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In this article, Gottlieb presents the first comprehensive analysis of IRS Form 5227 microdata on charitable remainder trusts since the agency's 2014 study of filing year 2012.

I. Introduction

Charitable remainder trusts (CRTs) occupy a unique position in the Internal Revenue Code, serving simultaneously as vehicles for charitable giving, retirement planning, and wealth transfer. Under section 664, these split-interest trusts (SITs) provide an income stream to noncharitable beneficiaries for a term of years or for life, with the remainder passing to charity. The donor receives an immediate charitable deduction for the present value of the charitable remainder, while deferring capital gains on appreciated assets transferred to the trust.

Despite their significance in estate and charitable planning, CRTs have received surprisingly little systematic attention from researchers. The most recent comprehensive IRS study, published in the *Statistics of Income Bulletin* in 2014, examined filing year 2012 data and found 105,860 CRTs holding approximately $91.7 billion in assets.[1] That study, authored by Lisa S. Rosenmerkel of the IRS Statistics of Income division, remains the benchmark against which any subsequent analysis must be measured.

This article presents the first comprehensive analysis of CRT population trends since the 2012 IRS study. Using seven years of publicly available Form 5227, "Split-Interest Trust Information Return," microdata (2016-2022), I examine changes in the CRT population, new trust formations, asset distributions, and trust longevity. The analysis reveals both substantive findings about the CRT landscape and important methodological issues that researchers must navigate when working with IRS SIT data.

II. Data and Methodology

A. Data Sources

The primary data for this analysis comes from the IRS Statistics of Income division's annual releases of Form 5227 microdata.[2] These files are publicly available on the IRS website and contain record-level data for all trusts filing Form 5227 each year. We obtained files for filing years 2016 through 2022.

For benchmark comparison, we rely on the 2012 data published in the IRS *SOI Bulletin*. While we do not have access to the underlying 2012 microdata, the published tables provide sufficient detail for meaningful comparison of population totals, trust-type distributions, and asset levels.[3]

[1] Lisa S. Rosenmerkel, "Split-Interest Trusts, Filing Year 2012," 33(3) *Statistics of Income Bulletin* 51 (Winter 2014).

[2] IRS Statistics of Income, "SOI Tax Stats — Split-Interest Trust Statistics" (last updated Apr. 7, 2025). Microdata files are available directly at https://www.irs.gov/pub/irs-soi/ (file-naming conventions vary by year; *e.g.*, "SIT 2016.csv" for filing year 2016 and "sit-2022.csv" for filing year 2022).

[3] The 2013-2015 microdata files are not publicly available on the IRS website.

B. Data Structure Changes

A significant finding of this research concerns the structure of the IRS data files themselves. The IRS fundamentally changed its data release format between 2017 and 2018, creating challenges for longitudinal analysis, as shown in Table 1.

Table 1. IRS Data File Structure by Year

Year	Columns	Format	Names Available
2016	25	BMF extract	Yes
2017	50	BMF extract	Yes
2018-2019	308	Form 5227 microdata	No
2020-2022	315	Form 5227 microdata	Yes

The early files (2016-2017) appear to be extracts from the IRS business master file (BMF), containing basic organizational information, including trust names and addresses, but relatively few Form 5227-specific fields. Beginning in 2018, the IRS released true Form 5227 microdata with over 300 fields corresponding to individual form line items.

C. Trust-Type Classification

Perhaps the most critical methodological finding concerns the proper identification of trust types. The IRS data files contain multiple columns that appear to classify trust types, but only one provides accurate results:

- FR_5227_CD correctly identifies trust types using the following codes: 1 = CRUT (charitable remainder unitrust), 2 = CRAT (charitable remainder annuity trust), 0 = other SITs (charitable lead trusts and pooled income funds), and 88 = missing or not applicable.
- FR_1041_CD, despite its similar appearance, serves a different purpose and yields dramatically incorrect counts when used for trust-type classification. Using this column, one would find only approximately 30,000 CRTs in recent years rather than the expected 90,000-plus.

