

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

700.1009 Disclosure of content of electronic communications sent or received by principal.

Sec. 9.

To the extent a power of attorney grants an agent authority over the content of electronic communications sent or received by the principal and unless directed otherwise by the principal or the court, a digital custodian shall disclose to the agent the content of electronic communication if the agent gives the digital custodian all of the following:

- (a) A written request for disclosure in physical or electronic form.
- (b) An original or copy of the power of attorney granting the agent the authority over the content of electronic communications of the principal.
- (c) An affidavit from the agent under section 5505 of the estates and protected individuals code, 1998 PA 386, MCL 700.5505.
- (d) 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 principal's account.
 - (ii) Evidence linking the account to the principal.

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