

## A

ABA. *See* American Bar Association (ABA)  
 ABA Model Code of Professional Responsibility, 24–25  
 Abusive tax shelters  
   injunctions, 490  
   organizing, penalties, 486–487  
 Academic journals, 215  
 Accounting principles  
   AICPA Code of Professional Conduct, 17  
 Accuracy-related penalty, 472–473  
 Acquiescences, letter rulings, 132–133, 134  
 Action on Decision (AOD), 133  
 Ad hoc, defined, 152  
 Administration. *See* Tax practice and administration  
 Administrative regulations and rulings, 119–148. *See also* Letter rulings; Regulations; Revenue Procedures; Revenue Rulings  
   discussion questions, 139–142  
   research cases, 145–148  
   sources of administrative tax law, 124  
   tax tutor, 139  
 Administrative sources, tax research methodology, 53  
*Ad valorem*  
   defined, 152  
   penalties, 469  
 Advertising, Circular 230, 11–12  
 Advice to taxpayers, form and content of, 22–23  
*AFTR*. *See* American Federal Tax Reports  
 AICPA. *See* AICPA Code of Professional Conduct; American Institute of Certified Public Accountants  
 AICPA Code of Professional Conduct, 14–19  
   accounting principles, 17  
   commissions, 18  
   compliance with standards, 17  
   confidential client information, 17  
   form of organization and name, 18–19  
   general standards, 16–17  
   independence, 15, 16  
   integrity, 16  
   objectivity, 16  
   referral fees, 18  
 All State Tax Guide, 323  
 Alternative tax rate structures, 416  
 Amendment of tax law, 94  
 American Accounting Association, 215  
 American Bar Association (ABA), 7  
*American Federal Tax Reports* (AFTR), 54, 163, 168  
 American Institute of Certified Public Accountants (AICPA), 7, 215  
   *See also* AICPA Code of Professional Conduct  
   Division of Professional Ethics, 15

  statements on standards for tax services, 19–23  
 American Taxation Association (ATA), 215  
 Annotated tax services, 192  
 Annotations, 192  
 Announcements and Notices, letter rulings, 135  
 Annual proceedings, 214–215  
 AOD. *See* Action on Decision (AOD)  
 Appeals process, 456–462  
   appeals conference, 457  
   bypassing, 456  
   decision to litigate, 462  
   entering judicial system, 461  
   ninety-day letter, 457–458, 459–461  
   procedure, 458  
   statutory notice of deficiency, 457–458, 459–461  
   victories in litigation, taxpayer and government, 462  
 Appellant, defined, 152  
 Armed Forces' Tax Guide excerpt, 137  
 Arthur Andersen, 23  
 Assessment, statutes of limitations, 495  
   suspension of period of, 498–499  
 ATX/Kleinrock, 212  
 Auditing and attestation (AUD)  
   CPA exam, computerized tax research, 66  
 Audit process, 446–451  
   chances of audit, 451  
   Coordinated Industry Case Program, 450  
   dealing with auditor, 454  
   discriminant function formula (DIF), 449  
   examinations. *See* Examinations, IRS  
   future processing system, 448  
   Information Document Matching Program (IDMP), 447  
   Mathematical/Clerical Error Program, 447–448  
   National Research Program (NRP), 449–450  
   office audits, 453  
   preliminary review of returns, 447  
   selection of returns for examination, 448–449  
   Unallowable Items Program, 448  
   various audit statistics, 452  
 Authority, tax research methodology  
   evaluating, 56  
   location of, 53–56  
 Auto-Cite, 281–282  
 Avoidance of tax. *See* Tax avoidance

## B

Best practices, Circular 230, 12  
 Bittker, Boris, 253  
 Bittker & Lokken Service, 253–254

Blended model, international tax services, 351–352  
 "Blue Book," 93, 473  
 BNA. *See* Bureau of National Affairs (BNA); *specific services beginning BNA*  
 BNA International Services (BNA IS), 357–360  
   advanced search, 359–360  
   Advanced Search screen, 359  
   Document, 361  
   Document List screen, 360  
   document options, 360  
   European Tax Service opening screen, 358  
   table of contents search, 359  
 BNA State Services, 335–337  
   Portfolio List, 336  
 Bona fide, defined, 152  
 Boolean connectors, 198, 236  
 Burden of proof, Federal Court system, 151–152  
 Bureau of Economic Analysis, 331  
 Bureau of National Affairs (BNA), 234, 254–256, 332  
 BNA Foreign Income Library, 356–357  
 BNA International Services (BNA IS), 357–360  
 BNA State Services, 335–337  
   *Daily Tax Reporter*, 254  
   *DTR Real Time*, 256  
   international tax services, 356–360  
   News Reports, 256  
   state tax services. *See* BNA State Services  
   TaxCore, 256  
   Tax Management Portfolios, 254–255, 356–357  
   *Weekly Report*, 256  
   Working Paper Legal Certificate, 357  
 Business Environment and Concepts (BEC)  
   CPA exam, 67  
 Business ethics, 28

## C

Capital Asset Pricing Model (CAPM), 172–173  
 Capital export neutral, international tax services, 350  
 CAPM. *See* Capital Asset Pricing Model (CAPM)  
 CCH. *See* Commerce Clearing House (CCH); *specific services beginning CCH*  
 CCH Citator, 292–295  
   attributes, 292–294  
   conventions, 294–295  
   Notice 2007-22, 293  
   Soliman case, 294, 295  
*CCH International Tax News*, 369

