

On Your Terms Episode 78:
Sam's Sidebar Q&A
Can I Work With Clients Overseas

Sam Vander Wielen: Hey there, and welcome back to another episode of Sam's Sidebar, where I tackle your essential legal questions about starting and growing a legally protected online business in ten minutes or less. So, this week, you'll get a legal tip all about working with clients overseas.

Our listener, Raquel, submitted the question, "My business is based in the U.S. However, I coach people all around the world. How do I make sure that my contract protects me?"

I was so excited to pick Raquel's question because this is a question that people should be asking more often, but we often don't talk about this enough. So, this is a really good question because it hits on a really important thing that we don't talk about enough when it comes to legally protecting your business, which is enforcement. So, we talk about LLCs, and contracts, and S-Corps, and taxes. But we don't talk about enforcement. Don't worry. I'm going to break it down.

So, of course, you need legit contracts. You need an LLC, if that's right for you in your business, you need business insurance, et cetera. But none of that stuff really helps you if you're not able or willing to actually enforce it and to protect your business when push comes to shove.

So, first things first, you can include language in your contract that determines that the only state that you can get sued in is yours, because you get that ability to control it. And so, typically, we say, "Well, if you can control which state your business can get sued in, you're just going to pick yours because it's better to have yours and control it to be one other than 49 other states if you live here in the U.S."

You can also include language in your contract that says what state's law applies to your contract dispute with your client. Again, we would probably choose yours, ideally, because at least we choose yours and we don't have to roll the dice and have all these other states laws apply to us, which we don't know what they are and all that kind of

© 2022 Sam Vander Wielen LLC | All Rights Reserved | Any use of this intellectual property owned by Sam Vander Wielen LLC may not be used in connection with the sale or distribution of any content (free or paid, written or verbal), product, and/or service by you without prior written consent from Sam Vander Wielen LLC.

On Your Terms Episode 78:
Sam's Sidebar Q&A
Can I Work With Clients Overseas

stuff. That allows you to control to not make it possible to get sued all over the place in all these different states, which is expensive and time consuming and stressful. You'd have to hire a lawyer wherever you got sued.

It also makes it that not all different state's laws apply to your contracts because - goodness knows - that every single state in America doesn't agree on the law, let alone on contract law. So, we need those contract clauses in every single contract, no matter where the person lives who is signing your contract.

And by the way, these clauses that I'm talking about, the venue and choice of law clauses, they are built into all of my contract templates. All my contract templates are available in my DIY legal template shop. I'll make sure the link is below. But you can buy any legal template you need from me and download it, fill it out in 15 minutes or less. And those provisions, along with lots of others, are already built in for you.

Now, to get to Raquel's question, too, what happens then if your client lives overseas and then there's an issue, then what? So, usually, when people are asking me this question about, like, can I work with people overseas, I think really what's at the root and the heart of the question is what happens if something goes wrong.

So, you would have to try to enforce your contract where they live, technically speaking, because jurisdiction or enforcement is going to be really tricky here in the U.S. So, if you would try to sue them here in the U.S., but they don't live here, the United States doesn't have the ability to go after them. You could also try to explore collections against them in their country if that's something that you would want to do. And in either option, you would need a contract.

So, you would have to have a contract that would state what law and jurisdiction applies. You would have to have a contract stating how much money was owed, and when it was to be owed, and all that kind of stuff. But, generally speaking, that's kind of what you need to consider.

© 2022 Sam Vander Wielen LLC | All Rights Reserved | Any use of this intellectual property owned by Sam Vander Wielen LLC may not be used in connection with the sale or distribution of any content (free or paid, written or verbal), product, and/or service by you without prior written consent from Sam Vander Wielen LLC.

On Your Terms Episode 78:
Sam's Sidebar Q&A
Can I Work With Clients Overseas

So, it's not impossible to go after somebody for a debt collection, for example, if they live overseas. But because every country's debt collection laws are different, you would want to work with a collections agency or an attorney who specializes in that country's regulations or debt collection practice. So, that's helpful to you if a client fails to pay you who lives overseas. But a lot of times we're also worried about whether or not what we would do in the event of a lawsuit.

I think sometimes people are asking me this question because they're just wondering if it's legal for you to work with people overseas. And, yes, I mean, you can work with people all over the world. But, of course, scope of practice applies. So, that means you can still only do what you legally are allowed to do.

Go back and listen to Episode 2 of my podcast, and Episode 69. They're are part one and part two on scope of practice, if you want to learn more about that. But that's really if you're wondering, like, is it just legal to work with people overseas, that's typically what you have to consider.

