



how to protect your membership site

podcast episode 44 tip sheet

So many entrepreneurs are now offering membership sites with subscription-based programs. What legal documents do you need to protect the content of your program and your membership website? What do you do if someone cancels their membership halfway through a month or wants a refund?

There are 3 steps you want to take on the legal front to legally protect yourself when you offer a membership-based subscription program, and how to protect your income and limit your liability:

Step 1. Shield your income with Terms of Use.

If you have your membership offer ready to go – or you'll be enrolling members soon, your first step is to put Terms of Use in place to safeguard your income, protect your content and limit your liability.

When it comes to membership sites, your Terms of Use are the SALES terms that you want your purchasers to agree to when they're in the shopping cart or on your sales page BEFORE they enter their credit card number and enroll in your membership program.

2 big reasons to have Terms of Use for your membership site:

- 1. To protect your income.** Your Terms of Use contain your payment policies, your refund policy, and what happens if a member wants to cancel or terminate halfway through the month. These are the terms where you spell out all of your policies around MONEY, refunds, and cancellations.
- 2. To protect your membership program content.** Your Terms of Use spell out what people ARE and ARE NOT allowed to do with your program content. Maybe you allow them to download your videos and watch them on their iPhone, but maybe you DON'T want them to show their friends because you want their friends to enroll in the membership program themselves to get access to your content. The Terms of Use are what protect your membership site content that comes from your hard work, creative genius, and big heart.

I align the Terms of Use with the **throat chakra** because having a membership program allows you to expand from just offering 1-on-1 programs to 1-to-many as you COMMUNICATE your MESSAGE and your EXPERTISE farther and wider to reach greater numbers of people.



Step 2. Secure your website with a Website Disclaimer, Website Terms & Conditions and Privacy Policy.

If you have a website for your membership program, you'll need 3 legal documents to support your website.

1. Website Disclaimer. This is your base layer of legal protection to help you feel safe & secure as you're launching your membership website to the world. It's designed to create CLARITY with membership site visitors and prevent confusion about what you do – and don't do – as a coach or a heart-centered biz owner so people don't get confused about the information on your website or your expertise and come after you. The main purpose of the Website Disclaimer is to DISCLAIM your liability on your website – that's why it's called a Disclaimer!

I align Website Disclaimers with your **root chakra** which is associated with feeling SAFE, SECURE & GROUNDED. To learn more about Website Disclaimers, you can also check out Episode 17 called "6 key parts to have in Website Disclaimers" and Episode 27 called "Legal basics: your first 3 legal steps".

2. Website Terms & Conditions. This document protects the actual content on your website – the website text and images that are on your sales page promoting your membership program. This document contains the legal language you want and need if a Swiper or a Copycat comes along and copies the very cool way that you describe your membership benefits or your site or sales page text or images.

I align your Website Terms & Conditions with the **heart chakra** to protect the HEART and SOUL of your brand – and in this case, the heart and soul of your membership site. You can tune in for much more on Website Terms & Conditions in Episode 9 "Keep copycats away from your website".

3. Privacy Policy. Your Privacy Policy honors your membership site visitors' privacy rights by telling other people how you will use their personal data and confidential information when they visit your membership site. Due to the new GDPR regulation in Europe, I do recommend having an updated Privacy Policy on your website and your membership site if you have any clients who live, work or visit the EU. Privacy Policies are also required for running social media ads, like on Facebook or Instagram, and needed if you have an opt-in gift on your membership sales page or website.

Your Privacy Policy also supports your **heart chakra** because in addition to including legal language around privacy, confidentiality and security of personal data, it shows TRUST and RESPECT and CARE for others' privacy rights. Find out more about Privacy Policies in Episode 4 of the podcast called "When to Use a Privacy Policy."

Step 3. Limit your liability with a Mini-Disclaimer.

You also don't want your clients or members to think that you're giving them personalized medical, mental health, legal, financial, business, religious, or any other type of advice through your site. You want people to know that you're giving them INFORMATION and EDUCATION and TOOLS to assist them, but they still need to take responsibility for how they apply that information in practical ways.

The Terms of Use for your membership site, Website Disclaimer, Website Terms & Conditions, and Privacy Policy ALL contain lengthy disclaimer language to help protect you – both practically and energetically.

Use a Mini-Disclaimer. For membership program guides, handouts and materials, consider including a brief disclaimer to help limit your liability on those documents called a Mini-Disclaimer on the bottom of all of the resources that you provide through the membership program.

The role of the Mini-Disclaimer is to put people on notice that you're not giving medical advice or substituting for their own doctor or medical team, their own mental health providers, clergy members, or other licensed practitioners, and you're not substituting for their own lawyer, accountant and financial advisors for their life or business either.

Mini-Disclaimers are not the "be-all end-all" but they certainly do raise awareness and help your members know where your responsibility starts and stops and where theirs picks up after that.

Like the Website Disclaimer, the Mini-Disclaimer support and aligns with your **root chakra** by helping to keep you and your members safe and clear in your intentions when you provide materials, handouts and information to them through their membership.

I hope you are feeling ease and comfort now that you know how to protect your membership site with the 5 legal documents that can help keep you AND your clients safe and secure – the Terms of Use, Website Disclaimer, Website Terms & Conditions, Privacy Policy, and Mini-Disclaimer – so that you can get your membership site up and running and get back to helping people change their lives and their businesses for the better.

Do you have questions about how to legally protect your membership site or anything we talked about in today's episode? Feel free to reach out to me at clientlove@lisafraley.com. I read every e-mail that comes in, and my team and I would love to help you however we can.

Here's to getting legally enlightened!

With Legal Love™,

A handwritten signature in black ink that reads "Lisa". The signature is written in a cursive, flowing style.

**This information is for educational and informational purposes only.
It is not legal advice and it does not create an attorney-client relationship.**

For my full disclaimer, please visit lisafraley.com/disclaimer.



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.