

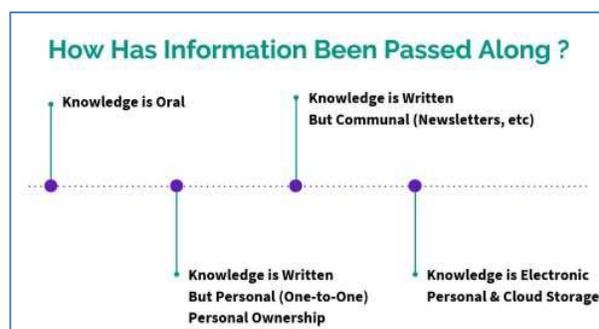
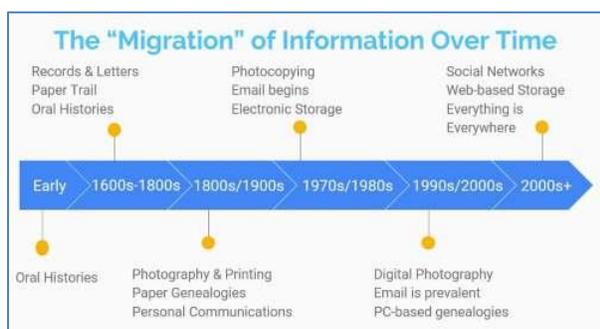
PRESERVING YOUR ONLINE DIGITAL LEGACY: WHAT TO DO WHEN YOUR LEGACY IS FACEBOOK & TWITTER

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Inspired by *Your Digital Afterlife: When Facebook, Flickr and Twitter Are Your Estate, What's Your Legacy?* By Evan Carroll and John Romano. ISBN 978-0-321-73228-6

As we move further into the digital world with our research and daily interactions, there are important long-term considerations regarding the preservation of our years of work in tracing our ancestry. We will examine many of those questions and present practical approaches to the preservation of online digital legacies.

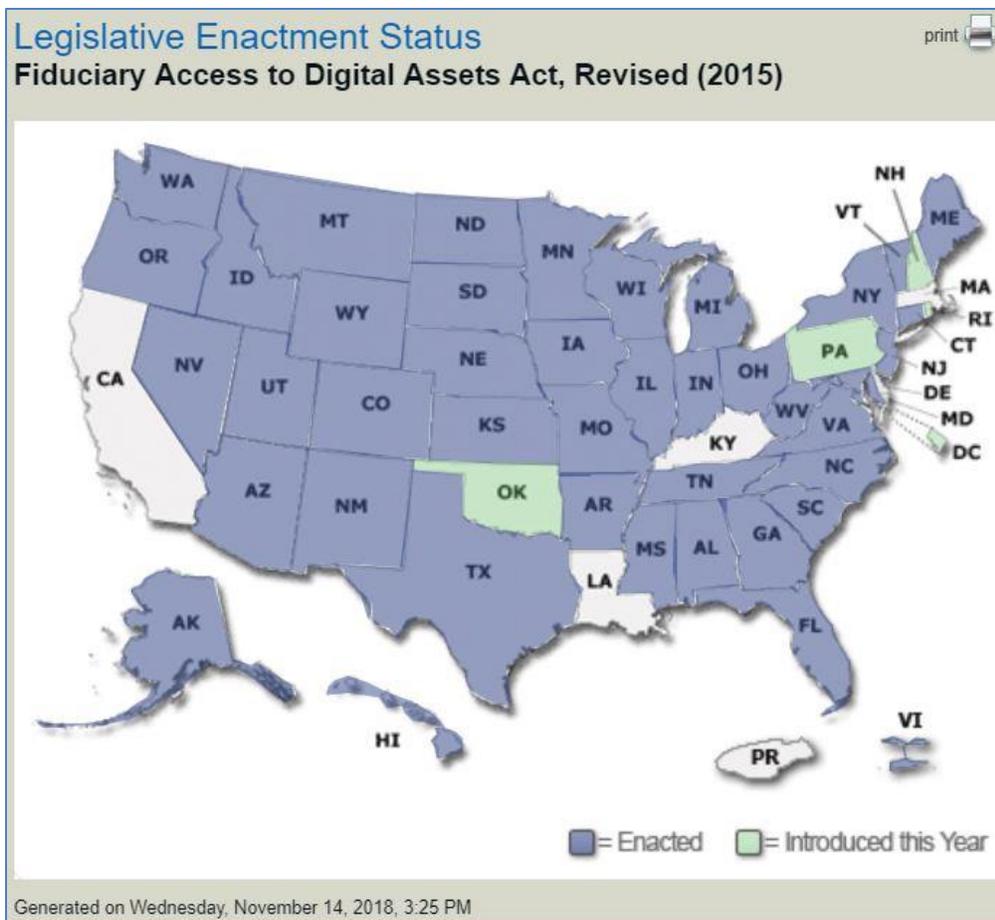
What has historically defined my identity? Who I am, Who I've touched, What I've left behind



