

## CELEBRATE MAKE- A -WILL MONTH

I recently read about the announcement of National Make-a-Will Month<sup>1</sup> and while I was aware that our nation celebrated other theme months such as National Ice Cream Month, I was unaware that the creation of Last Will and Testament was now counted as one of these celebrated months. While the celebration of Make-a- Will Month may not be as exciting as the celebration of National Ice Cream Month, the importance of making a Last Will and Testament should not be discounted and in fact is worthy of great fanfare.

A recent study conducted by the Harris Poll as secured by Rocket Lawyer, found that more than half of Americans do not have a Will and when asked why not, those surveyed responded they just has not gotten around to doing it. While I agree that the creation of a Last Will and Testament lacks the excitement of eating a hot fudge sundae to celebrate ice cream, the benefits of creating a Will outlasts the short-term joy of ice cream deliciousness.

A Will allows you to identify who is to receive your assets after your death and the recipient of your assets under your Will is called your beneficiary. The Will also names as the person you select to make sure your assets are delivered to your heirs. Under Florida law, this person is called your Personal Representative. The need for the creation of a Will has become more important in the digital age as many people now own what are called digital assets. A digital asset may be an on-line bank account, your social media accounts or even your photos stored on line. One study noted that the American consumer estimates their digital assets to be worth \$55,000.00.

Florida has recently passed a new law, The Florida Fiduciary Access to Digital Asset Act, effective July 2016 which allows you under your Will to identify who will manage these assets after your death and to identify who will receive them upon your death. The Harris Poll<sup>2</sup> found that ninety-one (91) percent of millennials hold digital assets and that seventy-one (71) percent of Americans

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<sup>1</sup> *Rocket Lawyer's Annual Make-a-Will Month Survey Reveals Strong Need to Educate Consumers on Estate Planning*, [http://www.marketwired.com/printer\\_friendly?id=2147117](http://www.marketwired.com/printer_friendly?id=2147117) (Access2/28/17).

<sup>2</sup> *Id.*

believe that online banking and financial accounts are the most important assets to protect in the case of death. Email accounts and social media accounts also were cited in the Poll as important digital assets to manage after death. Florida's digital asset law is one of the few in the nation but it is an important development in Florida law. Our attorneys at Clarie Law Offices, P.A. welcome the opportunity to meet with you and help plan for your digital legacy. The creation of a Last Will and Testament is certainly worth celebrating and it's even more important to have a Will in this digital age.