

**MASSACHUSETTS CONSIDERING LEGISLATION THAT
GIVES ACCESS TO EMAILS OF DECEASED RELATIVES**

July 25, 2012

The Massachusetts Legislature is debating a bill that would give family members and others in charge of the estates of Massachusetts decedents access to email accounts of their late loved ones. The proposal passed in the Senate and is now making its way through the House. If passed, Massachusetts would become the sixth state to enact such a law. Google, Yahoo! and other major providers have policies of not granting access to such accounts but a state law would override those policies.

To gain access, a family member or personal representative would need to provide a death certificate along with a court order or a notarized request with proof of letters granting them authority over the estate. Email providers would then have 60 days to comply. The bill would amend state law by giving personal representatives the power to seek access to email accounts as part of their authority to administer the decedent's estate.