

# Protecting Your Digital Legacy



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# Today's Agenda

1

## **Define & Educate**

What are Digital Assets

2

## **Update on the Law**

Federal Law and Florida Law

3

## **Digital Asset Estate Planning**

What Can & Should Be Done

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# Digital Asset Tidbits

- **88% use the Internet (up 700% since 2000)**
- **Social media takes up 25% of all time spent online**
- **40% get paperless credit card and bank statements**
- **150 accounts per person**
  - **Double from 4 years ago**
  - **200 by 2020, a 25% increase**
- **8% own crypto assets**

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# 2018 *This Is What Happens In An Internet Minute*



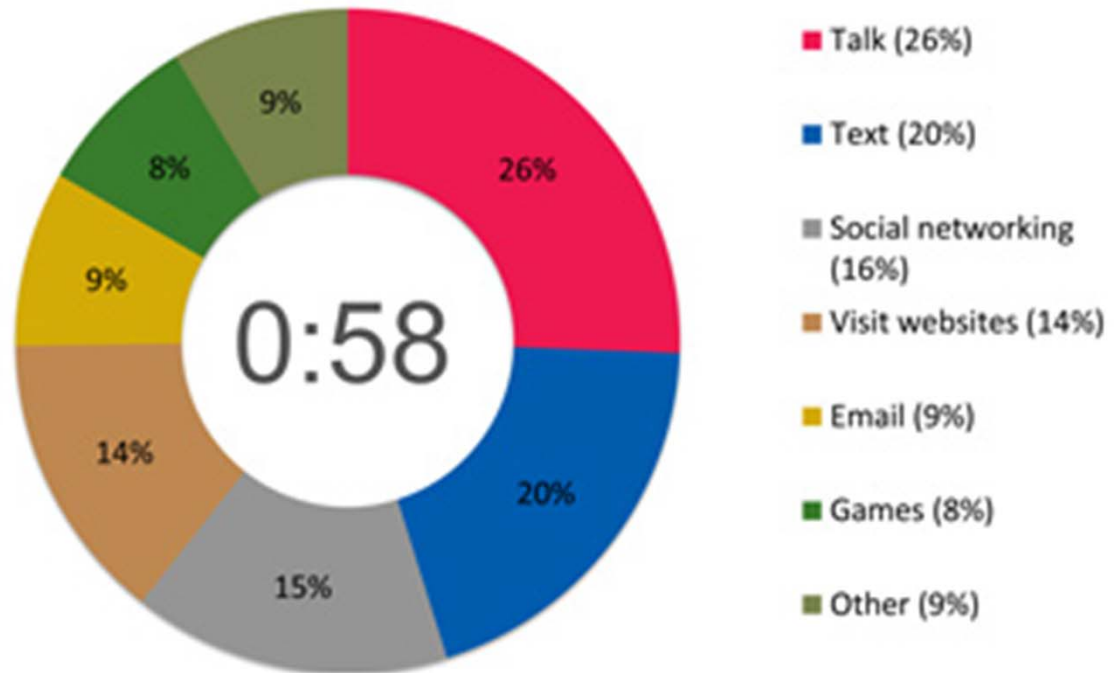
I

Y

Created By:  
[@LoriLewis](#)  
[@OfficiallyChadd](#)

**6% of our time  
is on the  
smartphone**

Total time spent daily using a smartphone and activity share



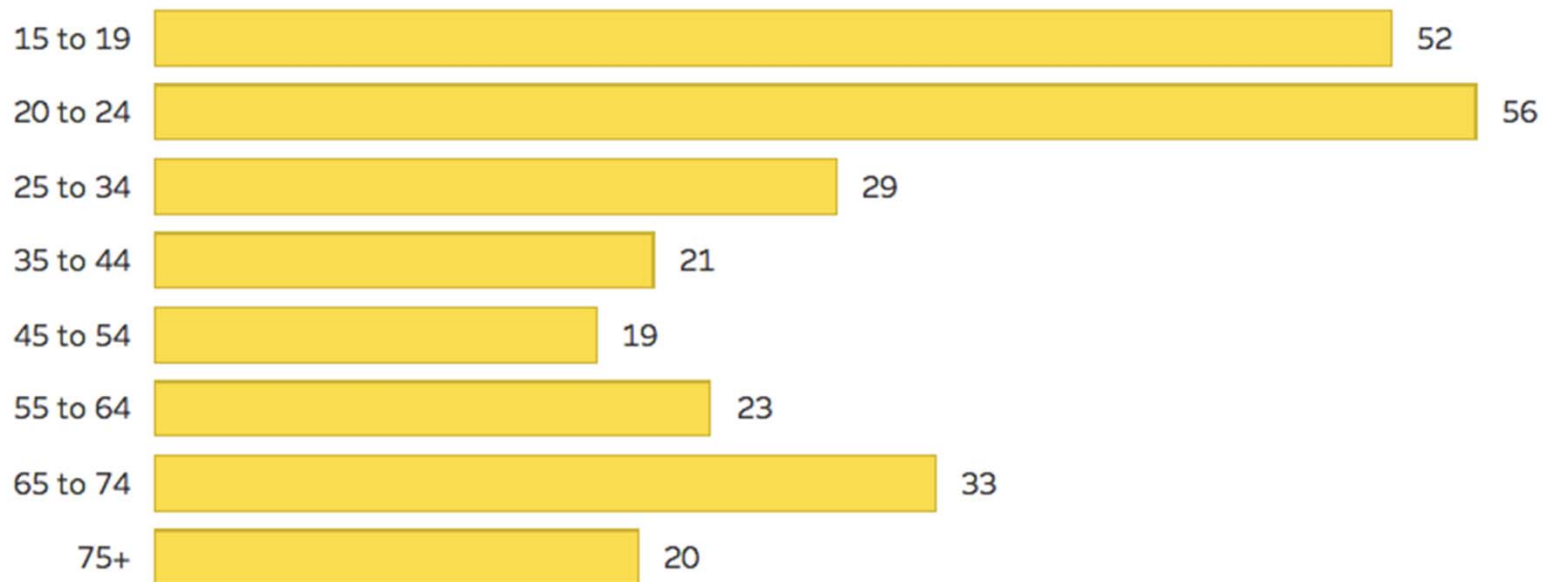
Source: Experian Marketing Services

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**If you think  
games don't matter,  
think again!**

# Playing games/using computer for fun, by age group

Daily minutes, weekends/holidays



# Seniors are Online!

- Over 50% are online (email and/or social media)
- 76+ is the fastest growing group
- eBay

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# What Are Digital Assets?

