

Ep #212: When to Hire a Business Attorney with Autumn Witt Boyd



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With Your Host

Becca Pike

[The Hell Yes Entrepreneur](#) with Becca Pike

Ep #212: When to Hire a Business Attorney with Autumn Witt Boyd

What's up guys? What a special episode today. I am having my attorney on. Her name is Autumn Witt Boyd, and she is the queen of legality when it comes to business. And so, what I'm doing is I'm going to discuss with her what actually matters in business legalities and the things that you can stop sweating at this point. This is episode number 212. I'm your host, Becca Pike, and it is time for your weekly dose of Hell Yes Coaching. Let's go.

Welcome to *The Hell Yes Entrepreneur* podcast. I am your favorite business coach, Becca Pike. If you're looking for high level CEO leadership skills, modern day marketing strategies that actually convert the hell out of your leads, and you want to create a big ass wallet and big ass impact in your community, then this podcast is for you.

Becca: Hello, Autumn.

Autumn: Hey Becca.

Becca: I'm so glad to have you here. Will you tell us a little bit about who you are and what you do?

Autumn: Yes, absolutely. So I'm Autumn Witt Boyd. I'm the founder of the AWB firm. I am an intellectual property lawyer, so my personal work focuses on copyrights and trademarks, but our firm is full service, and we work with folks like Hell Yes Coaching. So, mostly folks who are selling online content of some sort. So course creators, people who run memberships, or coaches are our primary clients.

Becca: Yes, and Autumn Witt Boyd is the OG of...

Autumn: We just hit 10 years!

Becca: Oh my God, that's exciting. And you're working, I mean, Autumn works with big names in the industry, and I love that I got in with you a long time ago, and I feel like I've got you in my pocket, and I just love having your support and having your back.

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Autumn: And so kind.

Becca: I'm so glad that you're here because I want to pick your brain. I want to talk through a lot of different things. I want to go kind of broad at first, and I want to kind of dig in a little bit deeper on other things. I work with a lot of coaches, and this episode is going to be geared more towards coaches because that's your specialty with course creators and anybody selling intellectual property. And one of the biggest things that comes up is just, honestly, really intense fear around, am I doing this right legally? And I know that you are not the type of attorney that is just fear mongering. Like, it's a smart business move to have your contracts buttoned up. It's a smart business move to have things in place.

However, the first thing I want to dive into is a lot of my students that are just terrified they're doing something wrong. They have this idea that if they get caught, then they're going straight to 30 years to life in prison. And I want to debunk a little bit about, can you take us on a little journey with first, what are the main things you think a coach should have? And what are the consequences if they don't have it set up perfectly?

Autumn: Yeah, I absolutely love this framing because what I see in my work as well is that these fears will often stop people from moving forward, from taking action. And that, to me, is just heartbreaking because I want people building their businesses and making an impact and doing the work that they're meant to do in the world. So, I'm a lawyer. I'll give my standard disclaimer. This is not legal advice. But this is the way we kind of approach this question.

So, lawyers, we are all about risk. So we identify risk, hopefully we help reduce risk. So when I look at like a coaching business and the journey from the day they start till, I don't know, maybe they're making a million dollars. On day one, the great news is it's very low risk because you are not making money yet, you don't have a big team. Like the number of things that you could do wrong is just very, very small. And you're usually not even

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in person. Like I look at a really high risk company, like I live in Chattanooga, Tennessee, we have a couple little mountains, and like there's literally a skydiving company where they like push people off a mountain. Like that is incredibly high risk. From day one, I would want an awful lot of protections in place because a lot of things could go wrong. What if someone died? A coach, just the risks are so much lower.

So, usually in the beginning, we focus on like the very simple things. I frankly don't even think you need an LLC or a corporation when you're first getting started because what those do, they protect your personal assets if something goes wrong in the business. Again, there's just not that much that's going to go wrong in the business. So we usually say like, let's get your client contract, you know, you mentioned having solid contracts.

Let's get your client contract buttoned up because that's where we see most things going wrong in the first couple years of a coach. They have a misunderstanding with a client or an unhappy client asks for a refund or, you know, somebody does a charge back because they didn't get what they thought they were going to. Most of those early problems are going to be with your customers that you're working with.