Critically, the 2017 data file contains neither column. The FR_5227_CD field is absent, making it impossible to classify trusts by type for that year. Accordingly, 2017 is excluded from all trust-type analyses in this article.

D. Filing Lag Considerations

Form 5227 is due on the 15th day of the fourth month following the close of the trust's tax year.[4] Trusts may also file on extension. As a result, data for recently established trusts is systematically incomplete. For example, a trust established in December 2022 would not file its first Form 5227 until April 2024 at the earliest and would not appear in the 2022 data file compiled in mid-2023. We therefore treat establishment years within two years of the file date as preliminary and exclude them from trend analysis.

E. Asset Data Quality

In addition to the aggregate national analysis, we examined individual trust-level data from California — the state with the largest concentration of high-value CRTs. This granular review revealed numerous nonsensical values. Several trusts reported assets exceeding $100 billion, and the single largest entry — $586 billion — would by itself exceed the total assets of all CRTs nationally as reported by the IRS. These are almost certainly data entry errors, but likely systematic, as the near-total disagreement between ASSET_CD and ASSET_AMT across most years is consistent with a unit-scaling error in the underlying data. Cross-validation of the ASSET_CD categorical field against reported dollar amounts revealed pervasive disagreement: Thousands of trusts carry a size-bracket code that does not match their ASSET_AMT value, with discrepancies running in both directions across the entire distribution. I was unable to construct a reliable data-cleaning procedure to reconcile the two fields.

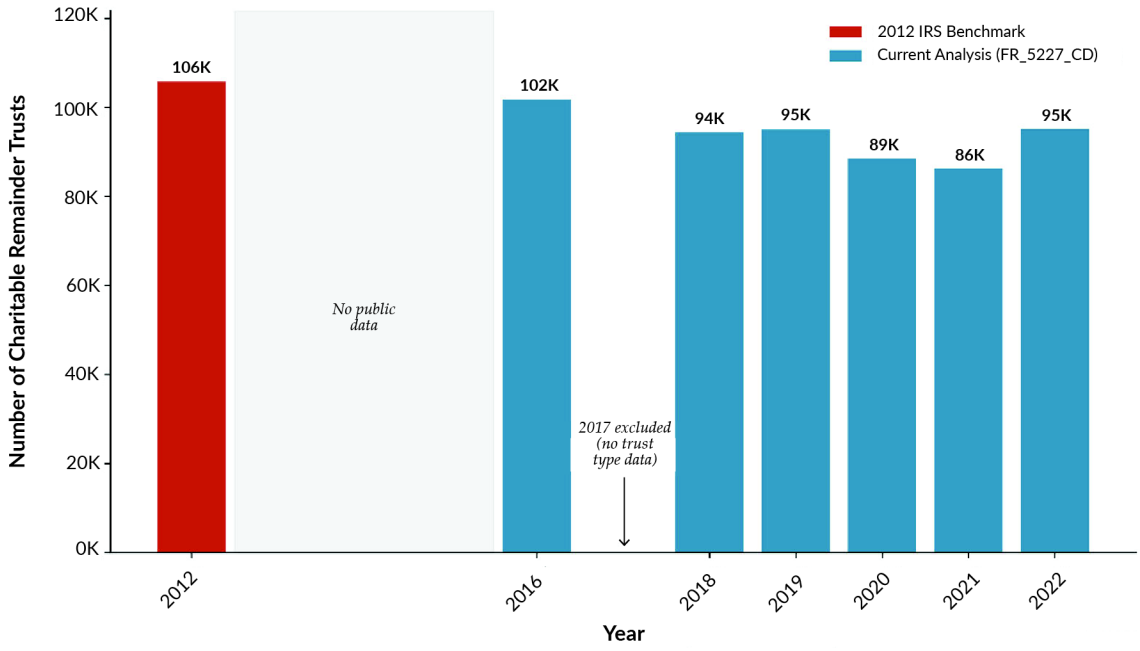
[4] Section 6104(b) requires public disclosure of SIT returns. Form 5227 instructions specify filing deadlines.

