

Username, Passwords, and Logins, Oh My!

How to Prevent a Potential Disaster for Your Heirs

By HYMAN G. DARLING

If you pay bills and bank online, and handle much of your financial activity there, your agents under your durable power of attorney, or the executor of your will, or the administrator of your estate must have access to that information in order to manage your financial affairs when you are no longer able to do so.

Even something so seemingly simple as canceling a deceased person's account on a social-networking site such as Facebook, LinkedIn, or Twitter may be extremely frustrating and heartbreaking for a fiduciary who doesn't have the username and password combination to access that account.

Most security officers of Web sites will allow access with proper documentation, such as a certified death certificate and certificate of appointment from a probate court, appointing someone as the fiduciary of the decedent's affairs. However, when someone becomes incapacitated, the guardian or conservator who needs access to the information is often blocked by the Web site's privacy officer, who may require a specific order from a judge. In fact, some credit-card companies and other vendors will also not allow a fiduciary to have access without a specific court order.

The entire process can be quite frustrating and expensive, and it may also require the filing of separate documentation with the court. Very often, the executor or power of attorney spends countless hours tracking down information and attempting to locate and obtain access to the Web sites holding accounts of the deceased or incapacitated person.

This may all be prevented by taking a few simple steps right now.

In this day and age, most individuals with Internet access have login names and passwords. In fact, it is likely that you may have several passwords and/or usernames for various Web sites, as some require a combination of capital and lowercase letters as well as numbers or symbols.

All is well so long as you are alive and healthy. Unfortunately, a problem is likely to occur upon your incapacity or death if access to your login names and passwords is not available to the person functioning as your durable power of attorney, executor, or

administrator.

Think about this. It is likely that you perform all or many of the following functions online: banking, booking flights, paying bills, and purchasing goods and services. Even Web-based e-mail programs like AOL, Gmail, Hotmail, etc. may contain vital information that will be necessary once you can't handle your own finances any longer.

You may not wish to share this private

information, what happens if no one knows where the key is or the combination to your safe? It is critical to trust at least one person with your sacred information regarding passwords. An often preferred option is to place this information in a sealed envelope and keep it with your original will and durable power of attorney at your attorney's office. Because passwords are changed and new sites are added to the list, this envelope may be



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information with anyone during your lifetime, but in the event of incapacity or death, it is vital that this information is available to those who will handle your affairs. Certainly, with the significant issues of fraud and identity theft so prevalent, you don't wish to share your passwords; however, it is prudent to have them documented so they can be accessed upon your death or incapacity.

This information may remain private simply by telling whoever will be responsible for your financial affairs the login name and password for access to your computer and that there is a document there with all of the necessary information. In this manner, if passwords are changed routinely and often, then the person who will act on your behalf knows how to access the information when it is required.

The person who is trusted with this information may be the agent under a durable power of attorney and/or the executor of your will. Often, the same person is nominated to serve as your fiduciary. If there are two separate individuals or entities serving, then both may receive it, or one could be given the information, and the other may be provided with the knowledge as to who is in control.

Some people choose to keep this information in a safe place, such as a safe in their home or a safe-deposit box. However, when

updated or substituted.

In the past, when a person completed an estate-planning questionnaire for their lawyer, it required information such as names, addresses, and financial accounts. In this day and age, it is important to also have access to an individual's e-mail, because many clients prefer to communicate through that channel, so it likely contains vital information.

In addition, if you are self-employed, access to your Web site, personal, and business e-mail, customer service departments, orders, marketing, etc. may not be available without password knowledge. This information is private, but crucial to have available if and when you become incapacitated or die.

Naturally, this problem is providing an opportunity for businesses to provide solutions. One such entity that will provide private storage and access to this information is Legacy Locker. This company provides family members or fiduciaries safe and secure access to account information in time of need. It maintains information including e-mail addresses, photo-sharing accounts, online auction access, and all other online information. It even allows other private information to be stored, such as memoranda regarding the ultimate distribution of tangible personal property and any special information regard-

ing end-of-life decisions, funeral arrangements, etc.

When opening the Legacy Locker account, you designate the 'verifiers' who will have access to the information upon your death or disability. This provides peace of mind regarding personal information privacy while living. Confidential information will be preserved in one place and distributed only under emergency circumstances. Fees are generally charged annually or as an upfront lump sum for your lifetime.

It is likely that safeguarding this private information is going to be an integral part of preparing an estate plan in the future. This will provide peace of mind so you can be assured that your personal information will remain confidential until it must be accessed by someone responsible for handling your affairs. ■

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