

Legal Issues and Content on Your Website

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You just started a business. You contact a web designer. After looking over their design portfolio, you select a company to design your website. This is the process most of us go through in creating our on-line presence on the web. However, there are some steps to take in making sure that your website does not open you up to legal liability.

1. First of all do not make statements that are overly broad or could be construed as false. For example do not state that your company has grown by revenues of 100% over the past 10 years if this is not in fact correct. While the SEC governs disclosures of public companies that have to file registration statements, as a private company if you issue shares to accredited investors or issue private placements you are subject to laws that protect these investors in your business. You must be truthful and above-board in regards to the disclosures you make about your company. If you are now private you do not want to be in the position of having to worry about prior disclosures that you made coming back to haunt you if you decide to go public.

2. If you sell products that are generally sold by licensed professionals in a state (such as legal forms), your website should have disclosures that tell the customer that you are not a licensed professional and all the advice that you are giving is general advice and not to be construed as legal advice. You want to always, always disclose your lack of a license to give advice or information in a licensed profession and refer customers to the experts for further advice. Advise your customers to have the forms or documents you sold to them looked over by licensed professional.

3. For disclaimers and warranties, make sure you have an attorney look over this content because if they are not drafted properly, you will not be protected from law suits.

In short, there are many aspects on your website that create potential legal liability. You should make sure you lower the risk by having licensed professional guide your way.

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