So, you're not going to go to jail, is the good news. And the other thing I will say is I know a lot of people are really worried about getting sued. So I've been a lawyer 20 years now. The first 10 years of my career, I was a litigator, so I was going to court all the time. It is really expensive to file a lawsuit unless your cousin is a lawyer or, you know, you can do it on your own, but it's expensive and difficult, especially if you and the other person are in different states. Like the courts just don't make it that easy to resolve disputes in court. So, I would say kind of lower your anxiety level about getting sued because it's going to cost someone a lot to sue you.

Becca: Right, someone has to be really motivated.

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Autumn: Exactly. Or they've got to have a really big upside. Like you had to really do something wrong that they can make a claim against you for. And like \$5,000 to \$10,000 in legal fees to get started is not an unreasonable amount. So if they're fighting with you over \$1,000, like it just makes no sense for them to take you to court. So that's kind of how I look at those early days is I don't want these fears and, you know, just the feeling that, oh, I have to hire a lawyer. It's going to be so expensive. I can't afford it. I don't want them to hold people back.

Becca: So the downside of not having a buttoned up contract, for instance, when you're getting started is simply that you're not binded by anything specific. So like the downside is nothing's protecting you. Like what, what's the consequence here?

Autumn: Yeah. So in the United States, the good news is you can have an oral contract. Like you don't have to have it in writing. But the trick is when there's a disagreement or when someone remembers, "Oh, I was going to get eight coaching sessions," and the coach says, "Nope, it was only six." You don't have anything in writing to refer back to. Like you're just relying on your memory. And same thing, even if you put it in an email, like an email thread is could technically be a binding contract, but it's usually messy to kind of sort through.

So a contract, the nice thing that it's going to do is it's going to, you know, put everything in one place. Hopefully you'll both read it and make sure that, you know, you really are agreeing on everything in the front end. Yeah. So when things go wrong, I always say like, if you had to go in front of Judge Judy, how would you prove to her what you agreed on? A contract is going to make that a lot easier.

Becca: Okay, so let's move up the ladder a little bit. Let's go away from just beginners and let's start talking about people that are making higher six figures, seven figures. What do you see being some of the most important things that need to be in place at this level?

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Autumn: Yeah, so that is the level, usually like mid six figures is when we will recommend to start working with a lawyer. And maybe it's not on everything, but you're probably ready for a custom contract at that point. Like a template is a great fit early on, and I would highly recommend that. You should not be trying to figure this out. And we see a lot of iterating in those early years. Like you're trying lots of different offers, you're working with lots of different people trying to figure out what works best. But usually if you're hitting, you know, let's say a couple hundred thousand dollars annual revenue, you probably have one offer that's really working. You're not throwing spaghetti at the wall anymore.

And so at that point, and you probably kind of know what you're doing. You have processes and things that you always do. So that's a good time to sit down with the lawyer and say like, okay, I'm ready to graduate from my template. You know, you've probably had some mistakes, you've had some problems come up. And so often when a client comes to us at that stage, they'll have kind of a laundry list and they're like, okay, these are the things I need to make sure that my contract addresses.

Becca: To me, it's not just being insured when it happens, it's the peace of mind when it's not happening. You know, I love that you guys built out our contracts. I love knowing that I didn't like copy and paste it from some random website. Like I love just that support. Like even when things are going right, it's not in the back of my mind at all. I'm like, oh, I'm locked and loaded. I'm good to go.

Autumn: Yeah, I love that. So I would say the other thing we start to see around that mid six figure mark is we need to start thinking more about protecting our content. So protecting our copyrights and then protecting our brand. So, you know, maybe you started out as a personal brand, but maybe you've got now a podcast name that people associate with you or a catchphrase or the name of an offer, a coaching program or something.

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And so that is usually the time when we're like, okay, whatever is the main brand of your business, we start to think about, we don't always do it now, but we start to think about, you know, registering that as a trademark because you're going to start seeing copycats. Like your visibility is getting greater at this point. Maybe you're starting to do some paid traffic, some Facebook ads or Google ads. And so that's the point where starting to lock down some of those assets becomes more important.

Becca: Do you have any juicy stories or stories of just like you had a client once and someone just came in and grabbed their podcast name or like has like what's the scary side of not being trademarked?

Autumn: Yeah, so two things. I would say the scariest is that you have chosen a name without knowing someone else was already using it.

Becca: Oh, okay.

