

IS YOUR CORPORATE ATTORNEY ON YOUR CALENDAR?



You schedule annual car inspections, physicals, and meetings with your accountant. But have you considered the importance of a yearly check-up for the health and well-being of your business?

Connecting with your corporate attorney each year can help you proceed with clarity and confidence into emerging or evolving opportunities—protecting your business while optimizing your position.

In this new landscape of supply chain issues, material shortages, labor shortages, rising fuel prices, global conflict and stock market volatility, seeking guidance is more critical than ever.

We have supported clients on significant global acquisitions, large-scale capitalizations and major asset sales. We also support with ongoing business planning and corporate housekeeping.

Our clients range from start-ups and emerging businesses to established global organizations, spanning cannabis, food and beverage, manufacturing and transportation, technology and software, digital currency, financial institutions and capital markets, health care, veterinary medicine, energy, agriculture and telecommunications industries. By reviewing the status and state of your business, we support you in problem-solving, peace of mind, and preparation.

YEARLY BUSINESS HEALTH CHECK LIST



For more information contact:

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YEARLY BUSINESS HEALTH CHECK LIST

Corporate Housekeeping

- Has your company name or address changed? Have you updated your organizational documents for any necessary amendments? Have you held annual governance meetings?
- Is the company considering continuing virtual shareholders' meetings? Be sure to check organizational documents and state law to confirm there are no impediments to conducting a virtual meeting.
- Has the board of directors and relevant board committees reviewed and updated board committee charters for changes in regulations, policies and best practices?

Contracts and Terms

- Are your major contracts with suppliers or customers, or service agreements up to date? Do they require changes in light of the pandemic?
- Do any of your sales representative, distributorship, product service or similar agreements expire, become terminable or require notice?
- Is it time to review your standard purchase and sale terms, including your product warranties?

COVID-19

- Do your workplace policies address vaccination records, remote and hybrid work policies, and paid time off for testing and quarantine?
- What percentage of your employees are working remote or hybrid schedules?

Capital Investments

- Are you planning any expansion or enhancements to your operating, manufacturing or information systems?
- Does your company have an option to renew, extend or purchase any leased equipment at the end of the current term?

Corporate Finance

- Is your company interested in raising capital from investors? Reach out early to plan your capital raise in compliance with federal and state securities laws.
- Has anything changed or do you expect anything to change with your banking relationships?
- If you have credit facilities with a bank, when do they mature or terminate? Will you need to extend them or change them in any way?
- Do you expect to have any significant purchases or acquisitions that may require bank financing?
- Do you expect any need to change your financing availability to meeting working capital needs?

Mergers, Acquisitions and Sales

- Is your company contemplating any business acquisitions or mergers? What about the sale of all or a substantial portion of your business?
- Is your business succession plan in good order?
- Are your related-party obligations – such as debts payable, intercompany arrangements to a parent or subsidiary, or intellectual property relationships – properly documented?

Real Estate

- Is your company contemplating a move to a new facility or expansion of an existing facility? Have you explored whether your project is able to secure benefits from an industrial development agency in connection with the same?
- Is your company contemplating refinancing its existing debt or taking out new debt to take advantage of low interest rates?
- Is ownership and use of real property properly documented? Have or are any of your company's leases expiring or terminable, with or without notice, during the coming year?

Tax Implications

- Are there any recent changes in federal and state tax law that impact your business?
- Are you anticipating any changes in your ownership structure that may have federal or state tax implications?

Compliance/Regulatory (Cybersecurity, Labor & Employment, Immigration, etc.)

- Have you recently reviewed the regulatory and statutory schemes applicable to your business, particularly if you have made any changes to your business model, target audiences or labor sources?
- Are you aware of updates to those applicable laws and regulations, including interpretation or increased emphasis or enforcement? Have you recently conducted a proactive internal assessment of your compliance?

Sales and Promotional Efforts

- Do you need support updating or preparing advertising, sales and promotional materials, or launching/revising a website?

Other Matters

- Do you have evolving needs in the areas of cybersecurity, employment issues, intellectual property rights, tax considerations, business transition/succession or executive estate planning?