

Changes To Note**Estimated tax payments of**

household employment taxes. For tax years beginning after 1997, the estate or trust must **include** household employment taxes when figuring its estimated tax payments if **either** of the following applies for the year:

- The estate or trust will have Federal income tax withheld from any income, **OR**
- The estate or trust would be required to make estimated tax payments (to avoid a penalty) even if it **did not** include household employment taxes when figuring its estimated tax.

Increase in amount of tax exempt from estimated tax requirements.

For tax years beginning after 1997, the requirement to make estimated tax payments (to avoid a penalty) will not apply unless the tax the estate or trust owes, after subtracting withholding and other credits, is at least \$1,000.

Modification of estimated tax safe harbor for some taxpayers.

For tax years beginning in 1998, the estimated tax safe harbor that is based on the tax shown on the prior year tax return is the same for all taxpayers regardless of adjusted gross income (AGI). That safe harbor is 100% of the tax shown on the 1997 tax return.

Purpose of Form

Use this package to figure and pay estimated tax for an estate or trust. Estimated tax is the amount of tax an estate or trust expects to owe for the year after subtracting the amount of any tax withheld and the amount of any credits.

This package is primarily for first-time filers. After the IRS receives the first payment voucher, the estate or trust will receive a 1041-ES package with the name, address, and employer identification number (EIN) preprinted on the vouchers for the next tax year. Unless the fiduciary is a financial institution subject to the magnetic tape filing requirement, use the preprinted vouchers. If you, as fiduciary, did not receive any 1998 preprinted vouchers, use the vouchers in this package. However, do not use the vouchers to notify the IRS of a change of address. If the fiduciary has moved, complete **Form 8822**, Change of Address, and send it to the service center where you file the estate's or trust's tax return.

Who Must Make Estimated Tax Payments

Generally, a fiduciary of an estate or trust must pay estimated tax if the estate or trust is expected to owe, after subtracting its withholding and credits, at least \$1,000 in tax for 1998 and can expect its withholding and credits to be less than the smaller of:

1. 90% of the tax shown on the 1998 tax return; or
2. The tax shown on the 1997 tax return.

However, if a return was not filed for 1997 or that return did not cover a full 12 months, item 2 does not apply.

For this purpose, include household employment taxes when figuring the tax shown on the tax return, but **only** if **either** of the following is true:

- The estate or trust will have Federal income tax withheld from any income, **OR**
- The estate or trust would be required to make estimated tax payments (to avoid a penalty) even if it **did not** include household employment taxes when figuring its estimated tax.

Exceptions. Estimated tax payments are not required from:

1. An estate of a domestic decedent or a domestic trust that had no tax liability for the full 12-month 1997 tax year;
2. A decedent's estate for any tax year ending before the date that is 2 years after the decedent's death; or
3. A trust that was treated as owned by the decedent if the trust will receive the residue of the decedent's estate under the will (or if no will is admitted to probate, the trust primarily responsible for paying debts, taxes, and expenses of administration) for any tax year ending before the date that is 2 years after the decedent's death.

How To Figure Estimated Tax

Use the **1998 Estimated Tax Worksheet** and **1998 Tax Rate Schedule** on page 3; and the estate's or trust's 1997 tax return and instructions as a guide for figuring the 1998 estimated tax.

If the estate or trust receives its income unevenly throughout the year, it may be able to lower or eliminate the amount of its required estimated tax payment for one or more periods

by using the annualized income installment method. Get **Pub. 505**, Tax Withholding and Estimated Tax, for details.

**Instructions for 1998
Estimated Tax Worksheet****Line 4—Exemption**

Decedent's estate. A decedent's estate is allowed a \$600 exemption.

Trust. A trust that is required by its governing trust instrument to distribute all its income currently is allowed a \$300 exemption, even if it distributes amounts other than income during the tax year. All other trusts are allowed a \$100 exemption.

Line 10—Credits

For details on credits you may claim, see the instructions for line 2, Schedule G, Form 1041.

Line 12—Other Taxes

Enter any other taxes such as:

- Alternative minimum tax.
- Tax from recapture of investment credit, low-income housing credit, qualified electric vehicle credit, or the Indian employment credit.
- Tax on accumulation distribution of trusts.
- Tax figured under section 641(d) on income attributable to S corporation stock held by an electing small business trust. For details, see the line 8 instructions on page 18 of the 1997 Instructions for Form 1041.

