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Thank you





















Housekeeping Items

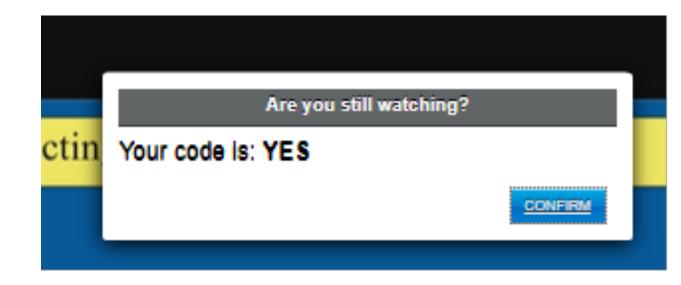
- CPE Certificates will be handed out at the end of the program. Online Audience will receive a link if they do the online attendance checks
- Questions during the program? Please walk up to the Mic stands so the on-line audience can hear you. Online, please use the chat box
- Facilities immediately outside, online stick to schedule





Housekeeping Items - Webcast

- On-Screen attendance checks
- Please keep to our schedule
- Use the chat room for questions
- Link for certificate will be emailed to you after the on-screen attendance checks are tallied on Monday or Tuesday







Webcast – Having Issues?

Customer Care email: Registration@mylawcle.com

Customer Care Phone numbers:

877-406-8636





Today's Agenda

- We have given you in your handouts
- Webcast Audience: please try and take your break when we do so you do not miss the onscreen attendance checks





Schedule – Thursday December 12th

Time	Item
9:00 - 10:30	The Corporate Transparency Act
10:30 - 10:45	Break
10:45 - 12:00	Unconventional Advocacy
12:00 - 1:00	Lunch
1:00 - 2:00	Freedom of Information Act Requests
2:00 - 3:00	Services That Create Additional Income
3:00 - 3:15	Break
3:15 - 4:00	How to Handle/Challenge a Summons or Subpoena
4:00 - 5:00	Utilizing AI To Market and Generate Business









BOI Reporting & CTA Compliance Updates

How to Navigate this Filing and Upcoming State Compliance



Presented by Frank Tumminello Co-Founder, CEO - FileForms

INTRODUCTIONS



Frank Tumminello
Co-Founder, CEO

Frank Tumminello comes from a decade-long background in the financial services and technology industry.

Prior to FileForms, he was an investor, acquirer, and valuecreation resource in several family-owned, operated financial services, insurance, and healthcare businesses throughout his private equity, corporate development, and investment banking career.



AGENDA

- Who We Are
- Why You Should Care about the CTA
- What to Expect from the Courts
- Recent FinCEN Updates
- Deadlines and Potential Penalties
- How to Prepare Your Firm and Clients
- How We Can Help You or Your Clients

ABOUT FILEFORMS

- Founded by CPAs, attorneys & industry professionals
- Based in South Florida with hybrid team members across the U.S.
- Focused on educating millions about the Corporate Transparency Act with **SOC**II Compliant technology with direct integration to FinCEN





Check out our recent Announcement!

WHY YOU SHOULD CARE...



Virtually all small and medium sized businesses must file a "Beneficial Ownership Information Report" (BOI Report) in 2024



Deadlines are approaching, or past due



Analysis and data collection can be complex, timeintensive, and a cyber risk



Penalties are steep! \$591/day; \$10k maximum With civil and criminal charges for misconduct

WHY YOU SHOULD CARE...

JOURNAL OF ACCOUNTANCY®

TECHNOLOGY

TAX

PRACTICE MANAGEMENT

FINANCIAL REPORTING

AUDIT

As first stated in its September 2022 regulatory impact analysis, FinCEN said it is difficult to estimate the number of entities that are reporting companies. It assumes that all entities created or registered before the effective date of Jan. 1, 2024, that are subject to the BOI reporting requirement — 32.6 million entities — will submit initial BOI reports in the first year. In 2025 and beyond, FinCEN estimates that almost 5 million initial BOI reports will be filed each year, the same estimate as the number of new entities per year that meet the definition of a reporting company and are not exempt. The total five-year average of expected BOI initial reports is about 10.5 million.

FinCEN estimates that about 6.6 million BOI update reports will be filed in 2024, and about 14.5 million such reports will be filed annually for 2025 and beyond. The total five-year average of expected BOI update reports is almost 12.9 million.

WHY YOU SHOULD CARE...



THE WALL STREET JOURNAL. RISK&COMPLIANCE JOURNAL FinCEN's Efforts to Implement ShellCompany Law Draw Criticism Supportors of corporato-ownership database say the Treasury's

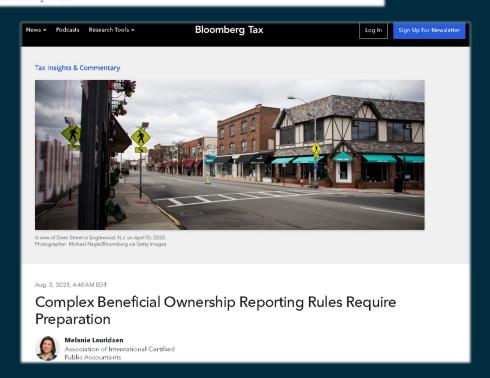
Supporters of corporate-ownership database say the Treasury's financial crimes bureau's plans to gather information and access the repository have potential loopholes

By Dylan Tokar Follow

March 23, 2023 2:20 pm ET







What to Expect from the Courts

- In late September, an Oregon District court denied a preliminary injunction, leading the CTA to likely be Constitutional (same stance as Virginia Court)
- On September 27, oral arguments in the Eleventh Circuit regarding the Alabama case where Judge provided a tone that was in support of DOJ, calling the plaintiff's case <u>"far-reaching"</u>
 - Earlier on March 1st: District Court of Alabama Ruled the CTA Unlawful
 - Verdict only applies to Plaintiffs (NSBA), 40,000 reporting companies
 - On March 11th: FinCEN and DOJ appealed the AL Court case to 11th Circuit court and stated all entities NEED to FILE outside of the plaintiffs
- On December 3rd: Eastern District Court of Texas motions for preliminary injunction* putting a temporary pause on enforcement by FinCEN
- On December 5th: FinCEN and the DOJ appealed the Texas Court's case to the 5th Circuit



^{*}Unclear if the injunction applies to companies formed in 2024.

What to Expect from the Courts

- Next Steps:
 - FinCEN stated they believe the CTA to be Constitutional
 - FinCEN emphasizes that two pre-existing decisions in state district courts of equal power denied injunctions
 - DOJ Appeal to the 5th Circuit Appellate Court = potential months of legal process and potential elevation to Supreme Court
 - Keep an eye out for FinCEN's public response and guidance
 - Still accepting BOIR filings and encouraging business owners to prepare for compliance
 - Upcoming state reporting requirements in 2025



Recent FinCEN Updates

- FAQs being released weekly, providing some clarity
- ✓ FinCEN has hosted some live events to spread awareness on CTA/BOI though overall, businesses continue to be in the dark
- ✓ Limited marketing efforts and customer support has led to many clients looking to their CPA or Attorney to get guidance on CTA/BOI as FinCEN is unreachable
- ✓ Six-month extension provided to FEMA relief and storm-impacted regions
- ✓ Less than 20% of reporting companies have filed thus far

DATES & DEADLINES

LESS THAN 30 DAYS!



Reporting began: Jan. 1, 2024



Entities formed before Jan. 1, 2024:

Jan. 1, 2025



Entities formed after Jan. 1, 2024:

Within 90 days from

formation date*

^{*}The 90-day extension only applies to those new entities filed through December 31, 2024. New entities formed January 1, 2025, and onward will have 30 days to file.

DATES & DEADLINES

LESS THAN 30 DAYS!



