

SAMPLE DISCLOSURE FORMS

The use of the following forms is intended to help CFP® certificants meet their obligations under CFP Board's updated *Standards of Professional Conduct*. CFP Board believes that using the form appropriately will supply clients with:

- information about a CFP® certificant;
- the services being provided,
- any conflict of interest a CFP® certificant may have; and
- the costs to the client associated with the services being provided, which includes compensation arrangements, financial or investment product fees, or other costs related generally to transactions or advice by a CFP® certificant.

Following are three sample disclosure forms for use by CFP® certificants in complying with the disclosure and agreement requirements of CFP Board's *Rules of Conduct*:

Form OPS: This form may be used by any CFP® certificant to make required disclosures to prospective clients and clients prior to formalizing a relationship with a client that only involves executing transactions on behalf of or providing investment advisory services to a client. The use of this form is intended to aid a CFP® certificant fulfill CFP Board's *Rules of Conduct* 2.2(a) to 2.2(d), because the CFP® certificant will not provide financial planning services or use material elements of the financial planning process. Rule 2.2 of CFP Board's *Rules of Conduct* requires a CFP® certificant to make certain disclosures to prospective clients and clients prior to formalizing a relationship with a client that only involves executing transactions on behalf of or providing investment advisory services to a client.

Form FPD: This form may be used by a CFP® certificant when engaged in financial planning using the financial planning process or providing services using material elements of the financial planning process integrating multiple financial planning subject areas. This form may aid a CFP® certificant fulfill CFP Board's *Rules of Conduct* 1.2 and 2.2. These rules require a CFP® certificant to make certain disclosures in writing to prospective clients and clients prior to entering into an agreement for financial planning services. It may not fulfill the requirements under Rule 1.3, which requires an agreement. To fulfill that requirement, please use Form FPDA. This form guides those certificants who are investment advisors or representatives of an investment advisor. Certificants who are not investment advisors or their representatives are encouraged to contact their employers' compliance office or legal staff for any assistance to fill out this form.

Form FPDA: This form may be used by a CFP® certificant when engaged in financial planning using the financial planning process or providing services using material elements of the financial planning process integrating multiple financial planning subject areas. Form FPDA incorporates Form FPD with a sample financial planning client agreement or engagement letter. This form may aid a CFP® certificant fulfill CFP Board's *Rules of Conduct* 1.2, 1.3 and 2.2. These rules require a CFP® certificant to make certain disclosures in writing to prospective clients and clients prior to entering into an agreement for financial planning services. Rule 1.3 of CFP Board's *Rules of Conduct* requires that a client agreement specify certain terms. This form guides those certificants



who are investment advisors or representatives of an investment advisor. Certificants who are not investment advisors or their representatives are encouraged to contact their employers' compliance office or legal staff for any assistance to fill out this form.

Beside each item in the forms is a reference to the corresponding Rule(s) from the *Rules of Conduct*, referenced in brackets. Also, Forms FPD and FPDA include more guidance on the use of the U.S. Securities and Exchange Commission's Form ADV for investment advisors. Certificants who do not use the Form ADV are encouraged to consult with their employers' compliance office or legal staff.

These forms are provided as sample models to help CFP® certificants meet the requirements of CFP Board's *Rules of Conduct*. CFP® certificants are welcome to develop their own formats for written disclosures and agreements. CFP® certificants may satisfy the requirements of CFP Board's *Rules of Conduct* with existing written documentation that:

- includes the required terms of CFP Board's *Rules of Conduct*; and
- is used by a certificant or certificant's employer in compliance with state and/or federal law, such as Form ADV or other disclosures, or the rules or regulations of any applicable self-regulatory organization.

Written disclosures need not be provided in a single document; multiple written documents may satisfy the written disclosure and agreement requirements if they collectively include all elements required by the *Rules of Conduct*.

