



INDEPENDENT OFFICE  
OF APPEALS

DEPARTMENT OF THE TREASURY  
INTERNAL REVENUE SERVICE  
WASHINGTON, DC 20224

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Affected IRM: 8.22.6

MEMORANDUM FOR ALL IRS INDEPENDENT OFFICE OF APPEALS EMPLOYEES

FROM: Steven M. Martin /s/ *Steven M. Martin*  
Director, Operations Support

SUBJECT: Appeals Case Management System (ACMS) procedure updates  
for IRM 8.22.6, Cases Requiring Special Handling

This guidance provides procedures for integrating ACMS into the Collection Due Process (CDP) workstream detailed in IRM 8.22.6, Cases Requiring Special Handling. Please distribute this information to all impacted employees within your organization.

**Purpose:** This guidance is issued to update IRM procedures reflecting the functionality and process changes for the IRS Independent Office of Appeals (Appeals) new case management system, ACMS.

**Background/Source(s) of Authority:** Appeals Centralized Database System (ACDS), Appeals' aging legacy system, is being replaced by ACMS, a more modernized system. Appeals contracted Salesforce to create ACMS, which will provide Appeals with a new level of automation and analytics. These updates will allow for more effective collaboration within Appeals and, in the future, with other IRS business units.

**Procedural Change:** Release 1 of ACMS will focus on Collection-sourced case work, while additional ACMS releases will incorporate the remaining workstreams. Future releases will incorporate concepts introduced in this guidance and will be reinforced via training and applicable user guides. Procedural changes pertaining to this guidance are included in the attachment.

**Additional Information:** Additional information on ACMS can be found on the Appeals Intranet page – Appeals Case Management System (ACMS). This site will contain links for helpful information with ACMS, training documents, etc.

**Effect on Other Documents:** This guidance will be incorporated into affected IRMs

within two years from the date of this memorandum.

**Effective Date:** This guidance is effective as of the date of this memorandum.

**Contact:** Appeals employees should follow existing procedures to elevate questions through their management chain and follow established procedures on How to Contact an Analyst.

Attachment

cc: [www.irs.gov](http://www.irs.gov)

### **8.22.6.1 (MM-DD-YYYY)**

#### **Program Scope and Objectives**

(4) Policy Owner: Director, Operations Support.

### **8.22.6.2.1 (MM-DD-YYYY)**

#### **RRAP Procedures**

IRMs 8.22.6.2 and 8.22.6.2.1 were previously updated by AP-08-0924-0020, Interim Guidance for Collection Due Process (CDP) requests in the Rapid Response Appeals Process (RRAP), published 9/23/2024. These ACMS-specific changes are in addition to the IG.

(1) The Appeals Team Manager (ATM) assigns the case to a hearing officer within five business days of being notified the work unit is established on the Appeals Case Management System (ACMS).

(2) RRAP cases are subject to the initial review, control, and documentation requirements in IRM 8.22.5, Receipt, Control and Pre-Conference Considerations. Also, the hearing officer confirms:

- Case meets RRAP criteria
- ACMS feature code = RRAP PY

(3) During review of the case, if you determine that RRAP criteria is no longer met, or the case was erroneously determined to have met RRAP criteria by Collection, remove the RRAP designation\* from ACMS and manage the case under normal CDP procedures. Other situations that will delay resolution may also warrant removing the RRAP designation. Examples include, but are not limited to, filing bankruptcy, submitting a processible offer-in-compromise, being located in a federally declared disaster area, or IRS Criminal Investigation (CI) involvement. If you determine it is appropriate to remove the RRAP designation, take the following steps:

- Remove ACMS feature code "PY"
- Send an encrypted email to the revenue officer explaining why the case does not meet RRAP criteria

(4) When closing the RRAP case:

- a) Prepare a Notice of Determination within 14 calendar days of either the date the hearing was held or the last day for the taxpayer to reply to the Letter 4000, Last Opportunity Letter, unless the taxpayer signed a Form 12257, Summary Notice of Determination and Waiver of Judicial Review, or Form 12256, Withdrawal of Request for Collection Due Process or Equivalent Hearing.
- b) If either a Form 12257 or Form 12256 is secured, prepare the closing documents and forward the case to the ATM within seven calendar days of the receipt.
- c) Submit the case to the ATM for approval in ACMS.

### **8.22.6.3.1 (MM-DD-YYYY)**

#### **Jeopardy Levy**

(2) If your CDP involves a jeopardy levy, add feature code 'JL' to ACMS.