Change of Information ("COI") Filings:



Within 30 Days of "Change"



Previously Exempt Reporting Companies:



Within 30 Days of "Non-Exempt Date"

PENALTIES

Civil penalties:

\$591 / day per entity



Criminal penalties*:

Up to two years imprisonment



^{*}Individuals may also be subject to civil or criminal penalties for willfully causing a company not to file a required BOI report or by providing incomplete or false information.

HOW TO PREPARE YOUR FIRM

- BOI Reports can be submitted using:
 - FinCEN.gov for manual inputs and single filings
 - Industry-leading filing software with secure storage and reporting features:





The FinCEN Portal

Current Struggles

Issues related by users of the FinCEN reporting portal

TIME CONSUMING

- Too long 93 pages to process
- 1-2 hours per report (longer process for multi-owner businesses)

MASSIVE MARGIN FOR ERROR

- Not designed for complex corporate structures
- Previously reported info is not saved for future updates

LACK OF SUPPORT

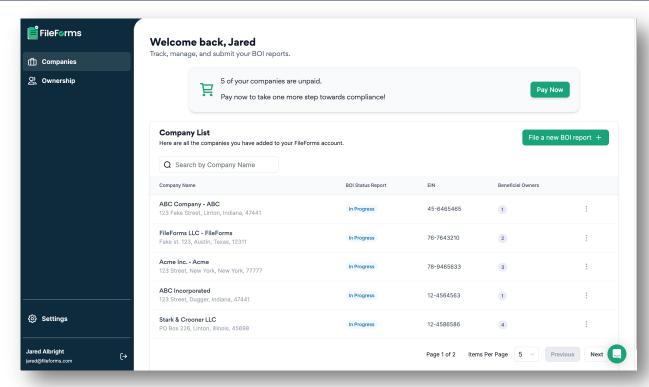
- Thin guidance through the process
- No point of contact post submission

HOW FILEFORMS HELPS

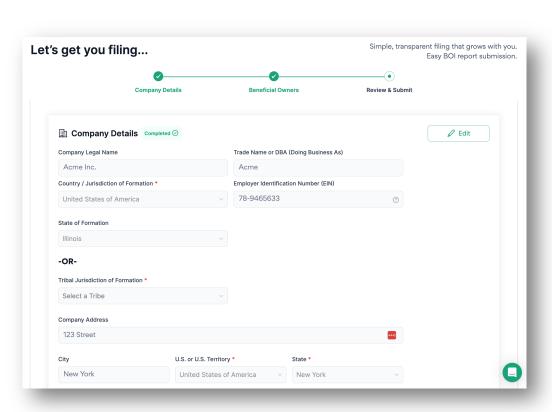
- ▼ TurboTax-like experience for DIY
- Reduces filing time: hours to minutes
- Bulk upload for efficient data entry
- Secure data storage
- **Expert** assistance available
- One-click "COI" filings
- Data Monitoring for continuous compliance and ID expiration



FileForms – How it works



Try Our free Filing Wizard provides a step-by-step process for users to determine BOI reporting requirements.





How to Prepare Your Firm and Clients before Deadlines

Have Plan in Place

- ✓ Send a letter to your clients about CTA and BOIR
- ✓ Explain that they need an active ID to report and EIN
- ✓ Determine your approach to using FinCEN ID
- ✓ Identify clients that have many entities who might need more time to prepare

Determine how many reports will need to be filed

✓ Consider if it makes sense to use a technology solution or to outsource work, given the nature of continuous reporting of changes of information

We partner with:

- Accountants, CPAs & Bookkeepers
- Attorneys' Offices
- Company Formation & Registered Agents
- Investment Professionals & Family Offices

helping them service their clients better with a remarkable experience

HOW FILEFORMS HELPS

BOI REPORTING MADE EASY



Serving Firms and Organizations with Features to File

Accountants

Bulk upload features for quick reporting for large volumes of BOIRs



End-to-end BOI reporting in less than 10 minutes using DIY solution for clients



SOCII compliant with top-tier security storage



Direct integration to FinCEN for instant filings

Investors

- Full white label and branding capability
- Send notifications for secure info-gathering
- Leading insights, support, and data monitoring







CASE STUDY





FileForms serves Accounting Firm

Client: Mid-west CPA Firm

Challenge:

- 100 clients from LLCs to Corps serving primarily business owners and real estate investors
- Several legal entities across client base with most information stored in Tax Prep Software and CRM
- Focus on managing risks on behalf of the firm as not to practice any forms of legal advice or service
- Thin back-office support at the firm and not able to take on manual filing process with FinCEN while tracking BOI changes after initial filing
- Data privacy concerns relating to collection of government issued IDs of Beneficial Owners

Key Outcomes:

- 200+ Hours Saved
- \$1,000,000 in Penalties Avoided

Solution:

- Referred to FileForms by National Law firm
- Used FileForms Bulk Upload Template (CSV) downloaded from site to upload entity info which was exported from Tax Prep Software
- Drag-and-dropped the template into FileForms
- Dashboard populated with all uploaded companies
- Automated notification sent to Beneficial Owners to upload IDs using contact info on Bulk Upload Template and push notification features in app
- Clients reviewed and submitted to FinCEN
- FinCEN confirmation number and transcript received instantly www.fileforms.com

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Questions Answers



info@fileforms.com www.fileforms.com

FileFørms

15 Minute Break









Eric L. Green, Esq. Leighanne Lafrenz Nickle, CPA Amanda Evans, EA



The IRS Mission

- ► This makes sense in the context of our voluntary compliance system
 - In the United States, Congress passes tax laws and taxpayers are required to comply with those laws
 - ☐ The taxpayer's role is to understand and meet his or her tax obligations
 - □ The IRS' role is to help the large majority of compliant taxpayers with the tax law, while ensuring that the minority who are unwilling to comply pay their fair share are held accountable and face potential civil and/or criminal tax enforcement



The Ethics Rules

- Internal Revenue Code
- Tax Court Rules of Practice & Procedure
- ► ABA Model Rules Lawyers
- Circular 230 Applies to Attorneys, CPAs and Enrolled Agents
 - □ Treasury Regulations to Interpret Practice Before the IRS (31 U.S.C. 330)
- ► NAEA Code of Ethics & Rules of Professional Conduct
- AICPA Statements on Standards for Tax Services ("SSTS")



Taxpayer Bill of Rights

- ▶ Omnibus Taxpayer Bill of Rights (Original "Publication 1" 1988)
- ► Taxpayer Bill of Rights 2 (1996)
- ► Taxpayer Bill of Rights 3 (1998)
- ► Taxpayer Bill of Rights 4 (2014)



2014 Taxpayer Bill of Rights

Right to be informed

Right to quality service

Right to pay no more than the correct amount of tax

Right to challenge the IRS' position and be heard

Right to appeal IRS decision in an independent forum

Right to finality

Right to privacy

Right to confidentiality

Right to representation

Right to a fair and just tax system



The "Ten Deadly Sins" ~ RRA 98 §1203

Falsification of documents

Infringement of constitutional rights

Assault/Battery

Harassment/Retaliation

Misuse of IRC §6103 (disclosure)

Discrimination

Threat of audit

Failure to file

Seizure violations

Understatement of tax liability



When does this come up?





The auditor and/or Revenue Officer from hell!



So Amanda has an Appeals call one day....

Background:

- Client is audited
- During COVID, CPA gets sick and does not provide the documents to the auditor
- Notice of Deficiency is issued and no case is filed
- In collections gets Final Notice and TP files his own CDP
- ▶ At CDP raises two issues: I do not owe the money and my wife is innocent
- SO denies relief



So Amanda has an Appeals call one day....

