

**638.9 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 all of the following:

1. A written request for disclosure in physical or electronic form.
2. An original or copy of the power of attorney expressly granting the agent authority over the content of electronic communications of the principal.
3. A certification by the agent, under penalty of perjury, that the power of attorney is in effect. The certification form provided in [section 633B.302](#) shall satisfy the requirement of [this subsection](#).
4. If requested by the custodian, any of the following:
  - a. A number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the principal's account.
  - b. Evidence linking the account to the principal.

[2017 Acts, ch 79, §12](#)

Referred to in [§638.16](#)

NEW section