

FUTURE PLANNING

'Digital executors' protect online legacy

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PASADENA » Julian Ponce thought he had planned his entire estate in 2006, but he left out a big part of his assets — his online legacy.

When Ponce, the director of finance for the Pasadena Symphony, created his living trust seven years ago, his online presence was minuscule, he said. In 2008 his digital footprint expanded exponentially because he started using Facebook and then later Google+, so not creating an inventory of his virtual life was an oversight, he said.

"I didn't think about it, but I guess that's part of our identity now," said Ponce, 61. "People have to be aware of that."

The problem is people are still stuck in a pre-Internet world: People are still just thinking about money in the bank or a purchased home when they think about assets, said **Hillel L. Presser**, a Florida attorney who establishes comprehensive asset protection plans.

"They don't really think about digital media, websites,

domain names, social media, or email addresses," he said. "Those have a lot of value, whether it is emotional value or financial value. Essentially it's very important to inventory your digital media and make sure that someone has all the passwords and security questions so that they could log into the accounts after you pass away."

One's emotional fortune could be priceless, but things such as downloaded music from iTunes or purchased e-books that are stuck in a virtual library have monetary worth.

In fact, consumers on average valued their digital assets at \$37,438, according to a 2011 global study funded by McAfee. The study asked more than 3,000 people in 10 countries to place a financial value on valuables such as photo libraries, personal information and entertainment files.

Although having a "digital executor" is sometimes overlooked, people have already gone through legal battles to obtain deceased loved ones' digital data. In 2012, Helen and Jay Stassen sued Facebook for access to their

21-year-old son's profile so that they could find out why he committed suicide.

In a separate case, a federal court judge in Northern California ruled that Facebook was not required to grant access to surviving family members.

Privacy policies sometimes prevent social media services from handing over a deceased family member's account even if people have a death certificate for proof.

Twitter's fine print says it will work with "a person authorized to act on the behalf of the estate" or with verified family members to deactivate the account. But it will not provide family members with login information.

Facebook, too, protects the privacy of deceased people; however, people could ask that an account be memorialized. Verified family members could also request that Facebook remove a pro-

file because a person is no longer alive.

By not providing easy access to digital media accounts, people could be creating "more heartache" for surviving family members, Presser said.

An important thing to remember, Presser said, is to store your access codes in a safe place such as a safe deposit box, not a will, because a will is a public document.