Background:

- Client files his own Tax Court case from Notice of Determination
- Raises the same two issues
- Hires Eric
- ► Eric settles the case with Counsel: wife gets IS, agree court has no jurisdiction to reconsider liability as client had a prior opportunity
- File DATL



So Amanda has an Appeals call one day....

- Amanda hears from Appeals
- They tell us we 'conceded to the liability in Tax Court so they cannot consider the DATL'
- ▶ They send us a fax with the quote taken from the tax court decision:

ORDERED AND DECIDED: That the determinations set forth in the Notices of Determination issued to petitioners on February 10, 2020, for petitioners' income tax liabilities for taxable years 2013, 2014, 2016, and 2017, upon which this case is based, are sustained,



Except

That is NOT what the decision said:

ORDERED AND DECIDED: That the determinations set forth in the Notices of Determination Concerning Collection Action(s) under Section 6320 and/or 6330 issued to petitioners on February 10, 2020, for petitioners' income tax liabilities for taxable years 2013, 2014, 2016, and 2017, upon which this case is based, are sustained,



We elevate this

- ► To the Appeals manager and the Chief of Appeals
- ► Have a hearing with Appeals and they try and BS us that they have an opinion from Chief Counsel that they are correct
- ► We insist on they're sharing the opinion they refuse
- ► They ultimately state that we are to be given "one more bite at the apple"



Because sometimes the IRS just becomes a...





Elements of IRS Misconduct

- ► Inappropriate taxpayer treatment in the course of official business Elements of IRS Misconduct [IRM 13.1.15.2 08/08/2016] Taxpayer Advocate Service
- Examples
 - Rudeness
 - Over-zealousness
 - Excessive Aggressiveness
 - Discriminatory treatment
 - Intimidation



Complaining ...

- ▶ I do not like to complain ... however
- ▶ I would talk to the person I am dealing with first
- ▶ If that fails to get a change, I would talk to the group manager let them clean up their own house (believer in win/win)
- If its going to be win/lose, my clients don't pay me to lose!



You start

- ► Elevate always elevate
- You request to speak to the manager
- You move up to the Area Director
- ► The goal is to give the IRS a chance to clean up its own house





Then to









Stakeholder Liaison



Going Nuclear

- ► If IRS and TIGTA wont fix, the nuclear option is:
 - Media
 - Senate Finance Committee
 - Mere fact of observation changes behavior
 - Congressional Constituent Services







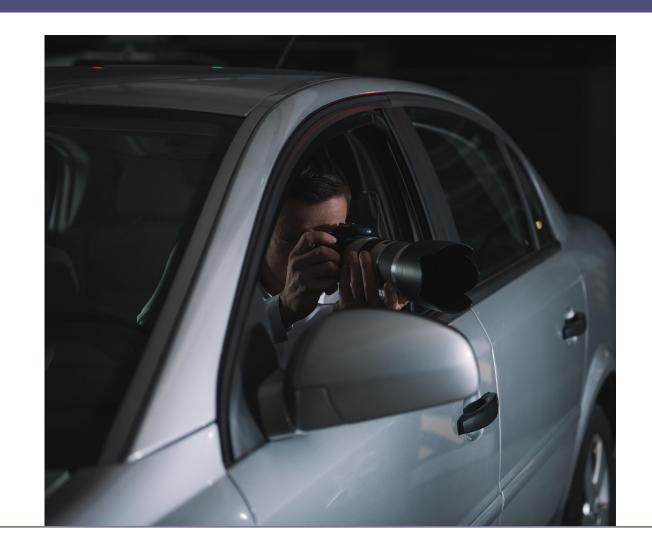
Treasury Inspector General for Tax Administration (TIGTA)

- Handles complaints against IRS Employees (government practitioners)
- ➤ TIGTA's audits, investigations, and inspections and evaluations protect and promote the fair administration of the Federal tax system and work to ensure that the Internal Revenue Service (IRS) is accountable for the trillions of dollars in tax revenue it collects each year



Treasury Inspector General for Tax Administration (TIGTA)

- https://www.tigta.gov/repor tcrime-misconduct
- ► TIGTA polices the IRS





Questions





Lunch – One Hour









Freedom of Information Act ("FOIA")

- The Freedom of Information Act, 5 U.S.C. 552, provides any person the right to request access of federal agency records or information
- The FOIA request must be in writing and sent to the Disclosure Central Processing Unit.
- Letters requesting records under the FOIA can be short and simple.



IRM guidelines for a FOIA Request

- 11.3.13 Freedom of Information Act
- Provides overview and examples



Alternative to ("FOIA")

- May get the information from the IRS personnel by asking
- May be quicker and easier
- IRC 6103(e)
- Exam IRM 4.2.5.6 (03-16-2022)
- Requests for Open Examination File and Workpapers
- Collection IRM 5.1.22.7 (08-01-2019)
- Collection Case Files



When, Why and How: When

- Once an IRS Exam notice is received you may request a copy of the administrative file
- Certainly after an exam is completed you want to make the request



When, Why and How: Why

- It is extremely helpful to have the IRS administrative file
- Pre-audit: you may pick up on what started the audit and where it may be heading
- Post-audit: you can see what the auditor noted or did not notate
- Create defenses/appeal arguments around information in file



- Mail
- Fax
- Portal (recommend method)



When, Why and How: How (Letter)

- How do you make a FOIA request?
- Simple letter with:
 - 1. The letter should state that the request is being made under the Freedom of Information Act.
 - 2. The letter should identify the records that are being sought as specifically as possible.
 - 3. The name and address of the requester must be included.
 - 4. Copy of the requester's driver's license or a sworn or notarized statement swearing to or affirming their identity.
 - 5. If by the POA, include the 2848
 - 6. Make a firm commitment to pay any fees which may apply



Benefits of the Portal

- Fastest method
- Confirmation
- Can verify status
- Records generally uploaded
- Requests saved to you're account



When, Why and How: How (portal)



Internal Revenue Service Freedom of Information Act Public Access Portal

This portal provides members of the public with basic information on how to obtain access to records maintained by the IRS.

Access FOIA Library

The Freedom of Information Act (FOIA) Library provides access to tax records already available to the public. The library consists of tax records, such as:

- · Published Tax Guidance
- · Administrative Manuals and Instructions
- · Training and Reference Materials
- · Frequently Requested Records
- Reports
- · Other Information Available to Public

FOIA Library

Routine Access to IRS Records

Many types of IRS records are available through routine procedures. A FOIA request is not required to be submitted to access these records. For example:

- · Copies of tax returns
- Copies of transcripts (income transcripts, account transcripts, etc.)
- Tax exempt documents available under IRC 6104
- Written determination documents available under IRC 6110

Routine Access

Submit FOIA Request Online

Before submitting a FOIA request, check the FOIA library for the record you wish to access. If the record is unavailable, you may submit a request. To submit a request, sign in to the FOIA Portal.

The IRS Freedom of Information Act (FOIA) Public Access Portal now uses a sign on system that requires identity verification. If you created a FOIA account prior to June 26, 2023, you'll need to register or sign in through ID.me.

Check Request Status

Users may sign in to their account to view request details, check status of an existing request, and submit online payment.



When, Why and How: How (Portal, after signing in with id.me)

Submit FOIA Request Online

Before submitting a FOIA request, check the FOIA library for the record you wish to access. If the record is unavailable, you may submit a request. To submit a request, <u>sign in to the FOIA Portal</u>.

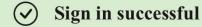
The IRS Freedom of Information Act (FOIA) Public Access Portal now uses a sign on system that requires identity verification. If you created a FOIA account prior to June 26, 2023, you'll need to register or sign in through ID.me.



When, Why and How: How (Portal, after signing in with id.me)



Welcome David Ramirez



To continue, use the menu navigation options at the top of this page to explore this website, submit a request, or check status of your existing request.