Compliance with the disclosure requirements of CFP Board's *Rules of Conduct* is accomplished only when information relevant to the professional relationship (which includes everything required, pertinent and appropriate to the given client relationship) has been disclosed to the client or prospective client. Mere completion of a suggested disclosure form does not, in and of itself, constitute full compliance with the *Rules of Conduct* disclosure requirements. If a client lodges a complaint against a certificant, CFP Board at that time will make an independent determination of full compliance with the *Rules of Conduct*.

Questions about CFP Board's written disclosure and agreement requirements, and questions on any aspect of CFP Board's updated *Standards of Professional Conduct*, may be submitted to standards@CFPBoard.org.

Other Professional Services (Form OPS)

CFP Board is providing this sample disclosure document (Form OPS) to assist you in satisfying the requirements of Rules 1.2 and 2.2 of the Rules of Conduct, which require CFP® certificants to provide specific information and disclosures to prospective clients and clients prior to entering into an arrangement to provide financial services other than financial planning services.

Part I: Contact Information [See Rule 2.2(d)]

- A. Client's Name and Contact Information
- B. Certificant and Employer's (if applicable) Contact Information

Part II: Services to be Provided

- A. Describe the obligations and responsibilities of each party with respect to: [Be sure the services provided to clients are allowed (or not prohibited) by the certificant's employer or in the employer's Form ADV.]
- B. Describe other professionals and/or firms the certificant may work with to provide the necessary services listed above [See Rule 1.2(d)]

Part III: Material Information Relevant to the Relationship

- A. Sources of Compensation [See Rule 2.2(a)]
 - 1. Describe how the certificant and/or certificant's employer are compensated for the services provided [See Rule 2.2(a)]
 - 2. Describe costs incurred that may be charged separately to the client [See Rule 2.2(a)]
 - 3. Describe other sources of [direct or indirect] compensation received but not yet listed. Include source(s) and terms for receipt of compensation (i.e., 12b-1 fees; soft dollars; etc.) [See Rule 2.2(a)]
 - 4. Include compensation that any affiliate or affiliated entity to the certificant or certificant's employer may receive for the services provided [See Rule 1.2(b)]
- B. Conflicts of Interest [See Rule 2.2(b)]
 - 1. Describe the conflicts of interest the certificant or certificant's employers (including affiliates and affiliated entities) may have [See Rule 2.2(b)]
 - 2. Describe the limitations placed on products, services and/or solutions the certificant may recommend under this agreement. These limitations may be caused by the relationship the certificant has with his/her employer or a limitation on products the certificant may offer, as examples [See Rule 1.2(c)]

- C. Describe other material information relevant to the professional relationship that the client should know before making an informed decision [*See Rule 2.2(b)*]

Part IV: Additional Information

You, the client, are encouraged to review the information contained in this disclosure form and ask the certificant any questions you may have. [*See Rule 1.2*] Should any material changes occur to this information, updated information will be provided to you in a reasonable time frame. [*See Rule 2.2*] As a CFP® certificant, I acknowledge my responsibility to adhere to the standards established in CFP Board's *Standards of Professional Conduct*. [*See Rule 1.4*] If you become aware that my conduct may violate the *Standards*, you may file a complaint with CFP Board at www.CFP.net/complaint.

(Optional)

I hereby acknowledge the receipt the disclosures made above.

_____/_____
Client's Signature Date

_____/_____
Client's Signature Date

Client's Printed Name

Client's Printed Name

_____/_____
Certificant's Signature Date

Financial Planning Disclosure Sample (Form FPD)

CFP Board is providing this sample disclosure document (Form FPD) to assist you in satisfying the requirements of Rules 1.2 and 2.2 of the Rules of Conduct, which require CFP® certificants to provide specific information and disclosures to prospective clients and clients prior to entering into an agreement to provide financial planning services. If applicable, references to similar questions in your Form ADV are provided for guidance. This form may be used contemporaneously with the certificant's employer's client agreement that satisfies Rule 1.3 of the Rules of Conduct.

