2003 Southeast Regional AAA Meeting

Title: Teaching Professional Tax Research

Section: Taxation

Special Session: Teaching Tips Workshop Proposal

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Description/Objectives:

Experienced tax educators will share their thoughts on the general and more specific objectives of their Tax Research classes and how they use the class structure and assignments to meet those objectives. Topics covered will include class organization and content, the specific skills to be imparted, assignment identification and construction, matching assignments to skills, course management, and the relation of the course to the rest of the curriculum. Presenters will also share exercises they have developed to help achieve their objectives. This topic was presented in a more comprehensive format as a 3-hour CPE session at the 2002 annual meeting of the American Accounting Association.

Intended Audience:

Those preparing the Tax Research class for the first time, or those considering major revisions to their classes, should benefit greatly from the workshop, as will those considering adding a research component to their undergraduate Tax classes. The workshop also should be useful to anyone involved in a graduate Tax program and to anyone considering how best to relate the research class to the rest of the curriculum.

Overview of Teaching Tips:

1. **Overview of Presentation**
■Issues to consider in planning a tax research course
■Procedural matters to consider
■Discussion of materials
■Discussion of evaluating students' cases

2. **Background Information regarding Tax Research Course**
■"Graduate" tax course
■Students in first year of 4 or 5-year program OR in stand-alone masters program
■Required for tax track students
■Four sections each fall, one in summer
■25-30 per section; most are tax track
■Most will intern part of the next semester

3. **Issues to Consider**
▪What do you want your students to have "**mastered**" (or at least have some familiarity with by the end of the course?
▪**Possibilities**--
▪Understand the sources of "tax law" and their hierarchy
▪Understand the organization of the Code and feel comfortable consulting the Code for answers
▪Appreciate the importance of the facts for the outcome
▪Have some facility in formulating the research question(s)/spotting the "issues"

4. **Issues to Consider, cont**.
▪Develop skills in locating relevant authorities, INCLUDING USING INTERNET RESEARCH DATA BASES (CCH, RIA and BNA)
▪Develop facility in reading cases and applying them to the "client's" issue(s)
▪Sharpen skills in developing support for a conclusion
▪Improve skills in communicating conclusions to the "client"
▪Learn how to correctly write citations and to "unravel" citations
▪Begin to develop skills regarding tax planning

5. **Issues to Consider, cont.**
▪Develop some understanding of key judicial doctrines and landmark cases
▪Learn some "basic" (threshold) materials regarding practice and procedure issues
▪Statutory rules "regulating" tax return preparers
▪Ethics of tax professionals; Statements on Standards for Tax Services; Treasury Circular 230
▪Support client needs for pro-taxpayer position
▪Issues associated with IRS audits and appeals, including within the court system

6. **Issues to Consider, cont.**
Additional practice and procedure topics--
▪Statue of limitations
▪Interest on underpayments
▪Various penalties----failure-to-file, failure-to-pay, underpayment of estimated tax, fraud
▪Joint and several liability; innocent spouse "relief"

7. **Procedural Matters to Consider**
▪What text, if any, should I select?
▪Will I need to supplement the text with articles, my own materials, etc.?
▪Who will do the presentations re the Internet products?
▪What should count toward their grade----cases only, cases plus exam(s), cases plus exams(s) plus other activities?
▪If I give exams, should they be open book and/or open note?
▪Can I "balance" their workload thru the semester?
▪What grade distribution, if any, do I desire?

8. **Procedural Matters to Consider, cont.**
▪Should the students work solo or in groups?
▪Is it OK for them to discuss with anybody what the question is, what sources they have found, what their "answer" is?
▪In evaluating cases, should I assign some points to quality of written communication, including grammar and spelling?
▪In evaluating cases, should I assign some points to correctness of citations?
▪Should I require the students to submit with their memos, client letters, etc. copies of the primary authorities on which they relied?

9. **Procedural Matters to Consider, cont.**
▪What do I want to have covered prior to assigning their first case?
▪What, if anything, do I want to cover to help them bridge the gap to facilitate their feeling more comfortable/competent to research their first case?
▪I provide and discuss a "case analysis" assignment (handout).

10. **"Difficulties" the Students Experience**

■This course is different from most of their other accounting courses; students can't turn back in the chapter for a prototype illustration to follow
■They will fell lost many times
■At times, they will be frustrated about going down the wrong track
■In-class assignment; open Code; like an exam
■Why I do this
■Counts fewer points than the cases
■I try to address areas for which they have not "learned" the rules in intro tax
■I like related party rules, applying constructive ownership
■I like Code sections where students need to correctly apply cross referencing

11. **Tax Research - Initial Skills Needed**

■Finding a specific document with cite provided.
■Basic comprehension of the issue(s) to be addressed.
■Understanding of source & relevance of tax authority
■Basic ability to analyze the authority
■Communication of results

12. **Tax Research - Additional Skills it Would be Nice to See:**

■Keyword Searches – identifying what is relevant and what is not.
■Writing skills – organization of basic tax research memo
■Ability to think of other options -if there is nothing in this document that appears relevant, where else can I go?

13. **Research - Effect of Technology**

■Computer Based Research
■Forms & Instructions
■CCH, BNA, Lexis
■Dow Jones Interactive, Intellinet
■Firm specific Intranet Sites

14. **Tax Research – Process at Big 4 Firm**

■Obtain the Facts
■Identify Issues
■Search for Authority
■Analysis of findings
■Communication of Results (written or oral)

15. **Research - Teaching Resources**

■ATA Course Syllabi Exchange

16. **AICPA**

■Website (http://www.aicpa.org)
■Tax Executive Committee, Statement on Standards for Tax Services 1-8, August 2000

17. **Articles and Texts** (handout)

18. **Tax Research Cases**
    ▪Simple versus comprehensive
    ▪Code section writing assignment
    ▪PwC tax research cases (handout)

19. **Web-based Tax Research**

20. **Involving the IRS - Tax Research, IRS Practice and Procedures**

21. **IRS SPEC** (Stakeholder, Partnerships, Education and Communications) Contacts - handout

22. **IRS Appeals Process Case Study** - handout

23. **Low Income Taxpayer Clinics (LITCS)** - handouts
    Working paper - "Low-Income Taxpayer Clinics in Tax Education"