Autumn: Yeah. And so then you could be building a brand, you could be investing a lot, and then someone can pop out of the woodwork when your visibility is growing and say, hey, like I was using that brand five years ago. I have priority. You know, we've had clients who...

Becca: Then you have to go out to your audience and be like, hey guys, sorry, I'm going to change the name on everything. And whoops.

Autumn: It's ugly. It is painful. It's expensive. So that is one thing often, even for the earlier folks, as you're thinking about brands, we really recommend doing a search. And you don't have to hire an attorney, but just a basic search to make sure you're the first one to use whatever brand. But yeah, that is a worst case scenario. And often we will find that out when we are preparing to file a trademark registration. We always run a really deep search.

Becca: Now, and you work with people outside of just your state. You work across the whole continental US? Is that right?

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Autumn: Yes. Yeah, and some international, if like we have some Canadian clients and clients from other countries who want to protect their rights in the United States.

Becca: Can I just stop for a second and nerd out on your business? Like you have really grown this business. It is so fun and your branding is so fun. It is so on point. It is like feminine powered, like just straight up just fire. I want to burn my bra when I see it. I love it.

Autumn: Thank you.

Becca: And you're growing and it's so good. It's so fun.

Autumn: Yes, there are four attorneys now. I basically, like we got Amy Porterfield as a client in like 2017, 2018. And for several years leading up to that, I was like, I want to build the firm that like Amy Porterfield would want to hire.

Becca: Oh my god, you manifested it.

Autumn: I did. Yeah. Well, I kind of went after her. Not a creepy way. Like, yes, I had some friends make connections for me. But yeah, we wanted to be able to really like do everything that a coach or course creator needs.

Becca: Yeah, heck yeah. I love that. It's so fun to watch it. So there's going to be a lot of people that don't want to hire an attorney or a law firm right now. But when they're getting to that like mid six figure and they decide they want to, what are some really important, and I want the most unhinged answer here. I want like two wines deep Autumn version. Like what do they need to be looking for in an attorney team? What's like the red flags? What should they stay away from? Like please give us the tea.

Autumn: Okay. So what we see a lot is my husband's college roommate is a lawyer and he does real estate, but you know, he said he would do my contract for a couple hundred dollars. So that is a big red flag. And like we

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just had someone hire us not long ago who has like eight figure business and that was her setup. Like her husband had a friend. And he worked for a big firm. So like they are capable, but they did not understand her business.

Becca: Yeah.

Autumn: Yeah. So I would say my number one is like make sure that the person. And now, I would say in 2015 when I started the firm, there were not a lot. Now there's a lot more lawyers in this space.

Becca: So that's where I came from. Before I hired you, I was working with Joe Schmo who was like a, I'm pretty sure he was like a divorce attorney. And he was like, of course I can write up a contract. And I remember even without knowing a thing about legality, I remember reading the contract and being like, I don't know if he knows what an online business is. I don't think he knows that this is online.

Autumn: Yep.

Becca: Okay. Major red flag. Okay, what else?

Autumn: Yeah, because they're going to put to your point, they're going to put things in your contract that don't make sense because they just don't understand how it works. Yeah. So that is number one. I mean, depending on the phase of your business, I would say if you are still like you haven't hit seven figures yet, like working with a solo lawyer, so that's like just a one person show is probably going to meet your needs.

But as you grow, as you have a team, as you've got a lot going on, we do recommend kind of graduating because what you're going to find, and I hit this wall too, so this is no shade on solo lawyers because I used to be one. But you will hit a point where like they should go on vacation. They deserve to go on vacation or they're sick and you need something.

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And like we had a client just last week who is shutting down her business for a bit. She's taking a sabbatical. So she let her whole team go. And one of her team members kind of became unhinged. And that was not something she could have predicted. Like we got everything ready. But, you know, it was just kind of like out of nowhere and she sends us this red alert, like help, I don't know what to do. If you're working with a solo one at that point and they're sick or they're on vacation, like you're just kind of out of luck.

Becca: Yeah, this is the number one thing that I teach in my brick and mortar coaching world, which is you can be the best massage therapist, you can be the best hair stylist, you can be whatever, but if you just are solo, like what are you going to do when you're sick or when you burn out, you know? Like the bigger your team is, the more bulletproof you are. The bigger your team is, the more that you can handle, the more scalable it is, you know, the more you can step back. So yeah, I understand.

