



## **Instructions for the Sticks And Stones Trust**

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for

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# INSTRUCTIONS FOR THE STICKS AND STONES TRUST

## ESTABLISHING THE STICKS AND STONES TRUST

The Sticks And Stones Trust documents have been delivered to you as four separate Adobe pdf files. The first pdf, this document, contains instructions. The second pdf is the Sticks And Stones Trust. The third pdf is the Initial Contribution form. The fourth pdf contains documents for future use with the Sticks And Stones Trust including the Appointment of Additional Co-Trustee, Removal of Additional Co-Trustee, and the Assignment form for non-NFA firearms and firearm related items.

The first step is to establish the Sticks And Stones Trust as follows:

Print the **Sticks And Stones Trust** and the **Initial Contribution** form, and then sign both of those documents in front of a notary public. Be sure to attach a \$1.00 bill to the Initial Contribution form. The Sticks And Stones Trust is created the moment you sign these two documents.

**Congratulations! You now have a gun trust!**

## BUYING YOUR FIRST NFA FIREARM FROM A CLASS 3 DEALER.

- Select the NFA firearm that you want to purchase from the Class 3 dealer.
- Pay the Class 3 dealer for the NFA firearm. In addition, most Class 3 dealers require you to pay them the \$200 transfer tax at that time.
- Provide a COPY of the Sticks And Stones Trust to the Class 3 dealer. The Class 3 dealer will tell you if they want a paper copy or a scanned copy.
- The Class 3 dealer will fill out the first part of an ATF Form 4 application requesting permission to transfer the NFA firearm from the dealer to the Sticks And Stones Trust.
- On page 3 of the ATF Form 4, you will identify all "Responsible Persons" in the Sticks And Stones Trust.
- The Settlor (you) and the Initial Trustee (you) are considered a "Responsible Person" under the ATF's definition of the term.
- You are the only "Responsible Person" on the Sticks And Stones Trust unless you have appointed a co-trustee who is currently serving as a co-trustee. There are no co-trustees on the Sticks And Stones Trust unless they have signed the Appointment of Additional Co-Trustee form and the Appointment form has not been terminated.



- Beneficiaries and Successor Trustees identified in the Sticks And Stones Trust are not considered to be "Responsible Persons" unless you have appointed them as Additional Co-Trustees using the Appointment form.
- Your Class 3 dealer will assist you in completing the Responsible Person Questionnaire, which will require fingerprints and photograph for each Responsible Person.
- Most Class 3 dealers submit the ATF Form 4 application to the ATF for you. In addition, most Class 3 dealers will send a copy of each Responsible Person Questionnaire to the appropriate Chief Law Enforcement Officer ("CLEO"). The CLEO does not need a copy of the photograph or fingerprint cards.
- After the ATF approves the ATF Form 4 application, the ATF sends the approval document (commonly referred to as the "ATF Tax Stamp") to the Class 3 dealer. The Class 3 dealer will contact you to let you know that they have received the ATF Tax Stamp and that you can now pick up the NFA firearm and the ATF Tax Stamp.
- The ATF Tax Stamp will state that the Sticks And Stones Trust is the owner of the specific NFA firearm that was purchased from the Class 3 dealer. The ATF Tax Stamp, itself, is the proof that the NFA firearm is owned by the Sticks And Stones Trust. You do not need to create any other document to include it in the Sticks And Stones Trust.
- Make several copies of the ATF Tax Stamp. Always leave the original ATF Tax Stamp in your gun trust file.

### **USING THE STICKS AND STONES TRUST FOR AN ATF FORM 1 APPLICATION**

- If you plan to convert one of your existing firearms to an NFA firearm, such as by converting a rifle or pistol to a short-barreled rifle (SBR), or if you are planning to manufacture a silencer, you will fill out and file an ATF Form 1.
- On page 3 of the ATF Form 1, you will identify all "Responsible Persons" in the Sticks And Stones Trust.
- The Settlor (you) and the Initial Trustee (you) are considered a "Responsible Person" under the ATF's definition of the term.
- You are the only "Responsible Person" on the Sticks And Stones Trust unless you have appointed a co-trustee who is currently serving as a co-trustee. There are no co-trustees on the Sticks And Stones Trust unless they have signed the Appointment of Additional Co-Trustee form and the Appointment form has not been terminated.
- Beneficiaries and Successor Trustees identified in the Sticks And Stones Trust are not considered to be "Responsible Persons" unless you have appointed them as Additional Co-Trustees using the Appointment form.