- CCH International U.S. Tax Treaties Reporter, 370
- CCH NetWork State Service, 327–331  
 citation search, 330–331  
 content search, state tax reporters, 329–330
- Current Features and Journals, 327  
 indexes, 330  
 keyword search, state tax reporters, 328–329  
 multistate publications, 330  
 news services, 327–328  
 Opening Screen, 328  
 practice aids, 330  
 search results, example, 329  
*State Tax Day*, 327  
 state tax reporters, 328  
 State Tax Tab, 327–330  
 topical indexes, 330
- CCH Tax Research NetWork*, 207–212  
 citation search, 210  
 document, 211  
 history, 208  
 index, 211–211  
 keyword search, 209–210  
 opening screen, 208  
 organization of, 207–208  
*Standard Federal Income Tax Reporter* (SFITR), 209  
*Tax Research Consultant* (TRC), 209  
 TOC, 210–211
- CCH Tax Treaties Reporter, 362–363
- Chief Counsel of IRS, 440  
 Memoranda, 135
- Circuit Courts, jurisdiction, 165
- Circular 230, 7–14  
 advertising, 11–12  
 best practices, 12  
 contingent and unconscionable fees, 11  
 covered opinions, 13  
 due diligence, 11  
 e-mail disclaimer, 13–14  
 limited practice without enrollment, 9  
 overview, 7  
 practice before the IRS, 10–11  
 reproduced, 520–550  
 solicitation, 11–12  
 tax return positions, 12–13  
 tax return preparers, 9–10  
 who may practice, 7–9  
 written advice, 14
- Citations  
 CCH NetWork State Service, 330  
 conventions and observations, 176  
 LexisNexis Academic, 333  
 standard tax citations, 516–519
- Citation search  
*CCH Tax Research NetWork*, 210  
*RIA Checkpoint*, 205–207
- Citator* (Commerce Clearing House), 96
- Citators, 273–305  
 CCH Citator, 292–295  
 changing tax law, 276  
 cited case, defined, 275  
 citing case, defined, 275  
 commercial citators, 276–277  
 defined, 274–276  
 discussion questions, 296–298  
 Lexis, 281–282  
 Research Institute of America, generally, 276  
 RIA Citator 2nd, 287–292  
 Shepard's, 277–281  
 summary, 296  
 Westlaw, 282–287
- Citing articles, 213–214
- Civil penalties (taxpayer), 469–479  
 accuracy-related penalty, 472–473  
*ad valorem* penalties, 469  
 failure to file tax return, 469–471  
 failure to make deposits of taxes, 478  
 failure to make estimated payments, 476–478  
 failure to pay tax, 471–472  
 fraud, 469, 475–476  
 frivolous return, filing, 479  
 negligence, 469, 473  
 overstatements of deposits, 478  
 and reasonable cause, 469  
 reliance on written advice of IRS, 479  
 substantial authority, 473  
 withholding, false information with respect to, 478
- Classification of income, avoiding, 423
- Client file, 393–396  
 illustration, 394–395
- Client letters, 390–393  
 less sophisticated client, sample letter, 392  
 sophisticated client, sample letter, 391
- Closed transactions, 5
- Closing agreements, 499–500
- Code*. See *Internal Revenue Code*
- Collateral estoppel  
 defined, 152  
 tax research methodology, 51
- Collection, statutes of limitations, 496–497
- Commerce Clause, 313, 314
- Commerce Clearing House (CCH), 96, 102, 103, 125, 159, 161, 212, 217. See also *CCH Tax Research NetWork*  
*CCH International Tax News*, 369  
 CCH International U.S. Tax Treaties Reporter, 370  
 citators, 276. See also CCH Citator  
*Federal Tax Articles* (FTA), 217–219  
 Global Transaction Library, 370  
 international tax services, 369–371  
 state service. See CCH NetWork State Service  
*United States Tax Cases*, 163
- Commissioner of Internal Revenue, 438
- Commissions  
 AICPA Code of Professional Conduct, 18
- Committee Report (Congress), 93–94, 95–96  
 where to find, 96
- Communicating recommendations  
 tax research methodology, 57–58
- Communicating research results, 381–409  
 client file, 393–396  
 client letters, 390–393  
 communication process, 383  
 file memo, 384–388  
 oral presentations of research results, 396–400  
 sources of law, evaluating, 388–390  
 structure of technical tax communication, 384  
 and tax professional, 382–384
- Compare It, 323, 324
- Compilations, 192
- Compliance  
 AICPA Code of Professional Conduct, 17
- Computerized tax research, 58–70  
 benefits of using service, 60–61  
 CPA exam, research, 65–70  
 database, selection, 63–64  
 factors in choosing, 61  
 hypertext, 60  
 Internet, 58, 59, 64  
 IRS Web Site connectors, 65  
 IRS Web Site research, 65, 66  
 keywords, identification of, 62–63  
 online tax resources, examples, 59  
 query, constructing, 63  
 question, stating issue as, 62  
 refining search, 64  
*RIA Checkpoint*, 63–64, 96, 172–173  
 steps in process, overview, 62  
 use of computer, generally, 61–62
- Computing Centers of IRS, 442
- Confidentiality  
 AICPA Code of Professional Conduct, 17  
 Federal Court system, 152
- Congress  
 Committee Reports, 93–94, 95–96  
 sessions, 94
- Constitution. See U.S. Constitution
- Content search  
 CCH NetWork State Service, 329  
*RIA Checkpoint*, 202–207  
 RIA State and Local Service, 326–327
- Coordinated Industry Case Program, IRS, 450
- Correspondence examinations, 451
- Court of Federal Claims, 163–165  
 Court Reporters, 164–165  
 locating decisions, 164
- Court reporters*, 54
- Courts of Appeals, 165–167  
 Court Reporters, 166–167  
 decisions, 167  
 locating decisions, 166
- Covenant, defined, 152
- Cox, Herbert E., 202
- CPA exam, computerized tax research, 65–70  
 Auditing and attestation (AUD), 66  
 Business Environment and Concepts (BEC), 67  
 Financial Accounting and Reporting (FAR), 67  
 National Association of State Boards of Accountancy (NASBA), 65  
 Regulation (REG), 67  
 research question and memo, 69

simulation general instructions, 67  
 simulation requirements to be completed, 68–69  
 simulation situation, 68  
 Create-a-Chart, 323  
 Credit, statutes of limitations  
   amount of credit, 498  
   claims, 497  
 Criminal penalties (taxpayer), 480–482  
   defenses to penalties, 482  
   evasion of tax, 481  
   failure to file, 481  
   nature of, 481  
   offenses, 481–482  
*Cumulative Bulletin*, 96  
   acquiescences, 133  
   letter rulings, 129, 131  
   Regulations, 125  
   Revenue Procedures, 127–128  
   Revenue Rulings, 126, 127  
 Current Features and Journals, 327  
 Customer Service Sites of IRS, 442

