

Table of Contents

| | |
|--|----------|
| Ethics | 1 |
| What is ethics? | 1 |
| Tax preparers and ethics | 1 |
| Circular 230..... | 3 |
| Circular 230 updates..... | 3 |
| Establishment of offices §10.1 | 4 |
| Individuals who may practice §10.3..... | 5 |
| Renewal status §10.6 | 9 |
| Return preparation §10.8 | 11 |
| Information to be furnished §10.20..... | 11 |
| Client omission §10.21..... | 12 |
| Diligence as to accuracy §10.22 | 13 |
| Restriction on assistance §10.24 | 13 |
| Notaries §10.26 | 14 |
| Fees §10.27..... | 14 |
| Return of client's records §10.28..... | 15 |
| Conflicting interests §10.29..... | 16 |
| Solicitation §10.30 | 17 |
| Negotiation of taxpayer checks §10.31 | 17 |
| Best practices for tax advisors §10.33 | 17 |
| Standards §10.34 | 18 |
| Sanctions for violations §10.50 | 20 |

| | |
|---|-----------|
| Tax Return Preparer..... | 28 |
| Definition..... | 28 |
| Exceptions | 29 |
| Return or claim for refund..... | 29 |
| Substantial portion of return | 30 |
| Not substantial— <i>de minimis</i> rule | 31 |
| Rules that apply to all preparers | 31 |
| Signature of preparer..... | 32 |
| Taxpayer copy..... | 33 |
| Preparer copy | 33 |
| Identifying number | 34 |
| Record of preparers | 35 |
| Tax return preparer penalties | 35 |
| Preparer's understatement of taxpayer's liability..... | 36 |
| Taxpayer's check from the IRS | 45 |
| Additional preparer penalties | 45 |
| Refund of preparer penalties | 46 |
| EIC, CTC, ACTC, ODC, AOTC and HOH..... | 47 |
| Due diligence requirements | 47 |
| Knowledge..... | 48 |
| EIC, CTC, AOTC, ODC and HOH due diligence compliance..... | 51 |
| Safeguarding taxpayer information..... | 55 |
| Wrongful disclosure or use | 56 |
| Knowing or reckless disclosure or use | 57 |
| Disclosure of tax return information | 57 |
| Use of tax return information | 60 |
| Obtaining consent..... | 62 |
| Sample consent forms..... | 63 |

| | |
|---|-----------|
| Appendix | 69 |
| Appendix A: NATP Code of Ethics and Standards of Professional Conduct | 70 |
| Appendix B: Rev. Proc. 2014-42 | 74 |
| Appendix C: Notice 2020-23 | 81 |
| Appendix D: Guidance to Practitioners Regarding Professional Obligations Under Treasury Circular No. 230 | 87 |
| Index..... | 92 |