# Articles of Incorporation Sample

This corporation is chartered pursuant to Section 28500 of the Government Code of Guam (7 G.C.A. §9201) as enacted by Public Law 14-155, as a non-profit, non-stock public educational corporation which is exempt from Guam tax and licensing requirements. The undersigned as the first Trustees hereby adopt these [Articles of Incorporation](http://guamlawlibrary.org/about/history/articles-of-incorporation/) for the governance of the corporation:

ARTICLE I
The name of the corporation is [THE GUAM LAW LIBRARY](http://guamlawlibrary.org/about/history/articles-of-incorporation/).

ARTICLE II
The corporation is organized and shall be operated for the purpose of establishing and maintaining a law library. The corporation may establish branch libraries in such locations as it deems appropriate. The corporation may further provide or perform related library and legal educational services and may do all and everything necessary, suitable, and proper for the accomplishments of any of these purposes including the exercise of all powers enumerated in Section 354 of the Civil Code of Guam (18 G.C.A. §4001). However, no part of the net earnings of the corporation shall inure to the benefit of any private individual; and no substantial part of its activities shall be for carrying on propaganda or otherwise attempting to influence legislation. The corporation shall not participate in or intervene in (including the publishing or distributing of statements), any political campaign on behalf of any candidate for public office.
The library shall be open to all residents of Guam for the examination of its books and other publications, subject to rules and regulations promulgated by the Board of Trustees.

ARTICLE III
The address of the principal and initial registered office of the corporation is P.O. Box 3159, Agana, Guam 96910.

ARTICLE IV
The period of its duration is perpetual unless sooner terminated by law.

ARTICLE V
The names and residences of the incorporators are:

|  |  |
| --- | --- |
| Paul J. Abbate | P.O. Box CTAgana, Guam 96910 |
| Cristobal C. Duenas | P.O. Box DCAgana, Guam 96910 |
| Ruth Hall | P.O. Box 12-CAgana, Guam 96910 |
| Peter F. Perez | P.O. Box 373Agana, Guam 96910 |
| Robert A. Haut | P.O. Box 373Agana, Guam 96910 |
| Magdalena Taitano | P.O. Box 652Agana, Guam 96910 |
| James S. Brooks | P.O. Box 1115Agana, Guam 96910 |
| Alan E. Dear | P.O. Box ABAgana, Guam 96910 |
| Timothy A. Stewart | P.O. Box 2766Agana, Guam 96910 |
| Russell E. Weller | P.O. Box DAAgana, Guam 96910 |
| Frederick A. Black | P.O. Box ZAgana, Guam 96910 |

ARTICLE VI
The corporation shall be governed by the Board of Trustees which shall be constituted in accordance with Section 28502 of the Government Code of Guam (7 G.C.A. §9203). Trustees’ terms of office and initial appointment shall be as set forth in Section 28503 of the Government Code of Guam (7 G.C.A. §9204). The office of trustee shall be honorary, without salary or other compensation. Initial trustees are those persons designated as incorporators in Article V above.

ARTICLE VII
This corporation shall be non-stock and no dividends or pecuniary profits shall be declared or issued. Any receipts of this corporation shall inure to the benefit of the corporation and shall be applied by the trustee thereof to any and all expenses incurred and to carry out any and all of the purposes herein set forth.

ARTICLE VIII
The officers and directors shall not be individually liable for the corporation’s debts (or other liabilities), and the property of such individuals shall be exempt from any corporate debts or liabilities.

ARTICLE IX

No person shall possess a property right in or to the property or assets of the corporation. Upon the dissolution of the corporation all assets not otherwise disposed of and not subject to any trust shall be distributed exclusively to charitable, religious, scientific, or educational organizations which would then qualify them under the provisions of §501(c)(3) of the Internal Revenue Code and its regulations as they now exist or as they may hereinafter be amended.

