

**§10-108. Disclosure of other digital assets of deceased user**

Unless the user prohibited disclosure of digital assets or the court directs otherwise, a custodian shall disclose to the personal representative of the estate of a deceased user a catalog of electronic communications sent or received by the user and digital assets, other than the content of electronic communications, of the user if the representative gives the custodian: [PL 2019, c. 417, Pt. A, §107 (NEW).]

**1. Written request.** A written request for disclosure in physical or electronic form; [PL 2019, c. 417, Pt. A, §107 (NEW).]

**2. Death certificate.** A copy of the death certificate of the user; [PL 2019, c. 417, Pt. A, §107 (NEW).]

**3. Letters of appointment or court order.** A copy of the letters of appointment of the personal representative or court order; and [PL 2019, c. 417, Pt. A, §107 (NEW).]

**4. Information requested by custodian.** If requested by the custodian:

A. A number, username, address or other unique subscriber or account identifier assigned by the custodian to identify the user's account; [PL 2019, c. 417, Pt. A, §107 (NEW).]

B. Evidence linking the account to the user; [PL 2019, c. 417, Pt. A, §107 (NEW).]

C. An affidavit stating that disclosure of the user's digital assets is reasonably necessary for administration of the estate; or [PL 2019, c. 417, Pt. A, §107 (NEW).]

D. A finding by the court that:

(1) The user had a specific account with the custodian, identifiable by the information specified in paragraph A; or

(2) Disclosure of the user's digital assets is reasonably necessary for administration of the estate. [PL 2019, c. 417, Pt. A, §107 (NEW).]

[PL 2019, c. 417, Pt. A, §107 (NEW).]

**SECTION HISTORY**

PL 2019, c. 417, Pt. A, §107 (NEW).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Maine Legislature and is current through January 1, 2025. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.