

WEST VIRGINIA CODE: §44-5B-9

§44-5B-9. Disclosure of content of electronic communications of principal.

To the extent a power of attorney expressly 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 custodian shall disclose to the agent the content if the agent gives the custodian:

- (a) A written request for disclosure in physical or electronic form;
- (b) An original or copy of the power of attorney expressly granting the agent authority over the content of electronic communications of the principal;
- (c) A certification by the agent, under penalty of perjury, that the power of attorney is in effect; and
- (d) If requested by the custodian:
 - (1) A number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the principal's account; or
 - (2) Evidence linking the account to the principal.