

The Newsletter



FAUCHER LAW

TAX & BANKRUPTCY

Calling in the “Boss” When All Else Fails:

Using a Congressman to Help with An IRS Problem

It’s election season, so Congress is on my mind. Occasionally, I have called on my client’s Representative to get what I need from the IRS. And every time, the IRS has responded to the congressman immediately, whereas I was often ignored for months. Why and when does this work?

Constituent Aid Helps with Reelection. Most Senators and Representatives (and their staff) are delighted to help constituents with low-visibility, administrative problems the congressman can quickly impact, such as getting a Social Security payment unstuck. Legislators believe helping constituents helps with reelection – a constant concern for all but retiring members of Congress. And Congressmembers pursue reelection above all else: even if they sought elected office to solve big policy problems or for the (arguable) power or prestige of the office, legislators must remain in office to fulfill their broader goals. Moreover, legislating on big, national problems often results in political blame (not credit) because a significant number of voters will dislike any solution (consider immigration reform and why Congress hasn’t done this for decades). Thus, calling a legislator with an easy problem that’s likely to result in a grateful constituent always gets a congressman’s attention. And the IRS responds to legislators because they are the IRS’s boss, responsible (via congressional oversight committees) for IRS budgets and mandates.

Passport Holds/Installment Agreements.

Here’s the context in which I’ve used this strategy most often. One tool the IRS has to compel a taxpayer to pay their tax debt is ordering the State Department to put a hold on the taxpayer’s passport, thus eliminating the taxpayer’s ability to travel abroad. Full payment or entering an Installment Agreement tax payment plan gets



John and I are in our In-Boxes, waiting to get started on your matter.
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holds lifted. Some clients are already scheduled to travel when they learn of their passport hold. The IRS rarely moves quickly, but short time frames are especially tricky when the State Department is also involved. Even when I’ve immediately negotiated an Installment

Agreement, the State Department can fail to timely process the passport hold release. This is when asking the client’s legislator to contact State (or the IRS) can really pay off. A call from a Senator or House member (or their staff) almost always lights a fire under the State Department to process the release on the passport hold. It’s always worth trying. Hey, we elected ‘em, they work for us, so put ‘em to work!

Tax Refunds. Some clients wait years for their tax refund. Seriously. This happens most with refunds triggered by filing an amended return. Why is refund “constipation” associated with amended returns in particular? First, and most obviously, the IRS moves faster in its collection efforts than its refund duties, so refunds of any kind can languish. Second, the IRS focuses its limited manpower primarily on the current tax year, putting fewer resources into issues arising from older tax years. Thus, getting a “older” refund disgorged from the IRS can take months and even years: it’s simply not its priority. But many clients need that money. That’s when I tell them have their member of Congress get on the horn to the IRS and demand, “S’up?? How many more years do you need to repay a hard-working taxpayer the money they’re legally owed??” Works every time!

INSIDE STORIES

- Sebastian’s Origin Story
- Roast Chicken with Olives & Prunes Recipe

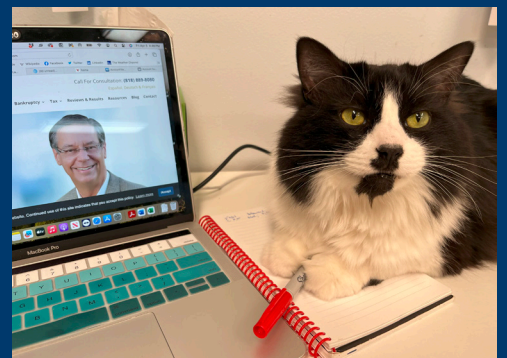
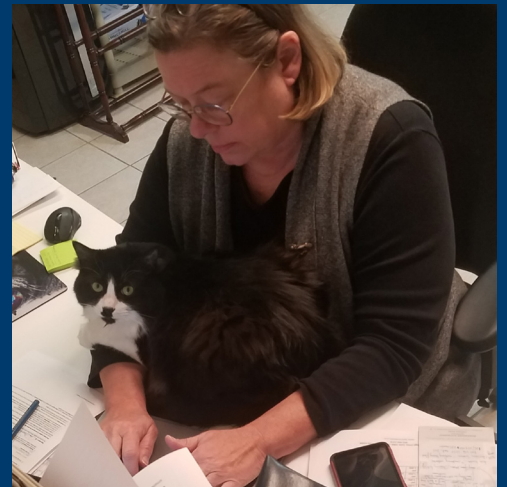
From Foster Cat to Feline Paralegal: Sebastian's Origin Story

Like all my Newsletters, this one is covered in cat: to the right is another Sebastian the Feline Paralegal comic. Sebastian also prowls FaucherLaw.com and my publications. He sends an annual summer vacation postcard to past clients and referral partners. How did a boring tax and bankruptcy lawyer come to have a quirky legal mascot?

