



do you have to  
print and sign  
a contract?

## podcast episode 10 tip sheet

In this episode, we're going to talk about a common question in this online day and age: "Do you have to print out a contract and sign it with a pen? Is there a way to sign a contract online?" Before we talk about the ways you can sign a contract, let's talk first about what exactly makes a contract a legally binding contract in the first place.

### When is a contract enforceable?

Agreements – which, BTW, is another name for contracts - are enforceable when two things happen: (1) there is a meeting of the minds (this is when one person makes an "offer" and the other "accepts" it) and (2) something is exchanged between them, such as services in exchange for money (which in legal-speak is called "consideration").

### Why should you put your contract in writing?

This is a BIG point. Using written agreements in your business – and especially with your clients – is critical. It's so important to show that you and your client are on the same page right from the start. Your Client Agreement is proof that you have a "meeting of the minds" – that you are both in agreement about the terms of your working together BEFORE you start your work together.

### WHEN should you use a contract in your business?

Anytime you are working with a client one-on-one or hiring a team member or hosting a retreat, OR MORE, you'll want to use a written contract to put EVERYTHING in writing so you have a "meeting of the minds" with your clients, team and attendees.

### Does a contract HAVE to be signed?

Generally speaking, in order to have a valid, enforceable and binding contract, yes, you want your contract to be signed. It's MUCH easier to prove that you both entered into the agreement and wanted to contract together and that the terms of the contract apply to both of you when it is signed by BOTH of you. By putting it in writing it is MUCH easier to prove you had a "meeting of the minds."

But I'm not gonna lie. Legally, there is such a thing as an "oral contract" which means that you can have a verbal contract which is when you have an unsigned contract. However, what I have found in my over 20 years of being a lawyer is that you REALLY want your contracts to be signed BOTH by you AND by the other person.

You always want to enter into signed contracts because it's so much easier to PROVE that you both agreed to the terms.

### **Do you HAVE to print out a contract and sign it with a pen?**

Signing by pen is the traditional way to do it. You both should have a copy with both of your signatures.

### **What about other ways to sign a contract? Can you have a contract signed electronically?**

Yes! You'll be happy to know that your clients can sign agreements with an electronic signature. In the United States, electronic signatures are permitted under the federal E-SIGN Act so long as (1) both of you agree in advance to use electronic versions of documents and (2) you both sign the document electronically.

### **What's an Electronic Signature?**

An electronic signature is a way for someone to sign a contract through a program which acts like a verifier of the signature. You DON'T want to just e-mail your client a Word or Pages document or fillable .pdf that lets your client type in their name as their signature. Why? Because ANYONE can access the document and type someone else's name into a Word or Pages document.

### **How do electronic signatures work?**

If signing electronically, you upload your contract that you want to have signed into the electronic signature platform. Be sure to indicate that you want both of you to sign it AND you want a signed copy e-mailed to both of you after you both have signed it. The electronic signature program lets you do that.

### **BONUS! What are some good electronic signature programs to use?**

There are many electronic signature programs out there that you can use. You can check them out and see which one works best for you. They often have free trials or you can sign up for monthly plans.

## Here are my Top 5:

Adobe Sign – adobesign.com

DocuSign – docusign.com

HelloSign – hellosign.com

RightSignature by Citrix – rightsignature.com

eSign Live by Vasco – esignlive.com

**Are you making sure that both you AND the other person are signing your contracts? If not, be sure you're putting that protection in place to show a "meeting of the minds".**



**If you need DIY legal documents like a DIY Client Agreement, DIY Joint Venture Agreement, DIY Overnight Agreement, find out more at [lisafraley.com/diylegaltemplates](https://lisafraley.com/diylegaltemplates).**



Kudos to you for listening to this episode and taking this step! Thanks for being part of the Legal Love tribe. Here's to getting legally enlightened!

With Legal Love™,



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Lisa Fraley, JD, CHHC, AADP, is an acclaimed attorney, Legal Coach®, speaker and #1 Best Selling Author of "Easy Legal Steps...That are Also Good for Your Soul." With her unique blend of coaching, legal expertise, and spirituality, Lisa has supported thousands of heart-centered entrepreneurs and small business owners to protect themselves, their businesses and their brands through DIY legal templates, online legal courses and one-on-one services.

From sharing international stages with thought leaders like Kris Carr and Gabrielle Bernstein to being featured on hundreds of podcasts, webinars, radio shows and bonus calls, Lisa has made it her mission to help every single small business owner understand that the law can be accessible, empowering, loving, and even spiritual. When she's not saving the world (with Legal Love) one contract at a time, she's posting free legal tips and connecting with her tribe at [lisafraley.com](https://lisafraley.com).