Autumn: So we get a fair number of clients. I would say the other thing is, as you're like, you know, sending them an email or setting up an initial consult, like pay attention to how they communicate. If it takes them forever to get back to you, like that's a big red flag or that shows maybe they're already overloaded, they don't really have capacity, but they're taking on more work. We get a lot of people coming to us from other attorneys and they're just really frustrated because, you know, oh, it would take me two weeks to get a response.

Becca: Well, and a lot of people think that's part of the industry. They're like, ugh, lawyers.

Autumn: And I'm like, not mine. Not mine's not like that. But I will say like we have built a whole customer service team and most law firms do not have that. Like we have a dedicated person because it used to be me and that was not great. We call her our client concierge, like air traffic controller

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and she is not a lawyer working on legal projects. Like her whole job is to take care of our clients.

Becca: Yeah, exactly, which is exactly what the industry needs to normalize things like that. In some places, it's so normal. It's so normal to have a receptionist. It's so normal to have a receptionist at a hair salon. It's so normal to have a receptionist in, you know... And then in some industries, like I'm coaching certain industries and they're like, oh, well, that's not normal in my industry. And I'm like, okay, I don't care. Like everybody else in your industry is dying. Like let's change it.

Autumn: Well, and I usually say like, you pay more for that level of service. So like just kind of buckle up and be prepared. When you're working with that solo, like their costs are so much lower, so they can charge a much lower rate. But, you know, as your business grows, this needs to be a line item in your budget. It's a cost of doing business.

Becca: Exactly. So if you're looking for an attorney, you're going to want someone that understands your industry, understands your niche. You're going to want someone that's not just your husband's, brother's, ex-wife removed. You're going to want someone that actually is doing this and possibly has a team behind them. If they don't have a team behind them, then just a big filter on like how overloaded are they? What kind of time management do they have? What standards are they showing when they're in communication with you?

Autumn: I mean, people put testimonials on their website, so that's always helpful to kind of see like who else are they working with. To me, it's a red flag if I land on a website and it clearly like hasn't been touched since 2011. It just looks so out of date. They may be doing great work, like who knows.

Becca: I think it just, it's kind of like, I don't know, the way that you dress. It just shows.

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Autumn: That's your storefront. If you're ignoring your storefront, yeah. Those are the...

Becca: Okay. Can we go back to contracts and go a little deeper on this? So what do you think is like the most important things? Just top three things that need to be in a contract, no matter what.

Autumn: Yeah. So if we're talking with a coach, like whatever the package is. So like what are you providing, what are they getting? And I would say that's especially true if you're giving any kind of, like let's say you have a eight week program, maybe they get eight calls. Is there any support in between? What are your boundaries around that? Are you promising, you know, that you're going to respond within, you know, one hour if they Voxer you? You know, just depending on how you've kind of got things set up, but make it really clear because if you don't spell it out, they're going to have an expectation. And that may be very different than yours.

Becca: Isn't that wild? Yes. It's this is why having it so clean and in writing, because people will make up whatever they want in their heads. I do too. We all do. We're all human. Like we just decide what story we want. We kind of stick to it and we take it as truth. And you have to be prepared for people to do that to you. And even if you think you're being so clear in your marketing and you're like, this is three calls, you know, no Voxer support. Someone might hear this is six calls with Voxer support.

Autumn: Yeah. They don't listen. Yeah. So that is number one. Number two, payment terms. So the price is an important one, especially if you're doing a launch or if you have bonuses or like there's different prices that people might come in at. Just make sure it's really clear for both of you to refer back to, you know, what package or program did they buy. And then if you have a payment plan, it has to be spelled out. Like when are payments due? If you're doing like an auto charge, like what day are you charging their card? Is it the first of the month? Or is it the day they signed up on the 16th? Are you charging it then?

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Becca: Do you think that it is ethical to say no returns in your coaching contract?

Autumn: Yes. You have to have a refund policy even if your policy is no refunds.

Becca: Yes.

Autumn: And at least in the United States, a no refund policy is perfectly enforceable. In Europe and some other countries, there's some other rules. But yes, a no refund policy, and this is a personal service. So like you can't get that back. Like if somebody's unhappy.