Karen and I (and our daughters Sophie and Rose) have fostered for the Agoura Animal Shelter for 20 years. Sebastian came into the shelter a 1-year-old sick stray in late 2018 and we took him in for a few months (illness spreads quickly in animal shelters, so young and sick animals are sent to the homes of foster volunteers until they are ready to be adopted).

Sebastian was friendly and curious, though not well-socialized. Karen and I taught him not to play-bite or play-scratch people, and he was soon ready to be adopted. But Sebastian wanted no part of the animal shelter. A few days after dropping Sebastian off, the shelter called. Sebastian had been wildly hissing and clawing since Karen dropped him off. No one there could get near him; he was feral and unadoptable. Karen bristled (I would say she got a bit feral). Sure, Sebastian was "spicy," but we've fostered truly feral cats, and Sebastian is not feral. When Karen went to the shelter to fetch him, the shelter personnel were amazed that Sebastian let Karen pick him up. Without oven mitts. Once home, Sebastian walked in like he owned the place. Wait! Were we duped? By a cat? We were told he'd be put down, so Sebastian obviously adopted us before we knew we were adopting him.

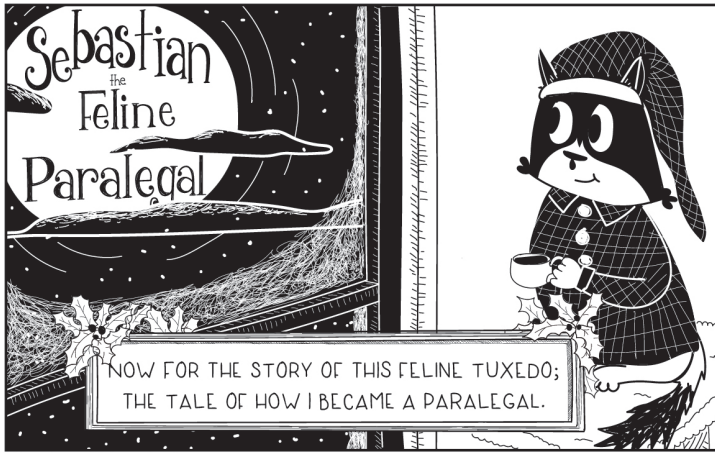
Once back where he belonged, Sebastian began showing up regularly in Faucher Law's home office, from which I work most days. He loved inspecting the scanners and printers. Then sitting in Karen's lap and batting at her computer screen. Then taking Zoom calls with me. He's a bright cat, so he started giving me and my clients advice. He's particularly good at giving the "tough love" clients may be reluctant to hear. In 2020, I finally hired him. When Karen pitched using Sebastian as a firm mascot, I hesitated: this could make me look unprofessional. Karen said it would make me less intimidating. And make the often-boring details of tax and bankruptcy law a bit easier to read about. Now Sebastian has an Instagram account, whereas my only social media is Linked-In and Facebook. Check out Sebastian's mews-ings on office life on Instagram at [sebastian.the.feline.paralegal](#). Who says tax & bankruptcy law are dull?



