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Issue Number: TT-2017-62

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Taxpayers Who are Victims of Domestic Abuse Should Know Their Rights

[Domestic abuse](#) often includes control over finances. An important part of managing finances is understanding one's tax rights. Taxpayers have the right to expect the IRS to consider facts and circumstances that might affect the individual's taxes.

Taxpayers have the right to:

- File a separate return even if they're married.
- Review the entire tax return before signing a joint return.
- Review supporting documents for a joint return.
- Refuse to sign a joint return.
- Request more time to file their tax return.
- Get copies of prior year tax returns from the IRS.
- Seek independent legal advice.

Taxpayers also have the right to request relief from the liability shown on a joint return. This is known as innocent spouse relief. Here are a couple of examples:

Example 1:

- A taxpayer signs a joint return with their spouse.
- The taxpayer thought their spouse paid all taxes due.
- The IRS contacts the taxpayer because the taxes shown on the joint return were not paid.

Example 2:

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- The taxpayer signs a joint return with their spouse.
- The taxpayer didn't know about their spouse's unreported income or erroneous deductions.
- The IRS adjusted the taxes due because of their spouse's improper items.

To apply for Innocent Spouse Relief, a taxpayer fills out [Form 8857](#), Request for Innocent Spouse Relief. More Information:

- [Publication 504](#), Divorced or Separated Individuals
- [Taxpayer Bill of Rights](#)
- [IRS Publication 971](#), Innocent Spouse Relief

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<https://go.usa.gov/xnCmk>

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