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Form **990-PF**

Department of the Treasury
Internal Revenue Service

Return of Private Foundation
or Section 4947(a)(1) Nonexempt Charitable Trust
Treated as a Private Foundation

Note. The foundation may be able to use a copy of this return to satisfy state reporting requirements

OMB No 1545-0052

2010

For calendar year 2010, or tax year beginning 01-01-2010 , and ending 12-31-2010

G Check all that apply

☐ Initial return

☐ Initial return of a former public charity

☐ Final return

☐ Amended return

☐ Address change

☐ Name change

Name of foundation
THE JAMES FAMILY CHARITABLE FOUNDATION

A Employer identification number
13-7051493

Number and street (or P O box number if mail is not delivered to street address)
C/O CAPPICILLE 615 W MT PLEASANT AVE

Room/suite

B Telephone number (see page 10 of the instructions)
(973) 994-9122

City or town, state, and ZIP code
LIVINGSTON, NJ 07039

C If exemption application is pending, check here ☐

H Check type of organization ☒ Section 501(c)(3) exempt private foundation
☐ Section 4947(a)(1) nonexempt charitable trust ☐ Other taxable private foundation

D 1. Foreign organizations, check here ☐

2. Foreign organizations meeting the 85% test, check here and attach computation ☐

I Fair market value of all assets at end of year (from Part II, col. (c), line 16) **\$** 52,666,721

J Accounting method ☒ Cash ☐ Accrual
☐ Other (specify)
(Part I, column (d) must be on cash basis.)

E If private foundation status was terminated under section 507(b)(1)(A), check here ☐

F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here ☐

Part I Analysis of Revenue and Expenses (The total of amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a) (see page 11 of the instructions))		(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
Revenue	1 Contributions, gifts, grants, etc , received (attach schedule)				
	2 Check ☒ if the foundation is not required to attach Sch B				
	3 Interest on savings and temporary cash investments				
	4 Dividends and interest from securities.	570,262	531,876		
	5a Gross rents				
	b Net rental income or (loss) _____				
	6a Net gain or (loss) from sale of assets not on line 10	7,900			
	b Gross sales price for all assets on line 6a _____ 37,780,413				
	7 Capital gain net income (from Part IV , line 2)		7,900		
	8 Net short-term capital gain				
	9 Income modifications				
	10a Gross sales less returns and allowances				
Operating and Administrative Expenses	b Less Cost of goods sold				
	c Gross profit or (loss) (attach schedule)				
	11 Other income (attach schedule)				
	12 Total. Add lines 1 through 11	578,162	539,776		
	13 Compensation of officers, directors, trustees, etc	0	0		0
	14 Other employee salaries and wages				
	15 Pension plans, employee benefits				
	16a Legal fees (attach schedule)	20,478	20,478		0
	b Accounting fees (attach schedule)				
	c Other professional fees (attach schedule)	158,432	158,432		0
	17 Interest				
	18 Taxes (attach schedule) (see page 14 of the instructions)	1,500	0		0
	19 Depreciation (attach schedule) and depletion				
	20 Occupancy				
	21 Travel, conferences, and meetings	3,251	0		0
	22 Printing and publications	125	0		0
	23 Other expenses (attach schedule)				
	24 Total operating and administrative expenses. Add lines 13 through 23	183,786	178,910		0
	25 Contributions, gifts, grants paid	1,783,725			1,783,725
	26 Total expenses and disbursements. Add lines 24 and 25	1,967,511	178,910		1,783,725
	27 Subtract line 26 from line 12				
	a Excess of revenue over expenses and disbursements	-1,389,349			
	b Net investment income (if negative, enter -0-)		360,866		
	c Adjusted net income (if negative, enter -0-)				

For Privacy Act and Paperwork Reduction Act Notice, see page 30 of the instructions.

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Part II

Balance Sheets

Attached schedules and amounts in the description column should be for end-of-year amounts only (See instructions)

		Beginning of year	End of year	
		(a) Book Value	(b) Book Value	(c) Fair Market Value
Assets	1Cash—non-interest-bearing	4,141	6,000	6,000
	2Savings and temporary cash investments	738,093	587,587	587,587
	3Accounts receivable ▶ _____ Less allowance for doubtful accounts ▶ _____			
	4Pledges receivable ▶ _____ Less allowance for doubtful accounts ▶ _____			
	5Grants receivable			
	6Receivables due from officers, directors, trustees, and other disqualified persons (attach schedule) (see page 15 of the instructions)			
	7Other notes and loans receivable (attach schedule) ▶ _____ Less allowance for doubtful accounts ▶ _____			
	8Inventories for sale or use			
	9Prepaid expenses and deferred charges			
	10aInvestments—U S and state government obligations (attach schedule)	48,575,591	☒ 36,115,358	36,411,636
	bInvestments—corporate stock (attach schedule)	348,750	☒ 348,750	722,100
	cInvestments—corporate bonds (attach schedule).	3,428,690	☒ 14,648,221	14,939,398
	11Investments—land, buildings, and equipment basis ▶ _____ Less accumulated depreciation (attach schedule) ▶ _____			
	12Investments—mortgage loans			
	13Investments—other (attach schedule)			
	14Land, buildings, and equipment basis ▶ _____ Less accumulated depreciation (attach schedule) ▶ _____			
	15Other assets (describe ▶ _____)			
	16Total assets (to be completed by all filers—see the instructions Also, see page 1, item I)	53,095,265	51,705,916	52,666,721
Liabilities	17Accounts payable and accrued expenses			
	18Grants payable			
	19Deferred revenue			
	20Loans from officers, directors, trustees, and other disqualified persons			
	21Mortgages and other notes payable (attach schedule)			
	22Other liabilities (describe ▶ _____)			
	23Total liabilities (add lines 17 through 22)	0	0	
Net Assets or Fund Balances	Foundations that follow SFAS 117, check here ▶ ☐ and complete lines 24 through 26 and lines 30 and 31.			
	24Unrestricted			
	25Temporarily restricted			
	26Permanently restricted			
	Foundations that do not follow SFAS 117, check here ▶ ☒ and complete lines 27 through 31.			
	27Capital stock, trust principal, or current funds	0	0	
	28Paid-in or capital surplus, or land, bldg , and equipment fund	1,260,903	1,260,903	
	29Retained earnings, accumulated income, endowment, or other funds	51,834,362	50,445,013	
	30Total net assets or fund balances (see page 17 of the instructions)	53,095,265	51,705,916	
	31Total liabilities and net assets/fund balances (see page 17 of the instructions)	53,095,265	51,705,916	