- Each "Responsible Person" will be required to complete a Responsible Person Questionnaire. Each "Responsible Person" will need to provide two (2) fingerprint cards and one (1) passport photo. Each "Responsible Person" sends a copy of his or her complete Responsible Person Questionnaire to his or her Chief Law Enforcement Officer ("CLEO"). The CLEO does not need a copy of the photograph or fingerprint cards.
- When the ATF Form 1 application is approved, the ATF will send the approval document (commonly referred to as the "ATF Tax Stamp") to you. Once you receive the ATF tax stamp, you now have permission to manufacture the specific NFA firearm that is identified on the ATF Tax Stamp. The ATF Tax Stamp will state that the Sticks And Stones Trust is the owner of that specific NFA firearm (manufacturer, model name, and serial number). The ATF Tax Stamp, itself, is the proof that the NFA firearm is owned by the Sticks And Stones Trust. You do not need to create any other document to include it in the Sticks And Stones Trust.
- Make several copies of the ATF Tax Stamp. Always leave the original ATF Tax Stamp in your gun trust file.
- Important: Since the Sticks And Stones Trust is the manufacturer of the NFA firearm, the name of the trust, the city, and the state must be engraved on the NFA firearm. Before you manufacture or assemble the NFA firearm you must: (1) receive the ATF Tax Stamp; and (2) comply with the ATF's engraving requirement.

### **APPOINTING ADDITIONAL CO-TRUSTEES TO THE STICKS AND STONES TRUST**

- Provide the individual whom you would like to appoint as an Additional Co-Trustee with a copy of the Sticks And Stones Trust.
- Use the Appointment form provided in this package that is customized for the Sticks And Stones Trust.
- In the first paragraph of the Appointment form, write the date that you initially signed the Sticks And Stones Trust. This date is defined as the "Effective Date" in the first paragraph of the Sticks And Stones Trust.
- Both you and the person whom you are appointing as an Additional Co-Trustee must sign and date the Appointment form.
- Always leave the original Appointment form in your gun trust file. Provide the Additional Co-Trustee of the Sticks And Stones Trust with a copy of the Appointment form.

### **REMOVING ADDITIONAL CO-TRUSTEES FROM THE STICKS AND STONES TRUST**

- Use the Removal form provided in this package that is customized for the Sticks And Stones Trust.

- In the first paragraph of the Removal form, write the date that you initially signed the Sticks And Stones Trust. This date is defined as the "Effective Date" in the first paragraph of the Sticks And Stones Trust.
- You must sign and date the Removal form.
- A copy of the Removal form must be actually delivered to the Additional Co-Trustee being removed from the Sticks And Stones Trust.
- Staple the original Removal form to the corresponding original Appointment form. Always leave the Removal form and corresponding Appointment form in your gun trust file.

### **ASSIGNING NON-NFA FIREARMS TO THE STICKS AND STONES TRUST**

- Use the Assignment form provided in this package that is customized for the Sticks And Stones Trust. Fill out the Assignment form including the manufacturer, model, and serial number of the non-NFA items that you would like to assign to the Sticks And Stones Trust.
- In the first paragraph of the Assignment form, write the date that you initially signed the Sticks And Stones Trust. This date is defined as the "Effective Date" in the first paragraph of the Sticks And Stones Trust.
- After inserting the information relating to the non-NFA firearm into the Assignment form, sign and date the Assignment form in front of a notary public.
- Always leave the original Assignment form in your gun trust file.

### **USING AND POSSESSING YOUR NFA FIREARMS.**

- A Trustee in possession of an NFA firearm registered to the Sticks And Stones Trust should have in his or her possession all of these documents:
  - A copy of the ATF Tax Stamp for that particular NFA firearm;
  - A copy of the Sticks And Stones Trust;
  - A copy of any Additional Co-Trustee Appointment form demonstrating that person to be a Trustee; and
  - A driver's license or other form of government-issued identification.

**Disclaimer: Gun Trust Guru® is not a law firm. If you need legal advice, you are encouraged to consult with an attorney in your state. The Gun Trust Guru® "do-it-yourself" forms, instructions, and information provided by or through Gun Trust Guru® or its website do not constitute legal advice or legal services.**

