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## Legislative Fact Sheet - Fiduciary Access to Digital Assets Act, Revised (2015)

**Act** Fiduciary Access to Digital Assets Act, Revised (2015)

**Origin** Completed by the Uniform Law Commission in 2014 and Revised in 2015.

**Description** A fiduciary is a person appointed to manage the property of another person, subject to strict duties to act in the other person's best interest. Common types of fiduciaries include executors of a decedent's estate, trustees, conservators, and agents under a power of attorney. This act extends the traditional power of a fiduciary to manage tangible property to include management of a person's digital assets. The act allows fiduciaries to manage digital property like computer files, web domains, and virtual currency, but restricts a fiduciary's access to electronic communications such as email, text messages, and social media accounts unless the original user consented in a will, trust, power of attorney, or other record.

**Endorsements** Association of American Retired Persons  
Center for Democracy and Technology  
Facebook  
Google  
National Academy of Elder Law Attorneys

**Enactments** Arizona, Colorado, Connecticut, Florida, Hawaii, Idaho, Illinois, Indiana, Maryland, Michigan, Minnesota, Nebraska, New York, North Carolina, Oregon, South Carolina, Tennessee, Washington, Wisconsin, Wyoming

**2016 Introductions** Alabama, Iowa, Louisiana, Maine, Mississippi, New Jersey, Ohio, Oklahoma, Pennsylvania, Rhode Island, Utah, West Virginia

**Staff Liaison(s)** Katie Robinson, Benjamin Orzeske

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A Few Facts about  
**THE REVISED UNIFORM FIDUCIARY ACCESS TO DIGITAL ASSETS ACT (2015)**

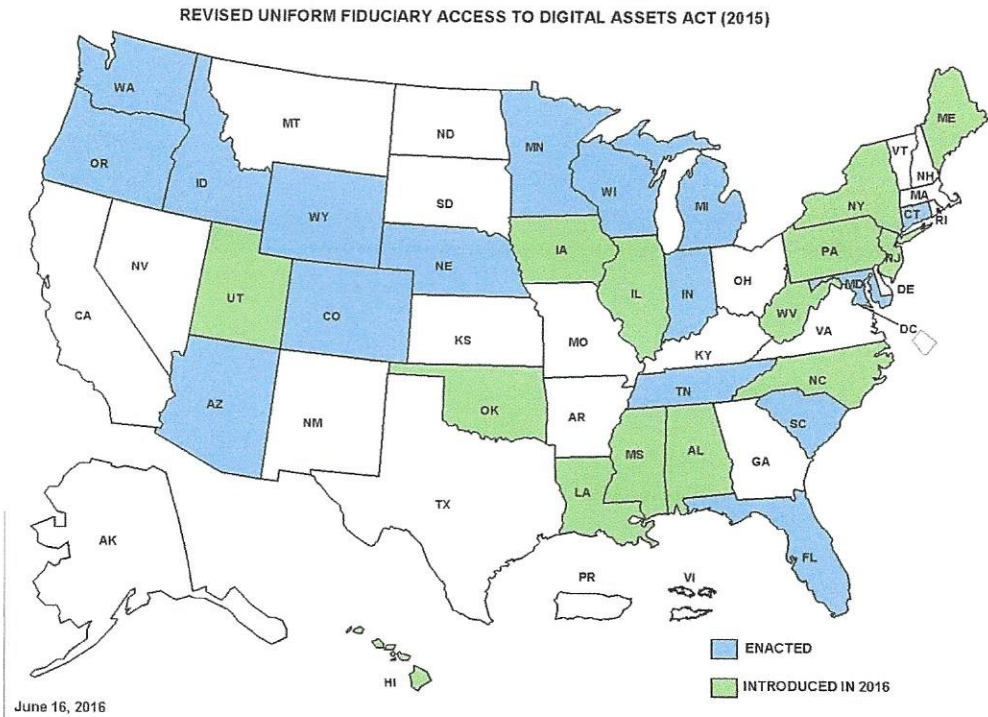
**PURPOSE:** The Revised Uniform Fiduciary Access to Digital Assets Act (Revised UFADAA) updates state fiduciary law for the Internet age. When a person dies or loses the capacity to manage his or her affairs, a fiduciary receives legal authority to manage or distribute the person's property as appropriate. Most people now own a great variety of digital assets, including photographs, documents, social media accounts, web sites, and more, some of which present special privacy concerns. Revised UFADAA provides the legal authority for a fiduciary to manage digital assets in accordance with the user's estate plan, while ensuring that a user's private electronic communications remain private unless the user consented to disclosure.

**ORIGIN:** Completed by the Uniform Law Commission in 2014 and revised in 2015.

**ENDORSED BY:** AARP, National Academy of Elder Law Attorneys, Facebook, Google, The Center for Democracy and Technology.

**APPROVED BY:** American Bar Association

**ENACTED BY:**



For further information about Revised UFADAA, please contact ULC Legislative Counsel Benjamin Orzeske at 312-450-6621 or [borzeske@uniformlaws.org](mailto:borzeske@uniformlaws.org).