Part III

Analysis of Changes in Net Assets or Fund Balances

1	Total net assets or fund balances at beginning of year—Part II, column (a), line 30 (must agree with end-of-year figure reported on prior year’s return)	1	53,095,265
2	Enter amount from Part I, line 27a	2	-1,389,349
3	Other increases not included in line 2 (itemize) ▶ _____	3	0
4	Add lines 1, 2, and 3	4	51,705,916
5	Decreases not included in line 2 (itemize) ▶ _____	5	0
6	Total net assets or fund balances at end of year (line 4 minus line 5)—Part II, column (b), line 30 . .	6	51,705,916

Part IV Capital Gains and Losses for Tax on Investment Income

(a) List and describe the kind(s) of property sold (e g , real estate, 2-story brick warehouse, or common stock, 200 shs MLC Co)		(b) How acquired P—Purchase D—Donation	(c) Date acquired (mo , day, yr)	(d) Date sold (mo , day, yr)
1 a	SILVERCREST	P		
b	SILVERCREST	P		
c				
d				
e				

(e) Gross sales price	(f) Depreciation allowed (or allowable)	(g) Cost or other basis plus expense of sale	(h) Gain or (loss) (e) plus (f) minus (g)
a 25,965,572		25,947,728	17,844
b 11,814,841		11,824,785	-9,944
c			
d			
e			

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			(I) Gains (Col (h) gain minus col (k), but not less than -0-) or Losses (from col (h))
(i) F M V as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col (i) over col (j), if any	
a			17,844
b			-9,944
c			
d			
e			

2 Capital gain net income or (net capital loss)	{ If gain, also enter in Part I, line 7 If (loss), enter -0- in Part I, line 7 }	2	7,900
3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6) If gain, also enter in Part I, line 8, column (c) (see pages 13 and 17 of the instructions) If (loss), enter -0- in Part I, line 8		3	

Part V Qualification Under Section 4940(e) for Reduced Tax on Net Investment Income

(For optional use by domestic private foundations subject to the section 4940(a) tax on net investment income)

If section 4940(d)(2) applies, leave this part blank

Was the foundation liable for the section 4942 tax on the distributable amount of any year in the base period? ☐ Yes ☒ No

If "Yes," the foundation does not qualify under section 4940(e) Do not complete this part

1 Enter the appropriate amount in each column for each year, see page 18 of the instructions before making any entries

(a) Base period years Calendar year (or tax year beginning in)	(b) Adjusted qualifying distributions	(c) Net value of noncharitable-use assets	(d) Distribution ratio (col (b) divided by col (c))
2009	1,744,022	49,746,468	0 035058
2008	2,019,098	56,696,034	0 035613
2007	2,970,815	57,322,980	0 051826
2006	1,520,224	34,390,974	0 044204
2005	2,261,955	28,611,967	0 079056

2 Total of line 1, column (d).	2	0 245757
3 Average distribution ratio for the 5-year base period—divide the total on line 2 by 5, or by the number of years the foundation has been in existence if less than 5 years	3	0 049151
4 Enter the net value of noncharitable-use assets for 2010 from Part X, line 5.	4	52,289,705
5 Multiply line 4 by line 3.	5	2,570,091
6 Enter 1% of net investment income (1% of Part I, line 27b).	6	3,609
7 Add lines 5 and 6.	7	2,573,700
8 Enter qualifying distributions from Part XII, line 4.	8	1,783,725

If line 8 is equal to or greater than line 7, check the box in Part VI, line 1b, and complete that part using a 1% tax rate See the Part VI instructions on page 18

Part VIExcise Tax Based on Investment Income (Section 4940(a), 4940(b), 4940(e), or 4948—see page 18 of the instructions)			
1aExempt operating foundations described in section 4940(d)(2), check here ☐ and enter "N/A" on line 1 Date of ruling or determination letter _____ (attach copy of letter if necessary—see instructions)			
bDomestic foundations that meet the section 4940(e) requirements in Part V, check here ☐ and enter 1% of Part I, line 27b		1	7,217
cAll other domestic foundations enter 2% of line 27b Exempt foreign organizations enter 4% of Part I, line 12, col (b)			
2Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)		2	0
3Add lines 1 and 2.		3	7,217
4Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)		4	0
5Tax based on investment income. Subtract line 4 from line 3 If zero or less, enter -0-		5	7,217
6Credits/Payments			
a	2010 estimated tax payments and 2009 overpayment credited to 2010	6a	62,075
b	Exempt foreign organizations—tax withheld at source	6b	
c	Tax paid with application for extension of time to file (Form 8868)	6c	
d	Backup withholding erroneously withheld	6d	
7Total credits and payments Add lines 6a through 6d.		7	62,075
8Enter any penalty for underpayment of estimated tax Check here ☒ if Form 2220 is attached		8	
9Tax due. If the total of lines 5 and 8 is more than line 7, enter amount owed		9	
10Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid.		10	54,858
11Enter the amount of line 10 to be Credited to 2011 estimated tax 54,858 Refunded		11	0