- **Electronic record**
  - **Information created, generated, sent, communicated, received or stored by electronic means on a system for the delivery of digital information or on a digital device**

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# Examples of Digital Assets

- Email (Gmail, Outlook, Yahoo, AOL, Zoho, Yandex)
- Social media (Facebook, Twitter, Instagram, LinkedIn)
- Online banking/brokerage/investment accounts
- Online stores
- Online payment (PayPal, Venmo, Google Wallet)
- E-Commerce (Amazon, Priceline, Alibaba, eBay)
- Online auction/bidding (eBay, Bonanza, eBid, iOffer, Etsy)
- Airline/hotel (Travelocity, Orbitz, Expedia, Kayak)



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# Examples of Digital Assets

- Streaming movies (Netflix, Amazon, MUBI)
- Digital photos (Flickr, Photo Bucket, Shutterfly)
- Digital videos (YouTube, Vimeo)
- Online video games (Game of War, Minecraft)
- Music library (iTunes, Pandora, Shazam, iHeartRadio)
- E-Readers (Kindle, Book Bub, Scribd, Oyster, Entitle)
- Websites domain names (GoDaddy)

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# Examples of Digital Assets

- Blogs/online publishing (WordPress, Tumblr, Wix, Ghost)
- Cloud storage (Dropbox, Google Drive, OneDrive, iCloud)
- Video chat (Skype, GoToMeeting, GoToMyPC, Slack, Zoho)
- Search/review (Yelp, TripAdvisor, HomeAdvisor, Groupon)
- Documents, PDFs, Spreadsheets, Contacts, Calendars (Microsoft Office, Google Docs, LibreOffice)
- Electronic medical records

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# Bitcoin

- **Likely not considered currency**
  - **IRS ruled Bitcoin is property, not currency (capital gain realized upon sale)**
  - **Criminal defendant accused of money laundering when using Bitcoin in the scheme found not guilty because Bitcoin is not money**

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# Types of Digital Assets

## ➤ Created

- Creators own the content

## ➤ Purchased

- Buyers obtain a license
- Not transferable to fiduciary or family members

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### Digital Asset Intake Questionnaire

Your privacy is very important. And unlike traditional assets, digital assets aren't always fully covered in your estate plans. Without YOUR clear instructions, your estate and loved ones may not be able to handle your accounts. This can result in undistributed funds, potential ID fraud and people viewing your private matters. Please take a moment to consider the questions below, and help your estate professional recommend the plan that best fits your needs.

1. Do you conduct online transactions and/or activities? \_\_\_\_\_
2. How many new sites/accounts do you enroll each year? \_\_\_\_\_
3. Do you receive e-statements or paperless statements? \_\_\_\_\_
4. Are these statements sent to an email known by your spouse or personal representative? \_\_\_\_\_
5. Do you have own or plan to purchase cryptocurrency such as bitcoin, ethereum, litecoin? \_\_\_\_\_

6. Please list your personal accounts:

<input type="checkbox"/> <b>E-mail Accounts</b>		others
<input type="checkbox"/> Yahoo	<input type="checkbox"/> AOL	<input type="checkbox"/> _____
<input type="checkbox"/> Gmail	<input type="checkbox"/> Comcast	<input type="checkbox"/> _____
<input type="checkbox"/> Hotmail	<input type="checkbox"/> MSN	<input type="checkbox"/> _____
<input type="checkbox"/> <b>Utilities/Telecommunications</b>		others
<input type="checkbox"/> electric company	<input type="checkbox"/> AT&T	<input type="checkbox"/> _____
<input type="checkbox"/> Time Warner	<input type="checkbox"/> Verizon	<input type="checkbox"/> _____
<input type="checkbox"/> Comcast	<input type="checkbox"/> T-Mobile	<input type="checkbox"/> _____
<input type="checkbox"/> <b>Shopping</b> (include online and accounts)		others
<input type="checkbox"/> Amazon	<input type="checkbox"/> Ebay	<input type="checkbox"/> _____
<input type="checkbox"/> Target	<input type="checkbox"/> PayPal	<input type="checkbox"/> _____
<input type="checkbox"/> Staples	<input type="checkbox"/> Etsy	<input type="checkbox"/> _____
<input type="checkbox"/> <b>Incentives and Rewards</b>		others
<input type="checkbox"/> American Airlines	<input type="checkbox"/> Marriott	<input type="checkbox"/> _____
<input type="checkbox"/> Delta	<input type="checkbox"/> Hilton	<input type="checkbox"/> _____
<input type="checkbox"/> United Airlines	<input type="checkbox"/> grocery	<input type="checkbox"/> _____
<input type="checkbox"/> <b>Investments</b> (include online and offline)		others
<input type="checkbox"/> E*TRADE	<input type="checkbox"/> Fidelity	<input type="checkbox"/> _____
<input type="checkbox"/> TD Ameritrade	<input type="checkbox"/> Ameriprise	<input type="checkbox"/> _____
<input type="checkbox"/> Scottrade	<input type="checkbox"/> Vanguard	<input type="checkbox"/> _____
<input type="checkbox"/> <b>Banking</b> (include online and offline)		others
<input type="checkbox"/> JPMorgan Chase	<input type="checkbox"/> Wells Fargo	<input type="checkbox"/> _____
<input type="checkbox"/> Bank of America	<input type="checkbox"/> Capital One	<input type="checkbox"/> _____
<input type="checkbox"/> Citigroup	<input type="checkbox"/> TD Bank	<input type="checkbox"/> _____
<input type="checkbox"/> <b>Data Storage</b>		others
<input type="checkbox"/> iCloud	<input type="checkbox"/> Google Drive	<input type="checkbox"/> _____
<input type="checkbox"/> Dropbox	<input type="checkbox"/> Amazon Cloud	<input type="checkbox"/> _____
<input type="checkbox"/> Shutterfly	<input type="checkbox"/> Carbonite	<input type="checkbox"/> _____