Include household employment taxes on line 12 if **either** of the following is true:

- The estate or trust will have Federal income tax withheld from any income, **OR**
- The estate or trust would be required to make estimated tax payments (to avoid a penalty) even if it **did not** include household employment taxes when figuring its estimated tax.

When To Make Estimated Tax Payments

Trusts. The trust may pay all of its estimated tax by April 15, 1998, or in four equal installments due by the following dates:

1st installment . . .	April 15, 1998
2nd installment . . .	June 15, 1998
3rd installment . . .	Sept. 15, 1998
4th installment . . .	Jan. 15, 1999

Note: *The trust does not have to make the payment due on January 15, 1999, if it files the 1998 Form 1041 by February 1, 1999, AND pays the entire balance due with the return.*

Estates. If the estate has adopted a calendar year as its tax year, file using the rules listed under **Trusts** on page 1.

If the estate has adopted a fiscal year, it may pay all of its estimated tax by the 15th day of the 4th month of its 1998 tax year or in four equal installments due on the 15th day of the 4th, 6th, and 9th month of the 1998 tax year, and the 1st month of the following year.

Note: *The estate does not have to make the payment due on the 15th day of the 1st month of the next tax year if it files the 1998 Form 1041 by the last day of the 1st month following the close of the fiscal year, AND pays the entire balance due with the return.*

If any date falls on a Saturday, Sunday, or legal holiday, the installment is due on the next business day.

If, after March 31, 1998, or after the last day of the 3rd month of the fiscal tax year, the estate or trust has a large enough change in income to require the payment of estimated tax, figure the amount of each installment by using the annualized income installment method, as explained in Pub. 505.

Farmers and fishermen. If at least two-thirds of gross income for 1997 or 1998 is from farming or fishing, do one of the following:

- Pay the total estimated tax (line 16 of the Worksheet) by January 15, 1999; or
- File Form 1041 for 1998 by March 1, 1999, and pay the total tax due. In this case, do not make estimated tax payments for 1998.

For fiscal year estates, pay the total estimated tax by the 15th day of the 1st month following the close of the tax year, or file Form 1041 by the 1st day of the 3rd month following the close of the tax year.

How To Complete and Use the Payment Vouchers

Each payment voucher has the date when the voucher is due for calendar year estates and trusts. Be sure to use the correct voucher. Complete and send in the voucher **only** if you are making a payment. To complete your voucher:

- Enter the estate's or trust's name and EIN, and the fiduciary's name, title, and address in the spaces provided on the payment voucher.

- Enter on the payment line of the voucher only the amount the estate or trust is sending in. When making payments of estimated tax, be sure to take into account any 1997 overpayment that the estate or trust chose to credit against its 1998 tax, but do not include the overpayment amount on this line.

- Enclose, but do not staple or attach, a check or money order with the payment voucher. Make the check or money order payable to "Internal Revenue Service." Write the estate's or trust's EIN and "1998 Form 1041-ES" on the check or money order. Do not include any balance due on the Form 1041 with the check for 1998 estimated tax. Fill in the **Record of Estimated Tax Payments** on page 3 for your files.

Financial institutions that maintain a Treasury Tax and Loan (TT&L) account, and administer at least 200 taxable trusts that are required to pay estimated tax, must submit the estimated tax payments on magnetic tape. See Rev. Proc. 89-49, 1989-2 C.B. 615.

Where To File

Mail the payment voucher to:

Internal Revenue Service
P.O. Box 970002
St. Louis, MO 63197-0002

DO NOT send the payment voucher to the Internal Revenue Service Center where you file Form 1041.

Note: *Only the U.S. Postal Service can deliver to the above address.*

Amending Estimated Tax Payments

To change or amend the estate's or trust's estimated payments, refigure the total estimated payments due (line 16 of the worksheet on page 3). Then use the worksheets under **Amended estimated tax** in Pub. 505 to figure the payment due for each remaining period. If an estimated tax payment for a previous period is less than one-fourth of the amended estimated tax, the estate or trust may owe a penalty when its return is filed.

When a Penalty Is Applied

In some cases, the estate or trust may owe a penalty when it files its return. The penalty is imposed on each underpayment for the number of days it remains unpaid. A penalty may be applied if the estate or trust did not pay enough estimated tax or it did not make the payments on time or in the required amount. A penalty may apply even if the estate or trust has an overpayment on its tax return.

The penalty may be waived under certain conditions. See Pub. 505 for details.

