

Independent Contractor Agreement Checklist

Action Checklist — ClearLegalTips.com (2026)

Use this with the contractor agreement template to capture scope, pay, and IP correctly.

Scope & Deliverables

- ☐ Described the services and deliverables in detail a stranger could verify
- ☐ Set start date and any deadlines/milestones
- ☐ Added a change-order sentence so out-of-scope work requires a signed change order
- ☐ Clarified the contractor is not an employee
- ☐ Set the rate (hourly/fixed/retainer) and invoicing schedule
- ☐ Defined expense reimbursement rules
- ☐ Added late-payment terms
- ☐ Confirmed the working relationship (not just the label) supports contractor status under the IRS, DOL, and any stricter state test (e.g., California's ABC test)
- ☐ Avoided set hours, required tools, and daily supervision that contradict contractor status

IP & Confidentiality

- ☐ Assigned ownership of work product using work-for-hire plus express assignment, triggered on full payment
- ☐ Preserved the contractor's pre-existing tools with an embedded license
- ☐ Added confidentiality language (and a separate NDA if sensitive information flows early)

Taxes & Execution

- ☐ Collected the contractor's W-9 before the first payment
- ☐ Noted the 2026 1099-NEC threshold: file a 1099-NEC by January 31 if payments reach \$2,000 for the year
- ☐ Confirmed governing-law state
- ☐ Both parties signed and dated

INSTRUCTIONS FOR USE

Work through each item before the engagement starts. This checklist is informational only and does not constitute legal advice; laws vary by state and change over time, so consult a licensed attorney for advice specific to your situation.