## D

*Daily Tax Report*, 60  
*Daily Tax Reporter*, 254  
 De facto, defined, 153  
 Defendant, defined, 153  
 De jure, defined, 153  
 Department of Defense, 439  
 Department of Homeland Security, 439  
 Department of the Treasury, 438  
 Deposition, defined, 153  
 Deposits of taxes  
   failure to make, 478  
   overstatements of deposits, 478  
 Determination letters, 131  
 Dictum (dicta), defined, 153  
 DIF. *See* Discriminant function formula (DIF)  
 Disclosures, tax return preparers  
   penalties, 487–489  
 Discriminant function formula (DIF), 449  
 Disposable income, 331  
 District Courts, 162–163  
   Court Reporters, 163  
   jurisdiction, 165  
   locating decisions, 163  
*Doing Business in ...*, 361–362  
*DTR Real Time*, 256  
 Due diligence, Circular 230, 11  
 Due Process Clause, 313–315

## E

EA. *See* Enrolled Agent (EA)  
 Effective average tax rate, 417  
 Elements of taxation, 5  
 Elements of tax practices, 6  
 E-mail disclaimer, Circular 230, 13–14  
 En banc, defined, 153  
 Enjoin, defined, 153  
 Enrolled Agent (EA), 4  
 Enron, 23, 480  
 Equal Protection Clause, 315

Error  
   knowledge of, AICPA statements on standards for tax services, 21–22  
 Estimated payments, failure to make, 476–478  
   corporations, 477–478  
   individuals, 476–477  
 Estimates, use of  
   AICPA statements on standards for tax services, 20–21  
 Ethical reasoning, 25–26  
   care-based, 26  
   end-based, 26  
   rule-based, 26  
 Ethics. *See also* Ethical reasoning; Rules and ethics  
   ethical dilemmas, 25, 30–31  
   ethical professional behavior, 26–27  
   training and education, 31  
 Evasion of tax. *See* Tax evasion  
 Examinations, IRS, 451, 453–456  
   bypassing appeals, 456  
   conclusion of examination, 455  
   correspondence examinations, 451  
   dealing with auditor, 454  
   field examinations, 453–454  
   office examinations, 453  
   protest/appeals process, 456  
   Revenue Agent's Report, 455  
   thirty-day letter, 455, 459–461

## F

Federal Courts Improvement Act, 163  
 Federal Court system  
   burden of proof, 151–152  
   confidentiality, 152  
   Court of Federal Claims, 163–165  
   Courts of Appeals, 165–167. *See also under*  
     Courts of Appeals District Courts, 162–163, 165  
     legal conventions, 151–153  
     legal terminology, 152–153  
     Supreme Court, 168–170. *See also under*  
       Supreme Court  
   tax confidentiality privilege, 152  
   Tax Court, 153–162. *See also under* Tax Court  
 Federal laws other than *Internal Revenue Code*, 106  
*Federal Register*, 121, 122  
*Federal Reporter*, 54, 164  
*Federal Research Library* (FRL), 242–243  
*Federal Supplement Series*, 163  
*Federal Tax Articles* (FTA), 217–219  
*Federal Taxation of Income, Estates, and Gifts* (B & L), 253–254  
*Federal Tax Bulletin*, 212  
*Federal Tax Coordinator* (FTC), 195, 198–200  
*Federal TaxExpert*, 212  
 Federal tax law  
   basis for, 150  
   changing, 276  
   complexity, 154  
   sources, 86, 87

Fees  
   AICPA Code of Professional Conduct, referral fees, 18  
   Circular 230, contingent and unconscionable fees, 11  
 Field examinations, 453–454  
 Field, Thomas F., 242  
 File memo, 384–388  
 File Memorandum for Tax Research, 387–389  
   and tax profession, 386  
 Finance Committee, 93  
 Financial Accounting and Reporting (FAR)  
   CPA exam, computerized tax research, 67  
 FIRPTA. *See* Foreign Investment in Real Property Tax Act (FIRPTA)  
 Floor Debate Report, 96  
 FOIA. *See* Freedom of Information Act (FOIA)  
 Foreign Investment in Real Property Tax Act (FIRPTA), 92  
 Form 1040 (1913), 88  
 Form 8275, 473, 474  
 Form 8275-R, 473  
 Form of organization and name  
   AICPA Code of Professional Conduct, 18–19  
 Fourteenth Amendment, 315  
 Fraud, civil penalties, 469, 475–476  
   proving fraud, 475  
 Freedom of Information Act (FOIA), 212  
 Friedman, Milton, 28  
 Frivolous return, filing, 479  
 Full inclusion model, international tax services, 350–351

## G

General Agreement on Tariffs and Trade (GATT), 91  
 General regulations, 120–121  
 Global Crossing, 23  
 Global Transaction Library, 370  
 "Golden Rule," 26  
 Google, 256  
 Government Printing Office (GPO), 158, 159, 168  
 GPO. *See* Government Printing Office (GPO)

## H

Habeas corpus (writ of), defined, 153  
 History of U.S. taxation, 86–89  
 House of Representatives, 93  
 Hypertext, computerized tax research, 60

## I

IBFD. *See* International Bureau of Fiscal Documentation (IBFD)  
 IDMP. *See* Information Document Matching Program (IDMP)  
*IFTA*, 219  
 Illustrative research example, 193–195  
   accessing tax information, 194–195  
   approaching problem, 193–194

