

Written Testimony in Support of SB 2127:
The Uniform Electronic Estate Planning Documents Act

Chairwoman Larson and Members of the Committee,

For the record, I am Rick Clayburgh, President and CEO of the North Dakota Banker's Association. The NDBA supports the enactment of Senate Bill 2127, the Uniform Electronic Estate Planning Documents Act (UEEPDA). In short, SB 2127 authorizes electronic documents and signatures for common estate planning documents.

In recent years, North Dakota adopted the Uniform Electronic Transactions Act and Uniform Electronic Wills, the first of which broadly permits electronic records and signatures *except* wills, codicils, or testamentary trusts; and the latter of which specifically allows for electronic wills. The UEEPDA will fill in any existing gaps by clearly authorizing electronic documents and signatures for non-testamentary documents, such as trusts and powers of attorney.

In summary, key benefits of UEEPDA include the following:

1. **Complements Existing Laws:** Again, the UEEPDA will act as a gap-filler to already existing electronic document and signature laws adopted in our state.
2. **Increased Accessibility and Convenience:** UEEPDA makes estate planning more accessible by allowing individuals to create, store, and share their documents electronically. This is particularly beneficial for individuals with mobility challenges or those living in remote areas.
3. **Support for Modernization and Innovation:** The UEEPDA embraces technological advancements, encouraging the adoption of secure and efficient digital tools for estate planning. This modernization aligns with the broader trend of digital transformation in the financial and legal sectors.
4. **Enhanced Legal Consistency Across Jurisdictions:** By adopting a uniform standard, the Act eliminates conflicts that arise when digital estate planning documents are used in multiple states. This ensures that individuals' wishes are respected regardless of where they or their assets are located.
5. **Reduced Administrative Burdens:** Electronic documents streamline estate administration by simplifying the storage, retrieval, and verification of important records. This reduces delays and costs for both individuals and legal professionals.

In conclusion, the Uniform Electronic Estate Planning Documents Act represents a vital step forward in modernizing estate planning practices. By adopting this legislation, North Dakota can provide individuals, families, and financial institutions with expanded tools to protect their legacies in the digital age.