

Author's Introduction

2026 Edition

Estate, Gift, Trust and Fiduciary Tax Returns: Planning and Preparation is a treatise providing a detailed overview of fundamental issues for attorneys and other professionals advising clients with respect to the complex and often inter-related tax rules impacting the preparation of tax returns for gift taxes, estate taxes and for fiduciary income taxes. The treatise is a hands-on guide to planning and preparing estate tax returns, gift tax returns and fiduciary income tax returns with a focus on the procedural and substantive legal issues presented in the preparation of such returns, focusing on the key provisions of the Internal Revenue Code and the Treasury Regulations relating thereto. This treatise also offers a bit of an historic bent for those readers who appreciate knowing how we got to where we are today with respect to many of the substantive legal issues addressed.

In 2015, final regulations regarding estate tax portability were issued. These regulations are discussed in detail in Chapter 2 and in Chapter 7. Those discussions were refined further in the 2018 and 2019 editions.

Also, 2016 saw the publication of much-anticipated proposed Regulations designed to curb valuation discount planning under I.R.C. § 2704. In October 2017, those proposed regulations were withdrawn, and they will never become final. Therefore, certain discussions in this Treatise have been modified, including § 6:8.

Perhaps most significantly, in December of 2017, Congress enacted, and President Trump signed, the Tax Cuts and Jobs Act of 2017, which significantly altered the Tax Code. While many of the changes in the Tax Cuts and Jobs Act impact income tax (particularly corporate income tax), there were, of course, a few major changes to the gift, estate and GST taxes. In particular the exemption doubled to \$10 million, and the inflation adjustment was changed to the Chained Consumer Price Index for All Urban Consumers, resulting in an increased exemption of \$11,180,000 effective as of January 1, 2018. Following the passage of the One Big Beautiful Bill Act, that amount increased to \$15,000,000 in 2026.

What's New in the 2026 Edition:

- The GST exemption amount rose from \$13,990,000 in 2025 to \$15,000,000 in 2026 following the passage of the One Big Beautiful Bill Act. [See Chapter 1]
- Section 10 of Part 4, Chapter 25 of the Internal Revenue Manual—Examining Process has been updated. [See Appendix III]
- Form 706 has been updated as of August 2025, and instructions for Form 706 have been updated as of September 2025. [See Appendix IV]

ESTATE, GIFT, TRUST AND FIDUCIARY TAX RETURNS

- Form 706-A has been updated as of August 2025, and instructions for Form 706-A have been updated as of September 2025. [See Appendix IV]
- Form 706-CE has been updated as of August 2025. [See Appendix IV]
- Form 706-NA has been updated as of August 2025, and instructions for Form 706-NA have been updated as of September 2025. [See Appendix IV]
- Form 706-QDT has been updated as of August 2025, and instructions for Form 706-QDT have been updated as of September 2025. [See Appendix IV]
- Form 709 and its instructions were revised as of 2025. [See Appendix IV]
- Form 712 was revised as of December 2024. [See Appendix IV]
- Form 1041 was revised as of 2025. [See Appendix IV]
- Form 1041 (Schedule D) was revised as of 2025. [See Appendix IV]
- Instructions for Schedule D (Form 1041) were revised as of 2025. [See Appendix IV]
- Form 1041 (Schedule I) was revised as of 2025. [See Appendix IV]
- Instructions for Schedule I (Form 1041) were revised as of 2025. [See Appendix IV]
- Form 1041 (Schedule J) was revised as of 2025. [See Appendix IV]
- Instructions for Schedule K-1 (Form 1041) were revised as of 2025. [See Appendix IV]
- Form 1041-T: Allocation of Estimated Tax Payments to Beneficiaries was revised as of 2025. [See Appendix IV]
- Form 8971 was revised as of August 2025, and instructions for Form 8971 were revised as of August 2025. [See Appendix IV]
- Form 8892 has been revised as of December 2024. [See Appendix IV]
- Publication 559 was revised as of 2024. [See Appendix IV]
- I.R.C. § 2010 has been revised as of 2025. [See Appendix IV]

Thank you for subscribing to *Estate, Gift, Trust, and Fiduciary Tax Returns: Planning and Preparation*. We work hard to ensure that the publication covers the most up to date developments so it will remain a vital resource to you on the topics covered. We hope you will find it essential to your practice.

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This 2026 Edition fully replaces the 2025 Edition. Please recycle or discard the 2025 Edition.