Part VII-AStatements Regarding Activities			
1aDuring the tax year, did the foundation attempt to influence any national, state, or local legislation or did it participate or intervene in any political campaign?			YesNo
bDid it spend more than \$100 during the year (either directly or indirectly) for political purposes (see page 19 of the instructions for definition)? If the answer is "Yes" to 1a or 1b, attach a detailed description of the activities and copies of any materials published or distributed by the foundation in connection with the activities.		1a1b	NoNo
cDid the foundation file Form 1120-POL for this year?		1c	No
dEnter the amount (if any) of tax on political expenditures (section 4955) imposed during the year (1) On the foundation \$ 0 (2) On foundation managers \$ 0			
eEnter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers \$ 0			
2Has the foundation engaged in any activities that have not previously been reported to the IRS? If "Yes," attach a detailed description of the activities.		2	No
3Has the foundation made any changes, not previously reported to the IRS, in its governing instrument, articles of incorporation, or bylaws, or other similar instruments? If "Yes," attach a conformed copy of the changes		3	No
4aDid the foundation have unrelated business gross income of \$1,000 or more during the year?		4a	No
bIf "Yes," has it filed a tax return on Form 990-T for this year?		4b	
5Was there a liquidation, termination, dissolution, or substantial contraction during the year? If "Yes," attach the statement required by General Instruction T.		5	No
6Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either • By language in the governing instrument, or • By state legislation that effectively amends the governing instrument so that no mandatory directions that conflict with the state law remain in the governing instrument?		6	Yes
7Did the foundation have at least \$5,000 in assets at any time during the year? If "Yes," complete Part II, col (c), and Part XV		7	Yes
8aEnter the states to which the foundation reports or with which it is registered (see page 19 of the instructions) NY			
bIf the answer is "Yes" to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate) of each state as required by General Instruction G? If "No," attach explanation .		8b	Yes
9Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)(5) for calendar year 2010 or the taxable year beginning in 2010 (see instructions for Part XIV on page 27)? If "Yes," complete Part XIV		9	No
10Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their names and addresses		10	No

Part VII-A

Statements Regarding Activities *(continued)*

11	At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If "Yes," attach schedule (see page 20 of the instructions).	11		No
12	Did the foundation acquire a direct or indirect interest in any applicable insurance contract before August 17, 2008?	12		No
13	Did the foundation comply with the public inspection requirements for its annual returns and exemption application? Website address N/A	13	Yes	
14	The books are in care of MICHAEL CAPPICILLE CPA Telephone no (973) 994-9122 Located at 615 WEST MOUNT PLEASANT AVE LIVINGSTON NJ LIVINGSTON NJ ZIP+4 07039			
15	Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of Form 1041 —Check here and enter the amount of tax-exempt interest received or accrued during the year.		15	
16	At any time during calendar year 2010, did the foundation have an interest in or a signature or other authority over a bank, securities, or other financial account in a foreign country?	16		No
See page 20 of the instructions for exceptions and filing requirements for Form TD F 90-22.1 If "Yes", enter the name of the foreign country.				

Part VII-B

Statements Regarding Activities for Which Form 4720 May Be Required

File Form 4720 if any item is checked in the "Yes" column, unless an exception applies.			Yes	No
1a	During the year did the foundation (either directly or indirectly) (1) Engage in the sale or exchange, or leasing of property with a disqualified person? (2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person? (3) Furnish goods, services, or facilities to (or accept them from) a disqualified person? (4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person? (5) Transfer any income or assets to a disqualified person (or make any of either available for the benefit or use of a disqualified person)? (6) Agree to pay money or property to a government official? (Exception. Check "No" if the foundation agreed to make a grant to or to employ the official for a period after termination of government service, if terminating within 90 days).			
b	If any answer is "Yes" to 1a(1)–(6), did any of the acts fail to qualify under the exceptions described in Regulations section 53.4941(d)-3 or in a current notice regarding disaster assistance (see page 20 of the instructions)? Organizations relying on a current notice regarding disaster assistance check here.	1b		
c	Did the foundation engage in a prior year in any of the acts described in 1a, other than excepted acts, that were not corrected before the first day of the tax year beginning in 2010?	1c		No
2	Taxes on failure to distribute income (section 4942) (does not apply for years the foundation was a private operating foundation defined in section 4942(j)(3) or 4942(j)(5))			
a	At the end of tax year 2010, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2010? If "Yes," list the years 20 , 20 , 20 , 20			
b	Are there any years listed in 2a for which the foundation is not applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to all years listed, answer "No" and attach statement—see page 20 of the instructions).	2b		
c	If the provisions of section 4942(a)(2) are being applied to any of the years listed in 2a, list the years here 20 , 20 , 20 , 20			
3a	Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year?			
b	If "Yes," did it have excess business holdings in 2010 as a result of (1) any purchase by the foundation or disqualified persons after May 26, 1969, (2) the lapse of the 5-year period (or longer period approved by the Commissioner under section 4943(c)(7)) to dispose of holdings acquired by gift or bequest, or (3) the lapse of the 10-, 15-, or 20-year first phase holding period? (Use Schedule C, Form 4720, to determine if the foundation had excess business holdings in 2010.).	3b		
4a	Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?	4a		No
b	Did the foundation make any investment in a prior year (but after December 31, 1969) that could jeopardize its charitable purpose that had not been removed from jeopardy before the first day of the tax year beginning in 2010?	4b		No

Part VII-B

Statements Regarding Activities for Which Form 4720 May Be Required (continued)

5a

During the year did the foundation pay or incur any amount to

(1) Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))?