Certain Payments of Estimated Tax Treated as Paid by Beneficiary

The fiduciary (or executor, for the final year of the estate) may elect to have any portion of its estimated tax payments treated as made by a beneficiary (and **not** as payments made by the estate or trust).

Such an amount is treated as a payment of the estimated tax made by the beneficiary on the January 15 following the tax year.

Time for making election. The fiduciary must make the election on the 1998 **Form 1041-T**, Allocation of Estimated Tax Payments to Beneficiaries. The election must be filed on or before the 65th day after the close of the estate's or trust's tax year. For details, see section 643(g).

Paperwork Reduction Act Notice.

We ask for the information on the payment vouchers to carry out the Internal Revenue laws of the United States. You are required to give us the information. We need it to ensure that you are complying with these laws and to allow us to figure and collect the right amount of tax.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by Code section 6103.

The time needed to complete the worksheets and prepare and file the payment vouchers will vary depending on individual circumstances. The estimated average time is:

Recordkeeping 20 min.

Learning about the law or the form 17 min.

Preparing the form . . . 1 hr., 28 min.

Copying, assembling, and sending the form to the IRS 1 hr., 1 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making this package simpler, we would be happy to hear from you. You can write to the Tax Forms Committee, Western Area Distribution Center, Rancho Cordova, CA 95743-0001. **DO NOT** send the payment vouchers to this address. Instead, see **Where To File** above.

1998 Estimated Tax Worksheet (Do Not File—Keep for Your Records)

1 Enter adjusted total income expected in 1998		1	
2 Enter any expected income distribution deduction	2		
3 Enter any estate tax deduction	3		
4 Enter exemption (see instructions)	4		
5 Add lines 2 through 4		5	
6 Taxable income of estate or trust. Subtract line 5 from line 1		6	
7 Tax. Figure your tax on line 6 by using the 1998 Tax Rate Schedule below. (If the estate or trust expects a net capital gain and line 6 is more than zero, use the Tax Computation Worksheet Using Maximum Capital Gains Rates on page 4, to figure the tax.)		7	
8 Tax on lump-sum distributions (from Form 4972)		8	
9 Add lines 7 and 8		9	
10 Credits (see instructions)		10	
11 Subtract line 10 from line 9. If zero or less, enter -0-		11	
12 Other taxes (see instructions)		12	
13 1998 estimated tax. Add lines 11 and 12. Reduce this total by any credit you expect to claim on Form 4136		13	
14a Enter 90% of line 13 (66 $\frac{2}{3}$ % for farmers and fishermen)	14a		
b Enter the tax shown on the 1997 Form 1041	14b		
c Required annual payment. Enter the smaller of line 14a or 14b		14c	
15 Income tax withheld and estimated to be withheld during 1998 and other credits		15	
16 Subtract line 15 from line 14c.		16	
<i>(Note: If line 13 minus line 15 is less than \$1000, the estate or trust is not required to make estimated tax payments.)</i>			
17 Installment amount. If the first required payment is due April 15, 1998, enter $\frac{1}{4}$ of line 16 (minus any 1997 overpayment that you are applying to this installment) here and on line 1 of the payment voucher(s). You may round off cents to the nearest whole dollar		17	

1998 Tax Rate Schedule

Estates and trusts:

If line 6 of the Estimated Tax Worksheet above is:

The tax is:

Over—	But not over—		Of the amount over—
\$0	\$1,700	15%	\$0
1,700	4,000	\$255.00 + 28%	1,700
4,000	6,100	899.00 + 31%	4,000
6,100	8,350	1,550.00 + 36%	6,100
8,350	-----	2,360.00 + 39.6%	8,350

Record of Estimated Tax Payments

Pay-ment no.	(a) Date	(b) Check or money order number	(c) Amount	(d) 1997 overpayment credit applied	(e) Total amount paid and credited (add (c) and (d))
1					
2					
3					
4					
Total					

Tear off here

Page 3

Form **1041-ES**
Department of the Treasury
Internal Revenue Service

1998 Payment Voucher 4

OMB No. 1545-0971

File only if the estate or trust is making a payment of estimated tax. Return this voucher with check or money order payable to "Internal Revenue Service." Write the estate's or trust's EIN and "1998 Form 1041-ES" on the check or money order. Do not send cash. Enclose, but do not staple or attach, the payment with this voucher.

