**Resource Guide- Digital Assets**

The Revised Uniform Fiduciary Access to Digital Assets- RUFADAA is not enacted in all states, here is a website that tracks RUFADAA

<https://my.uniformlaws.org/committees/community-home?CommunityKey=f7237fc4-74c2-4728-81c6-b39a91ecdf22>

A shortcut for which states have Digital Asset Bills with short descriptions and links to the actual bill.

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

Stored Communications Act: Can restrict a provider’s ability to share a deceased user’s account contents with relatives.

<https://en.wikipedia.org/wiki/Stored_Communications_Act>

Computer Fraud Abuse Act: Prohibits accessing a protected computer without authorization or in excess of authorization. While the law was intended for government, financial institution and computers of the like, in practice it has extended to personal cellphones and ordinary computers.

<https://en.wikipedia.org/wiki/Computer_Fraud_and_Abuse_Act>

Note: UN & PW are abbreviations for Username & Password throughout this document.

What is Phishing? When someone tries to send you a suspicious message or link asking for your personal information. This can include credit cards, bank accounts, or social media access, etc.

How to protect yourself: Do not send credit card information, social security numbers, etc. Companies will not ask you for these via email or by phone. If you are told you need to pay something ask if you can call them back. Do an internet search for the company number yourself and call them directly to make the payment vs giving the information to the person who called you. If you receive a link from a friend that you aren’t sure about, ask what it is and if you aren’t satisfied with the response, go a step further by asking a question only they would know the answer to. It may seem silly in the moment, but it could very well protect you from a predator or help you notify a friend who has fallen prey to one as phishing schemes often spread via mutual people in common taking advantage of the element of trust.

Credit Freeze: A credit freeze makes your reports inaccessible to most people with few exceptions. Current Creditors and debtors still have access and you can access your own records via free annual credit reports. A Credit freeze in no way effects your credit score. The pro of a credit freeze if you are dealing with identity theft or are in a place of your life where you don’t need to apply for new forms of credit you will have peace of mind. A drawback is the inconvenience of freezing and thawing your credit as it must be done with each bureau individually. You won’t be protected from activity on current lines of credit, just from new lines of credit so monitoring your credit and checking your statements is an important part of maintaining healthy credit.

Equifax: <https://www.equifax.com/personal/credit-report-services/> or (800) 685-1111

Experian: <https://www.experian.com/freeze/center.html> or (888) 397-3742

Transunion: <https://www.transunion.com/credit-freeze> or (888) 909-8872

**Financial Accounts:**

Airline Miles: Claiming airline miles from a deceased relative depends on the specific airline policy and airlines may charge a fee to complete the transfer.

<https://www.airfarewatchdog.com/blog/3802233/frequent-flyer-miles-can-be-inherited-but-it-takes-some-work-and-a-fee-on-some-airlines/>

Bank Accounts: Banks require a death certificate and will provide you with any forms or documents depending on whether you are the beneficiary, POA or Trustee.

<https://www.gobankingrates.com/banking/checking-account/close-checking-account-deceased-person/>

Credit cards: Notify the companies as soon as possible to get balances, recurring charges, and to close the account. You will want to follow up with a letter that includes the death certificate, your contact info and the credit card number.

<https://www.creditcards.com/credit-card-news/6-steps-when-credit-card-holder-dies.php>

HSA Accounts: What happens next depends on your relationship to the beneficiary, but there are all sorts of tax issues so this should be handled via an attorney.

<http://time.com/money/3503270/what-happens-to-hsa-when-you-die/>

Medication Delivery: Contact doctor/ pharmacy and be ready with a death certificate just in case.

PayPal: Fax a letter from the executor with the account identified by email, a copy of a death certificate and the ID of the Executor as well as a copy of wills that identifies you as executor.

<https://www.paypal.com/us/smarthelp/article/How-do-I-close-the-PayPal-account-of-a-relative-FAQ1694>

Retirement accounts: Beneficiaries should contact directly.

Bitcoin: Cryptocurrency owners have two long strings of numbers and letters called Keys. One for public use which is how users send bitcoin between each other and a private one which allows the owner to access their virtual wallet. Unless that private key is passed on, there is no way to access the virtual wallet and the bitcoin is in essence gone. However, if someone gains access to your Private Key, the only way to protect your bitcoin is to spend it before they do, so closely being extra diligent in how this information is stored is imperative.

<https://bitcoin.org/en/how-it-works>

**Digital Communication**

Apple: You will need a death certificate, as well as the deceased persons iCloud email and password. Apple support cancels the account directly and will not do so without the death certificate. Doing this will completely cancel their account which means losing all purchased media. Another option is to add other users to the deceased persons “Family” which will give them access to anything purchased by the deceased person. This is also a good option for aging parents as it links up all “find my iPhone” apps allowing mapping of devices in case of emergency situations. iPhones and Apple Watch’s also have Medical ID which allows first responders to quickly access critical information from the lock screens without a passcode including allergies, medical conditions and who to contact in an emergency.

<https://www.apple.com/legal/internet-services/itunes/us/terms.html>

<https://www.apple.com/families/>

<https://support.apple.com/en-us/HT201087>

<https://support.apple.com/en-us/HT207021>

Chat programs: For programs such as snapchat and the like you will usually need a password. With the growing world of Facebook however, many are linked and will automatically cancel when Facebook is deleted or memorialized.