Becca: Let's talk about that because I come from the brick and mortar world before I was a coach, and it's the service-based industries. And so it was like, when I was a massage therapist, I would give a massage, and if someone wanted a refund, well, honestly, back then I would give them a refund, but sometimes they would just be completely unhinged and they just wanted their money back for no reason. And I didn't have a problem with saying no, because the service was already rendered.

In coaching, there seems to be this smeared boundary or because it's like yourself or because it's non-tangible or because it's verbal or because you can't see it, that a lot of coaches feel like they can't say no refund. Can you just talk about that a little bit? Can you compare the coaching industry to other industries and why it's okay? Why is it ethically okay to say no refunds?

Autumn: Yeah. I mean, it's always going to be like a values-based question. The other thing I will mention is that your refund policy is a marketing tool. And I think not enough people talk about this and how that interacts with the legalities. So having a, you know, money back guarantee, that reduces the risk for the buyer because they can try it out. Having 14 day, you know, no questions asked, like give it a try and then you can get a refund if you're

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not happy. Like that's a marketing tool. That reduces risk that is going to increase buyers. The downside to that is then you're going to get tire kickers and you're going to get people who aren't totally bought in. So, you know, it's a pro and a con and every business has to decide whether the upside is worth, you know, having some refund requests.

Becca: Yeah, absolutely. And do you work with people that have no refund policies in every single thing that they offer?

Autumn: Yes. Yeah. So there's nothing wrong with it. I think you just need to understand like people are still going to ask and you've got to like feel an integrity with your reasons and have kind of a script or have like it can lead to a lot of drama. There's nothing wrong with someone asking for a refund if they're unhappy. Like that's normal. And then you can decide how you're going to handle that. Kind of thinking through that in advance can really help like dial down that thermometer.

Becca: Yeah. And just for those of you that are listening, like just because you have a no refund policy in place doesn't mean that you have to flex it every time. You can have a no refund policy in place and flex it, you know, 10% of the time if you really want. You can base it based on the person and the situation and the circumstance.

Of course, there's going to be times when you're going to be so glad you have a no refund policy in place because this person genuinely was like out of integrity and, you know, whatever, and you don't have to give a refund. But if you're a human and you have compassion and someone comes to you and their spouse just died and now they're dealing with this thing and they're in the hospital, like give their money back. It doesn't matter what it says in your contract.

Autumn: Yeah. I will say the trick there, we have seen this gone sideways with people granting refunds even though they didn't have to. And then kind of word gets out and maybe somebody who's got buyer's remorse,

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especially, we see this in the high ticket space probably more than anything else.

If somebody's spent \$30,000 on a mastermind and they're like, did I really get \$30,000 of value? Even though they participated, like to your point, you can't claw back the services they got. Like they participated. They were on all the calls. They went to the event, all those things. But they're like, maybe I'll just ask for a refund because people talk. So just be aware that like that can be a downside to not enforcing your no refund policy. It becomes kind of wiggly.

Becca: What can a coach do if they decide to let someone out of the no refund policy, they give a refund back, word gets out, and now 11 people want a refund?

Autumn: Yeah. So one way I would short stop that is anytime that one of our clients is giving a refund that they don't have to, it's, you know, they're being generous. We like to have the person receiving the refund sign a termination agreement because often they're like leaving a program early. Sometimes it is a refund, but sometimes it's just like we're letting you, you know, letting you out early. And so that basically says, you know, I'm not going to sue you later. I'm not going to come back and sue you. I'm not going to disparage you and the terms of this refund are confidential. Now, enforcing that is tough, but at least it kind of plants that seed that like, hey, this is between me and you. Like I'm giving you something I'm not obligated to. Do me a solid and don't go talking about it all over town.

Becca: Yeah, absolutely. And I'm pro saying stuff like that. Like actually just saying it. Like, listen, I don't have to do this. You know, this is the standard that I'm setting though. I'm going to do it. It would be great if you didn't go off and tell everyone and try to rally everyone together. It's like a coach's worst nightmare. I've seen it play out so many times.

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Autumn: So have we. Yeah, we have too. And it's like people smell blood in the water and then it's like a feeding frenzy. So if you do find yourself in that situation, which just sometimes happens despite your best efforts, and you've got like tons and tons of refund requests, I would at that point like definitely call your lawyer. You want to bring in some reinforcements and look at like an overall strategy because that can turn into a class action lawsuit very quickly and we don't want that.

Becca: Yeah. And you put class action lawsuits in your contracts, right?

