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Client Bulletin



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Digital Estate Planning

While visiting my parents over the Thanksgiving holiday, I pulled out old family albums and flipped through the pages of my life. The albums documented my first steps through my graduation from college. It occurred to me that my own family's photos are ALL either on Shutterfly or on my computer's hard drive. I felt a pang of guilt that my children will not have the same ability to pull out tangible family albums but will instead have to fire up my computer (if they know the passcode) to catch a glimpse of their childhood. I suspect, however, that I am not alone. Like me, many people rely heavily on the online storing of documents, photographs, financial records, etc. In fact, it is estimated that a person has, on average, twenty-five digital accounts and over six passwords. These accounts contain what are referred to as "digital assets."

As we move from the filing cabinet to the cloud, questions arise as to what happens to one's digital assets upon death. Enter digital estate planning. This new area of estate planning has emerged out of necessity as we move deeper into the digital age. A proper digital estate plan will help determine who has access to, and who is in control of, assets like my Shutterfly photos. Traditionally, these photos would have been stored in a desk drawer, safety deposit box, filing cabinet, or fire-proof safe. There would have been no question that these assets would fall under the purview of my last will and testament. The executor would, therefore, have control over the photos and would distribute them according to my wishes. Yet, digital assets are a different breed altogether. Most states, including Ohio, do not have laws in place to put digital assets under the control of an executor upon death. Even with account information and passwords, it can be difficult for executors to gain access to online assets. That does not mean that there are not steps you can take to make it easier for your family upon your death.

The first step is to inventory all of your online email accounts; social media accounts (Facebook, Twitter, Instagram, Snapchat, etc.); online health or legal records; financial accounts; business accounts; and digital media. Keep a list of these accounts with usernames and passwords. Unless you plan to store the account list and password information in a safety deposit box or a fire proof safe, it is advisable to keep the password information separate from the account information in case the information would fall into the wrong hands. The key in either scenario is that someone needs to know where to find all of the information upon your death.

Digital estate planning is a lot more detailed than merely compiling an inventory list. It is advisable to talk with an estate planning attorney to draft a sound digital asset estate plan. Contact us at 740-363-1313 for more information on how you can protect your digital assets.

Elizabeth A. Miceli, Esq.

Death of a Spouse

Losing a spouse can be emotionally devastating. Unfortunately, along with the grieving process comes the task of making sure your spouse's financial estate is settled. Contact us to set up an appointment so that we can help you navigate your way through the estate settlement process. We will discuss 1) which documents you need to gather and review, 2) what to do about your spouse's outstanding debts and debts that are jointly held 3) which credit agencies to notify and what to request from them, and 4) what benefits are due to you. We are here to help.

Change in OSHA Reporting

New reporting requirements to the Occupational Safety & Health Administration (OSHA) became effective January 1, 2015. New employers must report to OSHA within eight hours of any work-related death and within 24 hours from work-related activities, any hospitalization (in-patient), any amputation and any loss of an eye. Reporting can be by phone to the nearest OSHA area office during normal business hours or 24/7 to 1-800-321-OSHA (1-800-321-6742) or online at www.osha.gov/report online.

Ohio Minimum Wage Increase

Effective 1/1/15, Ohio's minimum wage has increased by 15 cents an hour to \$8.10. The increase also takes the minimum wage of workers who receive tips up 7 cents to \$4.05 an hour.

Season's Greetings

We at Manos, Martin & Pergram Co., LPA want to take this opportunity to wish you all a happy and healthy new year. We thank you for your business in the past year and look forward to serving you in the new year.

Notice

This bulletin provides general information and is not legal advice. Please contact us if you need legal advice.

If you have friends or associates who you think would enjoy receiving a copy of this Client Bulletin, please feel free to forward it on. Thank you.

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PERGRAM CO., LPA**

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