



# Amended and Prior Year Returns

Form <b>13614-C</b> (October 2024)	Department of the Treasury <b>Intake/Interview</b>
<p><b>Note:</b> Do not complete this form if you (or your spouse) are not a U.S. citizen.</p> <p><b>You will need:</b></p> <ul style="list-style-type: none"> <li>• Tax Information such as Forms W-2, 1099, 1098, 1095.</li> <li>• Social Security cards or ITIN letters for all persons on your tax return</li> <li>• Picture ID (such as a driver's license)</li> </ul>	
<p><b>Volunteers are encouraged.</b></p> <p>Your first name</p>	<p>Form <b>1040-X</b> Department of the Treasury <b>Amended U.S. Individual Income Tax Return</b></p> <p>(Rev. February 2024) Go to <a href="http://www.irs.gov/Form1040X">www.irs.gov/Form1040X</a> for instructions.</p>
Spouse's first name	<p><b>This return is for calendar year</b> (enter year) <b>or fiscal year</b></p> <p>Your first name and middle initial Last name</p>
Mailing address	<p>If joint return, spouse's first name and middle initial Last name</p>
Telephone number	Home address (number and street). If you have a P.O. box, see instructions.
Check if you or your spouse are:	City, town, or post office. If you have a foreign address, also complete spaces below.
A U.S. citizen	Foreign country name Foreign province/state/country
In the U.S. on a full-time student	<p><b>Amended return filing status.</b> You must check one box even if you change your filing status from married filing jointly to married filing separately.</p> <p><input type="checkbox"/> Single <input type="checkbox"/> Married filing jointly <input type="checkbox"/> Married filing separately (MFS) [If you checked the MFS box, enter the name of your spouse unless you are filing as a surviving spouse.]</p>
If due a refund, check the box for:	
<input type="checkbox"/> Direct deposit	



# About Amended and Prior Year Returns

- Additional resources listed in L&LT “References” tab
- Review all tips and cautions in the lesson
- Read all examples and sample interviews
- We will review answers to each exercise



# Objectives – Amended and Prior Year Returns

This lesson helps tax preparers understand how to:

- Identify when it is appropriate to prepare an amended return, Form 1040-X
- Determine the time limits for filing Form 1040-X
- Identify how to assemble and submit Form 1040-X
- Provide guidance when preparing prior year returns
- Identify when it is appropriate to file a prior year return
- Time Required: 15 minutes

# Topics



- When to amend a return
- Form 1040-X
- Time limits on refunds
- Refunds and balance due
- Completing amended returns
- Prior year tax returns



# Key Terms

Definitions are always available in the L&LT online Glossary.

- Form 1040-X
- Injured Spouse Relief

# When to Amend a Return

- What are some reasons a taxpayer would need to amend their return?
  - Received another Form W-2, a corrected Form W-2, or another income statement that was not reported on the original return
  - Received an additional Form 1099 (such as unemployment compensation) or a corrected Form 1099
  - Claimed their own personal exemption on the return when someone else was entitled to claim it
  - Claimed deductions or credits they should not have claimed
  - Did not claim deductions or credits they could have claimed
  - Should have used a different filing status
- When is an amended return not required?
  - Math errors – the IRS will correct them
  - The IRS notifies the taxpayer to provide missing schedules/forms – the taxpayer should respond to the contact person on the notice

# When to Amend a Return

“Injured Spouse” on a joint return is not obligated for past due amounts owed by their spouse, such as child support, education loan, or prior year taxes.

- File [Form 8379](#) by itself, if it was not filed with their original return
- File Form 8379 **with** [Form 1040-X](#) to claim additional refund not associated with the original injured spouse claim, to avoid having the injured spouse’s overpayment (refund) applied to the offset against the spouse

<b>Form 8379</b> (Rev. November 2023) Department of the Treasury Internal Revenue Service	<b>Injured Spouse Allocation</b>  Go to <a href="http://www.irs.gov/Form8379">www.irs.gov/Form8379</a> for instructions and the latest information.	OMB No. 1545-0074  Attachment Sequence No. <b>104</b>
----------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------

**Part I** **Should You File This Form?** You must complete this part.

**1** Enter the tax year for which you are filing this form  . Answer the following questions for that year.

**2** Did you (or will you) file a joint return?  
 **Yes.** Go to line 3.  
 **No. Stop here.** Do not file this form. You are not an injured spouse.

**3** Did (or will) the IRS use the joint overpayment to pay any of the following legally enforceable past-due debt(s) owed only by your spouse? See instructions.  
• Federal tax • State income tax • State unemployment compensation • Child support  
• Spousal support • Federal nontax debt (such as a student loan)  
 **Yes.** Go to line 4.  
 **No. Stop here.** Do not file this form. You are not an injured spouse.

