

## NFA TRUST QUESTIONNAIRE

How did you hear about us? \_\_\_\_\_

People involved in the formation of a trust

- a. Grantor / Settlor: The person who contributes the property to the trust.
- b. Trustee / Co- Trustee: The people authorized to be in possession and/or manage the items in the trust. **All trustees must be at least 18 years old.**
- c. Successor Trustee: The person or people who will manage the property in the event that all of the Trustee's are not able to or do not wish to be trustee's any more. (This can be caused by the death of all of the original trustees or disability of all the original trustees).
- d. Beneficiary: The person or people who will receive the items or the assets of the trust upon the death, or disqualification of the Grantor/ Settlor.

**NOTE:** You may not choose yourself as a sole beneficiary.

(The good news is that you can form a gun trust and possess NFA items at the age of 18. If you are going to purchase NFA firearms or pistols, you must be at least 21 years to purchase from a dealer. If you purchase NFA firearm from an individual you only need to be 18.

You only need to be 18 to be in possession of a NFA Firearm and other trustees who are on your trust who are over the age of 21 may purchase NFA firearms on behalf of the trust.)

It is ok to have a minor as a beneficiary if you choose the gold trust. This trust provides for a successor trustee to wait until the child reaches the age of 25 (or other age that you choose) and then determines

- 1) If any or all of the firearms are illegal in the state where the beneficiary lives,
- 2) If the Beneficiary is legal to own or possess the firearms (are they not a prohibited person), and
- 3) If the Beneficiary is mature and responsible enough that you would want them to have the firearms.

If the Successor Trustee decides that the Beneficiary is not appropriate when you pass away, the Successor Trustee can decide to wait more time or decide that a Beneficiary should never have them.

If you want multiple beneficiaries please separate the names with commas and punctuation to complete the following sentence. I.E. After I die I want \_\_\_\_\_ to receive the trust property.

e. Conditional Beneficiaries: Who will take if your named beneficiaries cannot or will not accept the assets in the trust? This feature is available on gold trusts only.

Who should be the Settlor and why?

Generally you (and your spouse) are the settlors and initial trustees.

Settlor(s)/ Initial trustee(s)

Your Full legal name: \_\_\_\_\_ (Please Print)  
*first middle last*

Signature Preference \_\_\_\_\_ (Please Print)  
How you want to sign the document

List all prior legal names: \_\_\_\_\_

U.S. citizen: Yes \_\_\_\_\_ No \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Permanent address: \_\_\_\_\_  
*Street Address City State Zip code County*  
(MUST HAVE A PHYSICAL ADDRESS NO P.O. BOX)

Telephone numbers: Home \_\_\_\_\_ Work \_\_\_\_\_  
Cell Phone \_\_\_\_\_ Fax \_\_\_\_\_

Email Address: \_\_\_\_\_

Marital Status single / married / divorced / separated / widowed

If married, spouses name \_\_\_\_\_ (Please print)

Will your spouse be a co trustee \_\_\_\_\_ yes \_\_\_\_\_ no

Signature preference \_\_\_\_\_ (Please print)  
How you want to sign the document

List all prior legal names: \_\_\_\_\_

U.S. citizen: Yes \_\_\_\_\_ No \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Name of NFA Trust

NFA Trust Name: \_\_\_\_\_  
(Have fun- you can name it anything you want. Example: your initials NFA trust)

If you plan to manufacture a suppressor (ALL BATFE RULES APPLY) keep the name as short as possible. Per BATFE trust names cannot be abbreviated.

Trustee

Determine who the trustee's will be.

To answer this we must know the answers to a few questions

a. Are you married? How does your spouse feel about the firearms.

Potential answers:

- 1. My spouse/child is over 18 and shoots with me.
- 2. My spouse/child tolerates them but would not have them destroyed upon my death
- 3. My spouse/child would bring them to the police station and have them destroyed upon my death

b. Do you want anyone else (who is identifiable) to be able to be in possession or use the weapons? If you were to die, would you want this person to be able to "own" & "use" & do anything with the items during their lifetime?

c. Does anyone know the combination to the gun safe where your NFA item is stored? Are you willing and able to change the combination and keep unnamed person from access to the NFA items?

CONSTRUCTIVE POSSESSION: There is no intent required to be convicted of constructive possession. If someone has possession of a class II firearm/suppressor (NFA Item), because you have not taken or are unable to take the steps necessary to secure the item from others, they are in violation of the NFA. Furthermore, you are also in violation because of an invalid transfer and failure to secure the items.

