



## **Legal Services of Greater Miami, Inc. Low Income Taxpayer Clinic**

---

### **WHAT**

The Low Income Taxpayer Clinic (LITC) provides free tax advice and legal representation to low income and English as a Second Language (ESL) taxpayers to resolve income tax controversies with the Internal Revenue Service.

---

### **WHY**

Low wage taxpayers are the most highly audited group in the United States, yet they generally do not have the knowledge to assist themselves with tax matters or the money to seek help from a legal or tax professional.

---

### **HOW**

The LITC provides a broad range of legal services including assistance with:

- a. Audits;
- b. Appeals;
- c. Petitions in Tax Court; and
- d. Collection matters.

The LITC also educates social service providers and taxpayers about a variety of tax issues including:

- a. IRS Audits;
  - b. Earned Income Tax Credit;
  - c. Innocent/Injured Spouse Tax Relief; and
  - d. Tax Consequences of Foreclosure and Cancellation of Debt Income.
- 

### **WHO**

LSGMI provides free civil legal services to the neediest individuals within our community. Our clients are primarily women, children, seniors, and the working poor. In many cases, we are the safety net preventing these individuals from becoming homeless or dependent on welfare. On a daily basis, our team of attorneys, who are organized into legal specialty units and projects, provides high quality representation to clients with problems relating to housing, health care, education, disability benefits, family issues, and employment.

Legal Services of Greater Miami, Inc.  
3000 Biscayne Boulevard, Suite 500  
Miami, FL 33137  
305-576-0080  
[www.lsgmi.org](http://www.lsgmi.org)

For further information, please contact attorney Mary Ann David: [mdavid@lsgmi.org](mailto:mdavid@lsgmi.org)

## **Low Income Taxpayer Clinic Typical Cases**

- “Pierre” came to LSGMI because he only received a portion of his 2008 tax refund. The remainder of the refund was intercepted and applied to tax year 2007. The Internal Revenue Service (IRS) advised Pierre that someone else filed another tax return for tax year 2007 using his identification. The perpetrator also filed a tax return on Pierre’s account for tax year 2006 resulting in a tax liability of almost \$65,000. The LITC assisted Pierre in filing a complaint with the Federal Trade Commission, reporting the crime to the local police and filing an Identity Theft Affidavit with the IRS. Notwithstanding these efforts and repeated follow-up with the IRS, the IRS continued to send notices to Pierre threatening to levy on his assets. The LITC then requested assistance from, and worked with, the local Taxpayer Advocate Service (TAS). As a result of our efforts, the IRS released the balance of Pierre’s 2008 refund, plus interest. Shortly thereafter, the IRS reversed the additional taxes, penalties and interest assessed against Pierre’s 2006 and 2007 tax accounts. Pierre is now in good standing with the IRS and can safely file his 2009 tax return without fear that the IRS will once again intercept his tax refund.
  
- “Maria”, a single mother, had a joint tax debt to the IRS totaling approximately \$10,000. The tax debt arose from Maria’s then husband’s failure to report on the couple’s joint tax return the approximately \$45,000 in settlement proceeds he received in 2004. At the time that Maria’s husband received the settlement proceeds, Maria had just given birth to her first child, was living in squalid conditions and was the victim of escalating domestic abuse by her husband. Although Maria’s husband kept the entire settlement proceeds and she never received any benefit from them, Maria was assessed the full amount of the taxes due on the proceeds. When Maria requested Innocent Spouse Relief for the tax from the IRS on her own and was denied, she came to LSGMI for help. The LITC prepared a second Request for Innocent Spouse Relief with supporting documentation on Maria’s behalf, which was granted. As a result of the LITC’s advocacy, Maria’s tax debt which had first been assessed at greater than \$10,000 was decreased to \$0.