

SAMPLE LANGUAGE FOR DIGITAL ASSET CLAUSE

My Executor may access, handle, distribute, and dispose of my digital assets, and may obtain, access, modify, delete, and control my passwords and other electronic credentials associated with my digital devices and digital assets. My Executor may engage contractors or agents to assist my Executor in accessing, handling, distributing, and disposing of my digital assets. [OPTIONAL: Without restricting my Executor, it is my wish that my Executor engage to assist the Executor in accessing, handling, distributing, and disposing of my digital assets.]

If I have prepared a memorandum, which may be altered by me from time to time, with instructions concerning my digital assets and their access, handling, distribution, and disposition, it is my wish that my Executor and beneficiaries follow my instructions as outlined in that memorandum.

For the purpose of my Will, “digital assets” includes the following:

Files stored on my digital devices, including but not limited to, desktops, laptops, tablets, peripherals, storage devices, mobile telephones, smartphones, and any similar digital device; and
Emails received, email accounts, digital music, digital photographs, digital videos, software licenses, social network accounts, file sharing accounts, financial accounts, banking accounts, domain registrations, DNS service accounts, web hosting accounts, tax preparation service accounts, online stores, affiliate programs, other online accounts, and similar digital items, regardless of the ownership of any physical device upon which the digital item is stored.