Yes

No

(2) Influence the outcome of any specific public election (see section 4955), or to carry on, directly or indirectly, any voter registration drive?

Yes

No

(3) Provide a grant to an individual for travel, study, or other similar purposes?

Yes

No

(4) Provide a grant to an organization other than a charitable, etc , organization described in section 509(a)(1), (2), or (3), or section 4940(d)(2)? (see page 22 of the instructions).

Yes

No

(5) Provide for any purpose other than religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals?

Yes

No

5b

If any answer is "Yes" to 5a(1)–(5), did any of the transactions fail to qualify under the exceptions described in Regulations section 53.4945 or in a current notice regarding disaster assistance (see page 22 of the instructions)? Organizations relying on a current notice regarding disaster assistance check here.

c

If the answer is "Yes" to question 5a(4), does the foundation claim exemption from the tax because it maintained expenditure responsibility for the grant?

Yes

No

If "Yes," attach the statement required by Regulations section 53.4945–5(d).

6a

Did the foundation, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?

Yes

No

b

Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract?

6b

No

If "Yes " to 6b, file Form 8870.

7a

At any time during the tax year, was the foundation a party to a prohibited tax shelter transaction?

Yes

No

b

If yes, did the foundation receive any proceeds or have any net income attributable to the transaction?

7b

Part VIII

Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors

1

List all officers, directors, trustees, foundation managers and their compensation (see page 22 of the instructions).

(a) Name and address	(b) Title, and average hours per week devoted to position	(c) Compensation (If not paid, enter -0-)	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
HAMILTON E JAMES	PRES & TREAS	0	0	0
1001 PARK AVENUE NEW YORK, NY 10028	0 00			
AMABEL B JAMES	VP & SECY	0	0	0
1001 PARK AVENUE NEW YORK, NY 10028	0 00			

2

Compensation of five highest-paid employees (other than those included on line 1—see page 23 of the instructions). If none, enter "NONE."

(a) Name and address of each employee paid more than \$50,000	(b) Title, and average hours per week devoted to position	(c) Compensation	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
NONE				

Total

number of other employees paid over \$50,000.

0

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Part VIII

Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors (continued)

3 Five highest-paid independent contractors for professional services (see page 23 of the instructions). If none, enter "NONE".		
(a) Name and address of each person paid more than \$50,000	(b) Type of service	(c) Compensation
NONE		
Total number of others receiving over \$50,000 for professional services.		0

Part IX-A

Summary of Direct Charitable Activities

List the foundation's four largest direct charitable activities during the tax year. Include relevant statistical information such as the number of organizations and other beneficiaries served, conferences convened, research papers produced, etc.	Expenses
1	
2	
3	
4	

Part IX-B

Summary of Program-Related Investments (see page 24 of the instructions)

Describe the two largest program-related investments made by the foundation during the tax year on lines 1 and 2	Amount
1	
2	
All other program-related investments. See page 24 of the instructions.	
3	
Total. Add lines 1 through 3.	0

Part X

Minimum Investment Return (All domestic foundations must complete this part. Foreign foundations, see page 24 of the instructions.)

1	Fair market value of assets not used (or held for use) directly in carrying out charitable, etc , purposes		
a	Average monthly fair market value of securities.	1a	51,053,609
b	Average of monthly cash balances.	1b	2,032,386
c	Fair market value of all other assets (see page 24 of the instructions).	1c	0
d	Total (add lines 1a, b, and c).	1d	53,085,995
e	Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation).	1e	0
2	Acquisition indebtedness applicable to line 1 assets.	2	0
3	Subtract line 2 from line 1d.	3	53,085,995
4	Cash deemed held for charitable activities Enter 1 1/2% of line 3 (for greater amount, see page 25 of the instructions).	4	796,290
5	Net value of noncharitable-use assets. Subtract line 4 from line 3 Enter here and on Part V, line 4	5	52,289,705
6	Minimum investment return. Enter 5% of line 5.	6	2,614,485

Part XI

Distributable Amount (see page 25 of the instructions) (Section 4942(j)(3) and (j)(5) private operating foundations and certain foreign organizations check here ☒ and do not complete this part.)

1	Minimum investment return from Part X, line 6.	1	2,614,485
2a	Tax on investment income for 2010 from Part VI, line 5.	2a	7,217
b	Income tax for 2010 (This does not include the tax from Part VI).	2b	
c	Add lines 2a and 2b.	2c	7,217
3	Distributable amount before adjustments Subtract line 2c from line 1.	3	2,607,268
4	Recoveries of amounts treated as qualifying distributions.	4	0
5	Add lines 3 and 4.	5	2,607,268
6	Deduction from distributable amount (see page 25 of the instructions).	6	0
7	Distributable amount as adjusted Subtract line 6 from line 5 Enter here and on Part XIII, line 1.	7	2,607,268

Part XII

Qualifying Distributions (see page 25 of the instructions)

1	Amounts paid (including administrative expenses) to accomplish charitable, etc , purposes		
a	Expenses, contributions, gifts, etc —total from Part I, column (d), line 26.	1a	1,783,725
b	Program-related investments—total from Part IX-B.	1b	0
2	Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc , purposes.	2	
3	Amounts set aside for specific charitable projects that satisfy the		
a	Suitability test (prior IRS approval required).	3a	
b	Cash distribution test (attach the required schedule).	3b	
4	Qualifying distributions. Add lines 1a through 3b Enter here and on Part V, line 8, and Part XIII, line 4	4	1,783,725
5	Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income Enter 1% of Part I, line 27b (see page 26 of the instructions).	5	0
6	Adjusted qualifying distributions. Subtract line 5 from line 4.	6	1,783,725
Note: The amount on line 6 will be used in Part V, column (b), in subsequent years when calculating whether the foundation qualifies for the section 4940(e) reduction of tax in those years			