Part I: Contact Information [See Rule 2.2(d)]

- A. Client's Name and Contact Information [Form ADV Part 1, Item 1]
- B. Certificant and Employer's (if applicable) Contact Information

Part II: Services to be Provided

- A. Describe the obligations and responsibilities of each party with respect to: [See Rule 1.2(a)] [Be sure the services you plan to provide to your client are allowed (or not prohibited) in your Form ADV.]
 - 1. Defining goals, needs and objectives
 - 2. Gathering and providing appropriate data
 - 3. Determining the results if no changes are made to the client/prospect's current course of action
 - 4. Determining recommendations and possible changes to the current course of action
 - 5. Determining implementation responsibilities
 - 6. Determining monitoring responsibilities
- B. Description of other professionals and/or firms the certificant may work with to provide the necessary services listed above [See Rule 1.2(d)] [Form ADV Part 1.A., Schedule D, Section 5.3(2), Section 7.A., Section 7.B. Form ADV Part II, Item 8., Item 12.B., Item 13.A. and 13.B.]

Part III: Material Information Relevant to the Relationship

- A. Sources of Compensation [See Rule 2.2(a)]
 - 1. Describe how the certificant and/or certificant's employer are compensated for the services provided [See Rule 2.2(a)] [Form ADV Part 1A, Item 5.E., Item 6.B.(3), Part II, Item 9.A., 9.B., 9.C., 9.D., and 9.E., Item 13.A. and 13.B.]
 - 2. Describe costs incurred that may be charged separately to the client [See Rule 2.2(a)] [This is probably defined in your client agreement.]
 - 3. Describe other sources of [direct or indirect] compensation received but not yet listed. Include source(s) and terms for receipt of compensation (i.e., 12b-1 fees; soft dollars; etc.) [See Rule 2.2(a)]

4. Include compensation that any affiliate or affiliated entity to the certificant or certificant's employer may receive for the services provided [See Rule 1.2(b)]
- B. Conflicts of Interest [See Rule 2.2(b)] [Form ADV Part 1, Item 8.A., 8.B., 8.C. and 8.d., Item 9.A., 9.B., 9.C., and 9.D., Item 12.B., Item 13.A. and 13.B.]
 1. Describe the conflicts of interest the certificant or certificant's employers (including affiliates and affiliated entities) may have [See Rule 2.2(b)]
 2. Describe the limitations placed on products, services and/or solutions the certificant may recommend under this agreement. These limitations may be caused by the relationship the certificant has with his/her employer or a limitation on products the certificant may offer, as examples [See Rule 1.2(c)]
- C. Describe other material information relevant to the professional relationship that the client should know before making an informed decision [See Rules 2.2(b) and 2.2(e)]

Part IV: Additional Information

You, the client, are encouraged to review the information contained in this disclosure form and ask the certificant any questions you may have. [See Rule 1.2] Should any material changes occur to this information, updated information will be provided to you in a reasonable time frame. [See Rule 2.2] As a CFP® certificant, I acknowledge my responsibility to adhere to the standards established in CFP Board's *Standards of Professional Conduct*, including the duty of care of a fiduciary, as defined by the CFP Board. [See Rule 1.4] If you become aware that my conduct may violate the *Standards*, you may file a complaint with CFP Board at www.CFP.net/complaint.

(Optional)

I hereby acknowledge receipt of the terms of an agreement and the disclosures made above.

_____/_____
Client's Signature / Date

_____/_____
Client's Signature / Date

Client's Printed Name

Client's Printed Name

_____/_____
Certificant's Signature / Date

Financial Planning Disclosure and Agreement Sample (Form FPDA)

CFP Board is providing this sample disclosure document and agreement (Form FPDA) to assist you in satisfying the requirements of Rules 1.2, 1.3 and 2.2 of the Rules of Conduct, which require CFP® certificants to provide specific information and disclosures to prospective clients and clients prior to entering into an agreement to provide financial planning services. If applicable, references to similar questions in your Form ADV are provided for guidance.

