email Accounts When I Die?](#)

Services

- [Everplans: Store and Share Everything Important](#)
 - An Everplan is a secure, digital archive of everything your loved ones will need should something happen to you. Founded: 2012.
- [MemoryBanc | The award-winning system to manage documents, accounts, and assets.](#)
 - The MemoryBanc Register organizes the documents and details a loved one would need to step in and assist you while honoring your personal wishes.
- [DocuBank](#)
 - DocuBank was created in 1993 as an advance directives registry to make sure members have access 24-hour access to their advance directives.
- [WebCease](#)
 - WebCease helps executors, trustees and administrators find online accounts that are digital assets for the estate of the deceased. Founded: 2013

Software Tools

- [1Password Password Manager](#)

- [PasswordBox | Free Password Manager](#)
 - [Digital Legacy Locker | PasswordBox](#)
 - [Keeper | Password Manager & Secure Digital Vault](#)
 - [LastPass | Password Manager, Auto Form Filler, Random Password Generator & Secure Digital Wallet App](#)
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