

Impact of IRS Circular 230 Written Advice Standards

To Our Clients:

This is to inform you of how our correspondence with you (including e-mail messages) will be affected by new IRS regulations governing tax practitioners.

The new rules require us to add certain standard language to many of our letters, memos, e-mails, and other correspondence concerning federal tax matters unless we are willing to undertake extensive analysis of the facts underlying a transaction and legal authorities that address the tax treatment of the transaction. This includes written advice concerning planning related to, or the application of, any federal tax to your business or personal affairs and would include business and personal tax planning and preparation written advice and written advice pertaining to estate planning or estate tax matters.

While the specific wording may vary depending on the circumstances, absent the thorough analysis of the facts, you can expect written advice from our firm to contain language similar to the following:

IRS regulations require us to advise you that, unless otherwise specifically noted, any federal tax advice in this communication (including any attachments, enclosures, or other accompanying materials) was not intended or written to be used, and it cannot be used, by any taxpayer for the purpose of avoiding penalties; furthermore, this communication was not intended or written to support the promotion or marketing of any of the transactions or matters it addresses.


The new rules require such notices to be “prominently disclosed,” i.e., “readily apparent” to the reader. The notice must be in a separate section (but not in a footnote or as “fine print”) of the correspondence. The typeface used must be at least the same size as the typeface used in any discussion of facts or law.

Be assured that this new policy does not reflect any decrease in the quality of our services or the amount of thought we put into our correspondence with you. We are adopting this policy as part of our effort to avoid fee increases; without the disclaimer, additional fees would often be required for us to fully ascertain and analyze factual matters underlying the advice.

In situations where we believe that the circumstances warrant the increased fee attributable to a communication that may provide you protection from the imposition of penalties, we will discuss the matter with you. In the event you desire a written communication on which you may rely for protection from the imposition of penalties, we encourage you to discuss the matter with us.

Please contact our office if you have any questions or concerns about the new rules and their impact on the manner in which we communicate tax advice to you.

Very truly yours,

A handwritten signature in blue ink that reads "Knutte & Associates, P.C.". The signature is written in a cursive style with a small vertical line under the letter 't' in "Knutte".

Knutte & Associates, PC