Table 2. Charitable Remainder Trust Population by Type

Year	Total SIT	CRUT	CRAT	CRT Total	CRUT %
2012*	113,688	91,244	14,616	105,860	86.2%
2016	105,370	80,175	21,710	101,885	78.7%
2018	98,068	74,535	19,941	94,476	78.9%
2019	98,729	75,102	20,031	95,133	78.9%
2020	92,186	69,649	18,929	88,578	78.6%
2021	90,009	67,777	18,596	86,373	78.5%
2022	98,802	74,552	20,613	95,165	78.3%

*2012 data from IRS *SOI Bulletin* Winter 2014. 2017 excluded (no trust-type classification available).

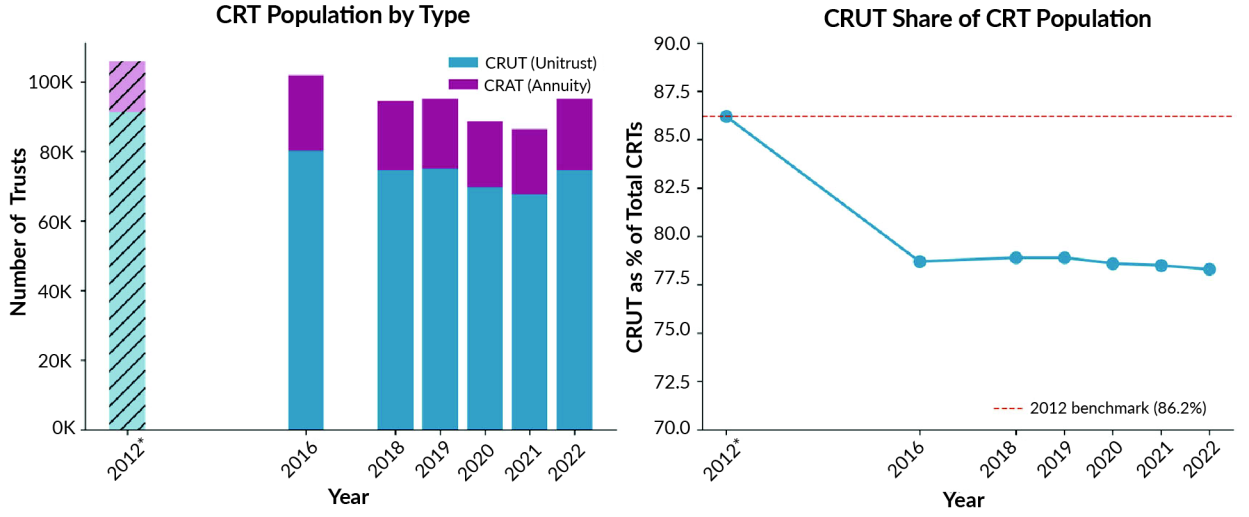
Figure 1. Charitable Remainder Trust Population (2012-2022)



Source: IRS SOI Split-Interest Trust Data; 2012 benchmark from SOI Bulletin Winter 2014

Distributional analysis confirms the concern. Under any standard model of asset-size data — log-normal, gamma, Weibull, or Burr Type XII — the right tail should decline smoothly, with each higher bracket containing fewer trusts after adjusting for bracket width. The ASSET_CD data does not follow this pattern. Instead, trust density rises above $5 million, peaking in the $10 million–$50 million bracket at 1.2-1.5 times the theoretically predicted level. All four models predict a thinning right tail; none match the data. Substituting ASSET_AMT values fares no better: 29,335 trusts — 30.8 percent of all CRTs — appear above $50 million, a figure that strains credulity given that the IRS's own 2012 aggregate study reported total national CRUT assets of only $85.2 billion. The asset-size data in the Form 5227 microdata extracts, whether measured by

Figure 2. CRT Population by Type and CRUT Share of CRT Population



*2012 data from IRS SOI Bulletin Winter 2014

categorical code or reported dollar amount, should be treated with considerable caution.

These asset-data limitations do not affect this article's principal findings. The CRT population trends, trust-type composition, new formation rates, and longevity analysis reported in Section III all depend on trust counts and type classifications derived from the FR_5227_CD field, not on reported asset amounts. The asset distribution presented in Section III.C should be read as reflecting the IRS's reported data, subject to the quality concerns described above.