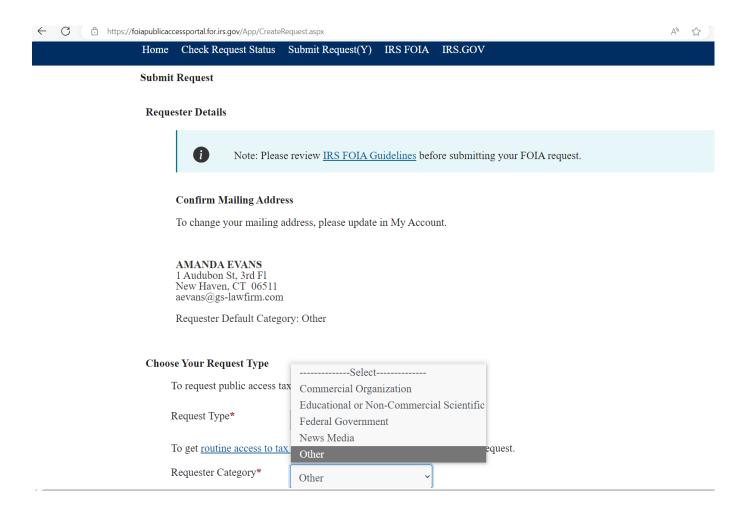
To update your ID.me profile please use the following link.

<u>Update Profile</u>





When, Why and How: How (Portal, after signing in with id.me)





- Short
- Concise
- Clear

Your request

The description of the records you are requesting is important. The scope of your request can impact how quickly an agency can respond to your request. Your description should be as clear and specific as possible and must give agency FOIA personnel enough detail so that they are able to reasonably determine exactly which records are being requested and where to locate them.



Your request	Required
--------------	----------

A brief and clear description of the information you'd like to receive. Please be as specific as possible. It would be helpful to provide the name, taxpayer identification number (e.g., social security number or employer identification number), subject matter, location, and years at issue, of the requested records. If the records pertain to pending litigation, you must indicate the title of the case, the court in which the case was filed, and the nature of the case. 26 C.F.R. § 601.702(c)(4)(H)(5). This field has a maximum length of 10,000 characters.



Portal upload is single file

Note: attachments will need to be uploaded as 'one single' file document

Attachment





Can check Portal submission

Home Check Request Status Submit Request(Y) IRS FOIA IRS.GOV

Check Request Status

Request Details



Alert

The download folder will be available for electronic FOIA requests effective June 26, 2023. A response to your request received prior to that date will be sent to your Mailing Address via US Postal Service Mail.

Click on Request # to view request details.

Request #	$\textbf{Description} \\ \uparrow \downarrow$	Received Date ↑↓	Total Invoice Amount ↑↓	Status ↑↓	Download Folder
2025-1511-611-0	1. Verification of the Required Managerial approva	12/6/2024	0.00	Assigned for Processing	-



Expedited requests

• The Freedom of Information Act provides for expedited processing if the requester asks in writing and demonstrates a compelling need for the information.



Expedited requests

- failure to obtain the records on an expedited basis could reasonably be expected to pose an imminent threat to the life or physical safety of an individual
- the information is urgently needed by an individual primarily engaged in disseminating information in order to inform the public concerning actual or alleged Federal Government activity; or

Note:

- See 26 CFR 601.702(c)(6) for details about who qualifies as an individual primarily engaged in disseminating information and what situations may meet the compelling need requirement.
- failure to obtain the records quickly could cause a loss of substantial due process rights.



Timeline for a FOIA Request

- 20 business day to determine if
- whether to comply with the request under the FOIA.
- IRS can request an extension of 10 days
- Normally, will ask for more time
- Expedited request must be processed in 10 days IRM 11.3.13.6.4



FOIA Request

- A copy of one provided with the slide handouts
- Make this a part of your practice



FOIA Request — Is the information already available?

- IRS FOIA Library Tax guidance, administrative manuals and instructions, program plans and reports, non-precedential rulings and advice, training materials and other public records are available in the library.
- <u>Routine access records</u> Find tax returns, transcripts, open case files, tax-exempt or political organization returns, tax forms and publications, tax court opinions and the Internal Revenue Code.
- IRS employee If you're working with an employee on an open tax case, ask them for the records you need. It's free and usually faster.



FOIA Request – Is this information already accessible through routine agency procedures?

- Tax returns: Form 4506, Request for Copy of Tax Return
- Tax transcripts: <u>Form 4506-T, Request for Tax Transcript of Tax</u> <u>Return</u>
- Documents publicly available under IRC 6104 (for example, tax exempt organization Form 990s): <u>Form 4506-A, Request for Copy of</u> <u>Exempt or Political Organization IRS Form and Form 4506-B,</u> <u>Request for Copy of Exempt Organization IRS Application or Letter</u>



FOIA Request – 9 statutory exemptions:

- 1. Classified documents pertaining to national defense and foreign policy. 2. Internal personnel rules and practices.
- 3. Information exempt under other laws.
- 4. Trade secrets and confidential commercial or financial information.
- 5. Inter-agency or intra-agency memorandums or letters.
- 6. Personal privacy relating to personnel, medical and similar information, the disclosure of which would constitute an unwarranted invasion of personal privacy.
- 7. Information compiled for law enforcement purposes.
- 8. Information that is contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions.

TAX REP NETWOF

9. Geological and geophysical information, data, and maps, concerning wells.

FOIA Request – 3 Special Categories of Excluded Documents:

- 1. Records related to an ongoing criminal investigation.
- 2. Records regarding confidential informants maintained by IRS criminal law enforcement.
- 3. Records maintained by the FBI which pertain to foreign intelligence, counterintelligence, or international terrorism.



FOIA Request – What if IRS denies my request?:

- A requester may administratively appeal any portion of a FOIA request that was denied by sending an appeal letter to the designated appeal office.
- The appeal must identify the FOIA request that is being appealed, and include the FOIA request number assigned by the IRS and the name and address of the requester. An appeal should also include any facts or authorities supporting the requester's arguments for disclosure of the withheld documents. The appeal must be postmarked within 90 days after the date of the letter denying access to the information. The IRS is required to make a decision on an appeal within 20 business days after receiving the appeal letter; however, the IRS can extend the time for responding by an additional 10 days for unusual circumstances.
- If the IRS denies the appeal, the requester may file a lawsuit challenging the denial in U.S. District Court. In a court case, the IRS has the burden of justifying the withholding of documents.



Dear Eric Green:

This is a final response to your Freedom of Information Act (FOIA) request dated December 14, 2021, received in our office on December 15, 2021.

You asked for copies of:

- 1. Admin file for ABC Construction LLC for 2011-2012 inclusive:
- 2. Admin file for David Jones for 2011 and 2012, all periods;
- 3. David Jones's Module A for 2011-2012, inclusive;
- 4. All information relating to the civil penalties applied under IRC 6722 for 2011 and 2012 periods relating to ABC Construction, LLC and/or Mr. Jones.

We searched for, and located, 247 pages responsive to your request.

Of the 247 pages located in response to your request, we're enclosing 247 pages. We're releasing 186 pages without exemptions and withholding 61 pages in part. Redacted portions of each page are marked by the applicable FOIA exemptions which are described below:

The withheld portions are other taxpayers' tax information and information outside the date range of the Form 2848. FOIA exemption (b)(3) requires us to withhold information specifically exempt from disclosure by another law. The law supporting this exemption is Internal Revenue Code Section 6103(a).

FOIA exemption (b)(5) exempts from disclosure inter or intra-agency memorandums which wouldn't be available by law to parties other than those in litigation with the agency. The exemption privileges covered in this response are:

☐ The deliberative process privilege, which protects documents that reflect the pre-decisional opinions and deliberations on legal or policy matters.



