



INDEPENDENT OFFICE
OF APPEALS

DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
WASHINGTON, DC 20224

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Affected IRM: 8.24.1

MEMORANDUM FOR DIRECTOR, COLLECTION APPEALS

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

SUBJECT: Appeals Case Management System (ACMS) procedure updates
for IRM 8.24.1, Collection Appeal Program (CAP)

This guidance provides procedures for integrating ACMS to IRM 8.24.1, Collection Appeals Program (CAP). 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 may be incorporated into affected manuals 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

8.24.1.3.1 (MM-DD-YYYY)

Taxpayer Access to the Administrative File (CAP Cases)

(3) Because all CAP cases are received electronically, the privileged portion of the case file should be redacted, and the nonprivileged portion of the case file should be made immediately available to the “specified taxpayer” so that a conference can be held as swiftly as possible (at least 10-calendar days after the taxpayer receives access). In general, the ATE must submit an ACMS ‘Support Request’ for scanning/copying and redacting of the file. However, in circumstances in which the use of STARS is impractical (for example, the taxpayer appears for an in-person conference and asks the ATE for a copy of a particular document from the file), ATEs may decide to provide access and redact the file themselves. STARS requests will be reassigned to the lead redactor who will expedite redaction services. No conference should be held until access to the file has been offered and provided to “specified taxpayers” that request access.

(4) If the “specified taxpayer” elects to view the case file and requests a conference sooner than 10 days from access, the ATE may hold the conference and record the taxpayer’s request in the case action record.

8.24.1.3.6 (MM-DD-YYYY)

ACS CAP Cases

(5) Upon closing an ACS CAP case, the closing documents (E-5402, Closing Letter, and Appeals Case Memorandum, if prepared) will be sent via encrypted email to the originating ACS CAP coordinator.

8.24.1.3.6 (MM-DD-YYYY)

Accounts Management CAP Cases

(6) Upon closing an Accounts Management CAP case, the closing documents (E-5402, Closing Letter, and Appeals Case Memorandum, if prepared) will be sent via encrypted email to the initiating CAP coordinator.

8.24.1.3.6 (MM-DD-YYYY)

Case Procedures under CAP

(12) Appeals should inform both the Collection function and the taxpayer of the decision as soon as possible after receiving the necessary approvals to direct release of a seizure.

- a. Approval may initially be oral to speed up the notification process.
- b. Follow any oral communication of approval with managerial documentation in the case action record.
- c. The written closing letter should be faxed or mailed to the taxpayer's current address no later than three business days after the final approval of Appeals'

decision. If a fax number is not available, and the taxpayer's current address is unknown, send the letter to the last known address. APS will ensure the closing letter is timely faxed or mailed (if a fax number is not available).

- d. The Appeals decision will be implemented, as applicable, after both Collection and the taxpayer have been informed of the decision. Collection will be informed via encrypted email.

(14) The taxpayer's closing letter should clearly outline the following:

- a. Any agreement reached with the taxpayer,
- b. Any relief given,
- c. Rationale for decision, and
- d. If the action of the Collection function was fully supported.

Note: Letter 5100 is available as a CAP template letter on ACDS 2.0.

8.24.1.3.6 (MM-DD-YYYY)

CAP Premature Referrals

(1) CAP cases should be closed on ACMS as a premature referral (cc 20) in the following instances:

- The taxpayer appealed before entitlement to a CAP hearing.
- The taxpayer or representative did not have the mandatory meeting with the manager (not applicable to IA CAP requests).
- The CAP request is an excluded issue. IRM 8.24.1.3.3, Exclusions from CAP.
- The CAP appeal is not timely. The appeal was submitted later than allowed under the CAP timeframes. The timeframes for filing a CAP IA are listed in IRM 8.24.1.3.4, Rejected, Modified, Proposed for Modification, Terminated and Proposed for Termination Installment Agreements under CAP. For other CAP appeals, see IRM 8.24.1.3.5, Collection Field CAP Cases.
- The taxpayer submitted an appeal on the same issue based on the same facts after Appeals rendered a decision on the issue (e.g., the taxpayer filed a subsequent CAP appeal against a levy on the same asset, but did not offer any new information).
- The Form 9423, Collection Appeals Request, in a Collection Field CAP case is not signed by the taxpayer or an authorized representative.

