



Appoint Your Digital Heir Advises Pictons

We all know how important it is to have a legal and up to date Will and the value of a Lasting Power of Attorney in case, at any age, you unexpectedly become too incapacitated to run your own affairs. However, we live in a very digital age with so many platforms that we use on a daily basis – what happens to our internet selves if we pass away?

Not surprisingly last year Facebook, which has over 35 million users in the UK, created a 'legacy contact' feature which means you can appoint a friend or family member as your 'digital executor' for your social media account.

Greer Woolley, Wills Trust and Probate specialist solicitor at leading and award winning regional law firm Pictons says "Previously Facebook would just freeze a profile on the death of the person concerned, believing that this was like a memorial to the deceased. Now the digital heir who is nominated as the legacy contact is able to write posts on the profile of the deceased."

The Facebook network, which has 1.4billion users throughout the world, will also be willing to delete the profile as long as they are informed that the person has passed away. The company has stressed that the appointed legacy contact is just a caretaker of the account and will not be posting as the deceased. They can monitor the account but won't have access to private messages and can't delete any previous activity on the account.

Greer continues "You can of course name a 'digital heir' in your Will and if you do so, then Facebook will accept them as your legacy contact. It's not a good idea to include passwords within the Will itself as this document becomes public after the grant of probate. Instead, it's a good idea to write a 'Letter of Wishes' which is not made public at any stage, to accompany the Will. I would advise people to keep details of their passwords separate but ensure that the person they have appointed to deal with this knows where it is. It is also important to keep it up to date, or to provide details within a Letter of Wishes.

"It would be necessary to provide a clause within the Will itself appointing someone to deal with digital assets as the Letter of Wishes is not legally binding and it may well be the case that banks/social networks would not accept it.

"I think this highlights something that is important for many people – what will happen to the 'digital me' and my life online when I die? I think it's good to know that your online persona is in the safe hands of someone you trust."