III. Findings

A. CRT Population Trends

Table 2 presents the charitable remainder trust population by type for 2016 and 2018-2022, with the 2012 IRS benchmark for comparison. The 2017 data year is excluded because of the absence of trust-type classification data. Figure 1 illustrates these trends graphically.

The data reveals a modest but persistent decline in the CRT population. From the 2012 benchmark of 105,860 CRTs, the population fell to 95,165 in 2022, a decline of 10,695 trusts or approximately 10.1 percent. The compound annual growth rate over this period was negative 1.06 percent.

Table 3. New CRT Formations by Year of Establishment

Establishment Year	New CRTs	New CRUTs	New CRATs
2015	2,573	1,882	691
2016	2,423	1,779	644
2017	2,549	1,894	655
2018	2,440	1,867	573
2019	2,505	1,858	647
2020	2,283	1,617	666

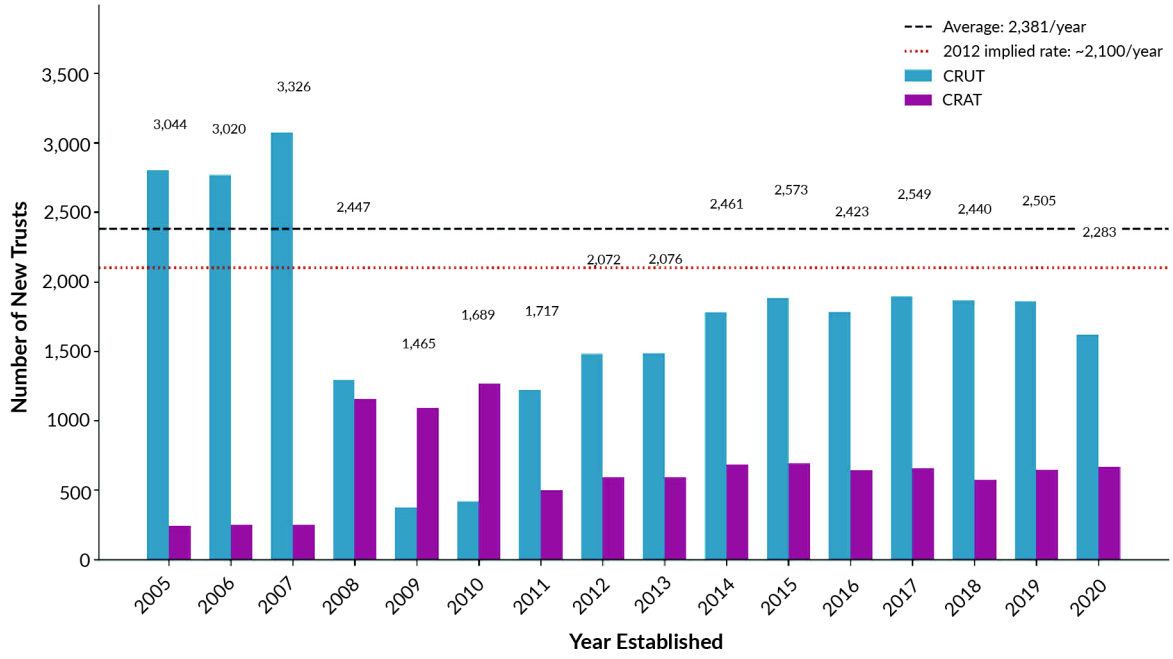
Note: Based on 2022 data file. Years after 2020 excluded as preliminary because of filing lag.

The composition of the CRT population has also shifted. CRUTs comprised 86.2 percent of all CRTs in 2012 but have declined to approximately 78 percent in recent years. Notably, the number of CRATs has actually increased from 14,616 in 2012 to 20,613 in 2022, while CRUTs have declined from 91,244 to 74,552. Figure 2 illustrates this compositional shift.