Part I: Contact Information for Parties to the Agreement [See Rules 1.3 and 2.2(d)]

- A. Client's Name and Contact Information [Form ADV Part 1, Item 1]
- B. Certificant and Employer's (if applicable) Contact Information

Part II: Services to be Provided

- A. Describe the services to be provided under this Agreement with the Client [See Rule 1.3(d)] [Form ADV Part 1A, Item 5.G. Form ADV Part II, Item 1.A., 1.D., Item 4.A., 4.B., and 4.C. Item 10, Item 11.A. and 11.B. give general information on the services you offer clients. Don't forget to provide a specific list of the services you provide to this particular client.]
- B. Describe the obligations and responsibilities of each party with respect to: [See Rule 1.2(a)] [Be sure the services you plan to provide to your Client are allowed (or not prohibited) in your Form ADV.]
 - 1. Defining goals, needs and objectives
 - 2. Gathering and providing appropriate data
 - 3. Determining the results if no changes are made to the client/prospect's current course of action
 - 4. Determining recommendations and possible changes to the current course of action
 - 5. Determining implementation responsibilities
 - 6. Determining monitoring responsibilities
- C. Description of other professionals and/or firms the certificant may work with to provide the necessary services listed under this agreement [See Rule 1.2(d)] [Form ADV Part 1.A., Schedule D, Section 5.3(2), Section 7.A., Section 7.B. Form ADV Part II, Item 8., Item 12.B., Item 13.A. and 13.B.]

Part III: Material Information Relevant to the Relationship

- A. Sources of Compensation [See Rule 2.2(a)]
 - 1. Describe how the certificant and/or certificant's employer are compensated for the services provided [See Rule 2.2(a)] [Form ADV Part 1A, Item 5.E., Item 6.B.(3), Part II, Item 9.A., 9.B., 9.C., 9.D., and 9.E., Item 13.A. and 13.B.,]
 - 2. Describe costs incurred that may be charged separately to the client [See Rule 2.2(a)] [This is probably defined in your client agreement.]
 - 3. Describe other sources of [direct or indirect] compensation received but not yet listed. Include source(s) and terms for receipt of compensation (i.e., 12b-1 fees; soft dollars; etc.) [See Rule 2.2(a)]

4. Include compensation that any affiliate or affiliated entity to the certificant or certificant's employer may receive under the terms of this agreement [See Rule 1.2(b)]
- B. Conflicts of Interest [See Rule 2.2(b)] [Form ADV Part 1, Item 8.A., 8.B., 8.C. and 8.d., Item 9.A., 9.B., 9.C., and 9.D., Item 12.B., Item 13.A. and 13.B.]
 1. Describe the conflicts of interest the certificant or certificant's employers (including affiliates and affiliated entities) may have [See Rule 2.2(b)]
 2. Describe the limitations placed on products, services and/or solutions the certificant may recommend under this agreement. These limitations may be caused by the relationship the certificant has with his/her employer or a limitation on products the certificant may offer, as examples [See Rule 1.2(c)]
- C. Describe other material information relevant to the professional relationship that the client should know before making an informed decision [See Rules 2.2(b) and 2.2(e)]

Part IV: Additional Information

This agreement is effective as of the date signed below and will last in duration until [_____]. [See Rule 1.3(b)] To terminate the agreement, [list terms each party may follow to terminate the agreement]. [See Rule 1.3(c)] You are encouraged to review the information contained in this disclosure form and ask the certificant any questions you may have. [See Rule 1.2] Should any material changes occur to this information, updated information will be provided to you in a reasonable time frame. [See Rule 2.2] As a CFP® certificant, I acknowledge my responsibility to adhere to the standards established in CFP Board's *Standards of Professional Conduct*, including the duty of care of a fiduciary, as defined by CFP Board. [See Rule 1.4] If you become aware that my conduct may violate the *Standards*, you may file a complaint with CFP Board at www.CFP.net/complaint.

(Optional)

I hereby acknowledge the terms of this Agreement and the disclosures made above.

_____/_____
Client's Signature / Date

_____/_____
Client's Signature / Date

Client's Printed Name

Client's Printed Name

_____/_____
Certificant's Signature / Date