

Planning for Clients with Digital Assets

Jennifer A. Davis, Esq.
Greensfelder, Hemker & Gale, P.C.
10 S. Broadway, Suite 2000
St. Louis, MO 63102

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.