B. New Trust Formations

Analysis of establishment dates reveals that new CRT formations have remained relatively stable. Table 3 presents new trust formations by

Figure 3. New CRT Formations by Year of Establishment



Note: Based on 2022 file; exclused 2021+ (preliminary)

year of establishment, based on the 2022 data file. Figure 3 illustrates these trends.

New CRT formations averaged 2,462 per year during 2015-2020, compared with an implied rate of approximately 2,100 per year based on the 2012 IRS study (which found that 2 percent of returns were initial returns). This represents an increase of approximately 17 percent in new trust formations, contrary to expectations that formations would decline following the Tax Cuts and Jobs Act.

The stability of new formations despite the increased estate tax exemption[5] suggests that estate tax planning may not be the primary motivation for CRT formation. Income tax benefits, including the immediate charitable deduction and deferral of capital gains, may be driving continued interest in CRTs.

Table 4. CRT Distribution by Asset Size (2022)

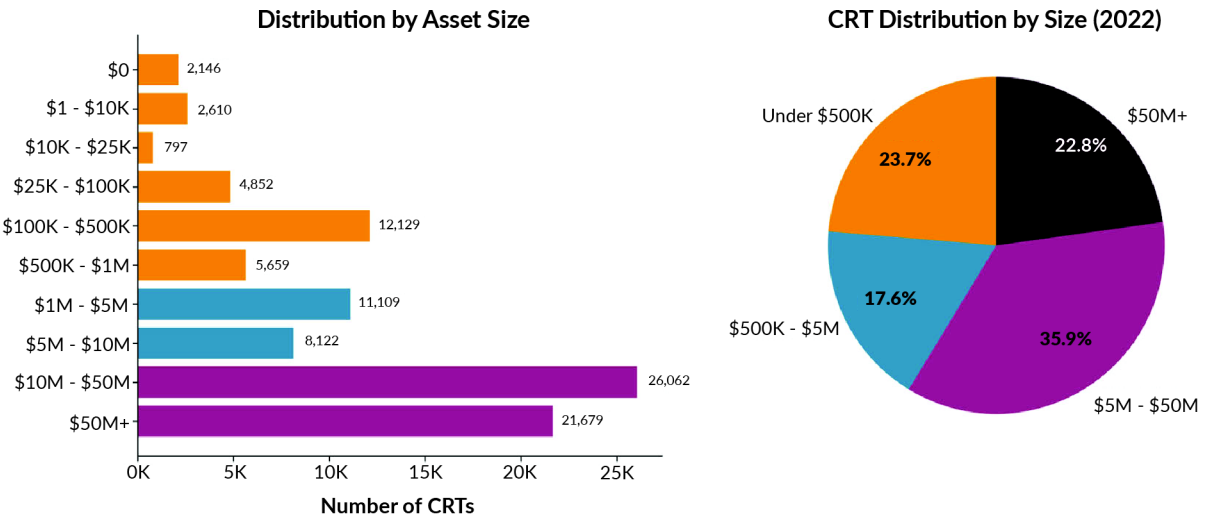
Asset Range	Number of CRTs	Percent of Total
$0	2,146	2.3%
$1-$10,000	2,610	2.7%
$10,000-$25,000	797	0.8%
$25,000-$100,000	4,852	5.1%
$100,000-$500,000	12,129	12.7%
$500,000-$1 million	5,659	5.9%
$1 million-$5 million	11,109	11.7%
$5 million-$10 million	8,122	8.5%
$10 million-$50 million	26,062	27.4%
$50 million and over	21,679	22.8%

C. Asset Distribution

Table 4 presents the distribution of CRTs by asset size category as reported in the ASSET_CD field, and Figure 4 illustrates both the detailed distribution and a summary view. As discussed in Section II.E, these asset classifications contain