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<input type="checkbox"/> <b>Charitable Donations</b> (include online and offline)		others	
<input type="checkbox"/> American Red Cross	<input type="checkbox"/> St. Jude	<input type="checkbox"/> _____	<input type="checkbox"/> _____
<input type="checkbox"/> Childfund	<input type="checkbox"/> Heifer Project	<input type="checkbox"/> _____	<input type="checkbox"/> _____
<input type="checkbox"/> Religious	<input type="checkbox"/> UNICEF	<input type="checkbox"/> _____	<input type="checkbox"/> _____
<input type="checkbox"/> <b>Social Media</b>		others	
<input type="checkbox"/> Facebook	<input type="checkbox"/> Instagram	<input type="checkbox"/> _____	<input type="checkbox"/> _____
<input type="checkbox"/> Twitter	<input type="checkbox"/> Pinterest	<input type="checkbox"/> _____	<input type="checkbox"/> _____
<input type="checkbox"/> LinkedIn	<input type="checkbox"/> Google +	<input type="checkbox"/> _____	<input type="checkbox"/> _____
<input type="checkbox"/> <b>Subscriptions</b> (include online and offline)		others	
<input type="checkbox"/> Netflix	<input type="checkbox"/> 1-800-CONTACTS	<input type="checkbox"/> _____	<input type="checkbox"/> _____
<input type="checkbox"/> HBO	<input type="checkbox"/> New York Times	<input type="checkbox"/> _____	<input type="checkbox"/> _____
<input type="checkbox"/> Hulu	<input type="checkbox"/> Weight Watchers	<input type="checkbox"/> _____	<input type="checkbox"/> _____
<input type="checkbox"/> <b>Gaming</b>		others	
<input type="checkbox"/> Xbox Live	<input type="checkbox"/> World of Warcraft	<input type="checkbox"/> _____	<input type="checkbox"/> _____
<input type="checkbox"/> PlayStation Plus	<input type="checkbox"/> Call of Duty	<input type="checkbox"/> _____	<input type="checkbox"/> _____
<input type="checkbox"/> Google Play	<input type="checkbox"/> Minecraft	<input type="checkbox"/> _____	<input type="checkbox"/> _____
<input type="checkbox"/> <b>Miscellaneous/Other Accounts</b>			
<input type="checkbox"/> _____	<input type="checkbox"/> _____	<input type="checkbox"/> _____	<input type="checkbox"/> _____
<input type="checkbox"/> _____	<input type="checkbox"/> _____	<input type="checkbox"/> _____	<input type="checkbox"/> _____
<input type="checkbox"/> _____	<input type="checkbox"/> _____	<input type="checkbox"/> _____	<input type="checkbox"/> _____
<input type="checkbox"/> _____	<input type="checkbox"/> _____	<input type="checkbox"/> _____	<input type="checkbox"/> _____

7. Do you share any accounts or services?  Y  N  
 Off-line (including bank accounts, trusts, investments)  Y  N  
 Online (including music/book services, financial, e-commerce Netflix, Apple)  Y  N

8. Are you aware:

- In many states and in several Account Holder Terms and Conditions, it is prohibited for anyone other than yourself to use your password to conduct activities?
- Going to paperless statements and having statements delivered to an unknown email address may result in funds being lost, not distributed or your estate being subject to possible tax penalties and interest if not discovered until after the estate tax return is due or the estate has been closed?
- You may be required to specifically assign access to the content of electronic communications, otherwise resulting in funds being lost, not distributed, or your estate being subjected to possible tax penalties and interest if not discovered until after estate tax return is due or estate has been closed?

9. Have you determined:  
 What do you want to do with your online profiles (e.g. delete, memorialize)? \_\_\_\_\_  
 \_\_\_\_\_  
 Who will be responsible for managing your online legacy? \_\_\_\_\_  
 \_\_\_\_\_



# Where Are Digital Assets Found?

- Home computers/laptops
- Smart phones
- iPads/tablets
- iPods/MP3 players
- E-Readers
- USB flash drives
- CDs/DVDs
- External hard drives
- Digital cameras
- Cloud storage



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# Digital Assets Have Value

- **Monetary value**
  - Avg. \$100,000
- **Sentimental value**
  - Digital photos/videos
  - Social networking accounts
  - Emails
  - Blogs



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# Digital Afterlife

➤ Access

➤ Privacy

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# Estate Access

- **Fiduciaries need to –**
  - **Identify assets**
  - **Preserve assets**
  - **Access assets**
  - **Value assets**
  - **Transfer assets**

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# Estate Access – Digital Assets

- **Fiduciaries need to –**
  - **Gather bank, credit card and brokerage statements**
  - **Request credit reports and notify credit bureaus of death by sending death certificate**
  - **Remove credit card information from shopping accounts**
  - **Move quickly to prevent identity theft**

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# Estate Access – Digital Assets

## ➤ Fiduciaries need to –

- Access/preserve e-mails, voicemail, phones, computer
- Access email contact lists and social networking accounts (digital address book)
- Close email and social network accounts
  - Caution -- DO NOT close before ensuring important financial information has been retrieved
  - May lead to valuable information about other accounts or assets
  - Example – time-sensitive financial information may be delivered to e-mail address after death

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## Estate Access -- Digital Assets

- Finalize digital wallet transactions
- Back up all hard drives, flash drives and other data
- Archive digital photos/content to flash drive

