



ELECTRONIC WILLS AND DIGITAL ASSETS

ELECTRONIC WILLS AND VIRTUAL WILL SIGNING

British Columbia is the first Canadian province to allow for a completely digital estate planning process with the ability of virtual witnessing of a Will, and the ability for the digital signing and storage of a Will.

Since December 1, 2021, under BC's Wills, Estates and Succession Act [WESA], electronic Wills have the same recognition as physical Wills and the following is now possible*:

- > Virtual witnessing of a Will using a video platform (like Zoom) instead of meeting witnesses in person.
- > Electronic signing of Wills online using a digital-transaction platform like DocuSign rather than signing on paper with ink.
- > Digital and online storage of electronic Wills. However, an electronic Will can be only altered by making a new Will*.
- > The digital revocation of a Will.

Creating an electronic Will may be of interest to those who are: environmentally conscious (no paper required); tech-savvy (use of apps for witnessing, signing and/or creating a Will); and/or not currently present to sign (jet setters and snowbirds).

*Sources: www2.gov.bc.ca/gov/content/life-events/death/wills-estates/make-a-will-week; and www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/09013_01

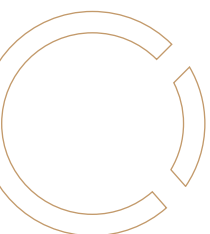
WHAT ARE DIGITAL ASSETS?

Any type of electronic or digital file that you own or use: photos; videos; social media web pages; electronic files—documents, spreadsheets, graphics, text and images and audio files for example. And now—your Will.

WHY DEAL WITH THEM AND HOW?

Digital Assets are another part of your estate that your Executor will need to secure upon your passing.

Consider adding a 'digital-asset' clause in your Will to advise of how you want your assets managed, for example, do you wish your social media accounts to become memorialized or deleted?



With more online accounts requiring two-factor authentication (where an 'account verification code' or PIN is sent as a text message or email), your Executor will need your email account or device access and the answers to any of your security questions, in order to manage your digital world.

WHO NEEDS TO KNOW?

- > Your Executor(s)
- > Your Power of Attorney (POA) and/or assigned representative

It is a good idea to take inventory of all your digital accounts and files and leave a list of these for your Executor/POA with your Will and other important documents in a safe place.

EMAIL ACCOUNTS & APPLICATIONS—USER ID & PASSWORDS

- > Gmail, Hotmail, Yahoo, iCloud/AppleID, Telus, Shaw, Bell, for example.
- > Apps: gaming or productivity applications where you have a digital profile or account.

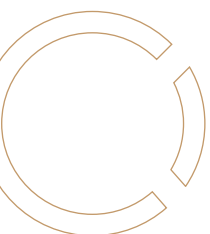
CELL PHONE, COMPUTER, LAPTOP, TABLET OR DEVICE—USER ID & PASSWORDS

Online corporate accounts may be:

- > Banking
- > Insurance & investment accounts
- > Pension account
- > Brokerage account
- > Utilities
- > Municipal services and taxes
- > CRA My Account
- > PayPal or other - cryptocurrency (bitcoin) wallet
- > Loyalty points & travel rewards

Social media & messaging platforms:

- > Facebook
- > Twitter
- > Instagram
- > Skype
- > WeChat
- > LinkedIn, and more



HOW TO PROTECT DIGITAL ASSETS?

- > Ensure you close and delete unused accounts and applications.
- > Protect your passwords, make them strong and change them regularly.
- > Consider using a password manager application to administer various accounts.
- > Avoid using the same password for multiple websites/accounts.
- > Avoid phishing emails and online scams.

MANAGING PASSWORDS

- > Make your passwords 15 characters or more, if possible*.
- > Use a mix of characters. The more you mix up letters (upper-case and lower-case), numbers, and symbols, the stronger your password is.
- > Do not use memorable keyboard paths or sequential letters ie. Qwerty.
- > Avoid using common substitutions of standard letters with numerals or special characters (also referred to as leetspeak), for example, using D00R8377 instead of DOORBELL.
- > Check to see if your email (user ID) has been part of a data breach¹ at haveibeenpwned.com.

*According to NordPass an 8-character password consisting of capital and lower-case letters, numbers and special characters can be cracked in 2 hours².

¹ *All in a Day Tech column: bad password habits* Radio Clip (6 minutes 56 seconds)
cbc.ca/player/play/1823813699935

² July 20, 2020 NordPass.com blog post: *5 Strong Password Ideas to Boost Your Security*
nordpass.com/blog/5-strong-password-ideas/