ARTICLE X
These [Articles of Incorporation](http://guamlawlibrary.org/about/history/articles-of-incorporation/) may be amended by the majority vote of the trustees.
IN WITNESS WHEREOF we, the initial corporate trustees have hereunto set our hand this 16th day of August, 1979.
/s/
PAUL J. ABBATE

/s/
CRISTOBAL C. DUENAS

/s/
RUTH HALL

/s/
PETER F. PEREZ

/s/
ROBERT A. HAUT

/s/
MAGDALENA TAITANO

/s/
JAMES S. BROOKS

/s/
ALAN E. DEAR

/s/
TIMOTHY A. STEWART

/s/
RUSSELL WELLER

/s/
FREDERICK A. BLACK

TERRITORY OF GUAM, )

) ss:

CITY OF AGANA. )

ON THIS 16th day of August, 1979, before me, a Notary Public in and for the territory of Guam, personally appeared PAUL J. ABBATE, CRISTOBAL C. DUENAS, RUTH HALL, PETER F. PEREZ, ROBERT A. HAUT, MAGDALENA TAITANO, JAMES S. BROOKS, ALAN E. DEAR, TIMOTHY STEWART, RUSSELL F. WELLER and FREDERICK A. BLACK, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS HEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

**/s/ Dorthea L. Cruz**
NOTARY PUBLIC in and for the Territory of Guam.
My Commission Expires: 11-10-81

By-laws of [the Guam Law Library](http://guamlawlibrary.org/about/history/articles-of-incorporation/)

**ARTICLE I. MEETINGS**
Section 1. Meetings of the Board of Trustees. Meetings of the Board of Trustees shall be held at such time and place as the President of the Board of Trustees shall from time to time determine. Meetings of the Board of Trustees may be called by the President at any time by means of notice by mail, telephone, facsimile, telegraph or personal contact to each trustee. Action taken at any such meeting shall not be invalidated for want of notice if such notice shall be waived as hereinafter provided.

Section 2. Annual Meeting. The annual meeting of the Board of Trustee shall be held on the first Thursday in January in each year, if not a legal holiday, and if a legal holiday, then on the next succeeding business day, at 5:00 P.M. at the Law Library in Hagåtna, Guam, or at such time and place as the President shall designate upon notice. At this meeting, officers shall be elected, reports of the affairs of the corporation shall be considered, any other business within the powers of the Board of Trustees may be transacted, and the President shall submit his activities program for the ensuing year.

Section 3. Waiver of Notice. Notice of the time, place and purpose of any meeting of the Board of Trustees, may be waived by telegram, radiogram, cablegram, facsimile or other writing, either before or after such meeting has been held.

Section 4. Quorum. One-third (1/3) of the trustees shall constitute a quorum.

**ARTICLE II. BOARD OF TRUSTEES**
Section 1. Number and Term of Trustees. The business, property, and affairs of this corporation shall be managed by a Board of Trustees composed of persons in number, selection and qualification as set forth in Section 28502 of the Government Code of Guam (7 GCA §9203). Trustees shall serve term of office as prescribed by Section 28503 of the Government Code of Guam (7 GCA §9204). Vacancies of the Board of Trustees shall be filled in accordance with subsection (d) of Section 28503 of the Government Code of Guam (7 GCA §9204(d)). No officers, Board or committee member shall receive compensation for his services to the corporation, but each shall be entitled to the reimbursement of his reasonable expenses.

Section 2. Action By Unanimous Written Consent. Any action which may be taken at a meeting of the Board of Trustees may be taken without a meeting if authorized by a writing signed by all of the Trustees, and filed with the Secretary of the corporation.

Section 3. Executive Committee. There shall be an Executive Committee composed of the President, Vice-President, Secretary, Treasurer, and one trustee annually appointed by the President, who may meet at stated times, or on notice by any member of the Executive Committee to all of their own number. During the intervals between the meetings of the Board of Trustees, the Executive Committee shall perform such duties and exercise such powers as may be directed or delegated to the Executive Committee by the Board of Trustees from time to time. The Board of Trustees may delegate to the Executive Committee authority to exercise all the powers of the Board of Trustees, excepting power to amend the Articles and By-laws, while the Board of Trustees is not in session.
Section 4. Removal. Any trustee may be removed with cause at any time by a vote of three-fourths of the entire Board of Trustees at a meeting called for that purpose, after being given a written statement of the charges against him and a hearing before the Board thereon, if he so requests.

Section 5. Budget. The Board of Trustees shall adopt a budget for each fiscal year showing the anticipated income and tentative appropriations to cover estimated expenses of the corporation, which budget the Board of Trustees shall have authority from time to time to amend.

**ARTICLE III. CORPORATE OFFICERS**
Section 1. President, Vice-President, Secretary, Treasurer. The Board shall annually select a President, Vice-President, Secretary and Treasurer from its membership.