Part XIII

Undistributed Income (see page 26 of the instructions)

		(a) Corpus	(b) Years prior to 2009	(c) 2009	(d) 2010
1	Distributable amount for 2010 from Part XI, line 7				2,607,268
2	Undistributed income, if any, as of the end of 2010				
a	Enter amount for 2009 only.			0	
b	Total for prior years 20____, 20____, 20____		0		
3	Excess distributions carryover, if any, to 2010				
a	From 2005.				1,049,474
b	From 2006.				
c	From 2007.				395,175
d	From 2008.				
e	From 2009.				
f	Total of lines 3a through e.	1,444,649			
4	Qualifying distributions for 2010 from Part XII, line 4 ▶ \$ 1,783,725				
a	Applied to 2009, but not more than line 2a			0	
b	Applied to undistributed income of prior years (Election required—see page 26 of the instructions)		0		
c	Treated as distributions out of corpus (Election required—see page 26 of the instructions). . .	0			
d	Applied to 2010 distributable amount.				1,783,725
e	Remaining amount distributed out of corpus	0			
5	Excess distributions carryover applied to 2010 (If an amount appears in column (d), the same amount must be shown in column (a).)	823,543			823,543
6	Enter the net total of each column as indicated below:				
a	Corpus Add lines 3f, 4c, and 4e Subtract line 5	621,106			
b	Prior years' undistributed income Subtract line 4b from line 2b.		0		
c	Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed.		0		
d	Subtract line 6c from line 6b Taxable amount—see page 27 of the instructions . . .		0		
e	Undistributed income for 2009 Subtract line 4a from line 2a Taxable amount—see page 27 of the instructions			0	
f	Undistributed income for 2010 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2011				0
7	Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) (see page 27 of the instructions)	0			
8	Excess distributions carryover from 2005 not applied on line 5 or line 7 (see page 27 of the instructions)	225,931			
9	Excess distributions carryover to 2011. Subtract lines 7 and 8 from line 6a	395,175			
10	Analysis of line 9				
a	Excess from 2006.				
b	Excess from 2007.	395,175			
c	Excess from 2008.				
d	Excess from 2009.				
e	Excess from 2010.				

Part XIV

Private Operating Foundations (see page 27 of the instructions and Part VII-A, question 9)

1a

If the foundation has received a ruling or determination letter that it is a private operating foundation, and the ruling is effective for 2010, enter the date of the ruling.

b

Check box to indicate whether the organization is a private operating foundation described in section 4942(j)(3) or 4942(j)(5)

☐ 4942(j)(3) or ☐ 4942(j)(5)

2a	Enter the lesser of the adjusted net income from Part I or the minimum investment return from Part X for each year listed	Tax year	Prior 3 years			(e) Total
		(a) 2010	(b) 2009	(c) 2008	(d) 2007	
b	85% of line 2a					
c	Qualifying distributions from Part XII, line 4 for each year listed					
d	Amounts included in line 2c not used directly for active conduct of exempt activities					
e	Qualifying distributions made directly for active conduct of exempt activities. Subtract line 2d from line 2c					
3	Complete 3a, b, or c for the alternative test relied upon					
a	"Assets" alternative test—enter					
	(1) Value of all assets					
	(2) Value of assets qualifying under section 4942(j)(3)(B)(i)					
b	"Endowment" alternative test— enter 2/3 of minimum investment return shown in Part X, line 6 for each year listed.					
c	"Support" alternative test—enter					
	(1) Total support other than gross investment income (interest, dividends, rents, payments on securities loans (section 512(a)(5)), or royalties)					
	(2) Support from general public and 5 or more exempt organizations as provided in section 4942(j)(3)(B)(iii).					
	(3) Largest amount of support from an exempt organization					
	(4) Gross investment income					

Part XV

Supplementary Information (Complete this part only if the organization had \$5,000 or more in assets at any time during the year—see page 27 of the instructions.)

1

Information Regarding Foundation Managers:

a

List any managers of the foundation who have contributed more than 2% of the total contributions received by the foundation before the close of any tax year (but only if they have contributed more than \$5,000) (See section 507(d)(2))

See Additional Data Table

b

List any managers of the foundation who own 10% or more of the stock of a corporation (or an equally large portion of the ownership of a partnership or other entity) of which the foundation has a 10% or greater interest

2

Information Regarding Contribution, Grant, Gift, Loan, Scholarship, etc., Programs:

Check here ☒ if the foundation only makes contributions to preselected charitable organizations and does not accept unsolicited requests for funds. If the foundation makes gifts, grants, etc. (see page 28 of the instructions) to individuals or organizations under other conditions, complete items 2a, b, c, and d.

a

The name, address, and telephone number of the person to whom applications should be addressed

b

The form in which applications should be submitted and information and materials they should include

c

Any submission deadlines

d

Any restrictions or limitations on awards, such as by geographical areas, charitable fields, kinds of institutions, or other factors

Part XV

Supplementary Information (continued)

3 Grants and Contributions Paid During the Year or Approved for Future Payment

Recipient	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
Name and address (home or business)				
a Paid during the year See Additional Data Table				
Total			▶ 3a	1,783,725
b Approved for future payment				
Total			▶ 3b	0

Enter gross amounts unless otherwise indicated

Part XVI-B Relationship of Activities to the Accomplishment of Exempt Purposes

Form **990-PF** (2010)

Part XVII

Information Regarding Transfers To and Transactions and Relationships With Noncharitable Exempt Organizations

1

Did the organization directly or indirectly engage in any of the following with any other organization described in section 501(c) of the Code (other than section 501(c)(3) organizations) or in section 527, relating to political organizations?

a

Transfers from the reporting foundation to a noncharitable exempt organization of

1

Cash.

