Improving CDP Administrative Proceedings

ABA Low Income Taxpayer Representation Workshop
December 3, 2019
Facilitators

• Soreé Finley, Charlotte Center for Legal Advocacy, Charlotte, North Carolina

• Susan Morgenstern, Local Taxpayer Advocate, Cleveland, Ohio

• Erin Stearns, Low Income Taxpayer Clinic, University of Denver Sturm College of Law, Denver, Colorado
Discussion Objectives

- Discuss opportunities for more effective engagement with IRS Appeals
- Explore the role of creating a record in establishing a sustainable collection alternative
- Explore procedural traps for the unwary
- Identify improvements to current system focused on fairness and efficiency
Mission of Working Group

To make the process of CDP more efficient for IRS Appeals and taxpayers by better informing Taxpayers of what suitable collection alternatives exist and steps they must take to obtain them. Increased understanding of CDP is critical to increased utilization of CDP.
What opportunities exist for more effective engagement with Appeals?

Consider if IRS expanded telephone outreach efforts and contacted taxpayers in CDP requested a completed Form 433-F or 433-A. IRS could pro-actively assist taxpayers early on with a sustainable collection alternative. If no collection alternative results, then IRS could assign a settlement officer for a CDP hearing.

- Are you seeing this in your area?
- What advantages and disadvantages do you see?
How can LITCs and Appeals better collaborate?

How could the IRS better promote availability of LITC assistance earlier in the CDP process?

- Some approaches could include prominent, easy-to-read notices when IRS sends CDP lien and levy notices (multilingual? different color paper?).
- Train IRS Collections call center professionals to alert taxpayers to LITCs, referring them to information on irs.gov.

• Other suggestions?
Challenges to Liability through CDP?

What could be done to educate taxpayers and representatives on how to challenge liability through CDP?

- Available when taxpayers have not had a prior opportunity to challenge liability, e.g., they never received a Notice of Deficiency

• Other suggestions?
Other Opportunities to Improve CDP?

What other challenges have you experienced?
What changes would mitigate these?
Proposals for solutions?
How could technological changes improve CDP?
Join the CDP Summit Initiative!

Keep exploring this conversation by joining the Improving CDP in Appeals Working Group!

• Sign up today or email William Schmidt at schmidt@klsinc.org

Questions?

• Call William Schmidt at (913) 279-4235 or email him.