

Digital Estate Planning

Your Identity Isn't Safe Even After You've Died

Sun City Summerlin Computer Club

September 5, 2024

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, and 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.
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- Digital assets are broadly defined as electronic information about you posted online or stored on a device.
 - Where are the assets?
 - Computers, tablets, wrist technology, phones
 - The Cloud
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- 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 a long-drawn-out probate process that's still being legally defined.

Ghosting

- The 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 don't want a thief to become me, rack up many charges, open new accounts, etc., and trash my identity.

Digital Assets

Our Facebook page, email accounts, and more will likely outlive us.

- Managing our digital legacy may be the trickiest part of our estate planning.
- Failure to plan may prevent our family from having access to family photos or videos.
- Settling our final bills and more
- Each online service provider has its 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 against fraud and ID theft.
- They can also create obstacles for family members to access our digital assets.
- The laws are rapidly changing.
- Your estate plan authorizes your digital executor 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 (eBay, 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 need all of them?
 - Have you had some for a gazillion years and not 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 the back of pics - OR
 - Scan them
 - Add identifying information
 - Destroy them
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- 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 online, 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, or 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

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

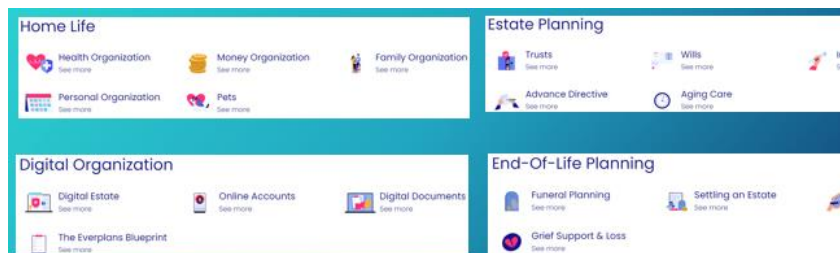
- Digital Executor needs access to your phone or email account where verification information is sent
 - Create a list of accounts and backup codes
 - Generally stored in the same area where you set up 2FA
 - Check out the set-up menu
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- Fingerprint 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
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Pro-Active Steps – Everplans (no endorsement)

- 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.



84%	86%	65%
are less productive when they feel disorganized	are less stressed when they are organized	of people feel anxious when critical info is all over the place

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.

- If you created a Social Security username before 2021, you will need to transition to a new or existing Login.gov account or use an ID.me account to have continuous access to the online services.

<https://blog.ssa.gov/how-to-transition-your-social-security-account-to-logs-gov/>

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>



Title Deed Fraud

- According to the FBI, property title deed fraud is on the rise, with criminals creating fake documents to claim ownership of other people's homes.
 - Google your county clerk (might be called something else in your county) to see how they advise you of any action on your title deed. In the past, Los Angeles County sent the information by US mail, and it could take up to 30 days to reach the homeowner, which might be too late. We will be notified within 2-3 days of enrolling in their email notification program.

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 the 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 – The Executor can delete it with log-in/password

Closing a Facebook Account

Facebook - no login / password info	Once you have the required documents send Facebook a request & fill out another form	Facebook with login / password info
Verification you are an immediate family member or executor for account	Deceased person's full name as it appears on the account	Log in to Facebook with appropriate email and password
Death certificate	Link (URL) to the person's profile	Go to Delete My Account page
Or-birth certificate, power of attorney, birth certificate, will/living trust or estate letter		Click the "Delete My Account" button
Plus, obituary or memorial card		Required Information
		Email
		Password

How much do you owe?

- Create a spreadsheet or table of every liability you have
- Update it at least once a year
- Financial obligations are not automatically forgiven once you've died
- Your estate covers any unpaid debts — the total assets owned at death
- The 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?

- A 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
- It is 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 the 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, a copy of the marriage certificate
- Request a copy of the 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 the credit report every four months

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 credit report that fraud is being committed against a deceased person. • Include a copy of the death certificate

Resources

- AARP – <http://bit.ly/2tXRmGg>
- Identity Theft Resource Center - <http://www.idtheftcenter.org/>
- 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 - <https://www.irs.gov/pub/irs-pdf/p5507.pdf>
- 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 – <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>
- Estate planning for digital assets - Fidelity.com - <https://bit.ly/2XVopuA>

- Do you have a legacy plan for your DNA? - <https://thednageek.com/>
- [How To Reach a Human at Experian, TransUnion and Equifax - Clark Howard](#)
- Including Digital Assets in Your Estate Plan - <https://www.legalzoom.com/articles/including-digital-assets-in-your-estate-plan>
- [How to Build a Digital Estate Plan | US 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 \(June 2021\) \(ssa.gov\)](#)
- [How do I request the removal of a deceased family member's Facebook account? | Facebook Help Center](#)
- [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](#)
- [What Happens to Car Lease After the Car Lessee's Death | Trust & Will \(trustandwill.com\)](#)