

What happens to your email account after you die?

By [Yahoo Finance](#) September 19, 2014

We log into our email, social media and bank accounts, perhaps dozens of times a day, without thinking about how effortlessly we manage our lives online. But have you ever thought about what happens to these accounts when you die?

Donna Johnson, 43, and her family found out how frustrating it can be to gain access to a loved one's digital accounts when her father, Ray Johnson, passed away unexpectedly in January 2010. Not having the password to her father's email account turned an already difficult time into a financial nightmare. Her mother, Claudia Johnson, 67, tried to guess the password to her husband's email, without any luck, and the company wouldn't reset the password or grant her access, saying their user agreement terminated upon the account holder's death.

"When my mother was trying to contact [the email provider] and informed them, unfortunately that her husband had passed away, they gave their condolences and let her know that they would disable the account," says Johnson.

Her father had signed up for online bill pay for everything from the electricity bill to the car insurance and mortgage, but the monthly payments were not being automatically deducted from the checking account. Without access to his email, late payments piled up.

Her mother even got a foreclosure notice on her home and a warning that her car insurance would be canceled because payment was past due. It took many stressful phone calls to resolve the situation, and it had a lasting impact on her credit.

"Six months down the road, when she went to try and refinance the house so she could make things a little bit more simple for herself, she found out that her credit had taken a hit because of late payments that she wasn't aware of because she wasn't getting the bills in a timely fashion. They were still going to my father's email," says Johnson.

Her mother needed to wait a full year to allow those late payments to be removed from her credit report before she was finally able to refinance the house.

Law catches up with technology

In August, Delaware became the first state to pass a comprehensive law that treats digital assets the same as physical assets when someone dies or becomes incapacitated.

Johnson, a Delaware resident, helped bring the issue to the attention of [Rep. Darryl Scott](#), who sponsored the bill and drafted it with assistance from the Uniform Law Commission. She even

shared her story before the House Telecommunications Committee in the Delaware General Assembly in June to help state politicians understand the personal side of very technical legislation.

“It wasn’t too long ago that most of the assets we’re talking about were stored in a filing cabinet in the office, at home, or in a shoebox in the closet, in a photo album, or in a safety deposit box,” Rep. Scott tells Yahoo Finance. “And our laws just haven’t kept up to date with the times, and that’s what the bill seeks to do.”

The Delaware law grants access to a person's digital account to a legal beneficiary, the same way it does with the rest of an estate when someone passes away. This means an email or social media company is required to treat the legal representative of the estate the same as would have treated the account holder during his or her life. The company must provide the information necessary to access the accounts, including the username and password.

The law is slow to catch up with technology. Aside from Delaware, only six other states, Connecticut (email only), Rhode Island (email only), Virginia (digital assets of minors only), Indiana, Oklahoma and Idaho, now have laws concerning digital assets after death. Currently in most other states, a court order may be required to gain access to a digital account or the account is simply closed when a user dies. Policies also vary among providers. Some, including Instagram and Facebook, offer to remove or memorialize a deceased user’s account.

Johnson didn’t want anyone to have to go through for her what her mother did when her father died.

“In my will, I put down all of my main accounts, my email account, my photo accounts, my Facebook account, anything like that,” she says. “I listed what my login and what my password were and that those would be provided to the executor of my estate just so in case anything happened to me, they could go in, they could get anything they needed before anything was shut down.”

Online communities like [The Digital Beyond](#) provide resources and suggested language for drafting a will that includes access to digital accounts for whomever assumes ownership of the deceased’s estates.

Johnson hopes the Delaware law will inspire other states to take similar action and spread the word to spare other families the hardship her mother endured.

“All of it was very scary, and it was a very traumatic time for my mother,” says Johnson. “Just seeing her go through this, it did not allow her to be able to have that opportunity to grieve because she felt like she was constantly dealing with another battle.”