Note: If the past-due amount is for a federal tax liability owed by both you and your spouse, you may qualify for innocent

# Form 1040-X

- Specify the year for which it is being submitted
- Three columns:
  - Column A – the *original* or *IRS-adjusted figures* from the original return or previous amendment
  - Column C – the correct entries
  - Column B – net change between columns A and C

If you checked the MFS box, enter the name of your spouse unless you are amending a Form 1040-NR. If you checked the HOH or QSS box, enter the child's name if the qualifying person is a child but not your dependent:

Enter on lines 1 through 23, columns A through C, the amounts for the return year entered above.

Use Part II on page 2 to explain any changes.

		A. Original amount reported or as previously adjusted (see instructions)	B. Net change— amount of increase or (decrease)— explain in Part II	C. Correct amount
<b>Income and Deductions</b>				
<b>1</b>	Adjusted gross income. If a net operating loss (NOL) carryback is included, check here <input type="checkbox"/>	<b>1</b>		
<b>2</b>	Itemized deductions or standard deduction	<b>2</b>		
<b>3</b>	Subtract line 2 from line 1	<b>3</b>		
<b>4a</b>	Reserved for future use	<b>4a</b>		
<b>b</b>	Qualified business income deduction	<b>4b</b>		
<b>5</b>	Taxable income. Subtract line 4b from line 3. If the result for column C is zero or less, enter -0- in column C	<b>5</b>		
<b>Tax Liability</b>				
<b>6</b>	Tax. Enter method(s) used to figure tax (see instructions):			



# Form 1040-X

- Part I, Exemptions and Dependents
  - Use only if the taxpayer is changing the number of exemptions being claimed on line 6d
- Part II, Presidential Election Campaign Fund
  - Make a \$3 donation for taxpayer (or spouse) if they did not originally do so
- Part III, Explanation of Changes
  - Should be concise and easy to understand
  - Examples:
    - “Taxpayer received another W-2 after they filed original return”
    - “Taxpayer meets the qualifications to file as Head of Household instead of Married Filing Separately”

# Time Limits on Refunds

- If a refund is expected, taxpayers must file the amended return within three years from the due date of the original return
- There are exceptions to the three-year limit, explained in [Pub 17](#) and [Form 1040-X Instructions](#), but they are out of scope. Refer taxpayers with these situations to a professional tax preparer:
  - “Financially disabled” (taxpayers rarely qualify for this status)
  - Claiming a loss on a bad debt or worthless security
  - Claiming a foreign tax credit or deduction

# Refunds and Balance Due

- If the amended return results in a refund due:
  - The taxpayer must wait until the original return is processed.
  - The taxpayer can cash the original refund check, if any, while waiting for the additional refund.
  - Interest will be paid for a refund on an amended return; this interest will be taxable in the year it is received.
  - Normal processing time is 12 to 16 weeks.
  - Check the status of 1040-X using [Where's My Amended Return](#).
- If the amended return results in a balance due:
  - Instruct the taxpayer to file by the April due date and pay the amount due in full (or as much as possible) to minimize interest and penalties.
  - See [Form 1040-X Instructions](#) for more information on payment options.

# Completing Amended Returns

- The scope of preparing amended returns in the VITA/TCE programs has changed
- Follow the interview process and use the research tools to prepare an accurate amended return
- Volunteers can amend returns regardless of where the original return was prepared, using TaxSlayer
- The option to electronically file an amended return is available for:
  - Forms 1040 and 1040-SR for tax years 2019 and later
  - Forms 1040-NR, 1040-SS, and 1040-PR for tax years 2021 and later
  - All other amended returns must be mailed to the IRS.
- [Pub 4012](#), Tab M, Other Returns provides step-by-step guidance

# Prior Year Tax Returns

- VITA/TCE sites are not required to prepare prior year returns, but are encouraged to provide assistance for the previous three years.
  - For returns older than three years without the required materials, or if the site is unable to assist, taxpayer must seek help from a paid preparer
- Volunteer requirements:
  - Prior year returns may only be prepared by volunteers when the tax issues fall within the scope of their current level of training and certification
- Resources:
  - Prior year tax preparation software
  - A current year Form 13614-C must be completed for each prior year to help determine the scope and certification level of each return
  - Reference materials – Pubs 17 and 4012, volunteer quality alerts/volunteer tax alerts



## Out of Scope for this Lesson:

- Taxpayers who may qualify for an exception to the three-year time limit for filing an amended return

# Summary

- Amended returns should be filed to correct any error or omission that is within scope.
- Additional notes:
  - The option to electronically file an amended return is available for Forms 1040 and 1040-SR for tax years 2019 and later and Forms 1040-NR, 1040-SS, and 1040-PR for tax years 2021 and later.
  - A refund on an amended or prior year return cannot be direct deposited; a check will be mailed to the taxpayer.
  - When amending the federal return, it is usually necessary to amend the state return.
  - Prior year returns may be prepared only if the tax issues come within the volunteer's current level of training and certification.
  - If a taxpayer requests return preparation assistance for returns older than three years or if the site is unable to prepare prior year returns, refer the taxpayer to a paid preparer to complete the prior year returns.