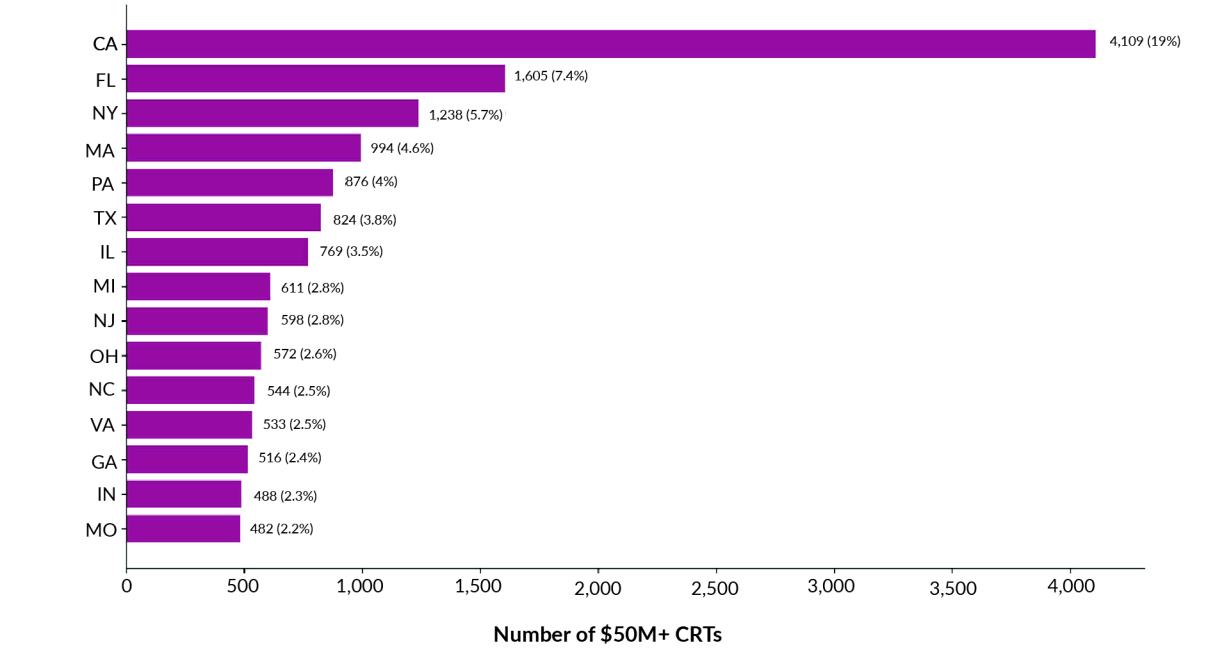
[5]Tax Cuts and Jobs Act, P.L. 115-97, section 11061 (increasing basic exclusion amount to $10 million, indexed for inflation).

Figure 4. Distribution by Asset Size and CRT Distribution by Size



Source: IRS Form 5227 data, 2022

Figure 5. Geographic Distribution of Large Charitable Remainder Trusts ($50M+ Assets)