Autumn: Depending on the situation. Yeah, we sometimes do.

Becca: Yeah. And so you think that's a good idea to have?

Autumn: Generally, but not always.

Becca: When is it not?

Autumn: It's not enforceable in every context. Like there are some, some contexts where you can't waive a class action.

Becca: And this is why you want to have a personalized law firm to tell you all this.

Autumn: Lawyer answer is it depends.

Becca: Yeah, and not just copy and pasting your contracts. What are you seeing change in the coaching industry lately, legal wise?

Autumn: I mean, the big things that we are seeing... well, if you'd asked me this six months ago, I would have given you a different answer because with the change in administration, one of the big things we were seeing was a lot of FTC attention on coaches, the Federal Trade Commission. So that would be around, especially like business opportunity. So like if you are selling like we will help you set up a business from scratch and get it off the

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ground, there's really specific rules around that and a lot of coaches are not following them. And so...

Becca: So is that enforced right now?

Autumn: It is enforced. The FTC is doesn't have many employees right now and is it's just not as big a priority for this administration. Like the last administration was very consumer protection. This administration is much more business friendly. But I would say it's still something you need to make sure you're complying with. Things like using testimonials the right way, not making results claims that you can't back up. Like "I made a million dollars in three days."

Becca: Right. Making sure that you have, like if you have those very specific testimonials of people being like, she 4X-ed my income. Like if you're going to say that, you need to have it written and like you have to have it shown where they said that, but also you have to be able to like prove it on a whole other level too.

Autumn: You just need to, yeah, you need to do some investigation. You can't just take them at their word. So, recommend, especially in like a group coaching program, that you're doing some tracking along the way so you can kind of see a trend. You don't have to have, like there's people out there who are saying you have to have like a signed affidavit. That is not the requirement. It's just like you have to be reasonably certain that it's true.

Becca: And my guess is even when it was at the height of this with the Biden administration, it was still, the administration wasn't looking for people that were making \$40,000 a year. They're looking for the big dogs.

Autumn: It's definitely a sliding scale. Correct. But the big dogs used to be like a giant corporation and I mean there have been coaching companies that are \$5 million, \$10 million annual revenue. Like you don't have to be that big to still potentially, you know, and that usually happens, the FTC,

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you can file a consumer complaint. So usually that is what is going to put you on their radar. Like if you have a lot of unhappy customers, these are kinds of things where you can get that attention.

Becca: Oh yeah. That's sticky. Yeah, no.

Autumn: And then I would say our clients with teams, they're just every year the employment laws change, but there's been a real move towards really cracking down on businesses that are classifying workers as contractors who really should be employees.

Becca: Yes, we talk about this all of the time in my world, especially in the brick and mortar, not in the coaching as much, but in the brick and mortar world, this seems to be like one of the biggest conversation pieces that we have all of the time.

Autumn: Yeah. And it's not new, but I would say it continues to be really important. And there are some states like California has started doing audits more often, looking into it. So it's definitely an area you need to be careful.

Becca: Yeah. And I want to go back again, I don't want my audience to hear this and be like, "Oh shit." You know? I want them to hear this and be like, okay, this is where I want to button it up. This is where I want to get more information. And so I want to keep going back to the consequences. Let's say you do have the wrong person in the wrong place with W2 and contractors. You're not going straight to prison for 30 years. You are going to get notified, you're going to have time to figure it out, you're going to have time to fix it. You're going to be told to fix it and then you're going to fix it and you're going to be okay. And so...

Autumn: It may be very expensive. That is the big downside because you could potentially owe like back taxes to the state, back pay to the employee

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who should have been paid differently. So it can be very expensive, but it is again, there is no jail for treating your contractors wrong.

Becca: Right. There's no jail. And for most of my brick and mortar people that are still in like under, you know, \$150,000 a year, the word expensive is still probably squeamish. And so it's not worth. And I keep going back to this because I just I really have to talk people off the ledge all the time when it comes to this specific topic and reminding them if that did come up and you really do think, it's not going to close your business and it's not going to bankrupt you and you will just figure it out. But also you've read between the lines and you know what you're doing.

Autumn: Yes. Yes. And I will say like growing your team, that is a like we're putting on our big girl panties. Like there is a lot more compliance, a lot more work for sure.

