

Code of Ethics and Rules of Professional Conduct for IRS Enrolled Agents

Code of Ethics

1. Employees will, in personal and public life, strive to enhance the status of *Enrolled Agents (EAs)* and promote their qualifications to serve the public.
2. Employees will demonstrate honesty, integrity and objectivity in all of their professional actions and relationships.
3. Employees will continually strive to improve upon their competence to practice by keeping informed and educated about tax practice and representation.
4. Employees will maintain the confidentiality of professional relationships.
5. Employees will support all efforts to advance the reputation of prestige of the *EA* license.
6. Employees will so conduct themselves and their practices that they remain in compliance with the most current provisions of Treasury Department Circular 230 and the FSP and Associates, LLC Rules of Professional Conduct.

Rules of Professional Conduct

1. Employees will adhere to all laws and regulations that provide equal opportunity to all clients and employees regardless of race, color, religion, gender, national origin, age, handicap, sexual orientation and/or any other legally protected class.
2. Employees will maintain a confidential relationship between themselves and their clients, or former clients, disclosing confidential information only when authorized or legally obligated to do so. Employees are instructed that information acquired in their duties is confidential and will ensure that confidentiality is maintained.
3. Employees will promptly submit requested information to the IRS unless the employee believes, in good faith and on reasonable grounds, that the information is privileged. Similarly, Employees must not interfere with lawful efforts by the IRS to obtain any record of information unless the employee believes in good faith and on reasonable grounds that the information is privileged.

4. Employees will not represent conflicting interests without express written consent of all parties after full disclosure.

5. Employees will not allow their related business interests to affect representation of a client. If the propriety of an employee's own conduct in a transaction is in question, it may be difficult or impossible for the employee to offer detached advice. Employees will advise all appropriate parties of potential conflicts. Employees must immediately disclose their interests when referring a client to another firm or enterprise for services. Employees will refuse any gift, favor or hospitality that would influence their actions.

6. Employees will take a position on a tax return favorable to their clients only if there is a realistic possibility that the position will be sustained on its merits, unless the position is disclosed on the return. Employees have the absolute duty to explain in writing the effects of various alternatives to their clients who must make the final decision as to the position to be taken when the applicable law is unsettled or the application of law to the facts in a given situation is uncertain.

7. Employees will not knowingly directly or indirectly: employ; form an association or partnership with; are employed by; accept assistance of; or share fees with; a person, associate, correspondent or subagent who has been disbarred or suspended.

8. It will not be inappropriate to purchase a tax practice of another individual or to make retirement payments to persons formerly engaged in a tax practice, or to make payments to their heirs or estates.

9. Employees will not solicit clients by advertising or other forms of solicitation in a manner that presents a false, misleading, or deceptive appearance. Members will not solicit clients in a manner prohibited by the most current provisions of IRS Circular 230.

10. Employees will undertake only those tax matters which the employee or the employee's firm, can reasonably expect to complete with professional competence. Employees will exercise due professional care in the completion of any engagement. Employees will obtain sufficient relevant data to afford a reasonable basis for conclusions or recommendations in relation to the task.

11. Employees will be considerate and courteous in dealing with representatives of governmental agencies. In practice, the employees are under a duty to provide all information required by a statute or regulations, and formally requested by the authorized governmental agency. The defense of the client must be exercised within the bounds of the law and without resorting to deception.

12. Employees will not suggest, state, promise, or give the impression that they are able to obtain special consideration from governmental agencies or their representatives, including making reference to previous IRS employment.

13. Employees will advise a client, preferably in writing, if they suspect the client may not have complied with the revenue laws or (may) have made an error in, or omission from, a return, document, affidavit, or paper which the client is required by law to execute concerning the matter, and also advise the client of the consequences of the noncompliance, error or omission.

14. Employees will not knowingly misrepresent or omit material facts in preparation of tax returns. Should a client insist, the employee will withdraw the engagement and refuse to prepare the return.

15. Employees will not represent a client, or where representation has commenced, will withdraw from representation of the client if:

- a. the representation will result in violation of the rules of professional conduct or the law,*
- b. the employee's physical or mental condition materially impairs his/her ability to represent the client,*
- c. the client persists in a course of action involving the employee's services that the employee believes is criminal or fraudulent,*
- d. the client has used the employee's services to perpetrate a crime or fraud, or*
- e. the Employee is discharged.*

16. Employees may withdraw from representing a client if;

- a. the client insists on pursuing an objective that the employee considers imprudent,*
- b. the client fails substantially to fulfill an obligation to the employee regarding the employee's services and has been given reasonable warning that the employee will withdraw unless the obligation is fulfilled,*
- c. the representation will result in an unreasonable financial burden on the employee or has been rendered unreasonably difficult by the client, or*
- d. other good cause for withdrawal exists.*

16. Upon termination of representation, an employee will make reasonable steps to protect the client's interests, providing reasonable notice, allowing time for employment of another practitioner, surrendering papers and property to which the client is entitled, and refunding advance fees that have not been earned. The employee must retain papers relating to the client to the extent required by law.

17. Employees will furnish to clients or former clients, upon request and reasonable notice, any accounting or other records obtained from the client.

18. Tax preparation services will not be offered or rendered under any arrangement except as authorized by the most current provisions of IRS Circular 230.