**8.22.6.3.3 (MM-DD-YYYY)**

**Disqualified Employment Tax Levy (DETL)**

(5) In a DETL post-levy CDP hearing, you must verify whether the levied periods met DETL requirements. See the tables below:

To Verify...	Look at...
The levy is for taxes owed by a taxpayer or a predecessor who previously requested a CDP levy hearing.	A "prior" request refers to a timely, processable CDP levy hearing request and includes: <ul style="list-style-type: none"> <li>• Timely request withdrawn in Collection or Appeals.</li> <li>• Post-levy request for a CDP hearing made in response to a post-levy CDP notice Letter 1058-D, Post Levy Collection Due Process (CDP) Notice, such as for a state refund or jeopardy levy.</li> </ul> A "prior" request does <b>not</b> include: <ul style="list-style-type: none"> <li>• An equivalent hearing levy request.</li> <li>• An untimely CDP levy hearing request that was not treated as a request for an equivalent hearing.</li> </ul>
	To identify a prior timely CDP levy hearing request, look at: <ol style="list-style-type: none"> <li>a. ACDS and ACMS summary tab for prior CDP Levy and CDP Lien &amp; Levy hearings.</li> <li>b. IDRS command code TXMODA - Look for TC 971 AC 630, which shows the taxpayer made a CDP levy hearing request for that module.</li> </ol>
	To verify whether a business is a predecessor business for the purpose of IRC 6330(h), see IRM 5.11.1.5.3, Predecessor Determination.

Note: Only the above table is being modified. The first and third tables in (5) remain unchanged.

**8.22.6.4 (MM-DD-YYYY)**

**International Cases (IC)**

(1) International tax issues arise from overseas and cross-border activities of U.S. businesses and individuals as well as U.S. activities of foreign businesses and individuals. The definition of international issues, including coordinated, non-coordinated, and emerging issues can be found on the Appeals International SharePoint.

(2) Input Feature Code "IC" (International Case) to ACMS when a CDP has an international tax issue.

(3) Examination International tax issues generally require a referral to the Appeals Team Managers of the International Technical Specialist groups found on the Appeals International SharePoint. See IRM 8.22.8.5.1, Referring a Liability Issue, for instructions on referring the international tax issue to an Examination AO for consideration.

(4) Form 13381, Appeals Technical Guidance/International Referral, is:

- Used when the international tax issue requires only a telephonic or secure e-mail

- consultation with International Operations
  - Not used when a liability support request is established under IRM 8.22.8.5.1, Referring a Liability Issue, and referred to an International Examination AO Team for consideration
- (5) Form 13381 resources are found on the International SharePoint including:
- Form 13381 desk guide
  - Form 13381 FAQs
  - Procedures for Collection Due Process and Equivalent Hearing Referrals
- (6) International cases with Collection-related issues should be assigned to the Collection Appeals group with responsibility for working such cases. Proposed case transfers should be coordinated through that team's ATM. Locate the ATM's contact information via the link that is located on the Collection Appeals SharePoint under Resources > Appeals International Collection Issues Group.

#### **8.22.6.6 (MM-DD-YYYY)**

##### **Limited Liability Companies (LLCs)**

(7) If you determine the LLC entity is a disregarded single owner, prepare a support request in ACMS to update the information. Add the single-owner name to the name line of the ACMS entity section **BEHIND** the LLC name, followed by the single-owner's TIN (SSN or EIN).

**Example:** xxxxx LLC, xxx xxxxx, owner, TIN

#### **8.22.6.7 (MM-DD-YYYY)**

##### **Disaster Relief**

- (1) Add feature code 'DR' to cases that qualify for disaster relief.
- (2) Remains unchanged from current IRM.
- (3) Appeals follows the IRS Disaster Assistance Declarations found on the IRS Disaster Memos & Declarations site when dealing with taxpayers in a disaster-covered area.

#### **8.22.6.8 (MM-DD-YYYY)**

##### **Bankruptcy**

- (1) If a taxpayer files bankruptcy after filing for a CDP or EH hearing:
  - Suspend the CDP case by inputting action record Bankruptcy Petition Filed (BI)
  - Input action record Suspense (SU), subtype Placed in Suspense (PI)
  - Use Suspense Reason "Taxpayer in Bankruptcy"
  - Do not issue a Notice of Determination or Decision Letter
  - Do not request a Form 12256, Withdrawal, or Form 12257, Summary Notice of Determination
- (2) If there is an open OIC case related to the CDP, close the OIC appeal as a return using cc 20. Send a standalone Letter 5010 to convey the OIC disposition to the taxpayer.

**Note:** Notate during the submit for approval process under "Remarks" to APS that the letter was sent to the taxpayer returning the OIC and to reassign the OIC

back to "Collection AO" in AOIC.