Becca: Absolutely. Okay, great. Well, what else? Is there anything else that you feel like people just need to know on this episode?

Autumn: Yes. So I would say the other area where we see a lot of problems is collaborations. So that's like, oh, I have a friend and like maybe I'm a relationship coach and she helps people with dating profiles. And so like we're going to collaborate on this thing and we don't put anything in writing. And maybe it goes awesome and then we've got a lot of money now coming in and we're kind of figuring it out, like building the plane as we're flying it and that can get tricky, especially if you have your own businesses and maybe one person has more time to put into it and the other person maybe isn't as interested, but you're splitting everything 50/50, that can just get really messy.

The other way that we see it go wrong is when friends are hiring friends to like work in their business. And just again, like a contract will really help. First of all, it'll force you to like have the conversation of like all the things

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that need to go in the contract. How are we going to handle it if you want to quit or I want to fire you?

Becca: Yeah. I'm laughing because I went on a retreat once. It was like my first retreat ever. I like just saw the stars in the sky. I couldn't believe I was on a retreat. I was just so excited. And the two women that were putting it on were best friends and they just decided they hated each other halfway through and then like literally going through legal stuff halfway through the retreat. We're in the middle of the retreat. And it is like spiraling. And I'm just like, is this what retreats are like? Like what's happening?

Autumn: It shouldn't be. It shouldn't be.

Becca: So yeah.

Autumn: And you don't have to like run to a lawyer every time you want to collaborate with a friend. Like putting it in writing at all is going to get you 99% of the way there.

Becca: Yeah. And so what does that look like? Like can someone literally email their friend and be like, here's the terms that I think we should abide by. Do you agree? And then that person emails back and says, I agree and like that's good enough-ish?

Autumn: That is binding. Yeah. Like I said earlier, even just talking, that can be a verbal contract. But what I see more often is somebody like emails some bullet points like, hey, this is how I think this should go down, like respond that you agree. And then like, well, on point number three, I really think it should be this and then it's like back and forth, back and forth. And then it's you get to the end and they're like, we're cool, we're cool. And it's like, oh my gosh, where did we agree? Like it's very messy.

Becca: Well, and I just want to normalize having these hard conversations beforehand. I think that especially in the female world, we are very nurturing creatures, we're very accommodating creatures, and we don't

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want to have the uncomfortable conversation of saying, you know what, I don't like point number three. I think I would rather have point number three look like this. And I want to normalize this. This is big girl conversation. This is big girl pants.

Like if you're about to do a collaboration with someone, if you're about to hire a contractor and they're signing a contract, if you're about to go into, you know, some sort of binding contract with a client, say the things. Like talk it out. Have a sit down conversation where you're actually going back and forth and saying what works and what doesn't work for you. The problem, I think, happens the most when people are just signing away and not really, they're almost like head in the sand.

Like we're not going to get in an argument. There's just no way. We're besties. Right. It just doesn't matter. It does matter. And if you just put it down on paper, it's actually going to probably help your relationship through the collaboration because you guys both have these rules set in stone that you know that you're not going to cross because you guys took it seriously.

Autumn: Yeah. And I'll also normalize here negotiating. Like it's not a dirty word, but I think it's another thing that women are not always really super comfortable with. And if you are going to succeed in business, this is a skill you just have to have and start building that muscle. And I think more things are negotiable than you think. Like I cannot tell you how many times we get a client who sends us a contract to review and like it's in DocuSign. Like there's no way we can edit it. And I say, please request an editable version of this contract.

And, you know, 99.9% of the time they're like, oh sure. Like it's very normal to go back and forth and make sure that, you know, the terms are agreeable to both sides. And I never try to overreach, but sometimes when I am writing a contract for one of my clients and I know the person on the other side is probably going to push back, I might honestly write it like with some more things than I really need because I want to be able to give

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some things up. So like there is some kind of strategy sometimes. Like there may be a lot more wiggle room than you would think.

Becca: Yeah, absolutely. And ironically, I was getting ready to say, yes, absolutely. But then also on the flip side of that, you don't have to be negotiable with your contract. So this is a nuanced conversation. Like for instance, I had someone that wanted to join my mastermind and I sent over the contract and she sent it back to me and she had redlined like the whole thing. I mean, she had literally like crossed off all these things and wrote out her own stuff.

Autumn: I will say yes, this is a good example. Like for your program terms, that is not usually negotiable.