1a(1)

No

2

Other assets.

1a(2)

No

b

Other transactions

1

Sales of assets to a noncharitable exempt organization.

1b(1)

No

2

Purchases of assets from a noncharitable exempt organization.

1b(2)

No

3

Rental of facilities, equipment, or other assets.

1b(3)

No

4

Reimbursement arrangements.

1b(4)

No

5

Loans or loan guarantees.

1b(5)

No

6

Performance of services or membership or fundraising solicitations.

1b(6)

No

c

Sharing of facilities, equipment, mailing lists, other assets, or paid employees.

1c

No

d

If the answer to any of the above is "Yes," complete the following schedule. Column (b) should always show the fair market value of the goods, other assets, or services given by the reporting foundation. If the foundation received less than fair market value in any transaction or sharing arrangement, show in column (d) the value of the goods, other assets, or services received.

(a) Line No	(b) Amount involved	(c) Name of noncharitable exempt organization	(d) Description of transfers, transactions, and sharing arrangements

2a

Is the foundation directly or indirectly affiliated with, or related to, one or more tax-exempt organizations described in section 501(c) of the Code (other than section 501(c)(3)) or in section 527?

☐

Yes

☒

No

b

If "Yes," complete the following schedule.

(a) Name of organization	(b) Type of organization	(c) Description of relationship
--------------------------	--------------------------	---------------------------------

Sign Here

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than taxpayer or fiduciary) is based on all information of which preparer has any knowledge.

Signature of officer or trustee

2011-11-02

Date

Title

Paid Preparer's Use Only

Preparer's Signature

DONNA M STEFANELLI

Firm's name

CAPPICILLE & COMPANY LLC

615 WEST MT PLEASANT AVE

Firm's address

LIVINGSTON, NJ 07039

Date

Check if self-employed

PTIN

Firm's EIN

Phone no (973) 994-9122

Form 990-PF (2010)

Additional Data

Software ID:
Software Version:
EIN: 13-7051493
Name: THE JAMES FAMILY CHARITABLE FOUNDATION

Form 990PF Part XV Line 1a - List any managers of the foundation who have contributed more than 2% of the total contributions received by the foundation before the close of any tax year (but only if they have contributed more than \$5,000).

HAMILTON E JAMES
A MABEL B JAMES

Form 990PF Part XV Line 3 - Grants and Contributions Paid During the Year or Approved for Future Payment

Recipient	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
Name and address (home or business)				
a Paid during the year				
ALZHEIMER FOUNDATION OF STATEN ISLAND 789 POST AVENUE STATEN ISLAND,NY 10310	N/A		GENERAL PURPOSES	500
AMERICAN BALLET THEATRE 890 BROADWAY NEW YORK,NY 10003	N/A		GENERAL PURPOSES	25,000
AMERICAN FRIENDS OF THE SHANGHAI MUSEUM 530 EAST 86TH STREET NEW YORK,NY 10028	N/A		GENERAL PURPOSES	2,000
AMERICAN MUSEUM OF FLY FISHING 4104 MAIN STREET MANCHESTER,VT 05254	N/A		GENERAL PURPOSES	500
CARSON SCHOLARS FUND 305 W CHESAPEAKE AVENUE TOWSON,MD 21204	N/A		GENERAL PURPOSES	25,000
CENTRAL PARK CONSERVANCY 14 EAST 60TH STREET NEW YORK,NY 10022	N/A		GENERAL PURPOSES	25,000
CHILDRENS AID SOCIETY OF NYC 219 SULLIVAN STREET NEW YORK,NY 10012	N/A		GENERAL PURPOSES	6,500
CHINA INSTITUTE 125 EAST 65TH STREET NEW YORK,NY 10021	N/A		GENERAL PURPOSES	35,000
CHOATE ROSEMARY HALL 333 CHRISTIAN STREET WALLINGFORD,CT 06492	N/A		GENERAL PURPOSES	10,000
CLASSICAL AMERICAN HOME PRESERVATION 69 EAST 93RD STREET NEW YORK,NY 10128	N/A		GENERAL PURPOSES	100,000
COLDWATER CONSERVATION FUND 1300 NORTH 17TH STREET STE 500 ARLINGTON,VA 22203	N/A		GENERAL PURPOSES	58,000
DARIEN TECHNOLOGY FOUNDATION PO BOX 1714 S BROOK STREET DARIEN,CT 06820	N/A		GENERAL PURPOSES	5,000
ENVIRONMENTAL ADVOCATES OF NEW YORK 353 HAMILTON STREET ALBANY,NY 12210	N/A		GENERAL PURPOSES	1,000
EPISCOPAL CHARITIES 1047 AMSTERDAM AVENUE NEW YORK,NY 10025	N/A		GENERAL PURPOSES	1,000
GARRISON FOREST SCHOOL 300 GARRISON FOREST ROAD OWINGS MILLS,MD 21117	N/A		GENERAL PURPOSES	225,000
Total  3a				1,783,725

Form 990PF Part XV Line 3 - Grants and Contributions Paid During the Year or Approved for Future Payment