- IMF. *See* International Monetary Fund (IMF)
- Import/Export Clause, 316
- Incidental to accounting practice test, 32
- Income recognition  
 avoiding, 420–421  
 postponing, 421–422
- Income sourcing  
 international tax services, 352–353
- Income tax  
 Form 1040 (1913), 88  
 history, 86–89
- Independence  
 AICPA Code of Professional Conduct, 15, 16
- Indexes  
 CCH NetWork State Service, 330  
 CCH Tax Research NetWork, 211–211  
 RIA Checkpoint, 203–205
- Index to Federal Tax Articles*, 217
- Information Document Matching Program (IDMP), IRS, 447
- Injunctions, 490  
 abusive tax shelters, action to enjoin promoters of, 490  
 tax return preparers, action to enjoin, 490
- Integrity  
 AICPA Code of Professional Conduct, 16
- Interest, 490–494  
 applicable interest rates, 494  
 interest-computation conventions, 490–494  
 overpayment rates, 492–493  
 prepaying interest, 494  
 underpayment rates, 492–493
- Internal Revenue Bulletin*, 54, 96  
 letter rulings, 129, 131, 134–135  
 public inspection of written determinations, 132  
 regulations, 121, 124  
 Revenue Procedures, 127  
 Revenue Rulings, 126
- Internal Revenue Code*, 96–106  
 as basis for tax laws, 150  
 and Committee Reports, 96  
 generally, 86, 89  
 growth of, 97  
 important sections, list of, 102  
 interpreting, 104–106  
 key chapters, 98  
 and legislative process, 93  
 1939, 97, 103  
 1954, 97, 103  
 1986, as amended, 97, 102  
 organization of, 97–102  
 primary levels, 97  
 provisions, 106  
 Section 121, 101, 103–104  
 Section 162, 123  
 Subtitle A: Table of contents excerpt, 99–100  
 subtitles, 98  
 and tax research methodology, 50, 53–54  
 and tax treaties, 92–93  
 where to find, 102–104
- Internal Revenue Manual*, 470
- Internal Revenue Service (IRS)  
 Appeals Division, 10  
 Appeals Office, 456  
 appeals process, 456–462  
 audit process, 446–451, 452  
 Chief Counsel, 135, 440  
 Circular 230. *See under* Circular 230  
 Collections Division, 10  
 Commissioner of Internal Revenue, 438  
 Computing Centers, 442  
 correspondence examinations, 451  
 Customer Service Sites, 442  
 disagreements with, 150  
 Examination Division, 9  
 examinations, 451, 453–456, 459–461  
 generally, 120  
 guiding principles, 439  
 litigation, 462  
 local taxpayer advocates, 443  
 miscellaneous publications, 137  
 National Office, 129, 130, 439, 440  
 National Taxpayer Advocate, 440–442, 444–445  
 ninety-day letter, 457–458, 459–461  
 office examinations, 453  
 operating divisions, 441  
 organization of, 438–443  
 Revenue Agent's Report, 455  
 tax compliance, 5  
 taxpayer rights, 443–446  
 thirty-day letter, 455, 459–461  
 Web Site research, 65, 66  
 working with, 437–466. *See also under* Working with the IRS
- International Bureau of Fiscal Documentation (IBFD), 365
- International conferences, 214–215
- International Monetary Fund (IMF), 353
- International Tax Planning Library, 370
- International tax programs, 351
- International tax services, 349–378  
 blended model, 351–352  
 BNA, 356–361  
 capital export neutral, 350  
 CCH, 369–371  
 CCH Tax Treaties Reporter, 362–363  
 discussion questions, 372–374  
 exercises, 374–376  
 full inclusion model, 350–351  
 income sourcing, 352–353  
 international organizations, 353–355  
 international tax programs, 352  
 Internet sites, 371  
 key words, 372  
 LexisNexis, 360–364  
 overview, 350–352  
 research cases, 376–378  
 RIA, 364–368  
 tax havens, 355–356  
 tax treaties, 354–355  
 tax tutor, 372  
 territorial model, 351  
 Westlaw, 368–369
- International Tax Treaty Expert Library, 370–371
- International Transfer Pricing Library, 371
- Internet, 58, 59, 171–173, 256–259, 339, 373.  
*See also* Legal services and internet sites; *specific tax services*
- Interpretations. *See* Judicial interpretations
- IRC. *See* Internal Revenue Code
- IRS. *See* Internal Revenue Service (IRS)
- IRS Chief Counsel Pronouncements, 135
- IRS Law Enforcement Manual IX*, 481
- IRS pronouncements  
 letter rulings, 132, 138
- Iterative process, research as, 52
- ITL. *See* RIA International Tax Library (ITL)
- J**
- Joint Audit Program  
 state and local taxes, 320
- Joint Committee on Taxation, 93
- Joint Conference Committee, 93
- Journal of Accountancy*, 15
- Journal of Multistate Taxation and Incentives*, 323
- Journal of the American Taxation Association (JATA)*, 215
- Journals, state tax services, 337
- Judges, Tax Court, 153–154
- Judicial interpretations, 149–188  
 case briefs, 170–171  
 citation conventions and observations, 176  
 Federal Court system, 150–170  
 Internet and judicial sources, 171–173  
 reporter summary, 174  
 trial-level courts, attributes of, 174
- Judicial sources  
 tax research methodology, 53–54
- Jurisdiction, changing, 422
- K**
- Kantian Ethics, 26
- Kant, Immanuel, 26
- KeyCite, 247, 282–286
- Keyword search  
 CCH NetWork State Service, 328–329  
 CCH Tax Research NetWork, 209–210  
 RIA Checkpoint, 195–202  
 RIA State and Local Service, 323–321
- Kleinrock*, 212
- L**
- Law issues, tax research methodology, 50
- Law reviews, 215
- Lawyers Cooperative Publishing, 281
- Legal services and Internet sites, 233–271  
 Bureau of National Affairs (BNA), 254–256  
 Internet sites, 59, 256–259  
 LexisNexis, 234–241  
 Tax Analysts, 242–245  
 tax tutor, 260  
 Westlaw, 246–254