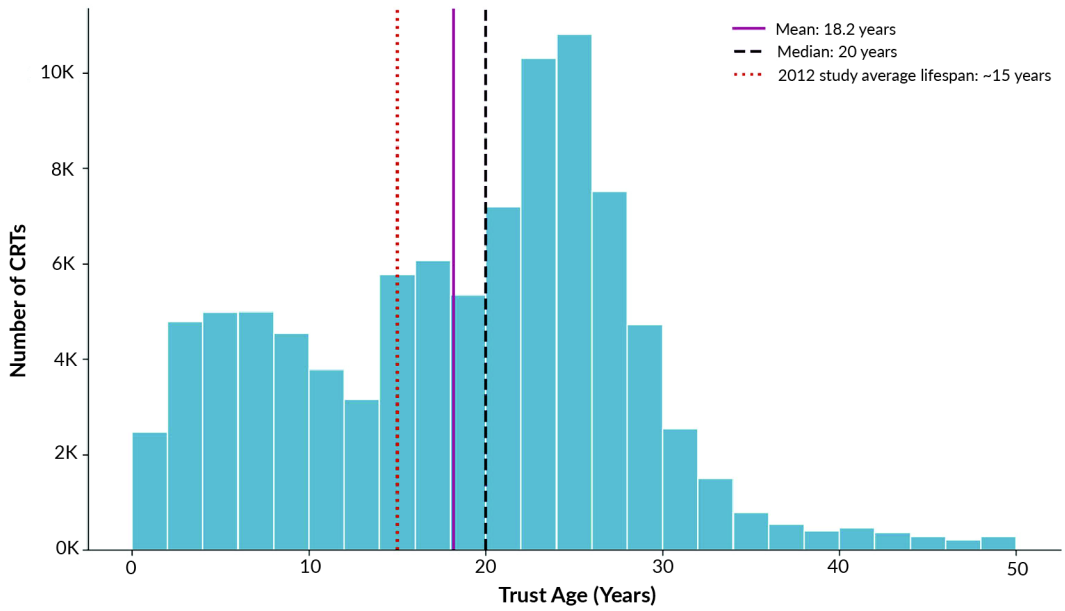


Source: IRS Form 5227 data, 2022; Total $50M+ trusts: 21,679

significant data quality issues, and the figures below should be interpreted accordingly.

As noted in Section II.E, the asset-size data in the Form 5227 microdata extracts contain significant quality issues that affect both the ASSET_CD categorical field and reported ASSET_AMT dollar amounts. The distribution presented in Table 4, which is based on the ASSET_CD field as reported by the IRS, should therefore be read with caution. According to these

Figure 6. Distribution of CRT Ages



Source: IRS Form 5227 data, 2022; Age = 22 minus establishment year

reported classifications, over half (50.2 percent) of all CRTs carry an asset code corresponding to $10 million or more, and 22.8 percent carry a code corresponding to $50 million or above. However, as discussed in Section II.E, distributional testing and cross-validation against the IRS's own 2012 aggregate totals indicate that these figures substantially overstate the true concentration of assets in the upper brackets.

Figure 5 shows the geographic distribution of trusts classified in the upper asset brackets, with California, New York, Florida, and Texas accounting for the greatest concentrations. While the relative geographic pattern is likely directionally accurate, the absolute counts in each state are subject to the same data quality concerns.

D. Trust Longevity

Analysis of trust establishment dates provides insight into CRT longevity. Based on the 2022 data, the mean age of active CRTs is 18.2 years, with a median of 20 years. The 2012 IRS study found that the average lifespan of terminating trusts was approximately 15 years. Figure 6 displays the age distribution.

The age distribution shows a concentration in the range of 20 to 29 years, with 43.1 percent of trusts falling into this category. This suggests that many CRTs established in the 1990s remain active, consistent with the use of lifetime income interests for donors who were middle-aged at the time of trust creation.

IV. Conclusion

This analysis of IRS Form 5227 microdata reveals a charitable remainder trust population that has declined modestly but persistently since 2012. The total number of CRTs has fallen by approximately 10 percent, from 105,860 in 2012 to 95,165 in 2022. However, new trust formations have remained stable at approximately 2,462 per year, suggesting continued interest in CRTs as planning vehicles.

The decline in the overall population, combined with stable new formations, indicates that trust terminations are outpacing new formations. This is consistent with the aging of trusts established during the CRT boom of the 1990s and early 2000s, many of which are now reaching the end of their term or maturing at the death of income beneficiaries.

The shift in composition from CRUTs toward CRATs suggests that the CRT landscape is evolving, with annuity trusts representing a growing share of new formations. The asset-size data in the Form 5227 microdata extracts proved unreliable for purposes of analyzing the distribution of trust wealth; researchers should treat the reported asset fields with considerable caution, as discussed in Section II.E.

From a research methodology perspective, this analysis highlights the importance of careful attention to IRS data structures. The choice of classification column (FR_5227_CD versus FR_1041_CD) dramatically affects results; the absence of classification data for 2017 creates a gap in any longitudinal analysis; and the asset-size fields — both the ASSET_CD categorical code and the ASSET_AMT dollar amount — contain pervasive quality issues that preclude reliable asset-size classification. Researchers working with this data should verify their methods against known benchmarks before drawing conclusions.

The publicly available Form 5227 microdata represents a valuable resource for understanding charitable remainder trusts. With appropriate methodological care, it enables analysis that would otherwise require special IRS data access. I hope this article and the accompanying data tools will facilitate further research into these important charitable-giving vehicles. ■