

Tax Evasion Defense Attorney in Utah

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The IRS has increased its frequency of prosecuting people suspected of criminal tax offenses. Penalties can include years in prison. So, if you've had issues with your tax reporting, or if you are being investigated by the IRS, or have received a subpoena, you should contact a [Utah tax evasion defense attorney](#), to help you protect your rights.

Tax evasion charges can sometimes start out as just a small error, but then soon escalate into a serious situation. Many people that the IRS charges with income tax evasion don't even know they have done anything illegal. But the IRS does not accept that as an excuse for violations. Below is some information to help you get your bearings and decide your course of action to defend your rights if you find yourself under investigation for federal tax evasion.

What is Considered Tax Evasion?

Tax Evasion, under federal tax crime law, [26 U.S.C. § 7201], is an act by a person or business of "willfully" (intentionally) avoiding meeting a tax payment obligation. If a person did not pay because he/she believed they did not owe, the individual did not commit tax evasion, even if that belief was not reasonable. Some forms of tax evasion include. Tax evasion charges can result from any one of many kinds of actions by a taxpayer, such as:

- Underreporting income
- Overstating deductions
- Aiding in preparing false documents [26 U.S.C. § 7206(2)]
- Transferring assets to avoid tax on them

- Altering accounting books to disguise income
- Making false statements on tax returns [[26 U.S.C. § 7206\(1\)/a>](#)]
- Putting funds in offshore accounts
- Hiding money or other assets
- Conspiracy to commit tax fraud [[18 U.S.C. § 371](#)]
- Various other types of actions resulting in underpayment of taxes

Are you being investigated for a federal tax crime in Salt Lake City, UT? Contact Wasatch Defense Lawyers to schedule a free, confidential review of your case with an experienced Utah tax evasion lawyer.

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Federal Tax Fraud Penalties

Tax fraud crimes are serious, and both individuals and businesses may be found guilty of these offenses. [Penalties for federal tax crimes](#) can include large fines, federal prison terms, large fines, and repayment of the government's legal costs. Defendants are typically charged with one or more of these tax crimes:

- *Tax Evasion* — Up to five years in prison, an individual fine up to \$100,000, a business fine up to \$500,000, and repayment of prosecution's costs.
- *Making False Statements in Tax Filings* — Up to three years in prison, an individual fine up to \$100,000, a business fine up to \$500,000, and repayment prosecution's costs.
- *Aiding in Preparing False Documents* — Up to three years in prison, an individual fine up to \$100,000, a business fine up to \$500,000, and repayment of prosecution's costs.
- *Conspiracy to Commit Tax Fraud* — Up to five years in prison, added criminal fines and other penalties for tax crimes committed in addition to those listed above, as part of the conspiracy.

Prosecutors' Evidence for Proving Guilt in Tax Crime Cases

IRS prosecutors and other federal tax authorities can use a range of methods for establishing that an accused person is guilty of a tax crime, for some examples:

- *Net-Worth* — The government's prosecutors will try to show that the defendant failed to report all income.
- *Spending / Lifestyle* — The prosecutors will attempt to show that the individual has spent more than the amount of his or her gross income reported on the tax return in question.

- *Bank Deposits* — The federal prosecutors will try to prove that the defendant deposited more funds into his/her bank account(s) than the total income reported on the tax return.
- *Direct Evidence* — The IRS prosecutors will work to prove that the defendant's tax return contains improperly reported financial transactions.
- *Conspiracy Indicators* — IRS prosecutors often add conspiracy charges to other tax crime charges, asserting that the defendant agreed with one or more other people to commit a federal tax crime.

Defenses Against Charges of Tax Evasion

Being prosecuted for tax evasion is a naturally frightening circumstance. You may find yourself in this dreadful situation, although you truly believed you had reported all of your taxable income appropriately, or were confident that all your deductions were allowable. Honest mistakes happen.

Unfortunately, even unintended errors can still lead to serious penalties. So, it's crucial for you to succeed in showing that invalid information on returns was not willful, intentional false entries. Some defenses that experienced tax crimes defense lawyers use include:

- *Lack of Criminal Intent* — A skilled tax evasion defense attorney will clearly establish for IRS investigators that the accused did not intentionally defraud the federal government.
- *Insufficient Evidence* — In a federal tax crime case, if a prosecutor fails to support the accusation of any one component of the alleged crime, the *entire* charge is deemed to have failed.
- *Affirmative Defenses* — There may be applicable defenses against charges of tax crimes that can serve to remove a defendant's liability for the crime(s), even when the prosecutor has proven all other parts of the crime beyond a reasonable doubt.

Knowledge is Critical

In a tax crime trial, government lawyers must show that a defendant intentionally avoided fully paying taxes owed. The tax crime defense attorney must succeed in undermining the prosecution team's case, by articulating deficiencies in the evidence against the defendant.

Your Utah tax attorney must know how to hold federal prosecutors meticulously to the constitutional standard of accountability to prove — beyond a reasonable doubt — that the defendant had criminal intent in the actions that led to the charges.

The legal requirement of such a high level of proof presents a difficult burden for prosecutors. So, a well-experienced and skilled negotiator for the defense can often negotiate agreements to pay the unpaid taxes, sometimes with a fine imposed, allowing defendants to avoid prosecution.

Tax crimes are generally prosecuted through the federal court system by Assistant United States Attorneys. Your tax lawyer must be fully knowledgeable in *federal* criminal law and *federal* court procedures — not just in state-level law and state court rules.

How Can a Tax Evasion Defense Attorney Help?

An experienced, highly-skilled tax evasion attorney will ensure that your legal rights are fully protected, and will aggressively defend you against unfair charges of civil or criminal liability. Your criminal tax defense legal team can make sure that everything possible under the law is done to protect you and your family and your business against any actions the IRS may pursue.

Your lawyer will work to stop federal investigations from continuing, help you avoid grand jury subpoenas, and help stop the filing of federal criminal charges. If your case does go to the federal court, your tax lawyer will use the most well-informed legal insights, critical resource contacts, and advanced legal strategies to help ensure that you receive the best possible outcome.

Having a Utah tax lawyer who is highly experienced in federal tax crime cases, with an exceptional track record of success can be the most important resource you have for protecting your rights and helping you keep your freedom in a tax evasion case.

What Should I Do if the IRS Approaches Me?

If you are being investigated by the IRS for tax evasion or other tax crimes, and you are approached by a government agent or other authority, you should contact an experienced Utah criminal tax defense attorney as soon as possible.

Ignoring correspondence from the IRS invites the worst possible outcome for you, your family, and your business. Alternatively, communicating with IRS investigators directly, in attempt to resolve a federal investigation on your own seriously increases your risk. Statements you make to IRS Special Agents or other law enforcement authorities can be later used to help in prosecuting you or in civil suits that may be filed against you.

herefore, even if you are innocent, or think the mistake that led to the investigation is minor, you should obtain advice from an experienced Utah tax evasion defense attorney.

Wasatch Defense Lawyers, Salt Lake City, UT

We are criminal defense attorneys in Salt Lake City, Utah, with a strong track record of success in helping people accused of tax crimes get charges dropped or fines and other penalties eliminated or reduced to minimal amounts.

If you are being investigated for a federal tax crime, contact Wasatch Defense Lawyers in Salt Lake City, UT, to schedule a free, confidential review of your case with an experienced Utah tax evasion lawyer.

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