8.24.13.10.1 (MM-DD-YYYY)

Disagreement with Appeals Decision

(1) If there is concern or disagreement with respect to a decision reached by Appeals in a particular case, local management in Collection and Appeals should work to address concerns and resolve disagreements. If resolution cannot be reached informally at the local level, the *AP Formal Dissents centralized mailbox is available as a formal process to elevate concerns and issues to Appeals. This information is outlined in IRM 5.1.9.5.4, Disagreement with Appeals Decisions. It is expected local management in Collection will contact local Appeals management within two business days of the faxing of information (E-5402, copy of the closing letter, and Appeals Case Memorandum, if any) from Appeals to Collection.

8.24.1.3.11 (MM-DD-YYY)

CAP Type and Closing Codes for ACMS

(1) Appeals Case Management System (ACMS) type codes are used to track this program:

ACMS Code	Is used for...
CAP Levy	levies, third-party claims to property under 6343(b), taxpayer requests for return of property under 6343(d)
CAP Lien	NFTLs, lien issues, denied requests to issue lien certificates, such as subordination, withdrawal, discharge, or non-attachment
CAP Seizure	Seizures
CAP Installment Agreement	rejected, modified, proposed for modification, terminated, or proposed for termination installment agreements

(2) Closing codes are used under the following circumstances.

If the Collection Action is	Use Closing Code	When...
Fully sustained	14	the collection action is supported with no change.
Not sustained	15	the collection action is completely overturned. For example, closing code 15 would be used when a levy is released.
Partially sustained	16	only minor changes are made in the collection action. For example, if filing of an NFTL is proposed, a minor change would be to give the taxpayer 10 more days to come up with the funds before the NFTL is filed.
Premature referral	20	Premature referral. See IRM 8.24.1.3.9 above.

Note: After filing a CAP appeal, if the taxpayer, or their representative, state they are no longer interested in pursuing the appeal, and withdraw their CAP appeal, Appeals should close the case with closing code 14, supporting Collection. In a CAP withdrawal, the assigned ATE may sign the Closing Letter.

Exhibit 8.24.1-1 (MM-DD-YYYY)

CAP Closing Instructions

Step	Field	Instructions
1	Pre-Approval	<ul style="list-style-type: none"> Verify DM and CM case action records are input Close any open issues and support requests Verify all required documents are attached
2	Approval Submission	Submit for approval

3	Closing Code	<p>Select the appropriate closing code:</p> <ul style="list-style-type: none"> • Fully sustained (14) • Not sustained (15) • Partially sustained (16) • Premature referral (20)
4	Resolution Reason	<p>Select the appropriate resolution reason from the drop-down menu.</p> <p>Note: For Closing Code 14 – Collection is sustained, the following resolution reasons are missing in release 1:</p> <ul style="list-style-type: none"> • Denial of Withdrawal of Lien is sustained. • Denial of Discharge of Lien is sustained. <p>If either of these resolution reasons are appropriate, select, 'Filing of the lien is sustained', and input the appropriate resolution reason in the remarks section along with any other remarks.</p> <p>For Closing Code 15 – Collection is not sustained, the following resolution reasons are missing in release 1:</p> <ul style="list-style-type: none"> • Denial of Withdrawal of Lien is not sustained. • Denial of Discharge of Lien is not sustained. <p>If either of these resolution reasons are appropriate, select, 'Filing of the lien is not sustained', and input the appropriate resolution reason in the remarks section along with any other remarks.</p>
5	ATM selection	Under "Approver Choices", select the appropriate ATM or designee.
6	Enter remarks	Enter any remarks, such as instructions for APS or Collection.
7	Case source	Verify the case source (Field or Campus). This will pre-populate based on what the case record currently reflects.
7a	Field cases	For field cases – "RO address:" Input the email addresses of the originating GM and RO.
7b	Campus cases	For campus cases – "RO Address:" Input the email address for the appropriate CAP coordinator (and the backup, if applicable) found on SERP, CAP Coordinators.

Attachment AP-08-1125-0025, Appeals Case Management System (ACMS) procedure updates for IRM 8.24.1, Collection Appeals Program (CAP)

		Note: For non-ACS Campus cases, the ATE should refer to the Form 4442, Inquiry Referral, and use Discovery Directory to locate the originating employee's business unit or campus to identify the correct CAP coordinator.
8	Closing validation	Verify the following fields: <ul style="list-style-type: none"> • Participant Name • Address • Tax Periods • Feature Codes • Closing Information
9	Finalize approval submission	Submit the case for ATM approval.
10	ATM receives approval request	ATM approves (or returns to AO) the request in ACMS.
10a	ATM approves request	ACMS automatically routes the CAP to APS for final closing actions.
10b	ATM denies request	The ATM will communicate with the ATE what changes are needed for approval. The ATE will make the recommended changes and resubmit the case for ATM approval.