

F. The TAS Collection Case Review Yielded Valuable Insights on How TAS Can Improve Advocacy in Collection Cases

In December 2012, TAS's Executive Director for Case Advocacy assembled a team of about 40 employees with extensive knowledge of collection issues, processes, and procedures to participate in an Issue Review Panel.¹ In February 2013, the panel reviewed 825 TAS collection cases (*i.e.*, cases involving levies, liens, CNC accounts, installment agreements, and offers in compromise) that had been closed during calendar year 2012. The panel, working in eight teams, collected information about each case using a data collection instrument. The panel investigated:

- Barriers to maximizing advocacy and providing relief in collection cases;
- Trends that reveal gaps in processes, procedures, or guidance;
- Deficiencies in training and access to tools that might help address deficiencies;
- The adequacy of management intervention and guidance to advance these cases to accurate and timely resolution;
- Correlations between advocacy efforts and TAS measures and indicators; and
- The IRS's level of adherence to the "Fresh Start" Initiative in TAS casework.

The panel summarized the data gathered from the DCI and conducted four focus groups with employees who had participated in the review. Overall, the review shows that TAS worked with the appropriate sense of urgency in 64 percent of the cases and advocated and got to the right answer 63 percent of the time. Additional findings include:

- TAS frequently did not start out on the right foot - the initial analysis was on point in three out of four cases.
- TAS used all appropriate collection research tools² in nearly 75 percent of the cases.
- TAS sought the assistance of TAS technical experts, the Internal Technical Advisor Program (ITAP) advisors, in only 12 percent of the cases, and in only slightly more than half of these cases was ITAP assistance sought in a timely manner. ITAP involvement was critical to resolution in these cases.
- Taxpayers were provided an explanation of appeal rights, where appropriate, in fewer than 50 percent of the cases.
- TAS issued TAOs in less than one percent of the cases, when they should have been issued in another 4.5 percent of the cases.

In addition, the focus group discussions suggested TAS employees did not know the basics of the CIS, *Collection Information Statement* (CIS), Form 433, which is needed in

1 Taxpayer Advocate Service (TAS) FY 2013 Collection Panel Study (May 31, 2013).

2 Collection research tools for this review included Accurant®, Automated Insolvency System (AIS), Automated Lien System (ALS), Automated Offers In Compromise Data Store (AOIC), Automated Collection System (ACS), and Integrated Collection System (ICS).

virtually every collection case. Another recurring theme was the reluctance to oppose, or “push back,” when dealing with revenue officers. These findings led to the following recommendations:

I. Master the Collection Information Statement.

Case advocates need to have a complete understanding of the taxpayer’s Form 433 because it captures relevant financial information and sheds light on what collection alternatives are appropriate. The first recommendation is to provide in-depth education to advocates and managers on how to analyze and prepare Forms 433.

II. Understand the Proper Use of Advocacy Tools.

Case advocates need to have a thorough understanding of collection advocacy tools and the types of relief available to taxpayers. Recommendations to improve in this area include:

- Promote the importance of using IRS collection systems in case building through case studies already available in TAS Collection training materials.
- Reinforce through quarterly workshops the importance of effective initial actions, the role ITAP plays in attaining better case resolution, and how to protect taxpayers’ appeal rights.
- Include initial analysis, ITAP referrals, and protection of appeal rights as items reviewed on collection cases as part of the Executive Director for Case Advocacy’s FY 2014 advocacy reviews.
- Create simulations in which case advocates practice identifying collection alternatives, presenting alternatives to the IRS, and negotiating for the taxpayer based on the facts and circumstances of the case.

III. Empower Employees and Promote Managerial Involvement.

TAS can only issue a TAO effectively if employees elevate appropriate cases to management. Moreover, targeted managerial involvement in collection cases can be effective in moving the case toward resolution. Recommendations to improve in this area include:

- Encourage elevating for TAO consideration cases in which the IRS rejects or ignores an Operations Assistance Request (OAR) by including this criterion in the FY 2014 Program Letter review requirements (*i.e.*, rejected or ignored OARs will be reviewed by the Lead Case Advocate, Taxpayer Advocate Group Manager, or Local Taxpayer Advocate for consideration of a TAO).
- Determine the key points in collection cases at which managers should be involved to ensure the correct issues are being worked and the case is progressing toward the best outcome. Recommend changes to the related FY 2014 TAS Program Letter review requirements, if necessary.

We believe adopting these recommendations will not only improve relief rates and customer satisfaction in collection cases, but will provide benefits such as enhanced employee satisfaction and reduced cycle times that will very likely “spill over” into other TAS case types.