

Digital Estate Planning
Your Identity Isn't Safe Even After You've Died
Geeks on Tour

July 24, 2022

Judy Taylour

Brought to you by APCUG's Speakers Bureau



- How much of your life is virtual?
- Do you know anyone who doesn't have a computer, a tablet, or a smartphone?
- Every email, every payment, every movie, every picture, every file in the cloud is a digital asset.
- What happens if you die, and no one can retrieve them?
- Your estate can get stuck in digital probate.

- Digital assets are broadly defined as information about you that is electronic, posted online, or stored in a device.
- Where are the assets?
- Computers, tablets, wrist technology, phones
- The Cloud

- The year after somebody dies is one of the most vulnerable times for identity theft.
- Because death is a public record, criminals comb through recently deceased records and easily create a fake identity.
- Managing your virtual life after death protects your privacy, identity, and reputation.
- Your heirs don't need to get caught in long-drawn-out probate process that's still being legally defined.

Ghosting

- Deceased's personal information is stolen to commit fraudulent acts such as:
 - Account takeover
 - Taxpayer ID theft and refund fraud
 - Medical ID theft
 - Driver's license ID theft
 - Applying for new credit cards and loans
 - Applying for employment
- Ghosting can result in:
 - Problems with your estate
 - Creditors coming after your heirs
 - Lenders being fooled
 - Some of your money can be lost

Your Obituary

- Don't include too much identifying information when you write your obituary
- Published in newspapers and online
- Anyone can access it
- Info included on the funeral tribute page
- Info on a memorial page
- Make sure not too much personal information

OBITUARY INFORMATION FORM

- Last Name: _____ First Name: _____
- Middle Name: _____ Age: _____
- Professional Title: _____ Military Rank: _____
- Date of Death: _____
- Place of Death: _____
- Cause of Death: _____
- ~~Date of Birth: _____ Birthplace: _____~~
- ~~Parent Names: _____~~
- High School/College: _____ ~~Graduation Year: _____~~
- Spouse(s): _____ Marriage Date(s): _____
- Occupation(s): _____ Position(s): _____
- Awards: _____
- Accomplishments: _____
- Membership(s): _____ ~~Dates: _____~~
- Volunteer Position(s): _____ ~~Dates: _____~~
- Religious Affiliation: _____ Church: _____
- Hobbies/Interests: _____
- Survivor(s): _____

ID Theft

- Identity thieves use the information to set up new accounts
- Mother's maiden name
- Address (possible burglary during the funeral)
- Birthdate (use age)
- Place of birth
- High school/college graduation year
- Name of schools
- Pet's name (1 in 6 passwords include pet's name)
- With a name, address, and birth date, bad guys can purchase your Social Security number on the Internet for as little as \$10 (source AARP)

- I, personally, don't want a thief to become me and rack up a lot of charges, open new accounts, etc. and trash my identity

Digital Assets

- Our Facebook page, email accounts, and more are likely to outlive us.
- Managing our digital legacy may be the trickiest part of our estate planning.
- Failure to plan ahead may prevent our family from having access to family photos or videos
- Settling our final bills and more
- Each online service provider has its own terms of service
- How to handle our accounts when we are no longer here
- Federal and state laws present another hurdle
- We want to make sure our digital executor doesn't violate any terms of service stored under the *Stored Communications Act*
- State and federal laws protect our digital assets from unauthorized access to protect us again fraud and ID theft.
- They also can create obstacles for family members to gain access to our digital assets.
- The laws are rapidly changing.
- Essentially, your estate plan gives your digital executor authorization to access any necessary digital data.
- The laws aren't standardized across the US
- *The Uniform Law Commission* is helping to standardize the laws by drafting model legislation
- If you live in more than one state, your living trust or will needs to conform to the laws in each state.
- We need to start with a list.....

Online Presence

How many logins/passwords do you have?

- Email accounts
- Website domain names
- Online banking accounts
- Cryptocurrency accounts
- Automatic bill pay
- Credit cards
- Cell phone
- Cloud storage
- Photo storage
- Facebook
- Twitter
- LinkedIn
- Travel rewards
- Loyalty programs
- Computer(s)
- External hard drive(s)
- Flash Drives

What do you need logins/passwords for?

- Devices: (smartphones, wrist tech, tablets, and computers, external drives)
- WI-FI, network, and modem/router
- Entertainment (Netflix, etc.)
- Accounts for purchased movies, music, eBooks
- Amazon Prime
- Shopping (E-Bay, QVC, HSN, etc.)
- Online banking & other financial services
- Bill Paying
- Money management or tax programs
- Software or subscriptions you pay for monthly or annually
- Social Media accounts
- Facebook, Twitter, Instagram, YouTube, LinkedIn

Do you have online accounts where you make money?