Recipient	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
Name and address (home or business)				
a Paid during the year				
GROUNDWORK 595 SUTTER AVENUE NEW YORK,NY 11207	N/A		GENERAL PURPOSES	1,000
HARPETH YOUTH SOCCER ASSOCIATION 353 CLOFTON DRIVE NASHVILLE,TN 37221	N/A		GENERAL PURPOSES	5,000
HEALTH ADVOCATES FOR OLDER PEOPLE 1844 SECOND AVENUE NEW YORK,NY 10128	N/A		GENERAL PURPOSES	500
HOSPITAL FOR SPECIAL SURGERY 535 EAST 70TH STREET NEW YORK,NY 10021	N/A		GENERAL PURPOSES	3,500
INTERNATIONAL MEDICAL CORPS 1919 SANTA MONICAL BLVD STE 400 SANTA MONICA,CA 90404	N/A		GENERAL PURPOSES	5,000
JOHN F KENNEDY LIBRARY FOUNDATION COLUMBIA POINT BOSTON,MA 11714	N/A		GENERAL PURPOSES	4,000
JOHNS HOPKINS UNIVERSITY 201 N CHARLES STREET STE 2500 BALTIMORE,MD 21201	N/A		GENERAL PURPOSES	75
JUST CAUSE WALK PO BOX 132 BOLTON,MA 01740	N/A		GENERAL PURPOSES	2,500
LENOX HILL NEIGHBORHOOD HOUSE INC 331 EAST 70TH ST NEW YORK,NY 10021	N/A		GENERAL PURPOSES	65,000
LEUKEMIA & LYMPHOMA SOCIETY PO BOX 4072 PITTSFIELD,MA 01202	N/A		GENERAL PURPOSES	2,500
LIFT 2715 BAINBRIDGE AVENUE BRONX,NY 10458	N/A		GENERAL PURPOSES	1,000
LOUISVILLE OLMSTED PARKS CONSERVANCY 1299 TREVILLIAN WAY LOUISVILLE,KY 40213	N/A		GENERAL PURPOSES	300
MDA ALS DIVISION PO BOX 78960 PHOENIX,AZ 85062	N/A		GENERAL PURPOSES	350
METROPOLITAN MUSEUM OF ART 1000 FIFTH AVENUE NEW YORK,NY 10028	N/A		GENERAL PURPOSES	14,000
MIDDLETON PLACE FOUNDATION 4300 ASHLEY RIVER ROAD CHARLESTON,SC 29414	N/A		GENERAL PURPOSES	1,000
Total  3a				1,783,725

Form 990PF Part XV Line 3 - Grants and Contributions Paid During the Year or Approved for Future Payment

Recipient	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
Name and address (home or business)				
a Paid during the year				
MOMA ANNUAL FUND 11 WEST 53RD STREET NEW YORK,NY 10015	N/A		GENERAL PURPOSES	3,000
MONTANA LAND RELIANCE 324 FULLER AVE PO BOX 355 HELENA,MT 59624	N/A		GENERAL PURPOSES	25,000
MUSEUM OF CONTEMPORARY ART NORTH MIAMI 770 NORTHEAST 125TH STREET NORTH MIAMI,FL 33161	N/A		GENERAL PURPOSES	5,000
MUSEUM OF THE CITY OF NEW YORK 1220 FIFTH AVENUE NEW YORK,NY 10029	N/A		GENERAL PURPOSES	1,750
NATIONAL FOUNDATION FOR FACIAL RECONSTRUCTION 333 EAST 30TH STREET NEW YORK,NY 10016	N/A		GENERAL PURPOSES	1,000
NEW YORK HISTORICAL SOCIETY 170 CENTRAL PARK WEST NEW YORK,NY 10024	N/A		GENERAL PURPOSES	5,000
NEW YORK LANDMARKS PRESERVATION ONE CENTRE STREET 9TH FLOOR NEW YORK,NY 10007	N/A		GENERAL PURPOSES	5,000
NEW YORK PRESBYTERIAN HOSPITAL 525 E 68TH STREET NEW YORK,NY 10021	N/A		GENERAL PURPOSES	112,500
NORTHERN MICHIGAN HOSPITAL FOUNDATION 360 CONNABLE AVENUE PETOSKEY,MI 49770	N/A		GENERAL PURPOSES	6,000
NTAF SOUTH ATLANTIC SPINAL CORD INJURY FUND 150 N RADNOR CHESTER ROAD RADNOR,PA 19087	N/A		GENERAL PURPOSES	45,000
PAULINE ALLEN GILL CENTER 5500 PRESTON ROAD DALLAS,TX 75205	N/A		GENERAL PURPOSES	500
PEER HEALTH EXCHANGE 1460 BROADWAY NEW YORK,NY 10036	N/A		GENERAL PURPOSES	1,500
PHILADELPHIA READS 325 CHESTNUT STREET STE 903 PHILADELPHIA,PA 19106	N/A		GENERAL PURPOSES	250
RAINFOREST FOUNDATION FUND 32 BROADWAY STE 1614 NEW YORK,NY 10004	N/A		GENERAL PURPOSES	4,000
READING FOOD PANTRY SHELF 6 SALEM STREET READING,MA 01867	N/A		GENERAL PURPOSES	250
Total  3a				1,783,725

Form 990PF Part XV Line 3 - Grants and Contributions Paid During the Year or Approved for Future Payment