1. Old times: Few records, oral history, physical objects/wealth
2. 1600/1700/1800s: Rise of record keeping & letters/abstracts. Legacies include paper trail. Oral history still strong
3. 1800/1900s: Rise of Photography. Oral histories augmented by photos, letters, etc. Communication is still one-to-one with informal forwarding of information. Genealogies are paper-based.
4. 1970/1980s: Rise of Photocopying enables one-to-many communication. Birth of email and electronic storage
5. 1990/2000s: Rise of email & digital photography. Communication now one-to-many and many-to-many. Electronic storage of documents & images. Personal Computer-based genealogies become prevalent.
6. 2000...: Rise of social networks and web-based storage. Documents & data are no longer confined to PC.

Grandma's "family stuff" bookshelf. Everyone knows where it is and what it is. Finding a new home is easy.	Aunt Lou's PC. Everyone knows she has "family stuff" inside there "somewhere" but how to find it?	Cousin Bill's phone – He has 50 year's worth of top-notch research. Good luck finding it!

Uniform Fiduciary Access to Digital Assets Act (Updated 2015)



Legislative Tracking

2018 Introductions & Enactments

State	Bill	Sponsor	Status
District of Columbia	22-0199	Allen	Introduced
Georgia	SB 301	Kennedy	Enacted
Maine	LD 846	Cardone	Enacted
Missouri	HB 1250	Plocher	Enacted
New Hampshire	SB 93		Introduced
Oklahoma	SB 1003	Duggar	Introduced
Pennsylvania	SB 827	Killion	Introduced
Rhode Island	HB 7447	Knight	Introduced
U.S. Virgin Islands	32-0132	Forde	Enacted
West Virginia	SB 102	Trump	Enacted

Preserving My Identity

1. “Digital Executor” concept – extension of traditional Power of Attorney concept
2. Complications: Who “owns” my accounts when I am gone? What policies are in place? How do they find out?
 - a. Some account policies address this, most do not.
 - b. “Digital Executor” might actually need to “impersonate” you to gain access – legal gray area
 - c. Some accounts have procedures to establish proof of death
 - d. Some accounts have processes in place to establish an archive or memorial
 - e. Some accounts automatically become closed/locked/frozen when they learn about a death
 - f. Financial accounts are the domain of your Executor
 - g. Non-financial accounts are a gray area in terms of legal control
3. Archiving vs. preservation
4. Ensuring account security while I’m still around
5. Making multiple copies of documents & photos in multiple places is a good thing! Do not presume that a service or website that exists today will be there tomorrow, no matter how big or well-known they are. Stick to Google, Dropbox, OneDrive, iCloud.
6. What Policies are in place? How do they find out?
 - a. Google: Inactive Account Manager
 - b. Facebook: Legacy Contact
 - c. Uniform Law Commission - see resources section

What’s important, how to make it available?

1. Electronic (spreadsheet, Google Sheet, etc.) or hardcopy of vital access information. Keep in central place/email to ???
 - a. #1 = Email account(s) access info: login, password, server info
 - b. #2 = Web accounts access info: URL, logins, password, challenge/hint questions/answers
2. #3 = Physical PC – ensure faster access to secure sites, and access to local files, photos, documents, etc.
 - a. If your PC has an access password, this needs to be known
 - b. Complication: Your PC is physical property, so is actually part of your estate.
3. Keep files & emails – MyDocuments, MyPictures, etc., so that they can be easily located

Resources

1. www.YourDigitalAfterLife.com, www.YourDigitalAfterLife.com/resources
2. Uniform Fiduciary Act Summary:
[http://www.uniformlaws.org/Act.aspx?title=Fiduciary%20Access%20to%20Digital%20Assets%20Act,%20Revised%20\(2015\)](http://www.uniformlaws.org/Act.aspx?title=Fiduciary%20Access%20to%20Digital%20Assets%20Act,%20Revised%20(2015))
3. Uniform Fiduciary Act Details:
<https://www.onefpa.org/journal/Pages/APR18-Estate-Planning-for-Digital-Assets-Understanding-the-Revised-Uniform-Fiduciary-Access-to-Digital-Assets-Act-and.aspx>
4. Uniform Fiduciary Act Details:
https://www.americanbar.org/content/dam/aba/publications/real_property_trust_and_estate_law_journal/v52/01/rpte-journal-2017-52-1-article-new-uniform-digital-assets-law-estate-planning-and-administration-in-information-age%20.authcheckdam.pdf