

Judicial History & Arts Society of Guam

FIRST MEETING

August 27, 2010

MINUTES

I. Call to Order: The meeting was called to order at 9:15 a.m, August 27, 2010. at the U.S. Attorney's Office, third floor conference room, 520 West Soledad Avenue, at Hagatna, Guam .

II. Attendance: Those members present for the Society meeting were:

Mikel Schwab, Assistant U.S. Attorney
Jessica F. Cruz, Assistant U.S. Attorney
Lita Duenas. Administrative Officer, Fed. Public Defender's Office
Charles White, Chief Deputy Clerk, DC-GU
Lolita Toves, Judicial Assistant, DC-GU
Roxanna Villagomez-Aguon, Chief U. S. Probation Officer
Elaine J. Gogue, Administrative Officer, U.S. Marshal's Office

Absent were: Carmen O'Mallan, U.S. Probation Officer Specialist
John T. Gorman, Federal Public Defender; and
Rosita P. San Nicolas, Ex-Official Member

The Chair, Mikel Schwab, stated that according to the Bylaws, there is a forum if one-third of the members were present. There was a forum. The Chair then welcomed everyone to the meeting and announced: "This is the first meeting of the Judicial History & Arts Society of Guam, Inc."

III. Order of Business

A. Incorporation Documents.

The Chair, Mikel Schwab, first presented the official incorporation papers – the Articles of Incorporation and the Bylaws – to the members as well as the Incorporation Certificate, No. D-16584, which he filed on August 13, 2010. He explained the requirement of the word "Inc." at the end of the corporation name. The documents were corrected to so reflect the requirement. The Chair also presented the members with an Incorporation Certificate given by the Department of Revenue & Taxation which officially says that the corporate society is legal.

The Chair then stated that he paid for the society the fee of \$60 upon the filing of the incorporation papers. He also added that there will be additional costs when the society applies for a tax-exempt status, which he will present for payment at a later date. Chuck mentioned the availability of non-appropriated funds in the court budget which allows for judicial education purpose which the Chief Judge will only have to approve when the cost is justified.

(This was the time a group picture was taken to record the event of having achieved incorporation.)

(Insert photo here.)

The Chair then stated that the next thing to do is to apply for tax exemption status which also has a fee which he will pay the cost. Until that application is fulfilled, the society cannot begin to accept contributions and/or solicit donations. Chuck guessed that we could probably accept donations but they would not be labeled as "tax-free." The Chair assured that by next meeting he should have already educated himself with the code section for non-profit organizations. Adding further, he also suggested that the more the members understand the requirements of tax exemptions, the more the members will know what the society can and cannot do.

There was an issue raised as to the officers of the society. A review of the documents states who the officers are. Jessica asked whether the officers stated now in the incorporation papers were temporary, the length or term of office, when election of officers were to take place, and how frequent would that be? It was apparent that the members need to read the articles and bylaws to understand the requirements and the issues raised. The Chair asked that the members read the articles and bylaws to understand them the best they can. Then, the next question will be whether to ratify them.

There was discussion on a bank for the corporation. Rox, as she is the treasurer, volunteered to shop for the corporation's bank inquiring into best banking fees, as a non-profit status, convenience of service, etc.

Chuck having read into sections regarding successors, he wanted to know what that meant. The Chair agreed that he would like to see that changed as well as the corporation should be run or controlled by non-judicial, non-executive people; that the ultimate goal would be that other people, public and private individuals in the community should become members and be involved in the society. As to an executive committee, as referenced in the incorporation documents, the Chair stated that that also needs to be addressed.

Lita suggested that members talk with the attorneys involved in the 60th Year anniversary and determine whether the two would be willing to work with the Superior Court and with the Guam Bar Association in order to get people to help out. Chuck suggested to using the

GBA list serve to solicit people who want to be involved with the society. It was further suggested to solicit attorneys for pro bono work, or if semi-retired or retired to consider contributing their time towards the society, i.e. Joaquin C. Arriola, Howard Trapp, Edward Terlaje, etc. Chuck volunteered to discuss with Chief Judge and Magistrate Judge as to who should become involved.

Jessica also suggested she would solicit participation from the Women's Bar Association. Chuck agreed it to be a good idea and that with their participation they can sponsor an exhibit on women in the judiciary – women judge, etc.

B. Action Points. After concluding a review of the documents, the following were action points for the members to consider and take action before the next meeting:

1. To read the articles and bylaws to better understand the purposes as to ratify the articles of incorporation and bylaws, for acceptance?
2. Apply for a tax exemption status.
3. Treasurer to shop for the society's bank.
4. Election process and term of officers.
5. Contribution of framed photographs, artifacts; display ready items
6. Members to visit the Superior Court and Supreme Court as to their history display.
7. Solicit involvement by private attorneys.
8. Send out a release or a message to the Guam Bar Association. Mikel will approach Cynthia Ecube about assistance as in pro bono work for interested attorneys from the bar.
9. Create subcommittees to work on proposals.

C. Other Business.

A point was raised as to who should be accepting checks or donations. It was concluded that it should not be the judge, nor any judicial employee, and certainly not even a federal employee like anyone from the U.S. Attorney's Office or Federal Public Defender's Office. A suggestion was made that Rosita San Nicolas who is no longer employed by the court would be the ideal person. Whoever that person would be, that person should be an enthusiastic person working hard to see the merits of the history of the court.

On a final point, Chuck suggested that the organization should follow the Roberts Rules of Order in conducting the meetings.

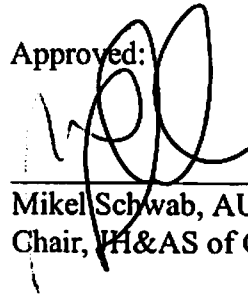
IV. ADJOURNMENT. The meeting adjourned at 10:05 a.m.

Respectfully submitted



Lolita Toves, JA
Secretary, JH&ASG

Approved:



Mikel Schwab, AUSA
Chair, JH&AS of Guam