TFRP CASE FILE CHECKSHEET for review of TFRP case files							
Responsible Person: David	SSN:						
CORP: Construction LLC	EIN: 06						
Earliest ASED Date: 4-15 · 2015	*						
RO Name and Assignment Number: , M	enry 2102						
Is Form 3210 included?	Is Form 2749 included?						
Is Form 4183 with Page 4 included?	If yes, is barred statute addressed?						
Is Form 2750 included?	If yes, is 2750 signed and dated by TP and IRS?						
Is Letter 1153(DO) included? If yes: • Enter Date of Letter 1153: The late of Letter 1153: The	Method of Delivery: Wai						
Is Form 2751 included?	If yes, is Form 2751 signed and dated?						
Is Letter 1155 included?							
Is Form 9327 included?							
Is Form 2859 included?	If yes, is Form 3210 with DLN and 23C date included?						
Is Form 3552 included?	If yes, is mailing documented in ICS history?						
Is CPM History input?	Was 5942 / E-MAIL issued?						
Are ICS /ATFR History included?	If no, print and include in case file						
Supporting Documentation Per 5.7.4 and 5.7.10. Note: If the following document the reasons they were not secured and why the	nents are not secured, the ICS history must be documented ney are not necessary to support the recommendation.						
Is Form 4180 included?	If no, is reason documented in ICS history?						
Are Bank Signature Cards or PIN assignment	/						
included?	If no for both, is reason documented in the ICS history?						
Are Checks or Bank Statements included?	If no for both, is reason documented in the ICS history?						
Are Corporate Resolutions included?	If no, is reason documented in the ICS history?						
=======================================							
APPEALS FILE Is Letter 1154 included?	Is Written Protest included? If no, return to RO						
Is Appeal Timely? If yes or no, Appeals Request Received by If Hand Delivery or Fax – Is ICS documents If Mail – Is postmarked envelope included?	ed?						
Is Summary narrative addressing taxpayer issues	included in case file?						
REVIEWED DATE 9-19-20	17						



- We reviewed copies of signatures on the checks, 941s, Form 4180 and bank signature card.
- It became clear that someone in the office was signing his name for 2 of the 3 periods at issue.
- We presented evidence (affidavits from the office manager and emails between the two business partners) that proved our client had no access to the office (locks were changed) and that other partner controlled the finances. Other Partner would deposit funds and immediately transfer the funds to keep them out of reach of our client.

- Filed Doubt as to Liability Offer
- During pendency of OIC, other partner filed his Form 1040 with a 60k refund which was applied to TFRP and case was closed!



Questions?







Best Tax Planning Ideas



- Transcript Monitoring
- First-Time Penalty Abatement
- Reasonable Compensation Reports
- ► LLCs to S-Corps
- CFO Services



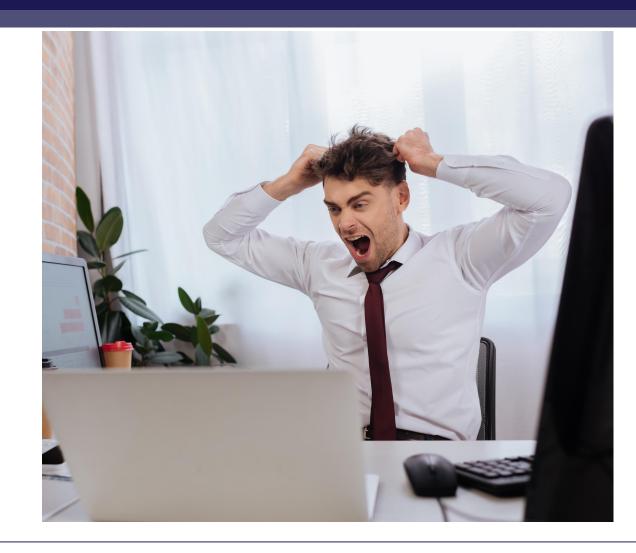
Step 1: Get a 8821 on your clients

- ► Tell the clients it allows you to pull wage and income information if it becomes and issue and confirm he returns are on file
- Allows you to pull transcript reports
- ► Why?



Transcript Monitoring

- After we closed the case we would revoke POA
- Did not want to babysit the account
- Clients get the letter you revoked and lose their mind





The desperate client...

- Why are you firing me?
- Agreed to maintain the POA for \$500/yr
- ► Have 153 clients paying now for monitoring their account (\$75,750)
- ► Hint: we have members charging \$95/month!





Now, with the POA

- ▶ Pull transcript reports on all your clients
- Spend a weekend with your favorite drink
- ► Look for the clients who are eligible for an FTA (within the last 3 years of returns filed or last 2 years paid)
- ► THS does this for you!



THS flags these for you

PENALTY AND INTEREST DASHBOARD

	Return	Ma		Penalties Failure	Penalties Failure	Accuracy Related		
Year	Filed	FTA	PA	to File	to Pay	Penalties	Accrued Penalty	Total
2020	No						\$0.00	
2019	No						\$0.00	
2018	Original	N			\$147,801.15		\$0.00	\$
2017	Original	N			\$63,295.94		\$0.00	
2016	Amended	N	Υ		\$93,701.63		\$0.00	
2015	Amended	N	Υ		\$18,314.56		\$0.00	
2014	Amended	N	Υ		\$62,065.80		\$0.00	
2013	Original	N			\$21,256.24		\$0.00	
2012	Original	N			\$21.156.48		\$0.00	



Penalty Abatement Refund Claims

- Can be taken on contingency
- ➤ Circular 230 section 10.27(b)(3): A practitioner may charge a contingent fee for services rendered in connection with a claim for credit or refund filed solely in connection with the determination of statutory interest or penalties assessed by the Internal Revenue Service.
- You contact the client knowing in advance you can properly recover money



Reasonable Compensation Reports

- S Corp reasonable comp is a high priority for the IRS
- "Distributions and other payments by an S corporation to a corporate officer must be treated as wages to the extent the amounts are reasonable compensation for services rendered to the corporation." ~ Instructions 1120S
- "Reasonable compensation is the value that would ordinarily be paid for like services by like enterprises under like circumstances."



Bob's Horror Story

- Bob did no payroll or bookkeeping
- Send letters to S Corp owners they needed to take reasonable comp
- ► IRS audited
- ► Charged him \$1,000 under IRC 6694(a) unreasonable position and \$5,000 under IRC 6694(b) for understatement due to willful or reckless conduct
- > \$6,000 x 20 S Corps = \$120,000 in preparer penalties



Sample Report

Report for Scott Stone of Stone Concrete, Inc.

Your estimated annual Reasonable Compensation: \$68,788

Thank you for entrusting Sam Miller of Potomac Tax and Valuation, PC with your Reasonable Compensation analysis. This report provides a reasonable estimate of the value of services rendered to your S Corporation based on your responsibilities and the duties that you perform annually. Reasonable Compensation is defined by the IRS as "The value that would ordinarily be paid for like services by like enterprises under like circumstances".



The Software

- RCReports generates a report for taxpayer S Corp owners
- ► The software is paid for BY YOUR CLIENTS its part of the S Corp or C Corp return process
- ► The software must become an annuity
- ▶ It bullet proofs the client's comp



The Software

- ► How do you use it?
- 1. Run reports on your S Corp Owners and C Corp owners
- 2. Run reports on your profitable LLC clients and then convert them to S Corps because you will have a really good idea how much in taxes you can save them!



CFO Services

- What, exactly, CFO Advisory services are (and why it's different than fractional CFO services).
- Why CFO Advisory services are ideal for a tax accountant to add to the existing list of services.
- How much you should charge and how much time is involved in offering CFO Advisory services.
- What outcome should your clients expect from a CFO Advisory service.