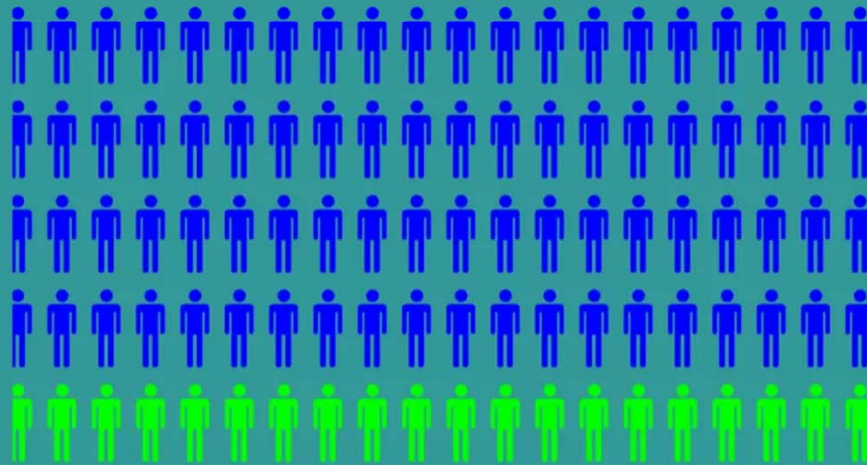
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# Digital Afterlife -- Privacy

## PRIVACY AFTERLIFE POLL RESULTS

4 out of 5 Want Privacy  
To Control In Afterlife

By over a 4-to-1 margin, Americans say the privacy of their electronic communications is a higher priority than giving access to family and heirs.



 Privacy Controls  Estate Access is Paramount

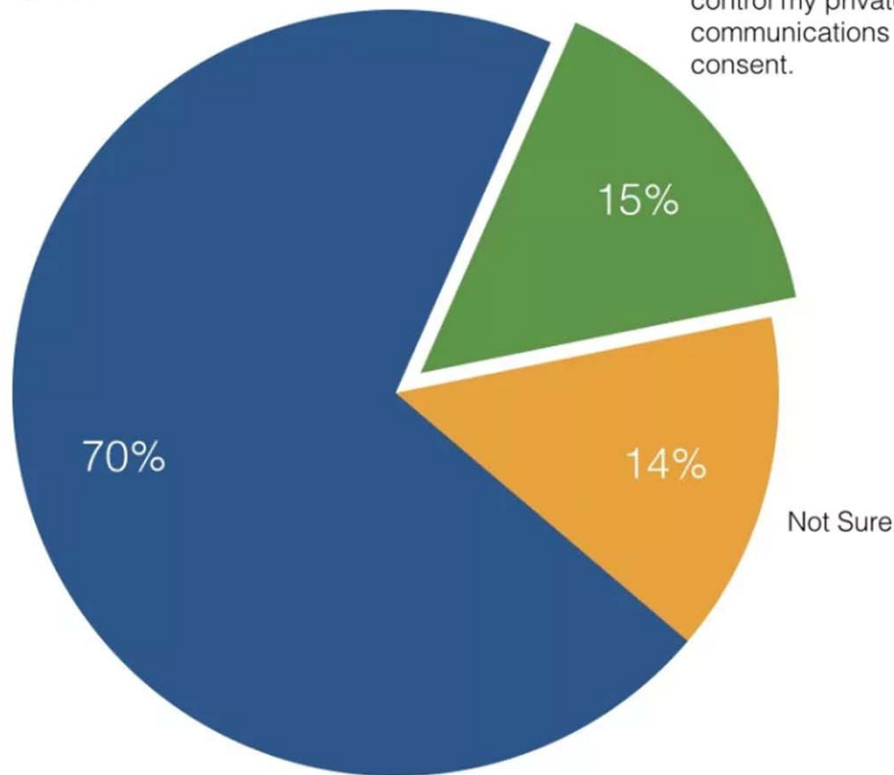
**4 out of 5 want  
privacy in the  
afterlife!**

CY

# Digital Afterlife -- Privacy

No one should access content after I die, unless I gave prior consent.

Estate executors should control my private communications even if no consent.



