

Tax Law

AREA OF LAW AT A GLANCE

Tax attorneys engage in tax planning, which is the structuring of business transactions and personal affairs (e.g., estate planning) so as to legally minimize international, federal, state and local taxes. In addition, a minority of tax attorneys represent taxpayers in disputes (like audits) and matters that have escalated to litigation (both criminal and civil) with the IRS or comparable state tax authorities. Lastly, tax compliance work is generally left to accountants; they draft and file on behalf of their clients the various tax returns and other forms required by law.

CURRENT HOT TOPICS AND EMERGING ISSUES IN TAX LAW

The hot new issue for the tax market is Financial Interpretation No. 48 (FIN 48), issued by the FASB, which sets out guidelines on how tax positions that are subject to challenge should be recognized for financial accounting purposes and in an entity's financial statements. Also known as "Accounting for Uncertainty in Income Taxes—an interpretation of FASB Statement No. 109," FIN 48 dramatically increases the compliance burden on U.S. enterprises and, as such, has been hailed as the most significant change in compliance since Sarbanes-Oxley. The stakes are high if you represent public companies, private companies, pass-thrus, not for profits, RICs or REITs that issue financial statements in accordance with GAAP. They must comply with FIN 48.

In response to this development, LexisNexis has released *An Analysis of FIN 48—Accounting for Uncertain Income Tax Positions* authored by Danielle E. Rolfes, special partner at Ivins, Phillips & Barker and one of the few FIN 48 experts. The analysis takes a practical approach, utilizing real-world examples that show how the new rules apply to uncertain tax positions that enterprises have taken on returns. Discussion of how FIN 48 affects future IRS audits and to what extent the IRS is likely to use FIN 48 disclosures and/or FIN 48 workpapers as a roadmap to audit issues is also discussed.

To review this analysis on *Tax Center*:

1. Sign on to *lexis.com*®.
2. Click the **Taxation** link under **Area of Law – By Topic**.
3. Click on **LexisNexis Tax Center**.
4. Click the **Business Entity** Tab.
5. Click **An Analysis of FIN 48—Accounting for Uncertain Tax Positions**.
6. Click one of the + signs next to a heading and then click the link to display the desired section.

Using LexisNexis® for Tax Research

LexisNexis *Tax Center* streamlines analysis of different tax strategies with a single search across the broadest array of leading tax publishers available on a single platform. *Tax Center* provides practical perspectives from experts in the field, exclusive coverage of key tax conferences, and the ability to quickly and accurately validate case law and IRS positions with the leading citations service, *Shepard's*®, a LexisNexis exclusive. *Tax Center* ensures that accurate tax advice is provided as efficiently as possible.

Only *Tax Center*:

- Combines content from leading tax publishers including cases, codes, regulations and analytical materials, all accessible through a single search.
- Provides links back and forth across critical primary and analytical sources. Analytical content exclusive to LexisNexis includes: CCH®, Tax Analysts® and Matthew Bender®.
- Provides insight and analysis on key tax topics and issues written by leading tax practitioners. The new Practice Insights, exclusive to *Tax Center*, give access to state and local tax expertise from tax professionals currently practicing at leading firms, including Winston Strawn; Baker & McKenzie; McDermott, Will & Emery; Deloitte; and Grant Thornton, among others. Practice Insights provide tips, warnings and other practical information about complex tax issues.

- Includes LexisNexis® Company Dossier and Industry Dossier. With data from more than 35 million companies that offer a wealth of company, financial, news and business sources, Company Dossier gives a complete view of a company's business—essential for marketing new services and targeting new clients. Industry Dossier covers more than 1,000 industries.
- Offers *Shepard's* Citations Service to ensure that the most current law and IRS releases are included in legal research. Now *Shepard's* Signal™ indicators provide enhanced treatment of IRS administrative rulings and releases to easily determine whether Revenue Rulings, Revenue Procedures, Private Letter Rulings and Technical Advice Memorandums are still valid. This quick and easy visual overview targets the most critical information and streamlines research.

We make it easy for you to add a Customized tab to your *lexis.com* subscription that will let you go directly to the Taxation page where you'll find *Tax Center*, as well as other tax sources.

1. Sign on to *lexis.com*.
2. On the Legal page click **Area of Law – By Topic** and click **Taxation**.
3. Click **Add “Taxation”** as a Tab. (You'll find this link right under your default tabs.)