FINTEREST CHECKLIST · 2026 EDITION

The compliant outreach checklist for financial professionals

Email and LinkedIn prospecting under CAN-SPAM, FINRA Rule 2210, the SEC marketing rule, and the recordkeeping rules, on one list you can work through before you send.

01 Before you write

- [ ] Know which rules apply to you. CAN-SPAM covers everyone who sends commercial email. Broker-dealer representatives add FINRA Rule 2210; SEC-registered advisers add the SEC marketing rule. Dually registered? Both apply.
- [ ] State-registered advisers and insurance-only producers follow their own state rules. Confirm which apply with your compliance team.
- [ ] Decide whether a message is a one-off or a template. If one template will reach more than 25 retail investors within any 30 calendar days, FINRA treats it as a retail communication: a registered principal approves it before first use.
- [ ] The 30 days roll; they are not a calendar month. If a template is meant to scale, get it approved before the first send.

More in **FINRA Rule 2210 explained** (finterest.com/compliance/finra-rule-2210-explained)

02 Every commercial email

- [ ] Accurate header information: From, To, and Reply-To identify who sent it.
- [ ] An honest subject line that matches the message. No “Re:” or “Following up on our call” when there was no call.
- [ ] Clear identification that the message is an advertisement.
- [ ] A valid physical postal address in the footer.
- [ ] A clear opt-out that works for at least 30 days after you send, needs nothing more than a reply or one web page, and costs nothing.
- [ ] Opt-outs honored within 10 business days, including “please remove me” replies, and opted-out addresses never sold or transferred.
- [ ] Follow-ups count as their own emails: each one needs the address and a working opt-out.
- [ ] Hiring a vendor to send for you does not transfer the obligation.

More in **Is cold email allowed?** (finterest.com/compliance/is-cold-email-allowed-for-financial-advisors)

03 What you say

- [x] Write only what you could prove on request: who you help and how.
- [x] Leave out performance, guarantees, rankings, and testimonials unless your compliance team has cleared them. Each carries conditions under the SEC marketing rule and FINRA's content standards.
- [x] Fair and balanced in every category: no false, exaggerated, promissory, or misleading claims, even in a one-off email nobody had to approve.
- [x] Have a person read anything new or AI-drafted before it goes out. Keep volume sends on approved templates.

More in **The SEC marketing rule** (finterest.com/compliance/sec-marketing-rule-advisors)

04 LinkedIn

- [x] Business direct messages are records, even though they live inside LinkedIn instead of your email archive.
- [x] For FINRA members, a profile or standing post that anyone can see generally sits with retail communications.
- [x] Liking or sharing third-party content about you can count as adopting it (FINRA Regulatory Notice 17-18).
- [x] Clearing a LinkedIn inbox does not end the obligation to keep what was in it.

05 Keeping the record

- [x] Broker-dealers: SEA Rule 17a-4. Keep business communications at least 3 years, the first 2 easily accessible.
- [x] SEC-registered advisers: Rule 204-2. Keep covered communications at least 5 years, the first 2 in an appropriate office.
- [x] Keep each template's approval (who signed off, and when) next to the template.
- [x] Capture email and LinkedIn automatically, not by forwarding or screenshots.
- [x] If a channel can't be captured, don't use it for business.

More in **Archiving LinkedIn and email** (finterest.com/compliance/archiving-linkedin-and-email)

06 Questions for your compliance team

- [x] Which channels do we capture today: email, LinkedIn messages, posts?
- [x] Is capture automatic, or does someone have to forward or export?
- [x] Can we search, export, and produce a full conversation quickly?
- [x] Where do template approvals and supervisory reviews get stored?

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