

2021 Kansas Statutes

58-4814. Disclosure of digital assets to guardian or conservator of ward or conservatee. (a) After an opportunity for a hearing under K.S.A. 59-3050 et seq., and amendments thereto, the court may grant a guardian or conservator access to the digital assets of a ward or conservatee.

(b) Unless otherwise ordered by the court or directed by the user, a custodian shall disclose to a guardian or conservator the catalogue of electronic communications sent or received by a ward or conservatee and any digital assets, other than the content of electronic communications, in which the ward or conservatee has a right or interest if the guardian or conservator gives the custodian:

(1) A written request for disclosure in physical or electronic form;

(2) a certified copy of the court order that gives the guardian or conservator authority over the digital assets of the ward or conservatee; and

(3) if requested by the custodian:

(A) A number, username, address or other unique subscriber or account identifier assigned by the custodian to identify the account of the ward or conservatee; or

(B) evidence linking the account to the ward or conservatee.

(c) A guardian or conservator with general authority to manage the assets of a ward or conservatee may request a custodian of the digital assets of the ward or conservatee to suspend or terminate an account of the ward or conservatee for good cause. A request made under this section must be accompanied by a certified copy of the court order giving the guardian or conservator authority over the ward or conservatee's property.

History: L. 2017, ch. 19, § 14; July 1.