Also

- Automate everything that can be automated!
 - ~ Client letters and payment: Ignition
 - ~ Organizer: Liscio
 - ~ Tax Return prep (and cut 65% off your prep time): Gruntworx
 - ~ Transcripts and Rep Forms (Tax Help Software)
 - ~ Selling and closing clients: Tax Rep App



Summarize

- 1. Get THS and pull reports on clients for FTAs, take on a 30% contingent fee
- Offer account monitoring for audits or adjustments by the IRS (\$500/yr \$95/month)
- 3. Get RC Reports and bullet proof your clients corp returns (and create an annuity)
- 4. Run reports on your profitable LLC clients and convert them to S Corps (charge for the conversion, report, corporate return, etc)
- 5. Automate everything and become profitable while getting your life back!



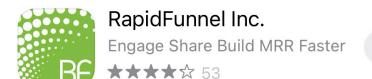
The Software

- ► Tax Help Software: https://TaxHelpSoftware.com/trn \$250 for 6 months
- RCReports: https://trn.rcreports.com/ Reasonable Comp
- ► Liscio https://www.liscio.me/demo
- Gruntworx https://www.gruntworx.com/schedule-live-demo/ (automate return prepand save 65% of staff time)
- ▶ Ignition: https://www.ignitionapp.com/ (automate engagement letters and payments)
- ► The CFO project: https://thecfoproject.com/
- SmartVault: https://www.smartvault.com/eric-green/ (save 20%)



Tax Rep App

- ► Free includes all the tables and IRS expenses
- Premium includes the marketing drip campaigns
- Feedback has terrific
- ► Go and download the "Rapid Funnel" App and use group Code "TRN"









Questions?





15 Minute Break









Jeffrey M. Sklarz, Esq., Green & Sklarz LLC Catharine O'Connor, Esq., Tax Mentor Jamie Flores, Esq., Law Offices of Nick Nemeth



Agenda

- ► IRS authority to issue an administrative summons
- Duty to respond
- Challenging a summons
- Summons enforcement and litigation
- Subpoenas (civil and criminal actions)



Source of Law and Authority

Internal Revenue Code ("IRC") §§7602(a) and (b) authorize the Internal Revenue Service ("IRS") to examine records, issue a summons, and to take testimony as may be relevant or material for the purpose of "ascertaining the correctness of any return, making a return where none has been made, determining the liability of any person for any internal revenue tax . . . collecting any such liability . . . [or] inquiring into any offense connected with the administration or enforcement of the internal revenue laws."



Source of Law and Authority (cont.)

➤ This provision of the IRC has been construed as providing the IRS with expansive information-gathering authority. See, e.g., United States v. Arthur Young & Co., 465 U.S. 805, 813-16 (1984) (deeming IRC §7602 to be the "centerpiece" of a Congressional scheme designed to endow the IRS with authority to conduct effective tax investigations).



Source of Law and Authority (cont.)

- ► This authority does not, however, extend to require a taxpayer to produce documents not already in existence. See United States v. Davey, 543 F.2d 996, 1000 (2d Cir. 1976); United States v. Brown, 536 F.2d 117, 120-123 (6th Cir. 1976); See also Internal Revenue Manual ("IRM") ¶25.5.4.2.1(1).
- This is why IRS cannot summons a missing tax return



The Summons



Summons

In the matter of	f	
	ue Service (Division):	
	name or number):	
	The Commissioner of Internal Revenue	
To:		
# #-		_

You are hereby summoned and required to appear before, an officer of the Internal Revenue Service, to give testimony and to bring with you and to produce for examination the following books, records, papers, and other data relating to the tax liability or the collection of the tax liability or for the purpose of inquiring into any offense connected with the administration or enforcement of the internal revenue laws concerning the person identified above for the periods shown.



Source of Law and Authority (cont.)

- ► The authority to issue summonses is delegated to agents of the Examination, Collection, and Criminal Investigation Divisions of the IRS
- ▶ IRS administrative practice is to obtain information and documents by means other than a summons wherever possible. IRM ¶25.5.1.4(1).



IRS' Use of Summons

- ► Taxpayer testimony may be summoned.
- ► Taxpayer records may be summoned whether they are in the possession of the taxpayer or in the possession of others, including third-party recordkeepers.
- ► Information or evidence furnished voluntarily by a person may be used even if it is incriminating.
- ► IRM § 25.5.5.2



IRS's Use of a Summons

- ▶ In general, the IRS should issue summonses only when:
 - 1. the information is not already in the IRS's possession, and
 - 2. the taxpayer (or other witness) will not produce the desired records or other information voluntarily. IRM § 25.5.4.1.4
- ➤ The approval of the issuing officer's manager, or any supervisory official above that level, is required on a summons to a third party witness, except that such approval is not required for a third party summons issued by a special agent



Background: The Administrative Summons

A person cannot successfully oppose a summons for records possessed by another person when the other person obtained the records either by operation and due process of law or by the legal actions of another. For example, courts have ordered production of documents from:

- 1. A trustee in bankruptcy;
- 2. A federal court where they had been impounded;
- 3. A state attorney general who obtained records by subpoena;
- 4. An employer who came across incriminating documents at the workstation of an employee/embezzler;
- 5. A clerk of a state court;
- 6. A federal prison official; and
- 7. U.S. Customs agents.

IRM § 25.5.5.3.1



Background: The Administrative Summons

Persons summoned to testify before the Service or to produce records may assert certain rights or defenses including the following:

- 1. Fifth Amendment Privilege Against Self Incrimination
- 2. Right to Be Represented by Counsel
- 3. Attorney-Client, Federally Authorized Tax Practitioner-Taxpayer, Husband-Wife, Clergy-Penitent, and Psychotherapist-Patient Privileges
- 4. Right to Make an Audio Recording of the Proceeding
- 5. IRC 7609 Noticee's Right to Petition to Quash a Third-Party Summons
- 6. Right of Third-Party Witness to Refuse Unreasonable Requests and to Raise Appropriate Defenses
- 7. Representation Issues
- 8. Disclosure Issues

IRM § 25.5.5.4



"John Doe" Summons

- ► A "John Doe" summons is used where the identity of the taxpayer or group of taxpayers under investigation is not known. IRM ¶25.5.1.3.1(1), ¶25.5.7.2(1).
- ➤ Special statutory rules govern the issuance of a John Doe summons. See IRC §7609(f); see also IRM ¶25.5.7 (John Doe summons procedures).
- ▶ UBS and the Swiss Banks
- ➤ A limited number of specified high-ranking executive personnel in the IRS have the authority to issue a John Doe summons under Delegation Order No. 4. See IRM ¶25.5.1.3.1, ¶25.5.7.4.1.



So the Summons for the Non-Filer?

- ► Call the RO
- ► You're not showing up
- ► Get the return done and submit to the RO
- ► That should resolve the summons issue



J.B. v. United States, 916 F.3d 1161 (9th Cir. 2019)

- ► A generic transmission of IRS Publication 1, Your Rights as a Taxpayer, to a couple did not qualify as a reasonable notice.
- ► The IRS sought billing records and invoices for the husband's work representing capital defendants for the state (California) government.



PB v. US (cont.)