Section 2. Removal. Any officer may be removed for cause by a vote of two-thirds of the entire Board of Trustees at a meeting called for that purpose, after being given a written statement of the charges against him and a hearing before the Board thereon, if he so requests.

Section 3. President. The President shall be the chief executive officer of the corporation. He shall:
(a) Preside at all meetings of the Board of Trustees.
(b) Submit in writing to the Board of Trustees proposed activities for the ensuing year.
(c) Appoint committee chairpersons and members with the approval of the Board of Trustees.
(d) Present such budgetary recommendations as he may deem appropriate.
(e) See that all orders and resolutions of the Board of Trustees are carried into effect.
(f) Be an ex-officio member of all standing committees.

Section 4. Vice-President. The Vice-President shall perform such duties as the President may delegate to him or as the Board of Trustees may prescribe. In the event of the absence or disability of the President, the Vice-President shall preside at all meetings of the Board of Trustees and shall perform all other duties of the President, and in the event of a vacancy in the office of the President he shall succeed to the presidency.

Section 5. Secretary. The Secretary shall be responsible for keeping the minutes and records of the corporation. He shall attend to the giving of all notices and shall perform the duties customarily incidental to his office and such other duties as the Board of Trustees may from time to time prescribe. The Secretary may certify to proceedings of the Board of Trustees, or any part thereof, under his hand, verified by an official seal adopted and provided by the Board of Trustees for that purpose. He shall perform such other duties as may be delegated to him by the Board of Trustees or the Executive Committee.

Section 6. Treasurer – Finance.

(a) The Treasurer shall have the custody of all corporate funds and securities and shall keep in books belonging to the corporation full and accurate accounts of all receipts and disbursements. He shall disburse the funds of the corporation as may be ordered by the Board of Trustees, taking proper vouchers for such disbursements, and shall render to the President and trustees at the annual meeting of the Board of Trustees, and whenever requested by them, an account of all his transactions as Treasurer and of the financial condition of the corporation. If required by the Board of Trustees he shall deliver to the President of the corporation, and shall keep in force, a bond in form, amount and with a surety or sureties satisfactory to the Board of Trustees, conditioned for faithful performance of the duties of his office, and for restoration to the corporation in case of his death, resignation, retirement or removal from office, of all books, papers, vouchers, money and property of whatever kind in his possession or under his control belonging to the corporation.
(b) Deposit and Withdrawal of Funds. Funds of the corporation shall be deposited in a bank insured by an agency of the United States, designated by the Board of Trustees. Such deposits shall be in the name of “[THE GUAM LAW LIBRARY](http://guamlawlibrary.org/about/history/articles-of-incorporation/)” or, in the case of a special trust fund, in the name of said fund with the addition of the words “[THE GUAM LAW LIBRARY](http://guamlawlibrary.org/about/history/articles-of-incorporation/)”, and shall be withdrawn only by check or vouchers signed by any two of the following, as may be authorized by the Board of Trustees: the Treasurer, the Secretary, the President, the Vice-President, any member of the Board Members and the Librarian, if one is appointed.
(c) Succession. In the event of a vacancy in the office of the Treasurer, or his absence or disability, his duties shall devolve upon the Secretary until the vacancy is filled or an acting Treasurer is appointed.
(d) Fiscal Year and Audit. The fiscal year of the corporation shall be determined by the Board of Trustees. At the end of each fiscal year, an audit may be made by an independent certified public accountant, selected by the Board of Trustees, of all the funds, property and accounts of the corporations.

Section 7. Librarian. The Board of Trustees may appoint a librarian, whose duties, compensation, qualifications and tenure of office shall be determined by the Board of Trustees, and who shall be responsible to the Board of Trustees.

**ARTICLE IV. COMMITTEES**

Section 1. Names. The following shall be standing committees of the corporation and shall be appointed as provided by these By-Laws:
1. Personnel
2. Facilities
3. Acquisitions
4. Finance

Section 2. Number of Members, Appointment. All standing committees shall be composed of not less than two trustees appointed by the President with the approval of the Board, and such other persons as may be appointed by the President with the approval of the Board.

Section 3. Special Committees. Special committees may from time to time be created and abolished by the Board of Trustees. Members of special committees shall be appointed by the President with the approval of the Board.

