

On Demand Reference Guide

Delaware Series # 1 - Why Many Businesses Organize in Delaware



Simple Set up and Business Friendly Laws Draw Many Businesses to Delaware

Most of us have heard that a large number of businesses choose to file their organizing paperwork in the State of Delaware. In fact, more than half of the corporations that make up the Fortune 500 are incorporated in Delaware. Why is that?

Easy and Affordable

The State of Delaware makes it easy and affordable to set up shop. The fees for filing organizing paperwork in the state are low compared to most other states and businesses that are incorporated in Delaware without actually conducting business in the state are not subject to Delaware corporate taxes. You don't even need to be a Delaware resident to incorporate in Delaware.

Options

Delaware corporate filings can be submitted using a variety of expedite services including 24- hour, same-day, 2-hour and even 1-hour. Additionally, authorized agents can view documents and obtain plain or certified copies of corporate documents, print certificates of good standing, and perform UCC searches on a same-day basis, as well as submit filings directly to the SOS from their desktop.

Business Friendly Laws and Courts

Delaware's Court of Chancery is one of the most highly regarded in the country. Dating back to 1792, the Court of Chancery came to be the place where corporation law issues were concentrated, and therefore the Court developed an expertise in corporation law. Furthermore, the Delaware legislature gives high priority to corporation law matters.

The Delaware General Corporation Law itself is written with every effort to make drafting documents as simple as possible, and with a bias against regulation. When businesses were threatened to be deprived of able leaders due to high cost of liability insurance for directors and officers, Delaware led the way in permitting stockholders to limit the liability of directors by using appropriate verbiage in the charter document.



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