

395A.140 Disclosure of digital assets to conservator of protected person.

- (1) After an opportunity for a hearing under KRS Chapter 387, the court may grant a conservator access to the digital assets of a protected person.
- (2) Unless otherwise ordered by the court or directed by the user, a custodian shall disclose to a conservator the catalogue of electronic communications sent or received by a protected person and any digital assets, other than the content of electronic communications, in which the protected person has a right or interest if the conservator gives the custodian:
 - (a) A written request for disclosure in physical or electronic form;
 - (b) A certified copy of the court order that gives the conservator authority over the digital assets of the protected person; and
 - (c) If requested by the custodian:
 1. A number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the account of the protected person; or
 2. Evidence linking the account to the protected person.
- (3) A conservator with general authority to manage the assets of a protected person may request a custodian of the digital assets of the protected person to suspend or terminate an account of the protected person for good cause. A request made under this section must be accompanied by a certified copy of the court order giving the conservator authority over the protected person's property.

Effective: July 15, 2020

History: Created 2020 Ky. Acts ch. 63, sec. 13, effective July 15, 2020.