Section 4. Vacancy in Office or Committee, Absence or Disability. Unless otherwise provided: (a) a vacancy in any office of committee shall be filled by appointment by the President with the approval of the Board, and such appointee shall hold office for the unexpired term and until his successor shall have been chosen; and (b) in the event of the absence or disability of an officer or committee member, an acting officer or member to serve during such absence or disability may be designated by the President with the approval of the Board.
Section 5. Staggered Terms. Except as otherwise provided, the President, in making the initial appointments, to any committee shall appoint one-half of the member of each committee for a term of one year and the other one-half of the members of each committee for a term of two years, so that half of the membership of each committee shall retire each year, except as otherwise provided. Each committee member shall hold office until his successor is appointed.

**ARTICLE V. MISCELLANEOUS PROVISIONS**
Section 1. Execution of Instruments. The Board of Trustees may designate the officers and agents who shall have authority to execute any instruments on behalf of the corporation. When the execution of any contract, conveyance or other instrument has been authorized by the Board of Trustees without specification of the executing officers, the President, Vice-President, or the Secretary may execute the same in the name and behalf of the corporation and may affix the corporation seal thereto.

Section 2. Amendment or Repeal. These By-Laws, or any provisions thereof, may be amended or repealed by a majority vote of all the trustees.

Duly adopted on this 16th day of August, 1979, by the affirmative vote of a majority of the trustees.

/s/
PAUL J. ABBATE

/s/
CRISTOBAL C. DUENAS

/s/
RUTH HALL

/s/
PETER F. PEREZ

/s/
ROBERT A. HAUT
/s/
MAGDALENA TAITANO

/s/
JAMES S. BROOKS

/s/
ALAN E. DEAR

/s/
TIMOTHY A. STEWART

/s/
RUSSELL WELLER

/s/
FREDERICK A. BLACK

TERRITORY OF GUAM, )

) ss:

CITY OF AGANA. )

ON THIS 16th day of August, 1979, before me, a Notary Public in and for the territory of Guam personally appeared PAUL J. ABBATE, CRISTOBAL C. DUENAS RUTH HALL, PETER F. PEREZ, ROBERT A. HAUT, MAGDALENA TAITANO, JAMES S. BROOKS, ALAN E. DEAR, TIMOTHY A. STEWART, RUSSELL A. WELLER and FREDERICK A. BLACK, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

**/s/ Dorthea L. Cruz**
NOTARY PUBLIC in and for the Territory of Guam.
My Commission Expires: 11-10-81

Governing Statute

**GUAM CODE ANNOTATED**
**TITLE 7. CIVIL PROCEDURE**
**DIVISION 1. COURTS AND JUDICIAL OFFICERS**
**CHAPTER 9. ATTORNEYS**
**ARTICLE 2. TERRITORIAL LAW LIBRARY**

**§ 9201. Territorial Law Library: Chartered; Tax Exempt.**

(a) The Guam Territorial Law Library, is hereby chartered.

(b) The Guam Territorial Law Library, as a nonprofit educational corporation, shall be exempt from taxes and licensing requirements under the laws of Guam.

SOURCE: GC § 28500; enacted by P.L. 14-155. This entire Article was first enacted by P.L. 14-155. All source references in this Article will refer to P.L. 14-155, unless the section has been amended.

NOTES, REFERENCES, AND ANNOTATIONS

COMMENT: The reason for placing this law here is that the Legislature placed this as Chapter III of Title XXIX of the Government Code. Chapters I and II are Articles 1 and 2 of this Chapter, hence this Article is in the same relative place as intended by the Legislature. This Article was neither repealed nor amended by P.L. 21-147, creating the Supreme Court of Guam.

**§ 9202. Existence and Function.**

(a) There is established in the territory of Guam a Board of Law Library Trustees, which governs the Guam Territorial Law Library.

(b) The first Board of Trustees shall prepare [Articles of Incorporation](http://guamlawlibrary.org/about/history/articles-of-incorporation/) and By-laws for the governing of the Library. The Articles and By-laws shall be filed with the Director of the Department of Revenue and Taxation and the Legislative Secretary and shall become effective upon filing.

(c) The Board of Trustees, by majority vote, may appoint a law librarian whose duties, compensation, qualifications and tenure of office shall be determined by the Board. The librarian shall be the administrative head of the law library and shall be responsible to the Board of Law Library Trustees for the administration of personnel and service activities of the Guam Territorial Library.

SOURCE: GC § 28501.