**Prior consent matters**

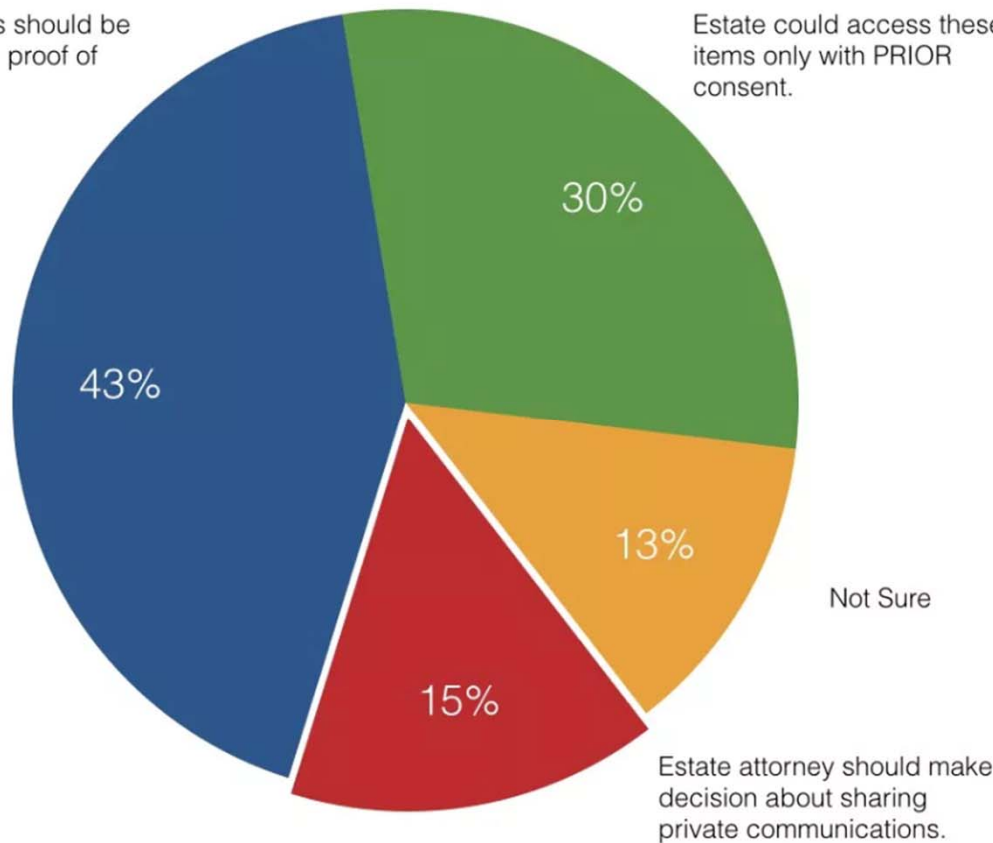




# Digital Afterlife -- Privacy

Content items should be deleted upon proof of death.

Estate could access these items only with PRIOR consent.



## What to do with accounts?



# Terms of Service Agreement TOSA

- Dictates who has authority to access/close account
- Legally binding agreement
- Consumer must accept or decline – not negotiable
- Protects site owners (one-sided/self serving)
- Sets forth site owner's privacy policy
- Constantly changing unilaterally and w/o notice
- Prevails over court orders
- Prohibits password sharing/impersonating account holder

# TOSA Restricting Access

## ➤ Restricts account access after death/disability

### Twitter



“In the event of the death of a Twitter user, we can work with a person authorized to act on the behalf of the estate or with a verified immediate family member of the deceased to have an account deactivated.”

### Instagram



“In the event of the death of a Instagram user, please contact us. We will usually conduct our communication via email; should we require any other information, we will contact you at the email address you have provided in your request.”

### iTunes



Silent about fiduciaries.

Many web-service providers prohibit you from allowing anyone else access.



# Facebook's TOSA



facebook

- *You will not share your password* (or in the case of developers, your secret key), let anyone else access your account, or do anything else that might jeopardize the security of your account
- *You will not transfer your account* (including any Page or application you administer) to anyone without first getting our written permission
- *You will not* solicit login information or *access an account* belonging to someone else

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**Apple**



- **No stated policy on death or disability**

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# Computer Fraud and Abuse Act

## ➤ Federal CFAA

- Enacted in 1986 to criminalize internet crime
- Makes unauthorized access to any computer, account or online service a crime
- TOSA violation = CFAA violation
- Fiduciary dilemma

## ➤ Florida CFAA

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# Stored Communications Act

- Federal law enacted in 1986
- Creates right to privacy for data stored online
- Prohibits disclosure of electronic communications to 3<sup>rd</sup> parties
- Severe penalties for wrongful disclosure
- Exceptions
  - Law enforcement
  - Disclosure allowed if there is lawful consent
    - Custodian “may” disclose

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# Florida Fiduciary Access to Digital Assets Act (“FFADAA”)

- First state to pass Act
- Allows fiduciaries to access to digital assets
- Clarifies that fiduciaries have the same authority over digital assets as other assets

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# FFADAA

## Catalogue vs. Content

- Catalogue -- information that contains: (i) identity of and address for each user who has had communication; (ii) time and date of communication
  - Excludes subject line
  - Can usually obtain w/o prior consent
- Content – substance or meaning of communication
  - Must receive express prior consent from user and fiduciary

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# FFADAA

## “Opt-in” vs. “Opt-out”

- Catalogue can be obtained unless deceased “opts-out”
- Content can be obtained only if deceased “opts-in”
- “Opt-in” requires express prior consent

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# FFADAA Pecking Order

- Online tool
- Legal document (Will/Trust/POA)
- TOSA
- FFADAA

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# FFADAA Online Tool

- Statute authorizes custodian to offer online tool (*i.e.* electronic service for disclosure to 3<sup>rd</sup> party)
- Separate from custodian's TOSA
- If offered, statute says online tool supersedes estate plan and custodian's TOSA

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# FFADAA Will/Trust/POA

- Include “opt-in” language in Will/Trust/POA

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# FFADAA

## Custodian Compliance

- **Custodian has 3 options for disclosure:**
  - **(1) Grant fiduciary full access**
  - **(2) Grant partial access to account sufficient to perform tasks necessary to discharge fiduciary duties**
  - **(3) Provide “data dump” of information and assets in user’s account**

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# FFADAA

## Custodian Compliance

- **Custodian can also require at their discretion --**
  - **Court order finding that --**
    - **Account holder had identifiable account with custodian**
    - **Disclosure of content does not violate the SCA**
    - **The account holder consented to the disclosure (unless an online tool was used)**
    - **Disclosure reasonably necessary for administration**
  - **Reasonable fee for disclosure**

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# Obstacles to Discharging Fiduciary Responsibility

- **Fiduciaries risk liability**
  - **Liability (civil) to beneficiaries if they refuse to perform their fiduciary duty to manage the decedent's digital assets**
  - **Liability (criminal and civil) to the State if they actually perform their fiduciary duty to manage the decedent's digital assets**

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# Password Sharing Problem

- Violates laws and TOSA
- Become obsolete
  - IP address authentication
  - 2-factor authentication
  - Security questions
  - Voice recognition
  - Biometrics
- Passwords change often
- Impedes administration
- Risk of theft/fraud



Passwords are like toothbrushes.

**Don't share them** – even with friends.

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## What Should Be Done?

