

OAST & HOOK

Offices in  
Portsmouth and  
Virginia Beach, Virginia  
Tel: 757-399-7506  
Fax: 757-397-1267  
Web: www.oasthook.com



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Editor  
Sandra L. Smith,  
Certified Elder Law  
Attorney

## DON'T FORGET TO PASS ON PASSWORDS

A recent article in the *Wall Street Journal* provides a timely estate planning reminder. Elder law attorneys assist individuals with their wills or trusts, powers of attorney, and advance medical directives. They also discuss issues such as life and long-term care insurance, financial planning, and funeral arrangements. In this electronic age, individuals should also leave instructions to their agents and their survivors regarding access to online accounts, including passwords.

Many Internet-based providers have guidelines to help family members unravel the electronic accounts in the absence of a password. America Online (AOL) requires a copy of an individual's certificate of death, and proof that another is authorized to administer the estate, before turning over an account to a survivor. EBay requires similar documentation in order for a survivor to access a decedent's eBay seller's account. EBay will not, however, grant access to an eBay buyer's account. Google requires the same documentation as AOL for access to a Gmail account, but it also requires an e-mail that the decedent, using the Gmail account in question, had contacted the survivor on any topic during the decedent's lifetime.

Facebook puts the deceased person's profile in a "memorial state" when it is informed of a user's death. The login and password will not be provided to anyone, but Facebook will respond to requests from the immediate family to remove the profile.

Because more persons conduct financial business online, it has become more important than ever that individuals leave a list of account numbers along with the access IDs and electronic passwords. A family of a deceased thirty-year old man could not determine what financial accounts needed to be closed until they could access his e-mail account. The family had to provide a court order to the decedent's Internet service provider in order to gain access to his account.

Individuals should review their electronic e-mail and financial accounts, and make a list of the accounts and passwords for their own use. (How many times do we forget our own user IDs and passwords?) They should also ensure that their family members know how to access the accounts in the event of their death. As an integral part of an individual's estate and financial plans, Oast & Hook provides clients with a "Letter of Last Instructions," which is an appropriate place to list their ID's, passwords and other means to access their online accounts.

### **Speakers**

If you are interested in having an elder law attorney from Oast & Hook speak at an event, then please call Jennifer Lantz at 757-399-7506.

### **Oast & Hook**

Oast & Hook is an elder law firm. We represent older persons, disabled persons, their families, and their advocates. The practice of elder law includes estate planning, investment and insurance advice, estate and trust administration, powers of attorney, advance medical directives, titling of assets and designations of beneficiaries, guardianships, conservatorships, and public entitlements such as Medicaid, Medicare, Social Security, and SSI, disability planning, income tax planning and preparation, bill paying, account management and reporting, care management, and fiduciary services. We also handle litigation involving these issues, such as will contests and estate administration disputes. For more information about Oast & Hook, please visit our website at [www.oasthook.com](http://www.oasthook.com).

### **Distribution of This Newsletter**

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