**§ 9203. Membership of Board: Number of Members; Manner of Appointment.**

(a) The Board of Law Library Trustees established in § 9202 of this Chapter shall initially consist of eleven (11) members and shall initially be constituted as follows:

(1) the presiding judge of the Superior Court may appoint himself to serve ex officio as trustee or, in the event he chooses not to so serve, he shall appoint a law clerk in the employ of the Superior Court of Guam or a member of the Guam Bar to serve as trustee;
(2) the judge of the District Court of Guam may appoint himself to serve ex officio as a trustee or, in the event he chooses not to so serve, he may appoint a law clerk in the employ of the District Court of Guam or a member of the Guam Bar to serve as trustee; but if there be more than one (1) judge of the District Court, such judges may appoint one (1) of their number to serve ex officio as trustee or, in the event they choose not to appoint one (1) of their number to so serve, they may appoint a law clerk in the employ of the District Court or a member of the Guam Bar to serve as trustee;
(3) the associate judges of the Superior Court of Guam may appoint one (1) of their number to serve ex officio as a trustee or, in the event that they choose not to appoint one (1) of their number to so serve, they shall appoint a law clerk in the employ of the Superior Court or a member of the Guam Bar to serve as trustee;
(4) the Judicial Council shall appoint one (1) trustee who is a member of the Guam Bar;
(5) the Chairman of the Judiciary and Criminal Justice Committee of the Guam Legislature shall appoint one (1) trustee who is a member of the Guam Bar;
(6) the Territorial Librarian shall be a trustee, ex officio;
(7) the Governor of Guam shall appoint one (1) trustee who is a member of the Guam Bar; and
(8) the President of the Guam Bar Association shall appoint four (4) trustees who are members of the Bar of the territory of Guam.

(b) Following the expiration of the terms of membership of the initial members of the Board of Law Library Trustees, the Board of Law Library Trustees shall thereafter consist of nine (9) members and shall be constituted as follows:

(1) the Chief Justice of the Territory or in the event no Chief Justice is serving, the presiding judge of the Superior Court may appoint himself to serve ex officio as a trustee or, in the event he chooses not to so serve, he shall appoint a law clerk in the employ of the Court or a member of the Guam Bar to serve as trustee;
(2) the judge of the District Court may appoint himself to serve ex officio as a trustee or, in the event he chooses not to so serve, he may appoint a law clerk in the employ of the District Court or a member of the Guam Bar to serve as trustee; provided, that if there be more than one (1) judge of the District Court, such judges may appoint one (1) of their number to serve ex officio as a trustee or, in the event they choose not to appoint one (1) of their number to so serve, they may appoint a law clerk in the employ of the District Court or a member of the Guam Bar to serve as trustee;
(3) the judges of the Superior Court may appoint one (1) of their number to serve ex officio as a trustee or, in the event they choose not to appoint one (1) of their number to so serve, they shall appoint a law clerk in the employ of the Superior Court or a member of the Guam Bar to serve as trustee;
(4) the Judicial Council shall appoint one (1) trustee who is a member of the Guam Bar;
(5) the Chairman of the Committee on Judiciary and Criminal Justice of the Guam Legislature shall appoint one (1) trustee who is a member of the Guam Bar;
(6) the Territorial Librarian shall be a trustee ex officio;
(7) the Governor shall appoint one (1) trustee who is a member of the Guam Bar; and
(8) the President of the Guam Bar Association shall appoint two (2) trustees who are members of the Guam Bar.

SOURCE: GC § 28502.

**§ 9204. Term of Board Membership.**

(a) The initial members of the Board of Law Library Trustees shall be appointed within one (1) month after the effective date of this Act. The initial members of the Board of Law Library Trustees as so constituted shall serve a term which shall expire at midnight on December 31, 1981.

(b) Not more than one (1) month before the expiration of the terms of the initial members of the Board of Law Library Trustees as set forth in Subsection (a) of this Section, those persons empowered by § 9203(b) of this Chapter to appoint members of the Board of Law Library Trustees shall submit in writing to the President of the Board of Law Library Trustees the names of their respective appointees. The terms of membership of such appointees upon the Board of Law Library Trustees shall commence at 12:01 a.m. on January 1, 1982 and shall expire as follows:

(1) the terms of membership of those members appointed pursuant to the provisions of § 9203(b)(1), (4) and (7) shall expire at midnight on December 31, 1984;
(2) the terms of membership of those members appointed pursuant to the provisions of § 9203(b)(2) and (8) shall expire at midnight on December 31, 1983; and
(3) the terms of membership of those members appointed pursuant to the provisions of § 9203(b)(3), (5) and (6) shall expire at midnight on December 31, 1982.