- **Identify and inventory digital assets**
- **Leave detailed instructions on how to access each account**

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# Define Fiduciary Access After Death Online Tool

- **Most social media/email providers do NOT have online tool allowing family to access/modify deceased user's account**
  - **LinkedIn** – after receiving verification of death, will close account
  - **Twitter** – upon request from next of kin, will provide copy of tweets and close account
  - **PayPal** – allows PR to close account and will distribute any remaining funds via check
  - **Hotmail** -- provides copies of any emails in user accounts, provides contact lists and closes account
  - **Yahoo!** – upon receipt of death certificate, deletes all content and removes account



# Define Fiduciary Access After Death Online Tool

- Facebook and Google offer online tools
  - Facebook -- “Legacy Contact”
  - Google -- “Inactive Account Manager”

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# Facebook “Legacy Contact”

- “Legacy Contact” can –
  - Memorialize account
    - Write a post to share a remembrance or final message or provide information about memorial service
    - Post photos/videos
    - Family/friends can gather go to page to share memories
    - Respond to new friend requests
    - Update profile picture
    - Request removal of account
  - Download copies of shared items (photos, videos, wall posts, profile information, contacts, events and friends)



# Facebook “Legacy Contact”

- “Legacy Contact” cannot –
  - Log into account
  - Remove or change past posts, photos or items shared on timeline
  - Read or download messages
  - Remove friends
  - Make new friend requests
  - Add a new “Legacy Contact”
- “Legacy Contact” overrides authorization in Will/Trust/POA

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<b>Login Alerts</b>	Get an alert when anyone logs into your account from a new device or browser.	<a href="#">Edit</a>
<b>Login Approvals</b>	Use your phone as an extra layer of security to keep other people from logging into your account.	<a href="#">Edit</a>
<b>Code Generator</b>	Use your Facebook app to get security codes when you need them.	<a href="#">Edit</a>
<b>App Passwords</b>	Use special passwords to log into your apps instead of using your Facebook password or Login Approvals codes.	<a href="#">Edit</a>
<b>Trusted Contacts</b>	Pick friends you can call to help you get back into your account if you get locked out.	<a href="#">Edit</a>
<b>Your Browsers and Apps</b>	Review which browsers you saved as ones you often use.	<a href="#">Edit</a>
<b>Where You're Logged In</b>	Review and manage where you're currently logged into Facebook.	<a href="#">Edit</a>

**Legacy Contact**

**My Legacy Contact**

A legacy contact is someone you choose to manage your account after you pass away. They'll be able to do things like pin a post on your Timeline, respond to new friend requests, and update your profile picture. They won't post as you or see your messages. [Learn more.](#)

Your legacy contact won't be notified until your account is memorialized, but you'll have the option to send them a message right away.

---

**Account Deletion**

If you don't want a Facebook account after you pass away, you can request to have your account permanently deleted.

---



# Google “Inactive Account Manager”

- User can designate Trusted Contacts to receive email after death or incapacity allowing them to download deceased’s Google data
  - User decides how much data to give Trusted Contact access to
  - Email is sent after account has “timed out” (user selects period of inactivity of 3, 6, 9 or 12 months)
  - Trusted Contacts have 3 months to download the data

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Select data to be shared with this trusted contact

Once your account has timed out, your trusted contact can download your data for 3 months.

Select all

+1s

Blogger

Contacts

Drive

Mail

Reader

YouTube





« Data Tools

## Inactive Account Manager

What happens to your account when you stop using it?  
Google puts you in control. [Learn more](#)

### Alert me

Provide a mobile phone number to be alerted before any actions will be performed on your account. You can also add an additional email address.



Mobile phone number

[Redacted]



Email address

laura.szabo@gmail.com

[Add email](#)

### Timeout period

Set a timeout period for your account. Google will alert you **2 months** before this period expires.



Your account will time out if you haven't signed-in to your Google account for:

9 months ↕

### Notify contacts and share data

Add up to 10 trusted friends or family members who should be notified that your account is inactive. You can also share data with them if you like.



Laura Szabo Szabo <laura.szabo@gmail.com>

Will be notified and granted access to data



[Add trusted contact](#)

[Set auto-response in Gmail](#)

### Optionally delete account

If you wish, instruct Google to delete your account once all requested actions have been completed.

All data associated with your products will be deleted, this includes your publicly shared data like YouTube videos, Google+ posts or blogs on Blogger. [Learn more](#).



Delete my account:

# Define Fiduciary Access After Death Include in Estate Plan

- Include “opt-in” language in Will/Trust/POA
- Key words to use –
  - Fiduciary is “*authorized user*”
  - Fiduciary has “*lawful consent*”
  - Fiduciary can access, transfer or delete “*content*”
  - Fiduciary can access in “*any location*”
  - Fiduciary can hire technical expert to access/secure




# Digital Asset Management Tool


- Consolidates digital asset planning
- Maintains secure inventory of digital assets
- Utilizes online tools where appropriate
- Contains directives for access and privacy
  - Directives satisfy ever-changing TOSAs and FFADAA

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# Directive Communication Systems

 Directive Communication Systems
Hello Melissa [sign out](#) [help](#) [Resource Center](#)

### My profile i

  
**LAW OFFICE**

**Melissa Smith**  
 Case #: C0370AA262  
 DOB: Jan 09, 1959  
 SSN: \*\*\*\*\*8793  
 Enrollment: Jan 12, 2015

[\(224\) 345-2341](#)  
[dcs.brt+c03@gmail.com](mailto:dcs.brt+c03@gmail.com)

**Estate Document Information**  
[View Estate Passcode](#)  
INCOMPLETE

CONTACTS
ACCOUNTS
DEVICES
DOCUMENTS
SETTINGS v

### My contacts i

+ Add contact

**Fiduciary**

Executor/Personal Rep...	Miller, Susan	📞 (614) 444-9914	✔	edit
--------------------------	---------------	------------------	---	------

**Personal and Professional**

Relative	Miller, Susan	📞 (614) 444-9914	✔	edit
Relative	Miller, Tom	📞 (614) 555-1212	✔	edit
Financial Advisor	Morgan, James	📞 (614) 387-6743	✔	edit
Spouse	Smith, John	📞 (614) 555-1212	✔	edit
Child	Smith, Jordan	📞 (614) 345-2255	✔	edit

### My advisors i

**Estate Lawyer**  
 Kuzak, Michael  
 321 Newbury Street  
 2300  
 Boston MA 02113  
 📞 (617) 555-1212  
 ✉️ [dcs.brt+a02@gmail.com](mailto:dcs.brt+a02@gmail.com)