- Who gets the rights to monetary assets?
- Podcasts
- YouTube channels
- Websites and eCommerce stores

Pro-Active Steps

- Create a list of your online accounts
- Do you really need all of them?
- Have you had some for a gazillion years and haven't used them for a long time?
- Why not close them to save your digital executor time and possibly tears
- Do you have accounts that are paid automatically?
- Add them to your list
- Do you have photos and/or photo albums in the Cloud?
- Add them to your list
- Do you have a lot of photos that no one will know who they are after you are gone?
- Add names to back of pics - OR
- Scan them
- Add identifying information
- Destroy them
- Save your heirs time and tears

- Have you designated a beneficiary for your DNA test results?
- Our results will remain in the database after we are gone.
- Give your digital executor the right to gain control of your DNA where it is stored.

- Designate a 'digital executor' in your will/living trust
- To close your digital presence on the Internet, your digital executor should understand.....

- Email accounts
 - Social media accounts
 - Online storage
 - Desktop computers
 - Laptops
 - Tablets
 - Mobile phones
 - Your operating systems (Windows, OSX, iOS, Android, Linux)
 - Understanding of popular apps/software
- Do not include any logins, passwords in a will = public document
 - Make it easier for your digital executor....
 - Research how to close accounts
 - Create a list of URLs
 - Download instructions
- What are you going to use for account information, logins, and passwords for everything that needs to be closed?
 - Password program?
 - Account / Login / Password list on an encrypted flash drive?
 - Encrypted file on your computer?
 - List in a notebook?

Password Managers

Password Managers will create new passwords for you, or you can use the ones you created. Include account information in the Notes section; you might want to also include the last password you used just in case an account asks for it. Give your master password to your digital executor and/or set up someone who can access your account in an emergency – you can specify a waiting period or grant them immediate access.

Dashlane

- Free (50 passwords/one device)
- \$60/year - Premium syncs across devices
- Patents for their security
- Alerts about breaches and hacks
- VPN
- Dark web monitoring and alerts

1Password

- \$38.00/year individual
- \$60.00/year families (5)
- Receive alerts for compromised websites and vulnerable passwords
- 2FA extra protection

- 1GB document storage
- Travel mode-removes sensitive data from your devices when you cross borders; restores access when you arrive

LastPass

- Free or \$36/year individual - \$48/Family
- Warns you of password-related security concerns—including when a site you use has been breached
- Dark web monitoring
- Emergency access

Bitwarden

- Free or \$10/year individual - \$40/year families (6)
- Open Source
- Cloud-based or self-host
- Invite someone to be an emergency contact

Two-Factor Authentication

- Digital Executor needs access to your phone or email account where verification information is sent
- Create a list of accounts and backup codes
- Generally stored in the same area where you set up 2FA
- Check out the set-up menu
- Fingerprint needed to access phone, laptop???
- Research to see if there is another way to access the device
- My phone requires a fingerprint
- If I don't have my finger in the correct place, there is a numerical code that opens the phone

Keep Data Up to Date!

- Of course, we need to remember to keep our account numbers & passwords up to date wherever we are saving them
- Facebook, various companies, etc. might need to send a verification email that your digital executor needs to respond to
- Close down email accounts and phone last
- I have an email account where all verifications go

Pro-Active Steps – Everplans

- Many websites assist in putting lists together
- Everplans is one of these sites
- **"Store and Share Everything Important"**
- An Everplan is a **secure, digital archive** of everything your loved ones will need should something happen to you."
- Everplans has many free step-by-step instructions on how to close digital accounts.

Pro-active Steps – Set Up SSA Account



my Social Security - Sign In Or Create An Account
<http://www.ssa.gov/myaccount/>

- Keep track of your earnings and verify them every year;
- Get an estimate of your future benefits if you are still working;
- Get a letter with proof of your benefits if you currently receive them; and
- Manage your benefits:
 - Change your address;
 - Start or change your direct deposit;
 - Get a replacement Medicare card; and
 - Get a replacement SSA-1099 or SSA-1042S for tax season.

Pro-active Steps – Set Up an IRS Account

- Create an IRS account before the crooks do it for you <http://bit.ly/1G8iFiv>
- <https://sa.www4.irs.gov/eauth/pub/login.jsp>



IRS

First Time Users

Create a Login to:

- Verify your identity for access to your personal tax information.
- Create a user ID and password to save time on future visits.
- Lock or Disable access to your online account.