So, where does that leave things for you if you work with clients overseas? Is it worth it? Is it not worth it? Should you not do it? People ask me that all the time.

I think that's where maybe my opinion is a little unique. Yes, I'm a lawyer. Yes, I nearly lost all blood to my tushy sitting for the bar exam for four days in two states at the same time. But I am a practical businesswoman at the end of the day. And there are always going to be risks in business. I think it's about knowing what you're getting into and deciding whether or not you want to get into it given the risks.

So, I think sometimes people are looking for an answer that's like, "What's the thing that has no risk?" And I think in business in general, that's just not really a thing, let alone with legal stuff. So, I think often you're making these decisions saying, "I understand that if this client doesn't pay me, then maybe it's going to be harder to collect or

On Your Terms Episode 78:
Sam's Sidebar Q&A
Can I Work With Clients Overseas

enforce."

So, will it be harder to collect money from clients who live overseas? Yeah, probably. It might not even be worth trying to collect it. I actually have a training in the Ultimate Bundle all about how to figure out when it's worth letting an unpaid invoice go or a refund request go, because the answer is not always to go after the person.

At the end of the day, I don't think that this stuff should stop you from working with people overseas. I think it's something to be aware of and then you make empowered and informed decisions from that place. I would probably collect payment in full from somebody I work with overseas. Or I'd ask them to use something like PayPal credit so that I would get paid upfront and then whoever they go through gets paid the monthly payments and if it bounces, it goes to them, it's not on you. That's something to consider.

You could also consider pre-qualifying your clients as much as possible. Reducing the chance of bounce payments in the first place is always the best place to start, in my opinion. I've got actually three email templates for you called Prequalify Before They Buy, which I will link to below. There are three email templates that I actually used in my own coaching business where I would make sure that I got people in for free calls with me and to work with me who are actually prequalified, like ready to go, understood that this was a paid thing, all that kind of stuff, and they work like a charm. So, I'll drop that link for you below.

No matter what route you choose to take, either way, it all starts with that solid client contract that has the right clauses in it to protect you. So, you want to make sure you get this client contract in place as soon as possible. If you're about to renew the client, you want to make sure you get that contract in place right now. And that's really important because that's going to have all these provisions in it that are going to protect you and tell the contract, like, what law applies, and where lawsuits have to be filed, and all that kind of stuff. So, it's really important.

© 2022 Sam Vander Wielen LLC | All Rights Reserved | Any use of this intellectual property owned by Sam Vander Wielen LLC may not be used in connection with the sale or distribution of any content (free or paid, written or verbal), product, and/or service by you without prior written consent from Sam Vander Wielen LLC.

On Your Terms Episode 78:
Sam's Sidebar Q&A
Can I Work With Clients Overseas

And like I said, you can find any of my instant downloadable templates, like contracts and website policies, in the link below or on my website at samvanderwielen.com/shop. So, I hope that's helpful for you.

All right. Thank you so much for joining me of this episode of Sam's Sidebar. You can check out the show notes below for related blog posts, resources, and full episodes of On Your Terms. I post a new episode every single Monday and Thursday here on the podcast.

If you have a question that you would like answered on a future Sam's Sidebar episode, just fill out the link to the form below and submit your question so that I can record this for you in the future. I'm so excited. I can't wait to see what you got for me.

Thanks so much for listening to the On Your Terms Podcast. Make sure to follow on Apple Podcasts, Spotify, or wherever you like to listen to podcast. You can also check out all of our podcast episodes, show notes, links, and more at samvanderwielen.com/podcast.

You can learn more about legally protecting your business and take my free legal workshop, Five Steps to Legally Protect and Grow Your Online Business, at samvanderwielen.com. And to stay connected and follow along, follow me on Instagram, [@samvanderwielen](https://www.instagram.com/samvanderwielen), and send me a DM to say hi.

Just remember that although I am a attorney, I am not your attorney and I am not offering you legal advice in today's episode. This episode and all of my episodes are informational and educational only. It is not a substitute for seeking out your own advice from your own lawyer. And please keep in mind that I can't offer you legal advice. I don't ever offer any legal services. But I think I offer some pretty good information.

© 2022 Sam Vander Wielen LLC | All Rights Reserved | Any use of this intellectual property owned by Sam Vander Wielen LLC may not be used in connection with the sale or distribution of any content (free or paid, written or verbal), product, and/or service by you without prior written consent from Sam Vander Wielen LLC.