Legislative process, 93–96  
 amendment of tax law, 94  
 Committee Reports (Congress), 93–94, 95–96

Legislative regulations, 121

Letter rulings, 128–138  
 acquiescences, 132–133, 134  
 Action on Decision (AOD), 133  
 Announcements and Notices, 135  
 Chief Counsel Memoranda, 135  
 determination letters, 131  
*Internal Revenue Bulletin*, 134–135  
 IRS Chief Counsel Pronouncements, 135  
 IRS Notice, 136  
 IRS pronouncements, 132, 138  
 locating written determinations, 132  
 miscellaneous publications of IRS, 137  
 nonacquiescences, 132–133  
 private letter rulings, 129–130, 135  
 public inspection of written determinations, 131–132  
 Technical Advice Memorandum, 130  
 Technical Memorandum (TM), 135  
 written determination numbering system, 132

LEXCITE, 282

Lexis  
 citator, 281–282

LexisNexis, 234–241  
 history, 234  
 international tax services, 360–364

LexisNexis Academic, 238–241, 331–332  
 Academic Browse Sources, 334  
 Browse Sources screen, 240  
 citations, 332  
 Document screen, 241  
 international tax services, 363–364  
 KWIC, 240  
 Legal screen, 239  
 legal search, 333  
 Results screen, 241  
 search, 331  
 sources, 331–332

Litigation. *See* Tax litigation

Local taxes. *See* State and local taxes

Local taxpayer advocates, 443

Locating relevant tax articles, 217–220

Lokken, Lawrence, 253

**M**

Major tax services, 55

Marrella, Len, 25

Massachusetts Bay Colony, 86

Mathematical/Clerical Error Program, IRS, 447–448

Memorandum decisions, 156, 159

*Mertens Law of Federal Income Taxation*, 252–253

Mill, John Stuart, 26

Money, time value of, 513–515

Morality, 27

MTC. *See* Multistate Tax Commission (MTC)

Multistate Alternative Dispute Resolution Program, 321

Multistate Corporate Tax Guide, 337

Multistate publications  
 CCH NetWork State Service, 330

Multistate Tax Commission (MTC), 320–321

## N

NAFTA. *See* North American Free Trade Agreement (NAFTA)

National Association of State Boards of Accountancy (NASBA), 65

National Conference of Commissioners on Uniform State Laws, 320

National Nexus Program, 320–321

National Office of IRS, 439, 440

National Research Program (NRP), 449–450

National Tax Association (NTA), 215

*National Tax Journal* (NTJ), 215

National Taxpayer Advocate, 440–442  
 request for service assistance, 444–445

Negligence, civil penalties, 469, 473

Newsletters, 216, 217  
 state tax services, 337–338

News Reports (BNA), 256

News services  
 CCH NetWork State Service, 327–328

Ninety-day letter, 457–458, 459–461

Nolo contendere, defined, 153

Nominal average tax rate, 417

Nonacquiescences, letter rulings, 132–133

Non obstante veredicto (n.o.v.), defined, 153

Nonregulatory ethical behavior models, 25–31  
 business ethics, 28  
 ethical dilemmas, 25, 30–31  
 ethical professional behavior, 26–27  
 ethical reasoning, 25–26  
 ethics training and education, 31  
 "Golden Rule," 26  
 morality, 27  
 public policy, 29  
 social responsibility, 28  
 sources of ethical behavior and impacts, 27  
 tax planning ethics, 28–29

North American Free Trade Agreement (NAFTA), 91

NRP. *See* National Research Program (NRP)

Nullity, defined, 153

## O

Objectivity  
 AICPA Code of Professional Conduct, 16

OECD. *See* Organization for Economic Co-operation and Development (OECD)

Offers in compromise, 500, 501, 502

Office examinations, 453

OneDisc Premium, 243–244

Online tax resources, examples, 59

Open transactions, 5

Operating divisions of IRS, 441

Oral presentations of research results, 396–400

outlines, 399

public speaking, fear of, 396

rehearsing, 400

slides, 398

visual aids, 397–398

Organization for Economic Co-operation and Development (OECD), 353–355, 371

Overpayment rates, interest, 492–493

Oversight Board of IRS, 438

Overstatements of deposits, 478

## P

Parol evidence, defined, 153

Payment of tax, failure to pay, 471–472

Penalties  
 civil penalties. *See* Civil penalties (taxpayer)  
 criminal penalties. *See* Criminal penalties (taxpayer)  
 tax return preparers. *See under* Tax return preparers

Per curiam, defined, 153

Periodicals. *See* Tax periodicals

*PH Federal Taxes*, 200

Plaintiff, defined, 153

Practice and administration. *See* Tax practice and administration

Preparers, tax returns. *See* Tax return preparers

Prima facie, defined, 153

Primary authority, 53, 86, 87  
 tax research methodology, 53

Private letter rulings, 129–130, 135

Privileges and Immunities Clause, 316

Processing Centers of IRS, 442

Professional journals, 215–216

Progressive tax rates, 415

Proportional tax rate system, 415

Proposed regulations, 120

ProQuest, 217

Public inspection of written determinations  
 letter rulings, 131–132

Public Law 86-272, 314

Public Law 99-514, 94

Public policy and ethics, 29

Public speaking, fear of, 396

## R

Reasonable cause and civil penalties, 469

Recommendations, developing  
 tax research methodology, 56

Reed Elsevier, 237

Referral fees  
 AICPA Code of Professional Conduct, 18

Refunds  
 statutes of limitations, 497, 498

Regressive tax rates, 415

Regulation (REG)  
 CPA exam, computerized tax research, 67

Regulations, 120–124  
 assessing, 123–124  
 citing a regulation, 122–123  
 effective date, 121–122