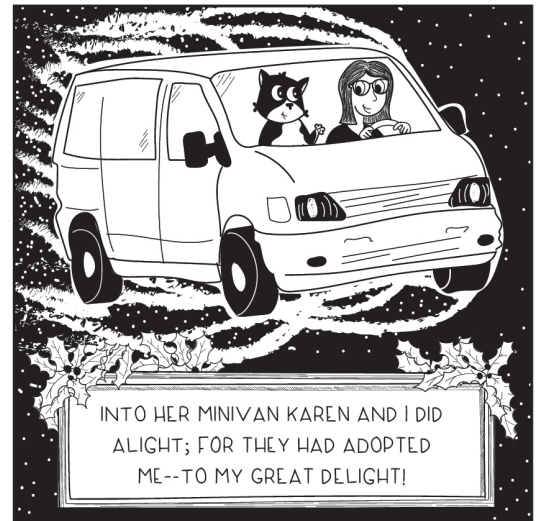
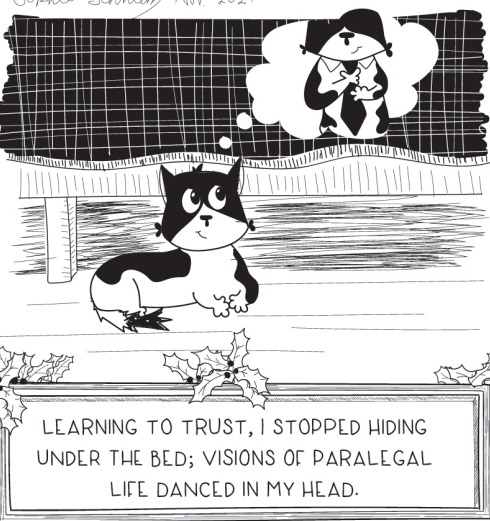
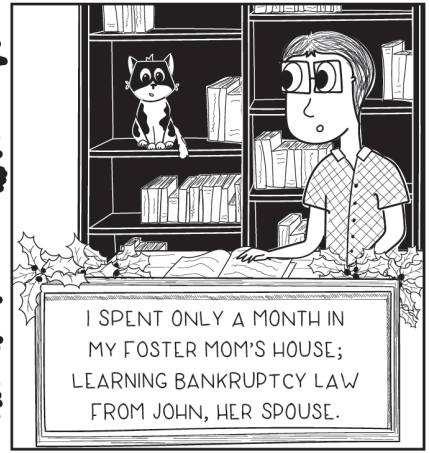
WORTH A THOUGHT

"Our new Constitution is now established, everything seems to promise it will be durable; but, in this world, nothing is certain except death and taxes."

- Benjamin Franklin, 1790, shortly before his death.



Sophie Schwartz Nov. 2024



Roasted Chicken with Olives and Prunes

This is a family favorite that our daughters request whenever they're home. It's easy to prepare ahead of time and pop into the oven an hour before you're ready to eat. We usually serve it with white rice to really absorb all the delicious juices that come off the chicken.

5 - 7 lbs of chicken breasts & thighs (with skin), or 1 whole chicken cut into 8-10 pieces	½ head of garlic, peeled and finely pureed	2 tbsp. dried oregano, coarse salt, and freshly ground black pepper
¼ cup red-wine vinegar	¼ cup olive oil	½ cup of pitted prunes
¼ cup pitted Spanish green olives	¼ cup capers with a bit of juice	3 bay leaves
½ cup white wine	½ cup brown sugar	2 tbsp. Italian parsley or fresh coriander, finely chopped

Instructions:

- Combine chicken, garlic, oregano, salt, pepper, vinegar, olive oil, prunes, olives, capers and bay leaves in a large bowl. Cover bowl and marinate in refrigerator overnight.
- Preheat oven to 350 degrees.
- Place chicken in large, shallow baking pan, and spoon marinade over it evenly.
- Pour white wine over the chicken, and sprinkle with brown sugar.
- Bake for 50-60 minutes, basting frequently with pan juices.
- Transfer chicken, prunes, olives and capers to serving platter with a slotted spoon. Moisten with pan juices, and sprinkle with parsley.

Serves 6-8

WELCOME TO FAUCHER LAW

John D. Faucher worked for 10 years as an IRS trial attorney and has been in private practice since 2008. He and his team speak the legal language. They know the **tax and bankruptcy systems** and can help you get the best result. Have other legal issues? Call us. We'll find the lawyer who's right for you, your friends, or family.

(818) 889-8080
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Using Government to Fight Government **When Can Your Congressman Help with the IRS?**



Occasionally, the best – or even the only -- way to “unstick” the IRS is to ask your Senator or Representative to intercede on your behalf. That’s right: Sebastian and I sometimes need to ask for congressional help (no toxic masculinity here!). In this issue of *The Newsletter*, I describe when and why I get a client’s congressman involved in a tax issue. Also in this issue is Sebastian the Feline Paralegal’s Origin Story (how did a boring Tax & Bankruptcy attorney come to use his real, totally cool cat as a firm mascot?) and a roasted chicken recipe perfect for cooler autumn nights.