

## LEGAL NOTICE

*A federal court ordered this notice. It is not an advertisement.*

**You are receiving this notice because a federal court has ordered that the IRS may not deny CARES Act Economic Impact Payments to anyone solely because they are incarcerated. If you were incarcerated at any point in 2020, the IRS may not have sent you a payment, and you may need to take action by October 30, 2020 to receive a payment if you are eligible.**

In March 2020, Congress passed the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act,” “Act”). The Act provides emergency relief to eligible individuals in the form of a tax credit for 2020. The Act instructs the IRS to issue advance refunds of 2020 recovery rebate credits to eligible individuals as rapidly as possible, but no later than December 31, 2020.

The IRS has taken the position that people who are incarcerated are not eligible for advance refunds. On September 24, 2020, a federal court ruled that the IRS’s position was likely unlawful. The case is *Scholl v. Mnuchin*, No. 4:20-cv-5309-PJH (N.D. Cal.), *appeal docketed*, No. 20-16915 (9th Cir.). The court ordered the IRS to stop denying payments to people solely because they are incarcerated and ordered the IRS by October 24, 2020 to reconsider making advance refund payments to people who previously filed a 2018 or 2019 tax return or submitted their information through the non-filers portal but did not receive one because they were incarcerated. On October 7, 2020, the court further ordered the IRS to take other actions, including extending the deadline to register for an advance payment on paper from October 15, 2020, to October 30, 2020.

**Who is eligible for an Economic Impact Payment?** Under the Order and CARES Act (as interpreted by the Order), you are eligible if all of the following are true: (1) You are a U.S. Citizen or resident alien; (2) You were not claimed as a dependent on another person’s tax return; and, (3) You have a Social Security Number that is valid for employment in the United States. If you are married and file a joint return, you and your spouse must both have a valid Social Security Number. Only one spouse must have a Social Security Number if you or your spouse served in the Armed Forces in 2019.

**If I am eligible, how much will my payment be?** If you meet the criteria above, your payment will be up to \$1,200 (or \$2,400 if you filed jointly a joint return with your spouse), plus up to \$500 per qualifying child. Your payment will be reduced by 5% of income you received in 2018 or 2019 above: \$150,000 for joint filers, \$112,500 for a head of household, and \$75,000 in all other cases. To issue the advance payment, the IRS will look to information you submitted on a 2019 tax return, a 2018 tax return, certain Federal benefits information (if applicable), or information you submitted on the Non-Filers portal or on a simplified tax return to obtain an advance payment.

**What do I need to do to receive a payment?**

**If you filed a 2018 or 2019 tax return, received Social Security Benefits or Railroad Retirement Benefits in 2019, or previously registered with the IRS through the Non-Filers portal or otherwise to receive a payment,** you do not need to take any action and should receive an automatic payment in the mail or by direct deposit, absent legal developments otherwise (such as a potential reversal of the Order on appeal).

**If you did not file a 2018 or 2019 tax return and your income was below \$12,200 (or \$24,400 if filing a joint return),** but you are an eligible individual as defined above, you must take action quickly to receive an advance payment.

If you have access to the Internet, you can enter information about yourself to register for an advance payment at the following URL by November 21, 2020: <https://www.irs.gov/coronavirus/non-filers-enter-payment-info-here>.

If you do not have access to the Internet, you can register for an advance payment by mailing a Form 1040 to the IRS by October 30, 2020, using abbreviated procedures at the following URL: <https://www.irs.gov/newsroom/file-a-simplified-paper-tax-return>. Mail the Form 1040 submitted under the abbreviated procedures to the following address: **IRS, Austin, TX 73301-0003**.

If you do not meet these deadlines, the IRS may not be able to process your information and issue an advance refund by the end of the year.

If you do not meet these current deadlines, the IRS may not be able to process your claim and issue an advance refund before the end of the year. If you do not file a timely claim, you may not be able to receive a payment unless and until you file a tax return using the Form 1040, *U.S. Individual Income Tax Return* for the 2020 tax year. This form can be filed electronically or by mail when the tax filing season begins in 2021. The IRS has not yet determined whether a simpler process will be available in 2021 for people who are exempt from tax filing requirements. To potentially receive a payment before next year, you should file a claim before the deadlines above.

If you have any question about the payment, call the IRS EIP hotline at (800) 919-9835.