- general regulations, 120–121
  - legislative regulations, 121
  - locating regulations, 125
  - proposed regulations, 120
  - temporary regulations, 121
  - Treasury Decisions (TDs), 120
  - Related taxpayers, spreading income among, 423–424
  - Reliance on written advice of IRS, 479
  - Reporter summary, 174–175
  - Research. *See* Tax research
  - Research Institute of America (RIA), 102, 125, 159, 161, 216. *See also specific services beginning RIA*
  - American Federal Tax Reports*. *See American Federal Tax Reports*
  - Checkpoint*. *See under RIA Checkpoint*
  - citator, 276
  - Create-a-Chart, 367–368
  - international tax services, 364–368
  - RIA Citator 2nd. *See under* RIA Citator 2nd
  - state and local service. *See* RIA State and Local Service
  - Research results, communicating. *See* Communicating research results
  - Research tools
    - citators, 273–305
    - communicating research results, 381–409
    - international tax services, 349–378
    - legal services and Internet sites, 233–271
    - state tax services, 307–348
    - tax planning, 411–435
    - tax practice and administration, 467–511
    - tax services and periodicals, 191–232
    - working with the IRS, 437–466
  - Res judicata, defined, 153
  - ResultsPlus, 287
  - Revenue Agent's Report, 455
  - Revenue Procedures, 127–128
  - Revenue Rulings, 124–127
    - citations, 126
    - law and analysis, 125
    - locating, 127
  - RIA Citator 2nd, 292
    - structure, 125–126
  - RIA. *See* Research Institute of America (RIA)
  - RIA Checkpoint*, 63–64, 96, 172–173, 195–205
    - citation search, 205–207
    - contents search, 202–207
    - Federal Tax Coordinator (FTC)*, 195, 198–200
    - keyword search, 195–202
    - United States Tax Reporter (USTR)*, 195, 198, 200, 201
    - Warren, Gorham & Lamont (WG&L), 195
  - RIA Checkpoint State & Local Tax (SALT). *See* RIA State and Local Service
  - RIA Citator 2nd, 287–292
    - conventions, 290–292
    - Name template, 288
    - rulings, 292
    - using, 288–289
  - RIA International Create-a-Chart, 367–368
  - RIA International Taxes Weekly, 367
  - RIA International Tax Library (ITL), 366–367
  - RIA State and Local Service, 321–327
    - All State Tax Guide, 323
    - citation search, 325–326
    - Compare It, 323, 324
    - contents search, 326–327
    - Create-a-Chart, 323
    - Journal of Multistate Taxation and Incentives*, 323
    - keyword search, 323–325
    - multiple sources search, 324–325
    - special features, 322–323
    - State & Local Taxes Weekly*, 323
    - StateNet, 322–323
    - Table of Contents, 326
    - Tax Type & Document Selection Screen, 322
  - RIA Tax Advisors Planning System, 367
  - RIA Tax Court Memorandum Decisions*, 159
  - RIA Worldwide Tax Law (WTL), 365
  - Rule 155, Tax Court, 162
  - Rules and ethics, 7–46
    - ABA Model Code of Professional Responsibility, 24–25
    - AICPA Code of Professional Conduct, 14–19
    - AICPA statements on standards for tax services. *See* AICPA
    - Circular 230, 7–14
    - nonregulatory ethical behavior models, 25–31
    - Sarbanes-Oxley Act (2002), 23–24, 28
    - sources of, 8
    - tax research by certified public accountants, 32–34
  - Rulings. *See* Letter rulings; Revenue rulings
- S**
- Sale of principal residence, exclusion of gain, 101, 103–104
  - Sales tax
    - streamlined sales tax project, 315
  - SALT. *See* State and local taxes
  - Sarbanes-Oxley Act (2002), 23–24, 28
  - Scholarly reviews, 215
  - Secondary authorities, 86, 87
    - tax research methodology, 54
  - Seinfeld, Jerry, 396
  - Service Centers, IRS, 442
  - Shepard, Frank, 277
  - Shepard's, 277–281
    - Find a Citation format screen, 279
    - generally, 276–277
    - Headnotes, 279
    - Table of Authorities, 281
    - Unrestricted List for Soliman Case, 279
  - Sixteenth Amendment, 87, 89
    - ratification of, 96
  - Sixty-First Congress, 87
  - Slip opinion, defined, 153
  - Small Cases division, Tax Court, 156–158
    - excerpts, 157–158
    - summary opinions, 157
  - Social responsibility, 28
  - Solicitation, Circular 230, 11–12
  - Soliman case, citators, 279, 285, 289, 290, 294, 295
  - Sources
    - Constitution. *See* U.S. Constitution
    - evaluating sources of law, 388–390
    - federal tax law, 86, 87
    - history of U.S. taxation, 86–89
    - legislative process. *See under* Legislative process
    - primary authority, 53, 86, 87
    - secondary authorities, 54, 86, 87
    - statutory authorities, 53, 86
    - tax treaties. *See under* Tax treaties
  - SSTS (statements on standards for tax services), 19–25
  - Standard Federal Income Tax Reporter* (SFITR), 209
  - Standard tax citations, 516–519
  - State and local taxes
    - collections of state tax, 309
    - commerce, 313, 314
    - due process, 313–315
    - equal protection, 315
    - historical perspective, 312
    - importance of state and local taxes, 308–311
    - Joint Audit Program, 320
    - judicial systems, 319–320
    - legal perspective, 312–316
    - multistate, 320–321
    - National Conference of Commissioners on Uniform State Laws, 320
    - National Nexus Program, 320–321
    - state and local corporate income tax collections per capita 2005, 311
    - state and local individual income tax collections per capita 2005, 309–310
    - tax burdens, 311
    - Tax Freedom Day, 312
    - tax structure, state, 316–321
    - State & Local Taxes Weekly*, 323
  - Statements on standards for tax services. *See* AICPA
  - StateNet, 322–323
  - State Taxation* treatise (WG&L), 337
  - State Tax Day*, 327
  - State Tax Notes*, 337–338
  - State tax reporters
    - CCH NetWork State Service, 328–329
  - State tax research
    - illustrative research examples, 321
  - State tax services, 307–348. *See also* State and local taxes
    - BNA State Services, 335–337
    - CCH NetWork State Service, 327–331
    - illustrative research examples, 321
    - Internet sites, 338
    - journals, 337
    - LexisNexis Academic, 331–332
    - Multistate Corporate Tax Guide, 337
    - newsletters, 337–338
    - periodicals, 337–338

