

FIDUCIARY ACCESS TO DIGITAL ASSETS ACT (EXCERPT)
Act 59 of 2016

***** 700.1014.new THIS NEW SECTION IS EFFECTIVE JUNE 27, 2016 *****

700.1014.new Disclosure of protected person's digital assets to conservator.

Sec. 14. (1) After an opportunity for a hearing, the court may grant a conservator access to the digital assets of a protected person.

(2) Unless otherwise ordered by the court or directed by the user, a digital custodian shall disclose to a conservator the catalogue of electronic communications sent or received by the protected person and any digital asset, other than the content of electronic communications, in which the protected person has a right or interest if the conservator gives the digital custodian all of the following:

(a) A written request for disclosure in physical or electronic form.

(b) A certified copy of the court order that gives the conservator authority over the digital assets of the protected person.

(c) If requested by the digital custodian, any of the following:

(i) A number, username, address, or other unique subscriber or account identifier assigned by the digital custodian to identify the account of the protected person.

(ii) Evidence linking the account to the protected person.

(3) A conservator may request a digital custodian of digital assets of a protected person to suspend or terminate an account of the protected person for good cause. A request made under this subsection must be accompanied by a certified copy of the conservator's letters of authority or other order appointing the conservator.

History: 2016, Act 59, Eff. June 27, 2016.