**Client Team**  
 Becker, Arnie  
 Meiman, Roxanne

### My accounts i


Add your list of accounts
Portfolio Link
+ Add account

57 results 20 per page  1 of 3

Directive	Account Name	Nickname	Date Added	Status	
\$	21st Century Insurance		Nov 04, 2015	✔	edit
\$	Aetna Insurance	My Life Insurance	Oct 14, 2015	✔	edit
✕	Airbnb		Oct 22, 2015	✔	edit
🔍	Amazon - Prime, Kindle, Audible		Jun 15, 2017	✔	edit

52

# Directive Communication Systems


Directive Communication Systems
Hello Chris [sign out](#) [help](#) [Resource Center](#)

(546) 897-4561  
dcommclients+12@gmail.com

**DCS Provision Included:**  
Mar 01, 2012

**My advisors** ⓘ

**Estate Lawyer**  
Emerson, Keith  
444 Ipswich Way  
Newton MA 02136  
(879) 456-1234  
dcommagents+11@gmail.com

**Client Team**  
Depardieu, Gerard  
Lake, Greg  
Poulson, Bill

**My addresses** ⓘ

**Domicile** | edit  
118 Brackett St  
Portland ME 02316

**Mailing Address** | edit  
123 Maine St  
Sutle 321  
Boston MA 02134

[+ Add address](#)

**My accounts** ⓘ [Adding accounts in progress](#) [Portfolio Link](#) [+ Add account](#)

37 results 20 per page search 1 of 2

Directive	Account Name	Nickname	Date Added	Status	
	Amazon - Prime, Kindle, Audible	Prime	Jan 02, 2018	<span style="color: green;">✔</span>	<a href="#">edit</a>
\$	American Express		Feb 19, 2015	<span style="color: green;">✔</span>	<a href="#">edit</a>
	Ancestry.com	Family	Jul 20, 2018	<span style="color: green;">✔</span>	<a href="#">edit</a>
	AOL	Personal Email	Dec 12, 2015	<span style="color: green;">✔</span>	<a href="#">edit</a>
	Apple - AppleID, iTunes, Apple.com	My itunes	Oct 08, 2015	<span style="color: green;">✔</span>	<a href="#">edit</a>
	Ashley Madison	BillyBob	Jan 12, 2015	INCOMPLETE	<a href="#">edit</a>
\$	Bank of America	My accounts	Nov 23, 2015	<span style="color: green;">✔</span>	<a href="#">edit</a>
	Boozy.com		Jul 05, 2016	REQUESTED	<a href="#">edit</a>
	Boston Globe	Newspaper	Aug 17, 2015	<span style="color: green;">✔</span>	<a href="#">edit</a>
	Brad's Bicycle Shop	My Bike	Dec 01, 2016	REQUESTED	<a href="#">edit</a>
\$	Citigroup		Jan 29, 2018	<span style="color: green;">✔</span>	<a href="#">edit</a>
	Delta Airlines	air miles	Jun 25, 2015	INCOMPLETE	<a href="#">edit</a>
	DropBox	storage	Apr 17, 2015	<span style="color: green;">✔</span>	<a href="#">edit</a>
\$	e*Trade	My online investment	Mar 23, 2016	<span style="color: green;">✔</span>	<a href="#">edit</a>
	Facebook	lposkanzer@directivecommunications.com	Aug 10, 2018	<span style="color: green;">✔</span>	<a href="#">edit</a>
\$	Fidelity & Guaranty Life Insurance Company of New York	Personal	Mar 18, 2015	<span style="color: green;">✔</span>	<a href="#">edit</a>