- RIA State and Local Service, 321–327  
 Warren Gorham & Lamont, *State Taxation* treatise, 337  
 Westlaw State Services, 332–335  
 State Tax Tab, 327–330  
*State Tax Today*, 337–338  
 Statutes of limitations, 494–499  
   acceleration effect, 495–496  
   assessment, 495, 498–499  
   carryback effects, 495–496  
   collection, 496–497  
   extensions, 495–498  
   irregular returns, 495  
   limitation periods, 497  
   mitigation of, 499  
   nature of, 494–495  
   refunds, amount of, 498  
 Statutory agreements, 499–502  
   closing agreements, 499–500  
   offers in compromise, 500, 501, 502  
 Statutory authorities, 86  
   tax research methodology, 53  
 Streamlined sales tax project, 315  
 Substantial authority, 473  
 Supremacy Clause, 313  
 Supreme Court, 168–170  
   decision syllabus, 169–170  
   justices, 286–287  
   locating decisions, 168–169  
*Supreme Court Reporter*, 169
- T**
- Table of Contents  
 BNA International Services (BNA IS), 359  
*CCH Tax Research NetWork*, 210, 210–211  
*Internal Revenue Code*, Subtitle A: Table of contents excerpt, 99–100  
*RIA Checkpoint*, 202–203  
 RIA State and Local Service, 326  
 Westlaw, 251  
 TAOs. *See* Taxpayer Assistance Orders  
*Tax Adviser*, 215  
 Tax Analysts, 242–245, 337–338  
   *Federal Research Library* (FRL), 242–243  
   international tax services, 362  
   newsletters, 244–245  
   OneDisc Premium, 243–244  
   research library, 242–244  
*Tax Notes*, 242, 245  
*Tax Notes International*, 363  
*Tax Notes Today*, 242  
   *Worldwide Tax Daily*, 363  
 Tax and Accounting Sites Directory, 371  
 Tax avoidance, 5  
   economics of, 412–414  
 Tax base, 415  
 Tax compliance defined, 5  
 TaxCore, 256  
 Tax Court, 153–162, 469  
   Board of Tax Appeals, 153, 159  
   decisions, 155–156, 158–162  
   history, 89  
   judges, 153–154  
   locating decisions, 158–162  
   permanent citation, 159  
   Regular Opinion, 160–161  
   Rule 155, 162  
   Small Cases division, 156–158  
   trial locations, 156  
*Tax Court Memorandum Decisions*, 159  
*Tax Court of the U.S. Reports*, 54, 158  
*Taxes—The Tax Magazine*, 214  
 Tax evasion, 5  
   economics of, 412–414  
 Tax Foundation, 312  
 Tax Freedom Day, 312  
 Tax havens, 355–356  
 Tax journals, 55  
 Tax law. *See* Federal tax law  
 Tax litigation  
   decision to litigate, 462  
   generally, 6  
   victories in litigation, taxpayer and government, 462  
 Tax Management Portfolios, 254–255, 356–357  
*Tax Notes*, 242, 245  
*Tax Notes International*, 363  
*Tax Notes Today*, 60, 242  
 Taxpayer Assistance Orders, 442–443  
 Tax periodicals, 213–219  
   academic journals, 215  
   annual proceedings, 214–215  
   citing articles, 213–214  
   Commerce Clearing House, 217  
   *Federal Tax Articles* (FTA), 217–219  
   law reviews, 215  
   locating relevant tax articles, 217–220  
   newsletters, 216, 217  
   professional journals, 215–216  
   Research Institute of America (RIA), 216  
   scholarly reviews, 215  
   state tax services, 337–338  
   types of, 214–217  
   Warren, Gorham & Lamont (WG&L), *IFTA*, 219  
 Tax planning, 5–6, 411–435  
   avoiding tax traps, 427–430  
   classification of income, avoiding, 423  
   economics of, 412–414  
   ethics of, 28–29  
   fundamentals, 418–425  
   goals of tax planning behavior, 420  
   illustrations, 430–431  
   income recognition, 420–422  
   inconsistencies in statute, exploiting, 425–427  
   liability, computation, 414–415  
   in perspective, 417–418  
   tax rate terminology, 414–417  
   typical tax practice, 417  
   wealth, maximization, 412  
   wealth planning process, 418  
 Tax practice and administration, 467–511  
   injunctions, 490  
   interest, 490–494  
   penalties, 469–489  
   return preparers, penalties, 482–489  
   statutes of limitations, 494–499  
   statutory agreements, 499–502  
   taxpayer penalties, 469–482  
 Tax professional  
   career in taxation, 384  
   communicating research results, 382–384, 386  
 Tax rate terminology, 414–417  
   alternative tax rate structures, 416  
   effective average tax rate, 417  
   nominal average tax rate, 417  
   progressive tax rates, 415  
   proportional tax rate system, 415  
   regressive tax rates, 415  
   tax base, 415  
   tax rates, 415–416  
   various tax rate computations illustrated, 417  
 Tax Reform Act of 1986, 94  
 Tax research, 6  
   by certified public accountants, 32–34  
   computerized. *See* computerized tax research  
   methodology. *See* Tax research methodology  
*Tax Research Consultant* (TRC), 209  
 Tax research memo sample format, 57  
 Tax research methodology, 47–82  
   administrative sources, 53  
   authority, 53–56  
   changing a research conclusion, 56  
   collateral estoppel, 51  
   communicating recommendations, 57–58  
   computerized tax research. *See* computerized tax research  
   conclusions, developing, 56  
   interaction among research facts, issues, and solutions, 52  
   issues, identification of, 50–53  
   iterative process, research as, 52  
   judicial sources, 53–54  
   law issues, 50  
   major tax services, 55  
   outline of process, 48–57  
   primary authority, 53  
   recommendations, developing, 56  
   research cases, 78–82  
   secondary authorities, 54  
   statutory authority, 53  
   tax journals, 55  
   tax research memo sample format, 57  
   tax services, 54, 55  
*Tax Research NetWork*. *See* *CCH Tax Research NetWork*  
 Tax return positions  
   AICPA statements on standards for tax services, 19  
   Circular 230, 12–13  
 Tax return preparers  
   Circular 230, 9–10  
   defined, 483  
   injunctions, 490  
   penalties, 482–489  
   refunds, 485