(c) Not more than one (1) month before the expiration of the term of each member of the Board of Law Library Trustees as set forth in Subsections (b) and (c) of this Section, those persons empowered by § 9203(b) of this Chapter to appoint such members of the Board of Law Library Trustees shall submit in writing to the President of the Board of Law Library Trustees the names of their appointees. The term of membership of such appointees upon the Board of Law Library Trustees shall commence at 12:01 a.m. on January 1 of the year following the expiration of his predecessor’s term of membership, and shall expire at midnight on December 31, thirty-six (36) months thereafter.

(d) In the event that any member of Board of Law Library Trustees shall die, resign or otherwise be removed from the Board prior to the expiration of his term as set forth in this Section, the vacancy so created shall be filled for the remainder of such member’s term in the same manner in which the member whose death, resignation or removal that created such vacancy was appointed.
SOURCE: GC § 28503.

**§ 9205. Establishment, Maintenance and Regulation of Territorial Law Library: Leasing or Constructing Quarters; Furniture and Services Regulations.**

The Board of Law Library Trustees shall establish and maintain a Law Library in Agana, as close to the Judiciary Building as possible. The Board may lease or construct suitable quarters to house the library facility and shall provide these quarters with suitable furniture and services for utilities, maintenance and security. The Board shall coordinate with the Nieves M. Flores Library concerning access to material by providing a catalog of the law library collection at the central library.

SOURCE: GC § 28504.

**§ 9206. Nature of Office of Trustee: Compensation.**

The office of trustee is honorary, without salary or other compensation. Ordinary and necessary expenses of trustees may be reimbursed from the funds of the Territorial Law Library upon application approved by the Board.

SOURCE: GC § 28505.

**§ 9207. Grounds for Removal of Members.**

The Board of Law Library Trustees, acting pursuant to the provisions of the Articles and By-laws of the Territorial Law Library, may remove a trustee for cause.

SOURCE: GC § 28506.

**§ 9208. Designation of President.**

The Board shall elect one (1) of its number as president, whose powers and duties shall be prescribed in the Articles and By-laws.

SOURCE: GC § 28507.

**§ 9209. Election of Treasurer and Secretary: Duties and Powers.**

(a) The Board of Law Library Trustees shall elect from its members a treasurer, who shall keep a full statement and account of all property, money, receipt and expenditures of the law library.

(b) The Board shall elect from its members a secretary who shall keep a record and full minutes in writing of all proceedings of the Board. The secretary may certify to such proceedings or any part thereof, under his hand, verified by an official seal adopted and provided by the Board for that purpose.

SOURCE: GC § 28508.

**§ 9210. Disposition of Money Collected.**

All money collected for the law library must be paid into the hands of the treasurer of the law library or his designee, who must keep the same in a bank account or accounts in the name of “The Guam Territorial Law Library” to be expended by the Board of Law Library Trustees.

NOTES, REFERENCES, AND ANNOTATIONS

All funds that are a part of the Superior Court Law Library Fund at the time this Act becomes effective shall be immediately transferred to the Guam Territorial Law Library.

SOURCE: GC § 28509.
**§ 9211. Fee Payable for Libraries: When to be Paid: Commencement of Action.**

(a) On the commencement in or the removal to the Superior Court of any civil action, proceeding or appeal, the party instituting such proceeding or filing the first papers shall pay to the clerk of the court, for the Territorial Law Library, a law library fee computed in accordance with the following schedule for such increased schedule as may be duly adopted by the Judicial Council.

1. For filing complaint in Superior Court $10.50
2. For filing petition for appearance of judgment debtor in Superior Court $4.00
3. For filing confession of judgment $8.00
4. For filing appeals from small claims trial de novo $10.50
5. For filing small claims in Superior Court $3.00

(b) Fifty percent (50%) of all fees collected by the clerk of the Superior Court for fees and for clerical services rendered in connection with probate and guardianship matters shall be paid over to the Territorial Law Library Fund.

(c) All penal fines and forfeited cash bonds collected by the Territory, except those collected by the Traffic Court, shall be paid over to the Territorial Law Library.

(d) All interest and other income earned from funds held in the Judicial Branch Special Trust Funds shall be paid over to the Territorial Law Library.

