

# CHECKLIST: FILING TAXES

This checklist is part of a larger Manual titled “Protecting Assets and Child Custody in the Face of Deportation,” released by Appleseed in 2017. For more info and to read the full Manual, please visit [www.AppleseedNetwork.org/DeportationManual](http://www.AppleseedNetwork.org/DeportationManual).

This checklist is not legal advice. You can search for a lawyer at <http://www.aialawyer.org/>.

- Even if you leave the country, it is important to file your US taxes. If you don't, you can get in trouble and may be unable to ever immigrate to the United States again.
- The way you file your taxes depends on whether you are a “resident” or “non-resident” for tax purposes. If you've lived in the United States for at least a couple of years, you are almost certainly a “resident” (even if you are undocumented).
- If you are a “resident” you should use Form 1040 for your taxes. If you are a “non-resident,” you should use Form 1040NR or Form 1040NR-EZ for your taxes. All the forms you need are on the IRS website at <https://www.irs.gov/> or [www.irs.gov/spanish](http://www.irs.gov/spanish).

## KEY TAKEAWAY

If you are deported, you should still file a Form 1040 or 1040 NR at the end of the tax year. Filing a tax return will allow you to receive any overpaid taxes and any tax credits – such as the Earned Income Tax Credit – that you are owed.

**Remember: The plan is to have a plan. You are taking the right steps to protect your family. Don't be afraid to ask for help so you get answers you can trust: try your lawyer or caseworker, or ask your child's school or doctor's office.**