

Protecting your online presence in your estate plan

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What will happen to your “online” presence in the event of your death or disability? There are horror stories of families of the deceased being locked out of their loved one’s social media pages and so unable to quickly modify or disable them after death.

Few estate plans prepared, even recently, include anything addressing these issues. Indeed, the usual estate plan forms used by attorneys do not adequately deal with this issue leaving families completely unprepared and fighting with social media companies.

Some social media sites are starting to deal with this on an *ad hoc* basis. For example, Facebook has now created a “Legacy” designation, which you must create yourself, and which will allow a memorial message to be posted at the top of the

Facebook page. But the “Legacy” cannot delete posts, or remove any of the deceased’s Facebook Friends. While designating a Facebook Legacy may be a start, because of its limitations it does not really solve all the problems. Nor does it deal with other social media sites.



Instead with good estate planning documents, and a little advance thought, you can enable someone to stand in your place in the event of your death or disability, and to manage your social media and on-line presence as you wish it to be managed, including everything you could do yourself.

Even if your estate planning documents are relatively new, they may need updating to deal with this issue, and others including the brand new Illinois Durable Power of Attorney form. We would be happy to take a look at your documents without charge and let you know whether they should be updated or replaced. ■