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Your Digital Footprint: Social Media and Digital Assets

Alan Wainer, CPA, CA, CPA (Illinois)
Alan Wainer Professional Corporation, Partner

Maureen Henry, as reported by CBC News is trying to put some closure on the loss of her son, Dovi, three years after he was found dead. It appears she will be obtaining a court order that will force Apple, Google, Facebook and Bell to provide his passwords. The objective: to find out what happened in the days leading up to his disappearance.

Her experience and the emotional stress it would put on any parent, raises a number of questions about digital assets or our electronic possessions:

1. Do we realize how social media plays a part in our lives each and every day?
2. Have you ever lost your iPhone and did you go into a state of panic?
3. Have you ever taken the time to read the service agreement each time you sign up with a new social media provider or have you done what most of us have done and just click on the accept button?
4. Would it not make sense to have a uniform approach to obtaining access to each of the accounts when someone dies?
5. How do we find a balance when you die, between the rights of the estate and the privacy rights of those that you have engaged in conversation with on the various sites?

I could go on, but the point is that there is a growing need to address our digital assets and in particular, as part of an estate plan. Evan Carroll and John Romano, authors of *Your Digital Afterlife*, provide some of the necessary tools to develop a digital plan.

The short version includes the following:

- 1. Digital assets inventory** – take an inventory of your digital assets.
- 2. Awareness, Access and Wishes** – for each asset ensure that your executor is **aware** of its existence, how to **access** the asset and what your **wishes** are.
- 3. Creating your Plan** – establish a plan to ensure your instructions are carried out.
- 4. Draft the appropriate clause in your will** – it will act as a reminder to your executor and provide some leverage with the service providers that your executor has the right to access the account.

Dealing with the loss of a loved one is never easy and I hope that Maureen can put some closure on her own situation. If we can learn anything from her experience it is that there is a need, regardless of age, to address our digital assets and the digital footprint that we wish to leave behind.

Learn more about your Digital Footprint here:

Podcast – Your Digital Footprint with Alan Wainer

Estate Planning for Your Digital Assets: Your Digital Footprint

Who gets to look at your social media accounts after you die? – CBC Radio.

This article has been prepared for the general information of our clients. Specific professional advice should be obtained prior to the implementation of any suggestion contained in this article. Please note that this publication should not be considered a substitute for personalized tax advice related to your particular situation.

Connect with the Author

Alan Wainer, CPA, CA, CPA (Illinois), Alan Wainer Professional Corporation, Partner

Alan is a partner with Crowe Soberman and co-leader of the Healthcare Group. His particular focus is on Residential Care Facilities. You can reach Alan at alan.wainer@crowesoberman.com.

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