



DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
WASHINGTON, D.C. 20224

SMALL BUSINESS/SELF-EMPLOYED DIVISION

July 9, 2014

Control Number: SBSE-04-0714-0024

Expiration Date: July 9, 2015

Impacted IRMs: See listing below

MEMORANDUM FOR EXAMINATION EXECUTIVES

FROM: /s/ Shelley M. Foster
Acting Director, Examination Policy

SUBJECT: Interim Guidance Memorandum Regarding Changes to Statute
of Limitations Period for Appealed Cases

This purpose of this memorandum is to issue interim guidance reflecting changes to the required number of days that must be remaining on the statute of limitations for cases going to and coming from Appeals. Please ensure this information is distributed to all affected employees within your organization. This guidance is effective September 2, 2014.

Appeals initiated the Appeals Judicial Approach and Culture (AJAC) project to review how they handle Compliance cases and identify changes to improve their actual and perceived independence. As part of the AJAC project, Appeals recommended a change in the number of days that must be remaining on the statute of limitations when a case is received in Appeals. As a result of this recommendation, the following changes are being implemented.

- There must be at least 365 days (270 days for estate tax cases or IRC 6206 excessive claim cases) remaining on the statute when a case is initially received by Appeals.
- There must be at least 210 days remaining on the statute of limitations when a case is received in Examination, if Appeals returns the case to Examination for consideration of new information or new issues raised by the taxpayer.
- There must be at least 180 days remaining on the statute of limitations when a case is received in Appeals, if Appeals previously released jurisdiction of the case and returned it to Examination for additional work.

This guidance will be incorporated in the following impacted IRM sections by July 9, 2015.

- IRM 1.4.40, *SB/SE Field and Office Examination Group Manager*
- IRM 4.8.2, *Case Processing*

- IRM 4.8.5, *Post Examination Case Processing Requirements*
- IRM 4.10.8, *Report Writing*
- IRM 4.32.4, *6707A Penalty*
- IRM 25.6.22 *Extension of Assessment Statute of Limitations by Consent*
- IRM 25.6.23, *Examination Process—Assessment Statute of Limitations Controls*

If you have questions, you may contact me or a member of your staff may contact Cathy Demetra, Program Manager, Examination Policy, Examination General Processes.

cc: www.irs.gov