

Estate Plan Audit: What to Check and When

Use this checklist alongside the [Estate Planning Document Checklist](#) to ensure your clients' plans are up to date and surface planning opportunities. Each section is tagged with when it's most relevant — use the legend below as your guide.

WHEN TO USE EACH SECTION

NEW CLIENT	Pull out at onboarding to identify gaps before the first planning conversation	LIFE EVENT	Marriage, divorce, birth, death, inheritance, or any major family change
TAX SEASON	April is a natural moment when clients are financially focused and asking questions	LAW CHANGE	After major legislation (like OBBBA) that may have made existing plans obsolete
YEARLY CHECK-IN	Scheduled touchpoint to ensure nothing has drifted out of date	NEW ASSETS	After acquiring real estate, a business interest, or significant new wealth

① Plan Status **NEW CLIENT** **YEARLY CHECK-IN** **LAW CHANGE**

When was the estate plan last reviewed?

Plans drafted before July 2025 may contain provisions built around a sunset that never happened.

Does the plan reference the TCJA exemption sunset as a planning trigger?

Bypass trust formulas and aggressive gifting tied to the old threshold may now be unnecessary or counterproductive.

Has the client's taxable estate changed materially since the plan was drafted?

Asset growth, inherited wealth, or a new business interest can shift the planning picture.

Are existing trust structures (bypass, SLAT, ILIT, GRAT) still serving their intended purpose?

② Beneficiary Designations

NEW CLIENT

YEARLY CHECK-IN

LIFE EVENT

- Are primary and contingent beneficiaries named on every retirement account (IRA, 401(k), 403(b))?**
Missing designations mean assets pass through probate. Contingent beneficiaries protect against the primary predeceasing.
- Are life insurance policy, retirement, and annuity beneficiaries current?**
Beneficiary designations override the will. Courts have upheld transfers to ex-spouses and deceased relatives when designations were never updated.
- Has a divorce, remarriage, death, or estrangement changed the intended picture?**
- Are minor children named as direct beneficiaries without a trust or custodian?**
Minors cannot legally receive assets outright. A trust or UTMA/UGMA designation is required.

③ Trust Funding

NEW CLIENT

YEARLY CHECK-IN

NEW ASSETS

- Have all trusts been properly funded since execution?**
Unfunded trusts are one of the most common gaps — the trust exists on paper but assets were never retitled into it.
- Are real estate holdings titled in the trust (or with appropriate TOD deeds)?**
- Have bank and brokerage accounts been retitled or name the trust as beneficiary?**
- Are closely held business interests assigned to the trust per the operating agreement?**

④ Inherited IRAs & RMDs

TAX SEASON

YEARLY CHECK-IN

LIFE EVENT

- Has the client inherited an IRA in the last five years?**
Most non-spousal beneficiaries must distribute the full balance within 10 years (SECURE Act). Annual RMDs may also apply.
- Does the client know their annual RMD amount and the December 31 deadline?**
- Is the distribution strategy coordinated with the client's income tax picture?**
Compressing distributions into high-income years can trigger higher brackets or IRMAA surcharges.
- Has the client considered a Roth conversion before distributions are required?**

⑤ Annual Gifting

TAX SEASON

YEARLY CHECK-IN

Is the client making annual exclusion gifts systematically?

The 2026 exclusion is \$19,000 per recipient (\$38,000 married). Systematic gifting reduces the taxable estate without touching the lifetime exemption.

Has the client considered gift splitting with a spouse?

Are annual gifts being made to grandchildren, 529 accounts, or trusts?

Is the client age 70½+ with IRA assets and charitable intent?

A QCD of up to \$111,000 in 2026 satisfies the RMD, is excluded from taxable income, and reduces the taxable estate.

⑥ State Estate Tax Exposure

NEW CLIENT

LIFE EVENT

LAW CHANGE

Does the client live in or own property in a state with a separate estate tax?

Most state exemptions are far lower than the \$15M federal threshold — in some cases as low as \$1–2M. New York, Massachusetts, and Oregon are common examples.

Does the client's state offer portability between spouses?

Most states do not. The surviving spouse's exemption may need protection through a bypass trust or disclaimer.

Has the client recently moved to or from a state with an estate tax?

⑦ Asset Ownership & Plan Alignment

YEARLY CHECK-IN

LIFE EVENT

NEW ASSETS

Does the ownership of each major asset align with the estate plan?

Assets titled incorrectly — wrong name, wrong entity, or outside a trust — can undermine an otherwise well-drafted plan.

Are jointly held assets consistent with the client's distribution wishes?

Have new assets (real estate, business interests, accounts) been reviewed for plan fit?

2026 KEY NUMBERS

Federal estate & gift tax exemption: \$15M per individual / \$30M married

Annual gift tax exclusion: \$19,000 per recipient (\$38,000 married)

QCD limit (age 70½+): \$111,000

Charitable deduction floor: 0.5% of AGI

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