[Information you need to verify your identity](#)

GET STARTED >

Closing a Yahoo Account



Closing a Gmail Account

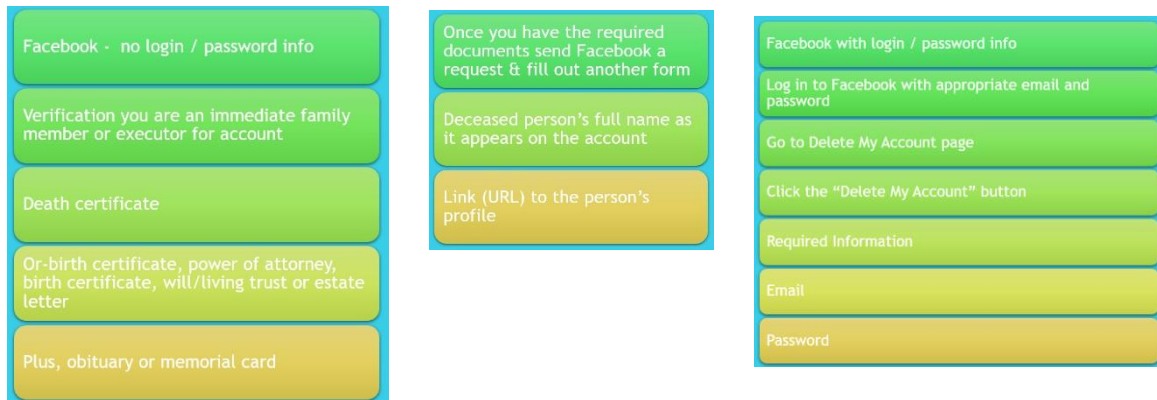


- I have two unique Gmail accounts
- 1 – tech club account
- 6+ APCUG Gmail email accounts
- Need to send an email to APCUG president to remove me from the accounts
- What organizations do you belong to that need to be notified?

Social Media Accounts

- Facebook – Memorialize or close?
- Twitter – Deactivate the account
- Instagram – Deactivate the account
 - A family member can ask to have the account deleted
- LinkedIn – Executor can delete it with log-in/password

Closing a Facebook Account



How much do you owe?

- Create a spreadsheet or table of every liability you have
 - Update it at least once a year
- Financial obligations not automatically forgiven once you've died
- Any unpaid debts are covered by your estate — the total assets owned at death
- Executor or administrator is responsible for paying any debts from the estate
- Debts must be settled before heirs receive any money

No will or living trust?

- Judge will decide how the assets should be distributed
- Appoint an administrator to carry out those decisions
- Cosigned for a loan?
 - Your estate will be responsible
- Joint account holder on a credit card?
 - Your estate will be responsible for any balances on the card
- Individual car lessee vs. Co-signer
- Estate filed for probate?
 - Creditors need to file claims
 - Assets transferred into a living trust will not require probate
- States have a minimum period for creditors to present a claim, or let the estate know they are owed money

Digital Executor / Executor / Family

- Beware of scam calls after the obituary has been published
- Easy for bad actors to call about money owed, money due, etc. from info in the obituary
- Request X number of original death certificates from the funeral home
 - Some entities require an original, others a copy or just a look at the original certificate
 - Just in case someone needs a marriage certificate or dissolution of marriage information, also get copies of those documents

Executor

Immediately notify

- Social Security Administration
 - 800-772-1213 7:00 am – 7:00 pm, Monday – Friday
- IRS – send a copy of death certificate
 - [Deceased Taxpayers Protecting the Deceaseds Identity from ID Theft | Internal Revenue Service \(irs.gov\)](#)
- Department of Motor Vehicles
- Voter Registration
- Three credit bureaus - [How To Reach a Human at Experian, TransUnion, and Equifax - Clark Howard](#)
- Credit Bureaus (call)
- Request the following statement be added to the credit report "Deceased - Do not issue credit. If an application is made for credit, please call the following immediately for verification _____."
- List the phone number of either the surviving spouse or the executor

- Follow up (letter)
- Inform the three credit bureaus (certified / return receipt requested)
- Include:
 - Name and current address
 - Social Security Number
 - Birthdate
 - Date of death/copy of death certificate
 - Your name
 - Contact information
 - Relationship
 - Proof that you are the representative of the estate
 - If the surviving spouse, copy of the marriage certificate