Calendar year—Due Jan. 15, 1999

1 Amount of payment \$ 2 Fiscal year filers—enter year ending (month and year)	Please type or print	Employer identification number <hr/> Name of estate or trust <hr/> Name and title of fiduciary <hr/> Address of fiduciary (number, street, and room or suite no.) <hr/> City, state, and ZIP code <hr/>
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1998 Tax Computation Worksheet Using Maximum Capital Gains Rates (Use this computation if the estate or trust expects a net capital gain and line 6 of the Estimated Tax Worksheet for 1998 is more than zero.)

1	Enter taxable income (from line 6 of the Worksheet on page 3)		1
2	Enter the net capital gain expected for 1998 (Reminder: Do not include any capital gain from the disposition of property held for investment that you elect to include in investment income for investment interest expense purposes.)	2	
3	Combine the net short-term capital loss and 28% rate gain or loss expected for 1998. If zero or less, enter -0-	3	
4	Enter the unrecaptured section 1250 gain expected for 1998	4	
5	Add lines 3 and 4	5	
6	Subtract line 5 from line 2. If zero or less, enter -0-		6
7	Subtract line 6 from line 1. If zero or less, enter -0-		7
8	Enter the smaller of line 1 or \$1,700.		8
9	Enter the smaller of line 7 or line 8		9
10	Subtract line 2 from line 1. If zero or less, enter -0-		10
11	Enter the larger of line 9 or line 10		11
12	Tax on amount on line 11 from the 1998 Tax Rate Schedule		12
13	Enter the amount from line 8		13
14	Enter the amount from line 7		14
15	Subtract line 14 from line 13. If zero or less, enter -0-		15
16	Multiply line 15 by 10% (.10)		16
17	Enter the smaller of line 1 or line 6		17
18	Enter the amount from line 15		18
19	Subtract line 18 from line 17		19
20	Multiply line 19 by 20% (.20)		20
21	Enter the smaller of line 2 or line 4		21
22	Add lines 2 and 11	22	
23	Enter the amount from line 1	23	
24	Subtract line 23 from line 22. If zero or less, enter -0-		24
25	Subtract line 24 from line 21. If zero or less, enter -0-		25
26	Multiply line 25 by 25% (.25)		26
27	Enter the amount from line 1		27
28	Add lines 11, 15, 19, and 25		28
29	Subtract line 28 from line 27		29
30	Multiply line 29 by 28% (.28)		30
31	Add lines 12, 16, 20, 26, and 30		31
32	Tax on the amount on line 1 from the 1998 Tax Rate Schedule		32
33	Tax. Enter the smaller of line 31 or line 32 here and on line 7 of the Worksheet on page 3		33

1998 Payment Voucher 3

File only if the estate or trust is making a payment of estimated tax. Return this voucher with check or money order payable to **"Internal Revenue Service."** Write the estate's or trust's EIN and "1998 Form 1041-ES" on the check or money order. Do not send cash. Enclose, but do not staple or attach, the payment with this voucher.

Calendar year—Due Sept. 15, 1998

1 Amount of payment \$ 2 Fiscal year filers—enter year ending (month and year)	Please type or print	Employer identification number
		Name of estate or trust
		Name and title of fiduciary
		Address of fiduciary (number, street, and room or suite no.)
		City, state, and ZIP code

Tear off here

1998 Payment Voucher 2

File only if the estate or trust is making a payment of estimated tax. Return this voucher with check or money order payable to **"Internal Revenue Service."** Write the estate's or trust's EIN and "1998 Form 1041-ES" on the check or money order. Do not send cash. Enclose, but do not staple or attach, the payment with this voucher.

Calendar year—Due June 15, 1998

1 Amount of payment \$ 2 Fiscal year filers—enter year ending (month and year)	Please type or print	Employer identification number
		Name of estate or trust
		Name and title of fiduciary
		Address of fiduciary (number, street, and room or suite no.)
		City, state, and ZIP code

Tear off here

1998 Payment Voucher 1

File only if the estate or trust is making a payment of estimated tax. Return this voucher with check or money order payable to **"Internal Revenue Service."** Write the estate's or trust's EIN and "1998 Form 1041-ES" on the check or money order. Do not send cash. Enclose, but do not staple or attach, the payment with this voucher.

Calendar year—Due April 15, 1998

1 Amount of payment \$ 2 Fiscal year filers—enter year ending (month and year)	Please type or print	Employer identification number
		Name of estate or trust
		Name and title of fiduciary
		Address of fiduciary (number, street, and room or suite no.)
		City, state, and ZIP code