(e) The fees collected under Subsections (a) and (b) of this Section shall be in addition to any other fees collected by the clerk pursuant to the schedule established by the Judicial Council in the Rules of Civil Procedure for the Superior Court.

(f) The government of Guam, agencies and instrumentalities are exempted from paying the fees prescribed in this Section.

SOURCE: GC § 28510.

NOTES, REFERENCES, AND ANNOTATIONS

CROSS-REFERENCES: For current fees, see the Guam Rules of Civil Procedure.

**§ 9212. Fees From Members of Guam Bar Association.**

Each active member of the Bar of the Territory, as part of his or her dues for membership in the Guam Bar under the Guam Integrated Act, shall pay Fifty Dollars ($50.00) per year to the Territorial Law Library Fund. Said contribution shall be collected with the annual dues for the Bar of Guam and transmitted by it to the Territorial Law Library Fund.

(b) The fees described in Section (a) of this Section shall be subject to revision by the rules of the Supreme Court authorized in § 9101 and § 9102 of this Chapter.

SOURCE: GC § 28511. Repealed and reenacted by P.L. 24-77:1.

**§ 9213. Authority of Legislature to Augment Fund.**

The Legislature may appropriate from the General Fund for the Territorial Law Library such additional sums as may in its discretion appear proper. When so appropriated such funds shall be paid to the treasurer of the Territorial Law Library for deposit in the Territorial Law Library Fund and for all purposes.

SOURCE: GC § 28512.

**§ 9214. Use of Libraries. Use of Libraries.**

The Territorial Law Library shall be free to all residents for the examination of books and other publications at the library.

SOURCE: GC § 28513. Repealed and reenacted by P.L. 24-77:2.

**§ 9215. Furnishing of Reports, Statutes and Other Documents.**

(a) The Governor shall cause to be transmitted to the Territorial Law Library at least one (1) copy of each executive order, administrative regulations and each attorney general’s opinion which has been or shall be promulgated in the Territory.

(b) The Chief Justice of the Territory shall cause to be transmitted to the Territorial Law Library at least one (1) copy of every decision, opinion and order of the Supreme Court of the Territory, and at least one (1) copy of all rules promulgated by the Supreme Court of the Territory.

(c) The presiding judge of the Superior Court shall cause to be transmitted to the Territorial Law Library at least one (1) copy of every decision, opinion and order of the Superior Court, and at least one (1) copy of all rules promulgated by the Superior Court.

(d) The Speaker of the Guam Legislature shall cause to be transmitted to the Territorial Law Library at least one (1) copy each of every public law, of every vetoed bill and every bill introduced in the Guam Legislature, and at least one (1) copy of every item included in the legislative history of every bill considered by the Guam Legislature or any committee or subcommittee thereof.

(e) In addition to the materials which shall be transmitted to the Territorial Law Library pursuant to the provisions of Subsections (a) through (d), inclusive, of this Section, the Governor, the Chief Justice, the presiding judge of the Superior Court and the Speaker of the Guam Legislature shall transmit or cause to be transmitted to the Territorial Law Library any other public records which shall be designated by the Territorial Law librarian.

(f) At such time as the Compiler of Law commences its publication of any of the official documents referred to in this Section, he shall submit one (1) copy, free of charge, to the Territorial Law Library. When such publication has commenced, the officials referred to in this Section shall not be required to submit the documents stated above unless requested to do so by the Board of Law Library Trustees.

SOURCE: GC § 28514.

**§ 9502. Fund Sources: Special Program Revolving Funds.**

(a) All income and interest earned on such income received by the Superior Court for the filing of documents, or imposition of fines except as otherwise mandated by 7 GCA Chapter 5, Article 3 and Chapter III, Title II of Part I of Division Fourth of the Civil Code, relative to the Territorial Law Library and the Criminal Injuries Compensation Commission, respectively, and from rent paid by other tenants or government departments or agencies occupying the Judicial Building shall be deposited in the Judicial Building Fund. All interest income earned by the Superior Court from interest bearing bank accounts not part of the Judicial Building Fund shall likewise be deposited in the Judicial Building Fund as provided in § 9505 of this Chapter.

(b) Subject to approval by the Judicial Council, the Superior Court may charge reasonable fees for providing certain services or programs that the court determines are necessary for the proper administration of justice. Revenue received from such programs may be deposited within revolving accounts set up to support the programs or in the Judicial Building Fund, as the Council may provide.