Email: Most major providers tend to require ID and death certificate of the deceased as well as proof of death at which point, they will either cancel or give you access to the account. Some (like google) have the ability to setup an inactive account manager which will contact the designated person after a set time of inactivity or will automatically delete the account.

<https://www.everplans.com/articles/what-happens-to-my-email-accounts-when-i-die>

Text Messages: There are really only a couple ways to retrieve these. Either take screenshots or use software that will download them from iTunes and other phone software. Both must be done before deactivation.

**Digital Media Accounts**

Amazon: Simply contact Amazon through the customer service number to deactivate and cancel subscriptions.

<https://www.amazon.com/gp/help/customer/display.html?nodeId=565164>

Audio, eBooks and music: In general when buying digital content you are paying for licensing which expires at your death.

Hulu: You will need the account password, but you can easily cancel online.

<https://help.hulu.com/en-us/delete-account>

Netflix: You will need the account password, but you can easily cancel online.

<https://www.netflix.com/CancelPlan>

Photos and Videos: In most cases, you just need UN & PW. Check the specific services Terms and Conditions.

Blogs: You can often search for articles written by the deceased. To close an account, contact the service they are using and follow directions given.

**Social Media**

Facebook: Facebook allows an active account to be turned into a memorial account with proof of death. When a Facebook account is turned into a memorial account, friends can post to the deceased’s page and tag them in photos. A deceased person’s account can also be deleted instead of memorialized. A Legacy Contact can be set up before death who can pin a post to the top of your timeline such as funeral announcements. They can’t log in as you or read your private messages but can update your profile pic, respond to friend requests, and archive pictures and posts.

<https://www.facebook.com/help/1568013990080948>

<https://www.facebook.com/help/103897939701143?helpref=faq_content>

Google: Since this includes all google accounts do it last as you may need the email when doing other deactivations. The deactivation often takes several months.

<https://support.google.com/accounts/troubleshooter/6357590?hl=en#ts=6357652>

Instagram: Allows for memorialization or deactivation. Proof of relationship or authority over the deceased person as well as a death certificate is required. They will not release account UN & PW

<https://help.instagram.com/264154560391256>

LinkedIn: You need the name, URL of profile, your relationship to them, their email, date they passed, link to obituary, and company they most recently worked at.

<https://www.linkedin.com/help/linkedin/answer/2842/deceased-linkedin-member-removing-profile?lang=en>

Pinterest: You can cancel yourself if you have a UN & PW, otherwise contact them.

<https://help.pinterest.com/en/article/deactivate-or-close-your-account>

Twitter: You will need to send your own ID, death certificate and information about them as well as filling out the online form.

<https://help.twitter.com/en/rules-and-policies/contact-twitter-about-a-deceased-family-members-account>

YouTube- Owned by google but run separately. UN & PW is the easiest course of action, but if not you can fax or mail them your information with email and contact info, YouTube account name of the person who passed, POA, if it is for a child just the child’s birth certificate is enough if they are under 18. The owner can use Googles account inactivity manager to hand over the account (and other google accounts) automatically after a certain time period of inactivity.

<https://support.google.com/accounts/answer/3036546>

**Gaming accounts**-

Steam (computer gaming platform): It is written into their subscriber agreement that you cannot transfer your account to another person. There are notes that they will reconsider on a case by case basis. Someone with a UN & PW could in theory still play the games on the account, but wouldn’t own the content as they are media licenses and you don’t own the games.

<https://store.steampowered.com/subscriber_agreement/>

PlayStation- It is written into their subscriber agreement that you cannot transfer your account to another person. Someone with a UN & PW could in theory still play the games on the account, but wouldn’t own the content as they are media licenses and you don’t own the games. To cancel the subscription, you will need to call their customer service line, otherwise renewal (annual) won’t go through if the account it is attached to is cancelled.

<https://www.playstation.com/en-us/network/legal/terms-of-service/>

Xbox- I read their terms of use and there doesn’t seem to be anything against letting someone take over your account. As long as the next of kin has the username and password, they could pretty easily update the billing information if both accounts are on the same machine, they can also share a subscription, but the accounts themselves can’t be combined or transferred, the new user could just continue using it under the name of the person who died. To cancel the subscription, you will need to call their customer service line, otherwise renewal (annual) won’t go through if the account it is attached to is cancelled.

<https://www.xbox.com/en-US/legal/xboxcomtou>

Nintendo- Nintendo just started an annual service at the end of 2018 with the switch which is quite inexpensive and could have an everchanging terms and conditions as it establishes. They are below. Currently your account is not deemed as transferrable, but it seems you can easily log in and update information such as name and payment information allowing someone to continue playing on the same console.

<https://accounts.nintendo.com/term/eula/US?lang=en-US>

Online gambling- There are too many options to have an inclusive answer but in general it seems the answer is that as long as you have the persons UN & PW you can transfer any winnings to their bank account or to your own account in a P2P (person to person) transaction.

**Some options for saving passwords**-

Written instructions stored in a safe place with reference to the location given to lawyer and financial planner.

Using a password manager like RoboForm, LastPass, Keepass, and Dashline or Digital Legacy Services.

There is some crossover in the way these services function and are dependent on the specific service. Some need a master password, some have the option to send information to a person based on inactivity, and others have the option to send a backup person an email which will give them a time period to reject access and otherwise using that email, they can access the user’s information. In short there is no specific answer so you should research the different password keeper options before signing up to make sure it is going to work for your needs after death.