



Filing Status Options for Married Taxpayers

Did you live with your spouse for any part of the tax year? **YES.**

We can prepare the tax return as:

Married Filing Jointly This is the preferred option.

Head of Household If the taxpayer lived apart from their spouse for the last six months of year, has a qualifying dependent, and meets other tests for the tax year.

Married Filing Separately Only in cases of domestic abuse or spousal abandonment (i.e. the client does not know about, does not have, and cannot get the amount of their spouse's income). The taxpayer cannot be living with their spouse at the time of filing the tax return.

Did you live with your spouse for any part of the tax year? **NO.**

We can prepare the tax return as:

Married Filing Jointly This is an option if the spouses choose to file jointly.

Head of Household If the taxpayer also has a qualifying dependent and meets other tests for the tax year.

Married Filing Separately If the spouses did not live together at all in the tax year and also did not share income.

We can NOT prepare a tax return that does not meet the above criteria.

The only exceptions are:

Head of Household A taxpayer with a nonresident alien spouse is considered unmarried for Head of Household purposes - provided the taxpayer meets all Head of Household requirements. Any days they spent together in the year are disregarded.

Married Filing Separately Our program can prepare a Married Filing Separately return when the spouse is a nonresident alien (i.e. lives in another country and isn't a US citizen or Lawful Permanent Resident); or when the taxpayer did not live in a community property state (TX, AR, CA, ID, LA, NV, NM, WA, or WI).



How to Prepare a Married Filing Separately Tax Return

Refer to this guide before working on any Married Filing Separately return.

When Preparing or Quality Reviewing a MFS tax return:

We need to know the spouse's name and SSN/ITIN. If the taxpayer does not know the spouse's SSN/ITIN or the spouse does not have a taxpayer identification number, enter 111-00-1111 as a placeholder for the spouse's taxpayer identification number.

After QR and before the return is released to the client, the tax return will be edited (either by hand or in a PDF-editing software). A staff member will remove the placeholder number everywhere it appears on the printed return. (If the spouse is a nonresident alien without an SSN/ITIN, we can write "NRA.") This is because we only want either the spouse's real SSN/ITIN or no number to appear on the return. We don't want a number other than the spouse's actual SSN/ITIN to appear on the return.

Before completing the return, you will be required to fill out Form 8958. Open the form (under Federal Section > Miscellaneous Forms) and enter \$1 in a field where income was already entered for the spouse that is present. Note: this step will not need to be done if the tax return is for a non-community property state.

After QR and before the return is released to the client, a staff member will remove all entries from Form 8958 where \$1 is allocated to the taxpayer's spouse and anywhere the total amount is not correct and will enter in the correct amount. We will confirm the totals and ensure column A (total amount) matches column B (amount allocated to taxpayer) and that both match the amount from the taxpayer's income document. We also will confirm that column C (amount allocated to spouse) is blank for all entries.

Rules to remember about all Married Filing Separately tax returns:

MFS Returns are always paper (they cannot be E-filed).

The taxpayer is NOT eligible for: The Earned Income Tax Credit, The Child and Dependent Care Credit, Education Credits, The health insurance Premium Tax Credit.

The taxpayer is eligible for: The Child Tax Credit (on a reduced basis), The Retirement Savings Credit (on a reduced basis).

The taxpayer cannot claim the standard deduction if the spouse itemizes deductions.

The IRS may question the return, especially if the other spouse itemizes deductions or claims the same dependents.

A return generally cannot be changed from MFJ to MFS after the due date of the return.