(3) There are certain actions that should be taken on CDP/EH cases with a bankruptcy proceeding which do not violate the automatic stay. See IRM 8.7.6.3, Collection Due Process Cases, for a discussion of the following:

- a. Verification of the bankruptcy filing
- b. Suspending the CDP proceeding
- c. Monitoring and reactivating a suspended case
- d. Determining if the automatic stay has lifted
- e. Resuming the CDP process

### 8.22.6.9 (MM-DD-YYYY)

#### Cases Controlled by Department of Justice (DOJ)

(2) When you discover tax periods with DOJ controls, determine the status and issues in the suit, and contact Area Counsel for guidance. If Counsel believes continuing the CDP hearing could adversely affect the ongoing litigation, Counsel will ask you to suspend the CDP hearing. Input suspense action (SU) action subtype "Placed in Suspense"(PI), select "Suspense Reason" Other, enter "Action Comments" DOJ jurisdiction.

### 8.22.6.9.1 (MM-DD-YYYY)

#### Restitution-Based Assessments (RBA)

(5) Follow the step chart below:

Step Number	Who	Action
1	AO	Identifies a CDP or EH case including RBA liabilities. See IRM <a href="#">8.7.1.11.3</a> , Identifying Restitution-Based Assessments on IDRS, for assistance in identifying an RBA liability. In ACMS, apply feature code Restitution Based Assessment (RB) to any cases that include one or more restitution-based assessments.

Remaining steps in the chart are unchanged.

### 8.22.6.10 (MM-DD-YYYY)

#### Criminal Investigation (CI) Indicators

(1) IDRS may confirm an IRS Criminal Investigation Division (CI) investigation. See the table below for CI indicators in IDRS:

CI Indicator	Indicates	Action Required
TC 914 (-Z)	an active criminal investigation	<ul style="list-style-type: none"> <li>• Contact the special agent assigned the investigation of the CDP request. They will advise whether you may proceed with the CDP hearing or suspend it</li> <li>• Input suspense action (SU) action subtype "Placed in Suspense"(PI), select "Suspense Reason" Case Activity Suspended Due to Pending CI Clearance. Enter "Action</li> </ul>

		Comments" suspense pending the outcome of the criminal investigation.
TC 916 (Z-)	a refund scheme on some modules	<ul style="list-style-type: none"> <li>Contact the Questionable Refund Detection Team (QRDT) located in the campus that input the TC 916 (identifiable by the first two digits of the Document Locator Number (DLN) associated with the TC 916). Inform them of the CDP hearing. They will advise whether you may proceed with the CDP hearing or suspend following the steps above.</li> </ul>
TC 918 (Z-)	a refund scheme freeze in all modules	<ul style="list-style-type: none"> <li>Contact the QRDT located in the campus that input the TC 918 (identifiable by the first two digits of the DLN associated with the TC 918). Inform them of the CDP hearing request. They will advise whether you may proceed with the CDP hearing or suspend following the steps above.</li> </ul>

(2) Request the name and contact information for the CI Special Agent assigned to your case through the CI contact whose name is listed under CI Case Assignments on the Appeals CDP SharePoint.

#### 8.22.6.12 (MM-DD-YYYY)

##### Combat Zone (CZ) Indicators

(2) When working an account with a –C freeze, additional research is required to determine the taxpayer's CZ status. Research CC IMFOLE for the Combat indicator on Line 11. See the table below:

If ...	Then...
Combat indicator is 1	The taxpayer is serving in a combat zone. Contact the taxpayer or his/her representative and ask if he/she wants to proceed with the CDP hearing or postpone it per IRC 7508. If the taxpayer elects to postpone, or does not respond, suspend the case in ACMS by inputting suspense action (SU), action subtype "Placed in Suspense"(PI), select "Suspense Reason" as OTHER, enter "Action Comments" Taxpayer is in a combat zone. Set appropriate follow-ups
Combat indicator is 2	The taxpayer is no longer a combat zone participant. Proceed with the hearing.

#### 8.22.6.13 (MM-DD-YYYY)

##### Military Members and Military Spouse Deferments

(2) Review the following IRM sections for information and eligibility:

- a. IRM 5.1.7.13, Military Deferments, (Field Collection)
- b. IRM 5.19.1.5.9, Military Deferment, (ACS)
- c. IRM 20.2.7.12, Military Deferment
- d. IRM 21.8.1.5.7, Military Spouses Residency Relief Act

**8.22.6.14 (MM-DD-YYYY)**

**Related Cases Pending in Litigation**

(2)

**Note:** Where the Department of Justice (DOJ) has jurisdiction over a particular matter, contact DOJ before continuing or suspending work.

**8.22.6.17 (MM-DD-YYYY)**

**Posting of a Letter of Credit or Bond**

(2) For a LOC, prepare and submit an ARI to Advisory using the contact information in Publication 4235, Collection Advisory Offices Contact Information. Advisory will consult with Counsel.

(6) For Bond requests, refer the taxpayer to Treasury Circular 570 for a list of acceptable bonding agencies. The taxpayer should review and investigate this option fully as the requirements and costs of such an option are generally prohibitive.