



INDEPENDENT OFFICE  
OF APPEALS

DEPARTMENT OF THE TREASURY  
INTERNAL REVENUE SERVICE  
WASHINGTON, DC 20224

November 25, 2025

Control No. AP-08-1125-0026  
Expiration Date: 11/25/2027  
Affected IRM: 8.24.2

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 8.24.2, Jeopardy Levy Appeals

This guidance provides procedures for integrating ACMS to IRM 8.24.2, Jeopardy Levy Appeals. 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 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)

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

##### **Terms and Acronyms**

(1) The table below lists common acronyms used in this section:

<b>Term</b>	<b>Acronym</b>
Appeals Account Resolution Specialist	AARS
Appeals Case Management System	ACMS
Appeals Case Memorandum	ACM
Appeals Technical Employee	ATE
Account and Processing Support	APS
Appeals Team Manager	ATM
Appeals Officer	AO
Civil Enforcement Advice and Support Operations	CEASO
Collection Appeals Program	CAP
Collection Due Process	CDP
Department of Justice	DOJ
Notice of Federal Tax Lien	NFTL
Settlement Officer	SO
Taxpayer Advocate Service	TAS
Taxpayer Bill of Rights	TBOR
Taxpayer First Act	TFA

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

##### **Review Procedures**

(1) In accordance with the Taxpayer First Act (TFA) and IRC 7803(e)(7), ATEs will ensure that "specified taxpayers" have access to the nonprivileged portion of the case file on record regarding the disputed issues (other than documents provided by the taxpayer to the IRS). See IRM 8.6.1.2.1, Taxpayer First Act Access to Case File, for procedures.

**Note:** Because of the expedited nature of jeopardy levy appeals, it is recommended the ATE use the quickest means to offer, process, and provide the administrative file to the taxpayer.

(2) A jeopardy levy requires the same conditions that would allow a jeopardy assessment. See IRM 1.2.1.5.27, Policy Statement 4-88, Jeopardy assessments to be used sparingly and assessment to be reasonable in amount, for the conditions under which a jeopardy assessment will be made.

(3) Jeopardy levies may be subject to administrative review, judicial review, or both. Refer to IRC 7429. Statutory authority to levy is contained in IRC 6331. For normal, non-jeopardy assessments, which are in balance due status, there is generally a series of notices, prior to the delinquent account being issued to the Automated Collection System (ACS) or to a revenue officer. The first notice under IRC6331(a) is a 21-

calendar day (10-business days if the amount is \$100,000 or more) notice and demand. The notice under IRC 6331(d) is the 30-day intent to levy notice. See IRM 5.11.1, Background, Pre-Levy Actions, Restrictions on Levy & Post-Levy Actions, for additional information regarding notice and demand procedures. A taxpayer must be offered IRC 7429 appeal rights when:

- a notice and demand described in IRC 6303 for an assessment has not been issued or the 10-day waiting period arising after the issuance of that notice has not expired; or
- a notice of intent to levy described in IRC 6331(d)(1) was not issued for each tax and period or the waiting period described in IRC 6331(d)(2) has not expired.

**Note:** For more information, see IRM 5.11.3.4, Getting Approval, and IRM 5.11.3.5, Forms and Letters for a Jeopardy Levy without a Jeopardy Assessment.

(4) In order for a taxpayer to be entitled to an administrative appeal and judicial review under IRC 7429, the following conditions must have been met:

- a) The taxpayer must file a written protest with the Area Director within 30 days of the date on Letter 2439, Notice of Jeopardy Levy and Right of Appeal, requesting a redetermination of whether the levy is reasonable under the circumstances, and
- b) The written protest must be sent to the address listed on the Letter 2439.

(5) The issue is whether the jeopardy levy is reasonable under the circumstances (collection is truly in jeopardy). If the jeopardy levy is sustained by Appeals, the taxpayer can obtain judicial review of the jeopardy levy. Generally, district courts have jurisdiction over IRC 7429; however, if any of the liabilities on the jeopardy levy were being considered in Tax Court before the making of the jeopardy levy, the taxpayer can obtain judicial review of the jeopardy levy by the Tax Court.

(6) If the jeopardy levy was issued after 30 days from the notice and demand and the taxpayer has not already been issued appeal rights under IRC 6330, then Collection must notify the taxpayer of their appeal rights under IRC 6330. See IRM 5.11.3, Jeopardy Levy without a Jeopardy Assessment. The taxpayer has 30 days from the date of the Letter 2439 to request a Collection Due Process (CDP) hearing. The taxpayer must timely request a CDP hearing under IRC 6330 to be entitled to judicial review under that section. See IRM 8.22, Collection Due Process, for additional information about taxpayers' rights to appeal under IRC 6330.

(7) If the taxpayer has requested a judicial review of the jeopardy assessment, the ATE should contact Area Counsel before proceeding with any jeopardy levy appeal hearing.

(8) If the taxpayer appeals, or states that a suit is being filed, Collection will contact CEASO and seek advice from Counsel, as needed. The local Appeals office will handle the administrative appeal. Collection will also advise the levy recipient(s) to delay paying

over the funds while the appeal is considered using Letter 2438, Jeopardy Levy Letter to Third Party Recipient.

(9) If the taxpayer has received all the pre-levy notices and the waiting periods have passed, the taxpayer can appeal under the Collection Appeals Program (CAP) or request an equivalent hearing. The taxpayer cannot go to court if the taxpayer disagrees with Appeals' decision in a CAP or equivalent hearing. See IRM 5.1.9, Collection Appeal Rights, IRM 8.24.1.3, CAP Appeals, and IRM 8.22, Collection Due Process, for additional information on CAP and equivalent hearing.