

Planning for Clients with Digital Assets

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What is a Digital Asset?

- There is no universal definition.
- It is best described by identifying the assets customarily considered as such.

Why Should an Estate Planner Care about the Handling and Disposition of Digital Assets?

- These Assets Have Sentimental Value.
- A Client's Digital Assets May Have Financial Value.
- It Could Prevent Identity Theft.

What Law Governs?

- Federal and State Law Impact the Handling of Digital Assets.
- The Restrictions Found in Terms of Service Agreements Must Be Understood.
- Traditional State Law Governing Fiduciaries Should Not Be Forgotten.

How Should One Plan for the Handling of Digital Assets?

- Undertake an Inventory of Digital Assets
- Address Access to Digital Assets
- Direct Distribution of the Digital Assets
- Consider Digital Legacy Services

What Steps Should Be Taken When Administering Digital Assets?

- Locate and Inventory the Digital Assets
- Marshall and Safeguard the Assets
- Consolidate or Close Certain Accounts