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### LEGAL ALERT

#### UPDATE YOUR ESTATE PLAN TO PROTECT YOUR DIGITAL ASSETS

Digital estate planning is the process of organizing and protecting your digital assets, including anything you own, manage, or access online. This includes bank and investment accounts, cloud storage, digital currency, email, subscriptions, social media profiles, and personal media. Similar to traditional estate planning, digital estate planning is about ensuring the proper and efficient transfer, protection, and management of your belongings according to your wishes.

Without digital estate planning, your loved ones can face serious challenges administering your estate, including struggling to locate or close your accounts. This may lead to an inability to recover digital property, the permanent loss of emotional assets such as family photos, letters or videos stored in the cloud, and increased exposure to identity theft. In short, digital estate planning helps ensure recovery of your assets and reduces stress for your loved ones.

Many online accounts are governed by Terms of Service Agreements, which often restrict third-party access. So even when your loved ones know your passwords, they may not be legally allowed to use them. Pennsylvania has adopted laws that allow you to grant fiduciaries the legal authority to access these digital accounts and assets. Such fiduciaries include an executor under your will, agents under your power of attorney, and trustees of trusts owning digital assets.

Digital estate planning is available to everyone, but is particularly important for (i) families who store photos, videos, or important documents online, (ii) investors who manage online accounts or own digital currency, (iii) individuals who rely on online banking accounts, and (iv) professionals who use online platforms in their business.

If you would like our assistance in updating your estate plan to include a digital estate plan, or have any questions about these changes to Pennsylvania law and how they may affect you, your loved ones, or your business, please do not hesitate to contact us at Vuono & Gray.

*Resolution of legal issues depends upon many factors, including variation of facts and interpretations of the law. This alert is not intended to provide legal advice on specific subjects, but rather to provide insight into legal developments and issues. The reader should always consult with legal counsel before taking action on matters covered by this alert.*