- Request copy of deceased's credit report
- Will include a list of all accounts that need to be closed
- There is no charge
- To ensure no accounts, etc. have been opened over a year, check credit report every four months

REFERENCES

- [Including Digital Assets in Your Estate Plan | legalzoom.com](#)
- [How to Build a Digital Estate Plan | U.S. Bank \(usbank.com\)](#)
- [Digital Asset Estate Planning: What You Should Know | PNC Insights](#)
- [Digital Asset Definition \(investopedia.com\)](#)
- [Protecting Deceased Loved Ones From Identity Theft - Family \(aarp.org\)](#)
- [EN-05-10008 - How Social Security Can Help You When a Family Member Dies \(June 2021\) \(ssa.gov\)](#)
- [Sign Up at irs.gov Before Crooks Do It For You – Krebs on Security](#)
 - [Set up SSA Account - my Social Security | SSA](#)
- [Steps to Protect the Deceased from Identity Theft \(creditreporting.com\)](#)
- Yahoo – no log-in / password
 - [Options available if a Yahoo Account owner passes away | Yahoo Help - SLN2021](#)
- Close Gmail account with no username/password
 - [How to Access a Deceased Loved One's Gmail Account: 5 Ways | Cake Blog \(joincake.com\)](#)
- [How do I request the removal of a deceased family member's Facebook account? | Facebook Help Center](#)
- [Special Request for Medically Incapacitated or Deceased Person's Account \(facebook.com\)](#)
- Password Manager Example
 - [Creating a Digital Will & Digital Estate Planning | LastPass](#)
- [How to Get 2FA Backup Codes \(Tip 913\)| Data Doctors Tech Tips](#)
- Do you have a legacy plan for your DNA?
- [The DNA Geek – Mixing science and genealogy.](#)
- [Digital Assets Can Tie Your Estate Up in Digital Probate \(hoplerwilms.com\)](#)
- [Protect Digital Assets After Your Death | Kiplinger](#)
- [Estate planning for digital assets | Fidelity](#)
- [Fiduciary Access to Digital Assets Act, Revised - Uniform Law Commission \(uniformlaws.org\)](#)
- [Let's Talk Cryptocurrencies and "Digital Assets": A Primer for Trust and Estate Lawyers | Insights | Holland & Knight \(hklaw.com\)](#)
- [Store and Share Everything Important | Everplans](#)
- [Take Control of Your Digital Legacy — Don't dump gigabytes of random data on your heirs! \(takecontrolbooks.com\)](#)
- [What Happens to Car Lease After the Car Lessee's Death | Trust & Will \(trustandwill.com\)](#)

If Identity Theft has already occurred

- Continue with the steps above as appropriate, and additionally:
- File a police report and alert law enforcement in the deceased's jurisdiction.
- Provide evidence of the fraud, like a collection notice, other bills, or a credit report
- Notify by certified letter, return receipt requested, the company listed on the collection notice, bills, or the credit report that fraud is being committed against a deceased person.
- Include a copy of the death certificate

Resources

- Steps to Protect the Deceased from Identity Theft - bit.ly/2vrVAKp
- AARP – <http://bit.ly/2tXRmGg>
- Identity Theft Resource Center - <http://www.idtheftcenter.org/>
- Veteran scam – <http://bit.ly/2vrvtU4>
- Everplans – www.everplans.com
- Take Control of Your Digital Legacy, Joe Kissell - www.takecontrolbooks.com
- How Social Security Can Help You When a Family Member Dies - <https://www.ssa.gov/pubs/EN-05-10008.pdf>
- Steps to Protect the Deceased from Identity Theft - <http://bit.ly/2vrVAKp>
- Set up IRS Account - <http://bit.ly/1G8iFiv>
- Set up SSA Account - <http://www.ssa.gov/myaccount/>
- Yahoo – no log-in / password - <https://yhoo.it/2MKiMJK>
- Close Gmail account with no username/password - <http://bit.ly/2HLiX8T>
- Death and passwords – 2FA - <http://bit.ly/2tUbF99>
- How to get 2FA Backup Codes - <http://bit.ly/2UmX7uc>
- Digital Assets Can Tie Your Estate Up in Digital Probate - Hopler, Wilms, & Hanna - <http://bit.ly/2VolKJB>
- Protect Digital Assets After Your Death - Kiplinger.com - <https://bit.ly/2XuJMnt>
- Estate planning for digital assets - Fidelity.com - <https://bit.ly/2XVopuA>
- Do you have a legacy plan for your DNA? - Thednageek.com
- [How To Reach a Human at Experian, TransUnion and Equifax - Clark Howard](#)