SEC Marketing Rule Checklist

Run every page, post, email, and seminar deck through these checks before it goes out. Then hand it to your CCO with the draft.

Ten checks before you publish

- [ ] Every claim has proof on file (a document, a filing, or data)
- [ ] Testimonials say "client" or "non-client" and whether they were paid
- [ ] Performance shows net next to gross, with 1-, 5-, and 10-year periods
- [ ] Benefits appear alongside risks, with no guarantees
- [ ] Your CCO or broker-dealer approved the final version
- [ ] Awards show the date, period covered, who gave them, and any fee paid
- [ ] Disclosures sit next to the claim in the same size type
- [ ] No hypothetical performance on any public page
- [ ] Form ADV and BrokerCheck links are easy to find
- [ ] A dated copy of the final version is saved to your archive

Red flag vs. compliant: six rewrites

Unproven claims

~~"Conflict-free advice."~~

"Fee-only. We don't earn commissions," with the Form ADV that proves it.

Awards and ratings

~~An award badge with no date or source.~~

The award name, year, who gave it, and how winners were chosen.

Promises

~~"A risk-free path to retirement."~~

Benefits shown next to the risks and limits, with no promised outcome.

Testimonials

~~A glowing quote with no context.~~

"Jane D. is a current client. She received no compensation for this statement."

Reviews

~~Asking only your happiest clients.~~

The same request to every client, with wording your CCO approved first.

Performance

~~Showing only your best 18 months.~~

Net and gross returns for 1, 5, and 10 years, ending at the last year-end.

KEEP	Every ad for five years from the end of the fiscal year it was last used, plus the records behind any performance figure.
PAID PROMOTERS	Over $1,000 in 12 months needs a written agreement and a disqualification check.
REVIEWS	Deleting honest negative reviews makes the remaining reviews your advertisement.

General information as of Oct. 29, 2026, not legal or compliance advice. Your CCO has the final say.