All trustees must sign their names on the trust document in front of the same notary at the same time. If this will be absolutely impossible, please let me know immediately so that we can make the appropriate changes. Will this be a problem? Yes \_\_\_\_\_ No \_\_\_\_\_

You should also be cautious about having a co-trustee or beneficiary that uses medical marijuana as it could create criminal liability for you and the other people involved with your trust. If you have a trustee in one of the following states, you may want to check on their medical marijuana usage: Alaska, Arizona, California, Colorado, Delaware the District of Columbia, Hawaii, Maine, Michigan, Montana, Nevada, New Mexico, New Jersey, Oregon, Vermont, Rhode Island, and Washington have legalized the medical use of marijuana in some form or fashion. All trustees and potential beneficiaries must be able to pass a NICS background check and be able to sign a 4473 and have no other disabilities regarding possession of firearms. For information on the misdemeanor crime of domestic violence see: <http://www.atf.gov/files/publications/download/i/atf-i-3310-3.pdf>

Other Trustees

Full Legal Name: \_\_\_\_\_  
*first middle last*

Signature preference \_\_\_\_\_ (Please print)  
How you want to sign the document

Current Address: \_\_\_\_\_  
*Street Address City State Zip code County*

Date of Birth: \_\_\_\_\_ Relationship to you: \_\_\_\_\_

Full Legal Name: \_\_\_\_\_  
*first middle last*

Signature preference \_\_\_\_\_ (Please print)  
How you want to sign the document

Current Address: \_\_\_\_\_  
*Street Address City State Zip code County*

Date of Birth: \_\_\_\_\_ Relationship to you: \_\_\_\_\_

#### Successor-Trustee

The person or people who will manage the property in the event that all of the Trustee's are not able to or do not wish to be trustee's any more. (This can be caused by the death of all of the original trustees or disability of all the original trustees).

Full Legal Name: \_\_\_\_\_  
*first middle last*

Current Address: \_\_\_\_\_  
*Street Address City State Zip code County*

Date of Birth: \_\_\_\_\_ Relationship to you: \_\_\_\_\_

#### Beneficiaries

Our Gun Trust specifies that in order for a beneficiary to receive the assets of the trust, the beneficiary must be 18 years of age; however, we can draft the trust so that the beneficiary(ies) would not receive until he/she/they are older than 25 years of age. If you do not want the beneficiary(ies) to receive under the trust until they are older than 25 years of age, please specify the age at which the beneficiary(ies) is to receive under the trust: \_\_\_\_\_. 25 is the default age if you do not specify an age. (Please remember that you can form a gun trust and possess NFA items at the age of 18. If you are going to purchase NFA firearms or pistols, you must be at least 21 years to purchase from a dealer. If you purchase NFA firearm from an individual you only need to be 18.

You only need to be 18 to be in possession of a NFA Firearm and other trustees who are on your trust who are over the age of 21 may purchase NFA firearms on behalf of the trust.)

You cannot be the sole beneficiary of your trust. This will create an invalid trust. If the trust does not exist and you fill out the paperwork for the trust to make the purchase, you are technically in violation of the NFA because you, an individual, will be in possession and not the trust. The trust could not be in possession because it will not exist.

Beneficiary

Full Legal Name: \_\_\_\_\_  
*first middle last*

Current Address: \_\_\_\_\_  
*Street Address City State Zip code County*

Date of Birth: \_\_\_\_\_ Relationship to you: \_\_\_\_\_

Beneficiary

Full Legal Name: \_\_\_\_\_  
*first middle last*

Current Address: \_\_\_\_\_  
*Street Address City State Zip code County*

Date of Birth: \_\_\_\_\_ Relationship to you: \_\_\_\_\_

Beneficiary

Full Legal Name: \_\_\_\_\_  
*first middle last*

Current Address: \_\_\_\_\_  
*Street Address City State Zip code County*

Date of Birth: \_\_\_\_\_ Relationship to you: \_\_\_\_\_

Conditional Beneficiary

This is available on Gold trusts only.

Full Legal Name: \_\_\_\_\_  
*first middle last*

Current Address: \_\_\_\_\_  
*Street Address City State Zip code County*

Date of Birth: \_\_\_\_\_ Relationship to you: \_\_\_\_\_