- ► The IRS did not take any additional steps to notify the couple that it would be sending a summons to the state court.
- ➤ Therefore, the IRS deprived the couple of a meaningful opportunity to volunteer information such as billing records that the individuals most likely possessed before the third-party contact had been made



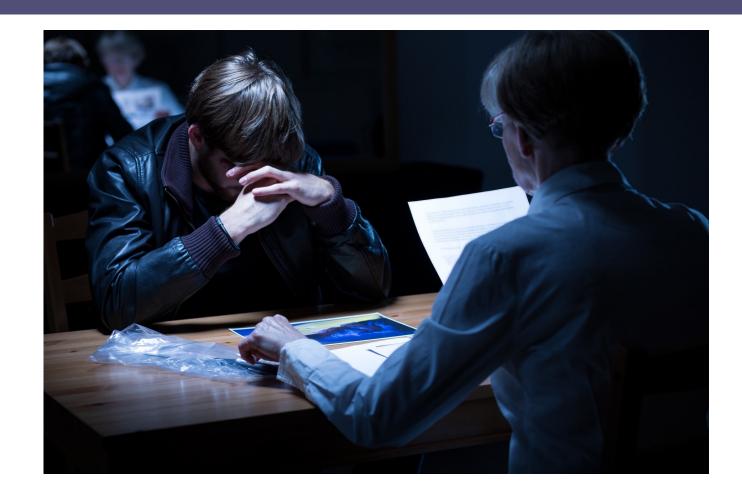
Duty to Respond to Summons

- ➤ A summons recipient is under a duty to reasonably respond to an administrative summons.
- Ignoring a summons can have serious implications, which can lead to legal action
- ► Counsel/Representative for the summonsed party has limited ability to object
- ► The IRS does not have an unlimited summons power



Taxpayer's Attorney and/or Representative

- Cannot obstruct an interview
- Has no right to be present during the interview of a third party





Limitations on Authority to Summon – IRM § 25.5.4.5

To be valid and enforceable, a summons must:

- 1. Seek information that may be relevant to the investigation,
- 2. Be issued pursuant to a proper purpose,
- 3. Seek information the Service does not already possess, and
- 4. The Service must have followed all of the administrative steps required by the Internal Revenue Code.

A summons can only obtain records that actually exist!



Limitations on Authority to Summon – IRM § 25.5.4.5 (cont.)

Seeking records of a third party requires the IRS to show a transactional connection between the third-party's records and the taxpayer's activities that are being investigated.

- A. Cannot be issued for an improper or ulterior purpose.
- B. Special John Doe procedures must be used when the sole purpose of a summons is to investigate the tax liabilities of unknown and unidentified persons.



Summoned to Present Records

- ► For an audit they should have requested them first
- ► For collections, its to create missing returns
- Just file the returns!



Summons Enforcement

- An IRS summons is not self-enforcing.
- The government must bring an action in the appropriate federal district court for the enforcement of a summons if the summonsed party fails to comply. See IRC §§7402(b), 7604(a); See also *United States v. Claes*, 747 F.2d 491, 494 (8th Cir. 1984).
- The court's role in a summons enforcement proceeding is not to second guess the judgment of the IRS, but to determine whether the particular summons is a legitimate exercise of the IRS's investigative authority, i.e., that the IRS is seeking information that is relevant to its investigation and not just conducting a "fishing expedition." See Tiffany Fine Arts, Inc. v. United States, 469 U.S. 310, 323-24 (1985); United States v. Bisceglia, 420 U.S. 141, 150 (1975).
- Summons enforcement proceedings are summary in nature and limited to the determination of whether the summons in question should be enforced. The proceedings are not intended to be a "full blown trial." See *Donaldson v. United States*, 400 U.S. 517, 529 (1971); *United States v. McCoy*, 954 F.2d 1000, 1004 (5th Cir. 1992).



Summons Enforcement (cont.)

- In most instances in which a taxpayer files a petition to quash a summons, the United States will counterclaim for enforcement of the summons. See IRC §7609(b)(2)(A).
- ▶ When a third-party summons action is pending, the IRS is restricted from examining the records subject to the summons (IRC §7609(d)), all statutes of limitations with respect to assessment, collection or criminal prosecution of the taxpayer are suspended (IRC §7609(e)), and the summonsed third-party is required to assemble the records in question (IRC §7609(i)(1)).



United States v. Powell, 379 U.S. 48 (1964)

The Supreme Court in United States v. Powell, established four "minimal" prima facie showings that the United States must make in seeking enforcement of an IRS summons:

- (i) that the summons was issued for a legitimate purpose;
- (ii) that the material sought is relevant to that purpose;
- (iii) that the information sought is not already within the possession of the Commissioner; and
- (iv) that the administrative steps required by the Code have been followed.

See also IRM ¶ 25.5.4.4(1).



United States v. Powell, 379 U.S. 48 (1964) (cont.)

- ► The government's burden under these standards has been characterized as a "slight" one. See Mazurek v. United States, 271 F.3d 226, 230 (5th Cir. 2001); Lidas, Inc. v. United States, 238 F.3d 1076, 1082 (9th Cir. 2001); Miller v. United States, 150 F.3d 770, 772 (7th Cir. 1998).
- ► The government's initial burden is almost always met by the affidavit of the examining agent attesting to each of the four Powell factors. See, e.g., *Panzo*, 105 A.F.T.R. 2d (RIA) 1648; *United States v. Bernhoft*, 666 F. Supp. 2d 943, 945-946 (E.D. Wis.
- **2009)**.



United States v. Powell, 379 U.S. 48 (1964)

- ▶ Once the government establishes its prima facie case through the affidavit of the agent, "the burden shifts to the party contesting the summons to disprove one of the four elements of the government's prima facie showing or convince the court that enforcement of the summons would constitute an abuse of the court's process." *La Mura*, 765 F.2d at 979-980; *Claes*, 747 F.2d at 494.
- The burden placed on the taxpayer to overcome the IRS's prima facie showing is "a heavy one" that requires "the allegation of specific facts and the introduction of affirmative evidence." *United States v. La Salle National Bank*, 437 U.S. 298, 318 (1978); *United States v. Leventhal*, 961 F.2d 936, 940 (11th Cir. 1992). See *Masciantonio v. U.S.* (3rd Cir. 6/12/13), aff'g District Court in unpublished opinion (no evidentiary hearing or discovery required where taxpayer presented no evidence to refute agent's affidavit that his return was selected for examination by a computer-generated process).



Responding to a Summons – Ignoring the Summons

- Ignoring a Summons will bring the letter from IRS Office of Chief Counsel with new date
- Ignoring the new date will get the DOJ involved seeking court orders
- ▶ Ignoring this or refusal can lead to jail time, fines or both (US v Bright sit in jail until you turn over the records and a \$1,000 per day fine every day back to the date of the original summons)



An Ignored Summons

- ▶ If the summons is missed?
- 2nd letter from Counsel
- Court Ordered appearance and explanation
- ▶ Bright vs. US



Refusal to cooperate

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK UNITED STATES OF AMERICA, Petitioner, ORDER TO SHOW CAUSE - against -19 Misc. XXX (VLB) TAXPAYER, AS PRESIDENT OF XYZ CORP., Respondent. THIS IS A COURT ORDER WHICH REQUIRES YOU TO APPEAR IN PERSON IN ROOM 620, UNITED STATES COURTHOUSE, 300 QUARROPAS STREET, WHITE PLAINS, NEW YORK 10601, AT 10:30 A.M., ON DECEMBER 11, 2019. Upon the petition of the United States of America (the "Petition"), by its attorney, Geoffrey S. Berman, United States Attorney for the Southern District of New York, together with the Declaration of Revenue Officer Alan Tabakman (the "Declaration") of the Internal Revenue Service ("IRS"), it is hereby ORDERED, that Respondent Taxpayer, as President Of XYZ Corp. ("Respondent") appear before the United States District Court for the Southern District of New York, United States Courthouse, 300 Quarropas Street, White Plains, New York, Room 620, on December 11, 2019, at 10:30 A.M., to show cause why he should not be compelled to testify and produce the books, records, and other papers demanded in the IRS summons served upon him on August 8, 2018, and annexed to the Declaration as Exhibit 1; and it is further



Subpoenas

- Issued in a pending civil or criminal case
- ► Issued for witnesses to testify in a grand jury investigation
- Issued by the US Attorney of DOJ



Use of a Subpoena

- ▶IRS cannot issue a subpoena by itself
- It requires the United States Attorney's
 Office and a grand jury to have this issued
- ► Generally only in criminal tax cases





Subpoena

AO 110 (Rev. 06/09) Subpoena to Testify Before a Grand Jury

UNITED STATES DISTRICT COURT

for the

District of Connecticut

GJ N-19-2-304 (10) #1716 SA NAME IRS

SUBPOENA TO TESTIFY BEFORE A GRAND JURY

Enrolled Agent
Company Name
Street Address
City, CT and Zip
(P)203-XXX-XXXX

YOU ARE COMMANDED to appear in this United States district court at the time, date, and place shown below to testify before the court's grand jury. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place: ROBERT N. GIAIMO FEDERAL BUILDING

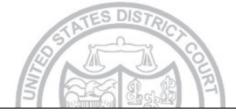
150 COURT ST, RM. 125 NEW HAVEN, CT Date and Time: Grand Jury Room

December 7, 2020 at 9:00 a.m.