- Tax returns  
 AICPA statements on standards for tax services, 19–22  
 audit process, 447–449  
 Circular 230, tax return positions, 12–13  
 failure to file, 469–471, 482  
 frivolous return, filing, 479  
 irregular, statutes of limitations, 495  
 preparation, 20, 21–22  
 preparers. *See* Tax return preparers  
 time to file, 470
- Tax services, 192–212  
 annotated tax services, 192  
 ATX/Kleinrock, 212  
 CCH Tax Research NetWork. *See* CCH Tax Research NetWork  
 compilations, 192  
 illustrative research example, 193–195  
 overview, 192–193  
 RIA Checkpoint. *See* RIA Checkpoint  
 tax research methodology, 54, 55  
 topical tax services, 192
- Tax shelters, abusive  
 injunctions, 490  
 organizing, penalties, 486–487
- Tax treaties, 91–93, 354–355  
 excerpt, 91  
 Internal Revenue Code, 92–93  
 treaty override, 92
- TDs. *See* Treasury Decisions (TDs)
- Technical Advice Memorandum, 130
- Technical Memorandum (TM), 135
- Temporary regulations, 121
- Territorial model, international tax services, 351
- Thirty-day letter, 455  
 sample letter, 459–461
- Thomson, 237
- Time value of money, 513–515
- TM. *See* Technical Memorandum (TM)
- TOC. *See* Table of Contents
- Topical tax services, 192
- Treasury Decisions (TDs), 120
- Treaties. *See* Tax treaties
- TRP. *See* Tax return preparers
- U**
- UDITPA. *See* Uniform Division of Income for Tax Purposes Act (UDITPA)
- Unallowable Items Program, IRS, 448
- Understatement  
 tax return preparers, penalties, 485–487
- Uniform CPA Exam, 4
- Uniform Division of Income for Tax Purposes Act (UDITPA), 320
- Uniformity Clause, 315
- United Kingdom  
 tax treaties, 91
- United Nations, 371
- United States Board of Tax Appeals*, 158
- United States Code Annotated*, 93
- United States Code Congressional and Administrative Cumulative Bulletin*, 96
- United States Supreme Court Reports*, 168
- United States Tax Cases*, 54, 163, 168
- United States Tax Reporter (USTR)*, 195, 198, 201  
 history, 200
- U.S. Code, 102, 120
- U.S. Constitution. *See also* Fourteenth Amendment; Sixteenth Amendment  
 excerpt, 90  
 generally, 89  
 state and local taxes, 313–316
- U.S. Court of Federal Claims. *See* Court of Federal Claims
- U.S. Courts of Appeals. *See* Courts of Appeals
- U.S. District Courts. *See* District Courts
- U.S. Master Tax Guide: Kleinrock Edition*, 212
- U.S. Supreme Court. *See* Supreme Court
- USTC. *See* *United States Tax Cases*
- V**
- Vacate, defined, 153
- Visual aids, oral presentations of research results, 397–398
- W**
- Warren, Gorham & Lamont (WG&L), 195, 217  
*Federal Taxation of Income, Estates, and Gifts (B & L)*, 253–254  
*IFTA*, 219  
*State Taxation* treatise, 337
- Ways and Means Committee, 93
- Wealth, maximization, 412
- Wealth planning process, 418
- Weekly Report* (BNA), 256
- Westlaw, 246–254  
 Bittker & Lokken Service, 253–254  
 citator, 282–287  
 data and access, 246–247  
 international tax services, 368–369, 368, 369  
 KeyCite, 247, 282–286  
*Mertens Law of Federal Income Taxation*, 252–253  
 News & Business, 251–252  
 ResultsPlus, 287  
 searching, 247–251  
 state tax services. *See* Westlaw State Services  
 Welcome screen, 246
- Westlaw State Services, 332–335  
 Directory, 333–334  
 Find, 333  
 KeyCite, 333  
 State Databases, 335  
 Tax Tab, 334–335
- West Publishing, 102, 163, 164, 169
- Wetzler, James W., 425
- WG&L. *See* Warren, Gorham & Lamont (WG&L)
- Wikipedia, 89
- Wildcard (universal) characters, 236
- Withholding, false information with respect to, 478
- Wolters Kluwer, 237
- Working Paper Legal Certificate, BNA, 357
- Working with the IRS, 437–466  
 appeals process, 456–462  
 audit process, 446–451, 452, 454  
 Chief Counsel, 440  
 Commissioner of Internal Revenue, 438  
 Computing Centers, 442  
 Customer Service Sites, 442  
 examinations, 451, 453–456, 459–461  
 guiding principles, 439  
 IRS National Office, 439, 440  
 IRS Oversight Board, 438  
 IRS Service Centers, 442  
 local taxpayer advocates, 443  
 National Taxpayer Advocate, 440–442, 444–445  
 operating divisions, 441  
 organization of IRS, 438–443  
 Processing Centers, 442  
 strategic plan goals, 440–442  
 Taxpayer Assistance Orders, 442–443  
 taxpayer rights, 443446  
 tax tutor, 462
- WorldCom, 23
- World Trade Organization (WTO), 353  
*Worldwide Tax Daily*, 363, 364
- Worldwide Tax Rates and Answers: Europe, 370
- Written determinations  
 locating, 132  
 numbering system, 132
- WTL. *See* RIA Worldwide Tax Law (WTL)
- WTO. *See* World Trade Organization (WTO)