Recipient	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
Name and address (home or business)				
a Paid during the year				
ROUNABOUT THEATRE 227 WEST 42ND STREET NEW YORK,NY 10036	N/A		GENERAL PURPOSES	50
SECOND STAGE THEATRE 307 WEST 43RD STREET NEW YORK,NY 10036	N/A		GENERAL PURPOSES	50,000
SERVICES FOR THE UNDERSERVED 305 7TH AVENUE 10 NEW YORK,NY 10001	N/A		GENERAL PURPOSES	1,000
SETTLEMENT MUSIC SCHOOL PO BOX 63966 PHILADELPHIA,PA 19147	N/A		GENERAL PURPOSES	350
SOLOMON R GUGGENHEIM MUSEUM 1071 FIFTH AVENUE NEW YORK,NY 10128	N/A		GENERAL PURPOSES	200
ST GABRIEL'S SCHOOL 97TH STREET EAST ELMHURST,NY 11369	N/A		GENERAL PURPOSES	500
ST JOHN'S EPISCOPAL CHURCH PO BOX 52 HARBOR SPRING,MI 49740	N/A		GENERAL PURPOSES	2,000
ST LUKE'S CHURCH 1864 POST ROAD DARIEN,CT 06820	N/A		GENERAL PURPOSES	118,000
TECHNOSERVE 1800 M STREET NW STE 1066 WASHINGTON,DC 20036	N/A		GENERAL PURPOSES	5,500
THE BREARLEY SCHOOL 610 EAST 83RD STREET NEW YORK,NY 10028	N/A		GENERAL PURPOSES	270,000
THE DOE FUND 232 EAST 84TH STREET NEW YORK,NY 10028	N/A		GENERAL PURPOSES	1,000
THE GOOD DOG FOUNDATION 607 SIXTH STREET BROOKLYN,NY 11215	N/A		GENERAL PURPOSES	200
THE GRADUATE CENTER FOUNDATION 365 5TH AVE NEW YORK,NY 10016	N/A		GENERAL PURPOSES	172,000
THE HOPE PROGRAM ONE SMITH STREET BROOKLYN,NY 11201	N/A		GENERAL PURPOSES	1,000
THE MANHATTAN INSTITUTE 52 VANDERBILT AVENUE NEW YORK,NY 10017	N/A		GENERAL PURPOSES	250
Total  3a				1,783,725

Form 990PF Part XV Line 3 - Grants and Contributions Paid During the Year or Approved for Future Payment

Recipient	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
Name and address (home or business)				
a <i>Paid during the year</i>				
THE NEW YORK POLICE FOUNDATION 345 PARK AVENUE NEW YORK, NY 10154	N/A		GENERAL PURPOSES	500
THE PUBLIC THEATRE 425 LAFAYETTE STREET NEW YORK, NY 10003	N/A		GENERAL PURPOSES	5,000
TRINITY COLLEGE ANNUAL FUND 300 SUMMIT STREET HARTFORD, CT 06106	N/A		GENERAL PURPOSES	500
TROUT UNLIMITED 1500 WILSON BLVD ARLINGTON, VA 22209	N/A		GENERAL PURPOSES	1,000
UNITED WAY OF NYC 2 PARK AVENUE NEW YORK, NY 10016	N/A		GENERAL PURPOSES	25,500
USO OF METRO NEW YORK 625 8TH AVENUE NEW YORK, NY 10018	N/A		GENERAL PURPOSES	1,200
VERMONT STUDIO CENTER BOX 613 JOHNSON, VT 05656	N/A		GENERAL PURPOSES	15,000
WEILL CORNELL MED COLLEGE 1300 YORK AVE NEW YORK, NY 10065	N/A		GENERAL PURPOSES	10,000
WELLESLEY COLLEGE 106 CENTRAL ST WELLESLEY, MA 02481	N/A		GENERAL PURPOSES	50,000
WILDLIFE CONSERVATION SOCIETY 2300 SOUTHERN BLVD BRONX, NY 10460	N/A		GENERAL PURPOSES	102,000
WOODS HOLE INSTITUTE 266 WOODS HOLD ROAD WOODS HOLD, MA 02543	N/A		GENERAL PURPOSES	110,000
Total  3a				1,783,725

**TY 2010 Investments Corporate
Bonds Schedule**

Name: THE JAMES FAMILY CHARITABLE FOUNDATION
EIN: 13-7051493

Name of Bond	End of Year Book Value	End of Year Fair Market Value
CORPORATE BONDS	14,648,221	14,939,398

TY 2010 Investments Corporate Stock Schedule

Name: THE JAMES FAMILY CHARITABLE FOUNDATION

EIN: 13-7051493

Name of Stock	End of Year Book Value	End of Year Fair Market Value
CORPORATE STOCK	348,750	722,100

TY 2010 Investments Government Obligations Schedule

Name: THE JAMES FAMILY CHARITABLE FOUNDATION

EIN: 13-7051493

**US Government Securities - End of
Year Book Value:**

13,857,007

**US Government Securities - End of
Year Fair Market Value:**

14,136,638

**State & Local Government
Securities - End of Year Book
Value:**

22,258,351

**State & Local Government
Securities - End of Year Fair
Market Value:**

22,274,998

TY 2010 Legal Fees Schedule

Name: THE JAMES FAMILY CHARITABLE FOUNDATION

EIN: 13-7051493

Category	Amount	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
DWYER & COLLORA	20,478	20,478		0

TY 2010 Other Professional Fees Schedule

Name: THE JAMES FAMILY CHARITABLE FOUNDATION

EIN: 13-7051493

Category	Amount	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
INVESTMENT ADVISORY FEES	158,432	158,432		0

TY 2010 Taxes Schedule

Name: THE JAMES FAMILY CHARITABLE FOUNDATION

EIN: 13-7051493

Category	Amount	Net Investment Income	Adjusted Net Income	Disbursements for Charitable Purposes
NY STATE FILING FEE	1,500	0		0