You must also bring with you the following documents, electronically stored information, or objects (blank if not applicable):

See Attachment A.

Note: Please include a copy of this subpoena with any materials or records produced. In lieu of appearance before the grand jury, records may be sent prior to the date of appearance to Special Agent Samuel Sanchez, (917) 416-9893, at the Internal Revenue Service, Criminal Investigation, 761 Main Ave. Suite 1000, Norwalk, CT 06851 before the grand jury date.



FOR THE YEARS: 2012 - 2017

Any and all documents in your custody or control relative to the financial transactions or tax return preparation of:

CLIENT NAME and CLIENT WIFE'S NAME; BUSINESS NAME Corp

Street Address City, CT

Including but not limited to the following:

All books, records, bank statements, canceled checks, deposit tickets, work-papers, financial statements, correspondence and other pertinent documents furnished by or on behalf of the above named client(s) for the preparation of state and federal income tax returns and for any other entity in which either or both of them have a financial interest, including but not limited to:

All records used in or resulting from the preparation of federal and state income tax returns consisting of but not limited to work-papers, notes, papers, memoranda and correspondence used or prepared by you relative to the preparation of the aforementioned returns.

Copies of federal and state income and payroll tax returns, state sales tax returns and amended tax returns.

All records, books of account and other documents or papers relative to financial transactions of the principals.

All client billing records relative to this client to include records disclosing the dates and types of service rendered; client account cards; billing invoices; records reflecting the dates, amounts, purpose, and method of all payments (cash or check); and all correspondence with this client.

RECORD FORMAT: In addition to hard copies, records are requested in the form of magnetic media. A record layout for the data is also requested.

In lieu of a personal appearance before the grand jury, the requested documents may be mailed to Special Agent AGENT'S NAME, AGENT PHONE #, at the Internal Revenue Service, Criminal Investigation, 761 Main Ave, Suite 1000, Norwalk, CT 06851 before the grand jury date.



Privilege

- ▶ There are privileges that prevent parties from turning over records:
- ► IRC § 7525 Accountant-Client Privilege (civil matters only)
- ▶ 5th Amendment
- ► Attorney-Client



Privilege

- ► Individuals have a 5th amendment right against self-incrimination and can fight turning over records in their possession
- ▶ Business entities do NOT have a 5th amendment right and must turn over records
- ▶ The fact that it turns over records cannot be use against it
- ► Parties can file in Federal District court to try and quash a summons or subpoena if they can show it violates a privilege or is being used inappropriately



Scenarios

- ► Taxpayer receives summons for records.
- ➤ Taxpayer's spouse (who isn't liable for the tax due) receives summons for records related to taxpayer.
- ► Taxpayer's business receives summons for records.
- ▶ Taxpayer's customers (or creditors) receives summons for records.
- ► Taxpayer's bank receives summons for records.
- ► Individual receives grand jury subpoena



Questions on Summons?





Using Al to Market Tax Rep Strategies & Tools for Modern Marketing



Key Takeaways

- $\overline{1}$.Benefits of AI to market your practice.
- 1. How to use it step-by-step.
- 1.Future AI developments in marketing.
- 1. Compliance & copyright



0000

Al Overview - Marketing Applications

1. Understanding AI in Marketing

- Definition and explanation of Al in the context of marketing.
- Examples of Al tools commonly used in marketing (e.g., chatbots, predictive analytics, content generation).

2. Identifying Target Audience

- Using AI to analyze and segment the target audience based on demographics, behavior, and preferences.
- Benefits of personalized marketing strategies through Al-driven insights.
- Example: Tools like Google Analytics and HubSpot can help analyze website traffic and customer interactions to identify target audiences.



Al Overview - Marketing Applications

- Leveraging AI for content creation, including blog posts, articles, and social media updates.
- Tools like natural language processing (NLP) to create relevant, engaging, and SEOoptimized content.
- Example: Co-pilot, Gemini, Grammarly and Hemingway can assist in creating high-quality content, while SEMrush can help optimize for SEO.



Al Marketing Applications for Customer Engagement

- Implementing AI chatbots to handle customer inquiries, schedule consultations, and provide information 24/7.
- Benefits of AI in improving response times and enhancing customer experience
 - Liscio
- Example: Hubspot, Drift and Intercom offer Al-powered chatbots that can engage with potential clients and answer their questions in real-time.



Al Marketing Applications for Customer Engagement

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YouTube as a Digital Asset

- Free tax resources to access and share like Income Tax Brackets and Capital Gains Rates.
- Power of personalized marketing to individuals who are clients, referral partners, and potential clients/prospects.
- You have the power to stay top of mind with personalized messages in the way they want to be communicated with, be it email, text, or social media.



Step 1: Create the Video Content

Recording Made Simple: The Power of Descript

- Descript is your all-in-one tool for recording and editing videos.
- Record your video with ease—Descript lets you cut, edit, and even transcribe in minutes.
- Live Demo: Watch how we record, edit, and remove mistakes in real-time.
- No need for fancy equipment—just your message and your camera.



Step 2: Extract Maximum Value from Your Video

Maximize Your Content with CastMagic

- CastMagic helps you break down your video into multiple pieces of content.
 - Turn your video into text snippets, quotes, and transcripts.
 - Extract key points for blogs, social posts, and emails.
- Live Demo: See how one video turns into a library of content that works 24/7.
- Now your video serves multiple platforms, creating ongoing engagement.



Step 3: Multiply Your Video's Reach

Create Viral Clips with OpusClips

- OpusClips takes your long-form video and automatically generates engaging, shareable short clips.
 - Perfect for YouTube Shorts, Instagram Reels, and TikTok.
 - Al-driven—Opus finds the best moments to highlight.

- Live Demo: We'll take a portion of our video and let OpusClips instantly create bite-sized clips ready for posting.
- Turn one video into dozens of powerful, viral pieces of content.



What AI is Not Ideal For in Marketing

- Al is not always well-suited for tasks requiring deep empathy and human judgment. Complex client interactions often necessitate a personal touch that Al can't replicate.
- Al can struggle with creativity and innovation beyond its programming.
 Generating truly original ideas or solutions is a human strength.
- Example: While AI can generate content, it can't replace the nuanced, empathetic advice a seasoned professional can provide during a client meeting.



Compliance & Copyright

 Compliance is important...know the limitations of the information in your particular AI tool when it comes to actual tax rep information or IRS information.

 Client data should not be imported into external Al tools such as ChatGPT...opens you up to liability.

 Copyright issues are problematic with content created solely with Al. You must reference the content.



Questions?



Final Instructions

- Pick up your CPE Certificates on the way out
- For the online audience, look for a link to do your evaluation and get your certificate by Wednesday
- ► Get us the registration for next year and grab your seat while you can!





See You Tomorrow for Day 4!