Becca: Yeah, I literally saw it and I was like, nope, denied. Nope. Sorry, that's not negotiable. Okay, anything else?

Autumn: Yeah. No, we've we've hit a lot of the high points. Any other questions that you're seeing or that people are asking in your group or?

Becca: You know, I think the most that I see in my groups is what needs to be in my contract, what needs to not be in my contract. Am I allowed to have a contract that's just like written in a some sort of docu sign that I just send over to them? Is that actually legally binding? You know, is it...

Autumn: That is a good point. The checkout, that is legally binding. A lot of people don't know that. Yeah, you don't have to send a docu sign or like go through a whole song and dance.

Becca: That is great to know. Yeah. So they'll ask that. They'll say, you know, the contractors versus W2s is a constant conversation that we're having.

Autumn: And that varies by state and even like that is a do your research. There's no one rule that applies.

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Becca: Yeah. And there's some phenomenal, I a huge part of my audience is here in Lexington, Kentucky, and for some reason, we have a really great group of legal brick and mortar people. People like legal teams that specifically specialize in brick and mortar. Mark and I have used several different firms for the different companies that we have. And so you have resources in Kentucky, if you're listening from Kentucky. So, a lot of questions about W2 and contractors, refunds.

And I think too, more so than just the legality of pen to paper is the mindset behind having the legality of pen to paper, the mindset behind, do I have to give them a refund? Is it ethical if I don't? Is it ethical? Like, am I a bad person? Like, I think there's a lot of that conversation. And I know that legal is very black and white. It's here's the rules, you break them or you don't break them. But I think that there's also a lot of gray area that people don't talk about. And I just want to put that out into the world too.

Like there's gray area. There's negotiation area. It's so much less like you broke the rule, you're going to jail than you think it is. A lot of times it's a slap on the wrist, but you don't want that slap on the wrist. So go ahead and protect yourself if you're in the wrong. And even more so, if your client is in the wrong, you don't want to deal with trying to slap them on the wrist either, you know? So just have it set in stone.

Autumn: Yeah. The other thing that I was going to mention is dealing with unhappy customers is just part of doing business and it's terrible in the beginning. It does get easier as you do it more. I mean, we, you know, in any given month, we'll have maybe one question about one of our invoices at the law firm and it used to, I mean, I used to lose sleep over it. I just could not handle it. And now I'm like, write it off. Take it off the invoice. Like, I'm just, it's just not a big deal. And occasionally we'll dig in our heels if we feel like we're really in the wrong, but most of the time I'm like, not worth arguing about. Done. Or if it's a client that is being unreasonable, we're like,

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write it off and send the end of representation. Like you don't have to keep working with people if they...

Becca: Yeah, absolutely. I do. I think that's a big part of growing up in your business is learning that this is business. You will get a Google review that you don't like or several, depending on how many clients you see. Like one of my companies sees, you know, 5,000 people a month. I mean, we get at least a bad Google review once a month just because of math. Like 5,000 people, it's hard to accommodate that many, like happily. And so it's just part of business and I think not taking it so personally. And with coaches specifically, again, we see them being like, this person is reviewing me. Whereas...

Autumn: Right. And it is a personal relationship for sure. Yeah.

Becca: This person is reviewing me as a character instead of, no, this person's reviewing the service. You're detached from the service. You built this service. It has its own black box around it that has nothing to do with you. It is your information and the way that it's presented. It's not you as a human, you know, you can go back to sleep.

Autumn: It's tough. But yeah.

Becca: It is. It is tough. But I think too, once you go through it enough, and when I say enough, I mean, I don't know, two times. I feel like you're much better at handling it.

Autumn: Yeah, you grow a thicker skin for sure.

Becca: You do. You do. Well, thank you so much for being on Autumn.

Autumn: Yeah, this was so fun.

Becca: I loved having you. Okay. Wonderful. Where can my audience find you if they want to hire you?

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Autumn: Yes. Well, I have a special treat for them. So we have just created a legal risk report. So more than the stuff we talked about, we'll go into some other areas, but it's just a no fluff guide based on our work with a lot of the big names in this digital space. So if you head to AWBfirm.com, that's just my initials, AWBfirm.com/report, you can grab that and then you'll find everything else there as well. We're AWB firm in all the places.

Becca: Oh, you guys are going to want to grab that for sure.

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