

## insights

# Consult this checklist before promoting your next sweepstakes

Kris Kringle had plenty of pointy-shoed helpers backing him up, but he still insisted on making his list and checking it twice.

Any businesses that promote sweepstakes should be just as vigilant about double-checking all elements of their promotions before releasing them to the general public.

To that end, I've created a checklist of 12 of the most important things to look for in these types of promotions.

While this checklist covers many of the key aspects of a sweepstakes, it is no guarantee that the sweepstakes complies with all of the various state and federal statutes and regulations that may apply. Also, the checklist is not legal advice. The only way to determine if a sweepstakes complies with all applicable laws is to have it reviewed by a lawyer familiar with sweepstakes law.

### Sweepstakes Checklist

1. Is the sweepstakes limited to residents of the U.S. or one or more states or cities within the U.S.?
2. Do the eligibility requirements for entrants clearly identify the age, residency, and other requirements for entrants to be eligible?
3. Must individuals be at least 13 years old to enter?
4. Is there a way to enter the sweepstakes by simply mailing a postcard with the entrant's contact information to the sponsor?
5. Are the odds of winning clearly set forth in the rules and are they equal for everyone who enters, including the mail-in entrants?
6. Are the prizes described precisely and do they include all aspects and details, including the Approximate Retail Value for the total prize?
7. Is the method of selecting the winner explained and is there a date and time stated for when the winner will be chosen?
8. Is the sponsor's name, address, phone number and web address listed prominently in the official rules and on all advertisements pertaining to the sweepstakes?
9. Is the statement "No Purchase Necessary" and "Void Where Prohibited by Law" displayed in the rules and in all advertisements?
10. Is the value of prize less than \$5,000?
11. Are employees of the sponsor prohibited from entering the sweepstakes?
12. Is there an end date and time listed in the rules, and are the number of entries that each person may submit clearly stated?

**If you answered "No" to any of these items, you should contact the sponsor or a lawyer who is experienced with sweepstakes for assistance and guidance.**



*This post was written by retired Thompson Coburn partner Dale Joerling. If you have any questions about the topics discussed in this post, please contact Thompson Coburn partner [Hap Burke](#).*

*This post is intended for information only and should not be considered legal advice. The ethical rules of some states require us to identify this as attorney advertising material. The choice of a lawyer is an important decision and should not be based solely upon advertisements.*

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