

- Are there procedures in place to ensure that the consumer has affirmatively consented to electronic disclosures and has not withdrawn consent prior to provision of the electronic disclosures?
- Is the E-SIGN statement provided to the consumer prior to consenting?
- Does the E-SIGN disclosure statement include the following?
 - Any right or option to have the record provided or made available on paper or in non-electronic form
 - The right to withdraw the consent (including any conditions, consequences or fees in the event of withdrawal)
 - Informs the consumer whether the consent applies only to the particular transaction that triggered the disclosure or to identified categories of records that may be provided during the course of the parties' relationship
 - Describes the procedures the consumer must use to withdraw consent and to update information needed to contact the consumer electronically
 - Informs the consumer how the consumer may request a paper copy of a record and whether any fee will be charged for that copy
 - A statement of the hardware and software requirements for access to and retention of electronic records
- Describe the manner in which the consumer reasonably demonstrates accessing the information in electronic form - _____

- Does the consumer consent electronically in a manner that reasonably demonstrates the consumer can access information in the electronic form that will be used to provide the information?
- If a change in the hardware or software requirements needed to access or retain electronic records creates a material risk that the consumer will not be able to access or retain subsequent electronic records subject to the consent, does the financial institution provide the consumer with the following:
 - A statement of the revised hardware and software requirements for access to and retention of electronic records
 - A disclosure of the consumer's right to withdraw consent without the imposition of any fees and without the imposition of any consequence not previously disclosed
- If the change creates a material risk, are consumers provided a new affirmative consent?
- Are electronic records maintained accurately reflecting the information contained in applicable contracts, notices, or disclosures?
- Do the electronic documents remain accessible to all persons who are legally entitled to access the records for the period required by law in a form that is capable of being accurately reproduced for later reference?