

## MAC USER: Planning for the (Digital and Physical) End

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### MAC USER: Planning for the (Digital and Physical) End

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The topic of this issue of *GPSolo* is "Retirement Planning and Elder Law," and as I am myself moving toward retirement (if not exactly an elder), I thought this would be a good time to do some research on the idea using my Mac. I also researched relevant applications and resources within the Apple universe.



### Your Digital Estate

As we age, or as we come into contact with the disability or death of those close to us, we become more aware of the need for making plans for our own disability or death. It's not a pleasant topic, but the more intricate our lives become, the more it needs exploration. I asked some Mac-using friends about issues they had encountered in similar situations, and they shared some enlightening tales of problems created when no one is the recipient of information needed to gain access to essential data.

For instance, Lynne R. Ostfeld, a Mac-using attorney in Chicago, wrote a candid, practical article in 2011 for the GPSolo Division's *Law Trends & News* e-newsletter ([tinyurl.com/3scq4pw](http://tinyurl.com/3scq4pw)) in which she discusses the sudden death of her older brother while also dealing with their mother's death. As she explains, it is important to plan your funeral and burial, to have a will (of course!), and tell someone where it can be found—and especially to take steps to

### About GPSolo magazine

*GPSolo* magazine is published six times a year (January/February, March/April, May/June, July/August, September/October, and November/December) by the ABA Solo, Small Firm, and General Practice Division.

GPSolo is devoted to themes of critical importance to your practice. Each issue contains articles exploring a particular topic of interest to solos, small firms, and general practitioners, as well as articles related to technology and practice management. And to keep you up to date, each issue contains five *Best of ABA Sections* digests, reprinting the top articles published by other ABA entities that will be of the greatest interest to you.

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make sure that access to your PINs, passwords, and user IDs is made easier for those left behind.

At a time of stress and sorrow, your loved ones shouldn't have to conduct exhaustive investigations through boxes of materials in order to find this information. As Lynne told me, it is essential to have a list of all assets, addresses, and contacts needed for the various accounts and financial institutions in order to make dealing with them easier. As no human being seems to answer the telephone anymore at these institutions and their websites practice high security (to differing degrees), it's probably essential that this information be recorded specifically and easily obtained by a trustworthy loved one.

Another Mac-user, Nancy Gee, raised a related issue: What happens when one takes over a small or nonprofit organization from someone who fails to leave behind access information? In such cases the records could be reconstructed from papers, but as everyone moves to digital records, continued access depends on being able to read the media. Obviously, forensic examiners and others with technological skills can access the seemingly irretrievable data, but the financial and time cost of doing so might be prohibitive. In addition, without any sort of succession plan or sharing of essential passwords, important data might become unavailable whether or not the media can still be read.

In my own situation, the importance of digital succession was brought home when our Mac-using 20-year-old son died suddenly. I was able to access and retain his MobileMe account, his Facebook account, and other such digital representations of his life, but only because I moved fast and he wasn't particularly careful with security. As the youth of today become ever-more immersed in the digital world and keep records and communications only by digital means, parents and families will have to deal with this issue. As of last fall, only five states (Connecticut, Idaho, Indiana, Oklahoma, and Rhode Island) had passed laws allowing for the passage of a deceased's "digital assets." Some helpful information on the topic of a "social media will" can be found at [tinyurl.com/7n7dzuv](http://tinyurl.com/7n7dzuv).

There was a recent article in the *Atlantic* ([tinyurl.com/okaefwd](http://tinyurl.com/okaefwd)) about how Google is handling the problem of the digital estate. Google has created an "inactive account manager" tool that creates a protocol for how your Google-related accounts are handled when you can no longer access them (owing to a severe disability or death). Of course, as this is only related to Google accounts, it does not answer the fraught question of non-Google-related access points, but because so many of them are Google related these days, it's at least a start. Likewise, there was a helpful *Forbes* article ([tinyurl.com/pb87t97](http://tinyurl.com/pb87t97)) about what happens

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## Mac/Apple-Centric Planning Resources

Whether I'm mapping out vacation travel, researching presentations, or planning retirement, one place I head for is Apple's iTunes store. In my experience there are frequently quite a number of resources available through it.

First of all, I open iTunes (available on Windows machines, too) and enter a search term in the field at the upper-right-hand corner. For researching this article, I put in the term "retirement" and came up with quite a few relevant resources: iPhone and iPad apps, podcast episodes, audiobooks, and a plethora of iTunes U resources (episodes, collections, courses, and materials). Obviously, some of the items made available are provided more for marketing purposes than for unbiased or educational assistance. However, *you* can make the best judgment of what materials—whether apps or podcasts or any other type of media—best serve your needs.

I also put the phrases "estate planning" and "elder law" into the search field, with quite a number of results. Not only were there a variety of iTunes U episodes, materials, and courses, but there were even apps for the iPhone and iPad.

One of the most helpful resources is a piece of software developed by AgileBits ([agilebits.com](http://agilebits.com)) for the Mac and iOS devices called "1Password" (it is also available now for Windows and Android). I have used it over the years to store, create, and process usernames and passwords and other required entries for a variety of digital accounts. 1Password resides on your Mac and syncs through your Dropbox account to your iPhone and iPad, so wherever you are you can find the password or other secure information you need just by accessing 1Password. Of course, for this reason your password to 1Password itself must be as "strong" and secure as possible. But once you have that, you're able to easily access your other passwords safely and conveniently. Another helpful feature of 1Password is that it can create truly unbreakable passwords for the other accounts—you'd never crack them in a million years. This is why not losing the 1Password access password is essential for you and for those who need to get into your computers, iPad, etc. (For a discussion of passwords in general and the need for secure ones, see my review of Joe Kissell's recent e-book, *Take Control of Your Passwords*, on my blog, [herringlaw.com](http://herringlaw.com).)

Not too long ago blogger Mike Vardy created what he calls the "1Password Emergency Kit" ([tinyurl.com/qgp7c82](http://tinyurl.com/qgp7c82)), which is a single sheet of paper (although it could be longer) that you fill out and put in a secure location for that time when it is essential for someone else to access your computers, websites, and other

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accounts. The kit provides spaces to be filled out by the 1Password user for the essential passwords and retrieval PINs on your various devices. Because 1Password syncs via Dropbox with all your devices (Macs, iPhones, iPads, etc.), having this information is essential to allow your loved ones, executor, or business partner to access your digital assets.

If you do nothing else in your retirement or estate planning, having your most important passwords in an accessible yet safe place is essential. I recommend consulting the Kissell book, using 1Password, and having your Vardy kit prepared and put in a safe place for the future.