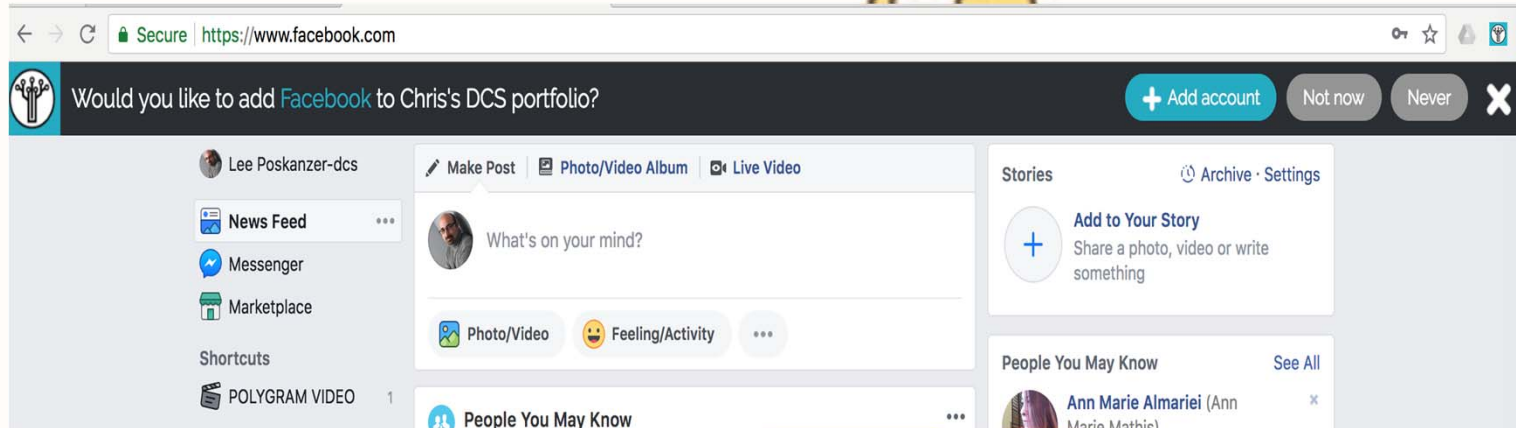


36 results 20 per page search 1 of 2

Directive	Account Name	Nickname	Date Added	Status	
✕	Amazon - Online	My Amazon	Mar 31, 2015	✓	edit
🔑	Amazon - Prime, Kindle	Kindle	Feb 18, 2015	✓	edit
✕	American Airlines	air miles	Apr 24, 2015	✓	edit
➔	American Express - Rewards	Personal Travel Account	Feb 19, 2015	✓	edit
🔑 ✕	AOL	Personal Email	Dec 12, 2015	✓	edit
➔	Apple - AppleID, iTunes, Apple.com	My itunes	Oct 08, 2015	✓	edit
🔒 ✕	Ashley Madison	BillyBob	Jan 12, 2015	✓	edit
\$	Bank of America	My checking	Nov 23, 2015	✓	edit
\$	Bank of America - Credit Card	Credit Card #1	Jan 12, 2015	✓	edit
\$	Bank of America - Mortgage & Home Equity	My mortgage	Mar 21, 2016	✓	edit
	baskinandrobins.com		Jul 05, 2016	REQUESTED	edit
	Boozy.com		Jul 05, 2016	REQUESTED	edit
✕	Boston Globe	Newspaper	Aug 17, 2015	✓	edit
	Cambridge bakery		Jun 24, 2015	REQUESTED	edit
✕	Delta Airlines	air miles	Jun 25, 2015	✓	edit
\$	DropBox	storage	Apr 17, 2015	Slack - DCS	edit



# Directive Communication Systems



**Portfolio Link** ✕

Securely add all your personal accounts directly from a file to your DCS Portfolio.

1. Identify/Prepare file with accounts
2. Upload file securely
3. Receive email confirmation

Let DCS do the work for you! Here's a **SAMPLE FILE** that you can download and use.

**File types:** We accept Word Document, Excel Spreadsheet, Comma Separated Value (CSV), Text File, PDF.

**Security:** Your account information is safe and it will be securely transferred and encrypted for your protection.

**Notification:** Once the accounts are loaded into your DCS, you'll receive a confirmation email.

**REMOVE ALL PASSWORDS** For your protection, any documents with passwords will be deleted and you will be requested to upload your accounts list again. DCS is not responsible for any account passwords or their use.

I confirm that there are no account passwords in the attached file.

Select Account File

Cancel **SAVE**

LE

COY



# CLIENT CARE PROGRAM



*“We Take Care of You and Your Family, Now and After You are Gone”*

## ONGOING ACCESS AND COMMUNICATION

- Our team members are available to answer your questions or concerns. Reasonable access and communication is available during regular working hours by phone, email or in person as appropriate, without getting a bill. We strive for a 24-hour response time (except weekends and holidays).

## CONTINUOUS ASSET ALIGNMENT, VERIFICATION AND TRACKING

- Your assets are funded into your trust when the estate plan is executed. After that, we regularly review ownership of your assets and provide you with an annual report to ensure that your assets are properly funded into your trust and that all beneficiary designations are coordinated with your overall plan. These reviews can be coordinated with your financial advisor.

## ESTATE PLANNING DOCUMENTS UPDATED

- Estate planning is a process, not a transaction. Our firm regularly monitors your estate plan. The only way to ensure that your plan carries out your wishes is to realize there will be changes in your life and the law. You cannot keep your ship on course if you don't regularly check its location, direction and final destination. Our updating program will make sure that your plan stays current and consistent with your goals when changes occur. You will have peace of mind knowing that your plan is up-to-date. Complimentary plan review, changes to fiduciaries and beneficiaries, and updated powers of attorney. Plus, a 25% discount on other changes and new planning work.

## FAMILY CARE MEETING

- The Family Care Meeting is an opportunity for you to meet with your trusted family members and advisors and explain your plan. You are able to tell your family the how and why of your plan. This provides a forum to address questions and discuss any potential issues. This allows you to set expectations among the next generation which leads to family harmony.

## FAMILY DOSSIER

- You are given a centralized system to organize all of your personal information and records. The Family Dossier is designed to facilitate a smooth transition of critical information to your family when it is needed most, an invaluable gift!

## CLIENT EDUCATIONAL OPPORTUNITIES

- Complimentary workshops estate and elder planning topics to keep you informed on the latest legal updates. We encourage your family members to attend too. We provide e-newsletters and blogs on topics of interest. We also offer complimentary consultations with your successor trustees to educate them on their duties.

## DIGITAL ASSET PLANNING

- Complimentary subscription to a digital asset management platform which maintains a list of your digital assets and assigns directions for how you want those assets handled after you die. The platform does not keep passwords, account content, credit card or other sensitive information. The platform only knows your accounts exist and provides post-death instructions.

## CLOUD ACCESS TO ESTATE PLANNING DOCUMENTS

- Complimentary subscription to DocuBank® for cloud storage of your estate planning documents. Your family is given 24/7 access to your important documents. You also get a healthcare directive ID card.

## COUNSEL YOU ON OTHER LEGAL MATTERS

- We will counsel you on other estate planning options as your personal and financial circumstances change. In addition, if you have another type of legal matter, we will find another attorney who specializes in that area of law.

## COLLABORATION WITH YOUR TRUSTED PROFESSIONAL ADVISORS

- Our firm collaborates with your financial advisors, accountants and insurance professionals to integrate your estate plan with your life so that everyone is working together as a team with the mutual goal of taking care of your family. We will provide your estate planning documents to your trusted advisors upon request with instructions to carry out your goals.



# Client Expectations

- Haven't considered digital assets
- Assumes they have fewer digital assets than they do
- Ignorant re: site owner req. and access limitations
- Common to hear "I have accounts my spouse doesn't know about"
- Needs to be educated
  - Start with questionnaire
  - Introduce importance of planning and impact of future digital asset acquisition

LEGACY

# Client Opportunities

- **Digital assets are easy to discuss**
  - More personal than investments
  - Opening to discuss legacy goals
- **Digital assets present opportunity to deepen relationships**

 LEGACY

**Thanks for coming!**  
**Any Questions?**



# Protecting Your Digital Legacy



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