

Tax Litigation & Controversy

Overview

Carlton Fields' tax practice has handled virtually every type of state and federal tax controversy before state and federal administrative agencies and courts. Our matters include numerous reported cases in state trial and appellate courts, federal district and appellate courts, the U.S. Court of Federal Claims, and the U.S. Tax Court. We help our clients avoid tax litigation but are prepared to successfully represent them when forced to try a tax case.

Our tax controversy team, which includes commercial litigators, handles cases for corporate, individual, trust, and partnership taxpayers. These cases involve issues arising across all industries and financial or investment activities. Our tax controversy representation has involved issues related to tax accounting, inventory, R&D, valuation, reasonable compensation, deductibility of captive insurance premiums, and debt versus equity determinations, among others.

In the international context, we have handled cases that involve issues related to residency, transfer pricing, foreign tax credit, treaty interpretation, and various issues arising under U.S. anti-deferral regimes. We have also represented numerous taxpayers with respect to U.S. tax and information reporting compliance issues associated with foreign bank accounts. These include defense of foreign bank account report penalties imposed under the Bank Secrecy Act.

We have represented clients and argued cases in numerous major state tax matters related to issues including documentary stamp taxes on conveyances and financing of real property, sales and use tax, rentals, intangible personal property taxes, and corporate income tax. We have argued cases at the administrative hearing level through the highest state courts. We act as state tax counsel to numerous national investment companies and funds, and have issued state tax opinions for such clients.

Our tax team includes attorneys who hold post-law degrees (LL.Ms) in taxation, specialists board certified in tax law by state bar organizations, and certified public accountants. Members of our tax practice have taught at law schools and in the accounting programs of various colleges and universities. We are frequent speakers at prominent state and national tax programs and seminars that provide continuing education and training to tax lawyers around the country.

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Related Capabilities

RELATED INDUSTRIES

- Banking, Commercial, and Consumer Finance
- Real Estate
- Securities & Investment Companies

RELATED PRACTICES

- Business Transactions
- Captive Insurance
- Corporate Law and Governance
- International Tax
- Tax