

**U.S. Magistrate Judge
Texas Eastern
Information for Applicants**

This package provides information on applying for a United States magistrate judge position within the Eastern District of Texas.

A. LOCATION OF JUDGESHIP AND APPLICATION DEADLINE

Applications for the office of the United States Magistrate Judge in the Eastern District of Texas at Tyler are now invited. Applications must be addressed to David J. Maland, U.S. District Clerk, 106 Steger U.S. Courthouse and Federal Building, 211 W. Ferguson, Tyler, TX 75702 and **must be received no later than 5 p.m. on Friday, October 12, 2012.**

B. MAGISTRATE JUDGE'S RESPONSIBILITIES/QUALIFICATIONS

To meet the minimum qualifications for appointment, applicants:

- (1) Must be members in good standing for at least five years of the bar of the highest court of a State, the District of Columbia, the Commonwealth of Puerto Rico, or the Virgin Islands of the United States.
- (2) Must have been engaged in the active practice of law for a period of at least five years. The court may consider as substitute experience for the active practice of law the following, including any combination thereof:
 - (a) Judge of a state court of record or other state judicial officer
 - (b) United States magistrate judge
 - (c) Referee in bankruptcy
 - (d) Bankruptcy judge, or other federal judicial officer
 - (e) Attorney for federal or state agencies
 - (f) Law clerk to any judge or judicial officer (limited to two years)
 - (g) Other legal experience which is suitable as a substitute in the opinion of the majority of the court
- (3) Must be competent to perform the duties of the office and be of good moral character, emotionally stable and mature, committed to equal justice under the law, in good health, patient, courteous, and capable of deliberation and decisiveness.
- (4) At the time of initial appointment, must not be related by blood or marriage to a judge of the district to which the magistrate judge is being appointed, within the degrees specified in § 455 (b)(5) of Title 28, United States Code.

- (5) In the case of an initial appointment, must not be seventy years of age or older.

The appointment of a magistrate judge terminates when the magistrate judge reaches age 70. However, there are special requirements under § 631 (d) of Title 28 that permit a magistrate judge to continue to serve and to be reappointed. At the time a magistrate judge reaches 70 years of age and on each subsequent anniversary, the magistrate judge may be reappointed for another one year term if a majority of the active judges of the district court approve.

- (6) Must be a citizen of the United States.

C. JUDGESHIP AVAILABILITY/TERM OF APPOINTMENT

The court is searching for the best-qualified individual currently available for appointment to an eight-year term. The location of the court where the successful applicant will sit is Tyler, Texas. **Note: relocation expenses will not be paid.**

D. MAGISTRATE JUDGE SALARY

The current annual salary is \$160,080. Magistrate judge salaries are set by Congress. Periodically, Congress adjusts salaries based on cost of living increases.

E. MAGISTRATE JUDGE JURISDICTION

The basic jurisdiction of a magistrate judge is specified in 28 U.S.C. § 636 and in Title 11, United States Code.

F. SELECTION PROCESS

A merit selection panel composed of a chair and six other members evaluate all applications and conducts interviews of those applications the panel deems to be most qualified. The panel will keep confidential the identity of applicants and information received about them as much as possible while conducting the background investigation. However, employers, colleagues, or any other individuals than those listed as references may be contacted in order to select the top candidates. Hence, submission of an application will be deemed consent to have such persons contacted in order to access the judicial qualifications of the applicant.

The panel prepares a report of its recruitment and recommends for final consideration by the district court the names of five candidates the panel evaluates to be most qualified. The final selection is made by majority vote of the active judges of the district court. In cases of failure by the judges of the district court to make a majority selection, the chief judge shall make the determination.

Following the selection, a thorough background check is undertaken by the Federal Bureau

of Investigation and a report is submitted by the Internal Revenue Service. Final appointment is contingent upon satisfactory reports by these agencies.

G. SUGGESTIONS FOR COMPLETING AN APPLICATION

- (1) Applications may not be hand-written. You must follow the application format set forth in the attached form.
- (2) The application form is available on the court's Internet site located at *www.txed.uscourts.gov*.
- (3) If you choose to use the hard copy of the application form, you must submit your application answers on a separate sheet of paper with reference to the respective letter and number designation keyed to the page to which it refers (e.g., p. 7, G.2.).
- (4) Answer all questions as thoroughly as possible. If a question or section is not applicable, please so state and, unless obvious, state why it is inapplicable. Incomplete applications will not be processed.
- (5) You are required to submit the original and eight copies of this application and any attachments.

H. FILING APPLICATION

All completed applications (original and eight copies) must be mailed or hand delivered by 5 p.m. Friday, October 12, 2012 at the following address:

David J. Maland, U.S. District Clerk
106 William M. Steger U.S. Courthouse & Federal Building
211 West Ferguson St.
Tyler, TX 75702

Questions regarding the application process can be directed to the Clerk, who can be contacted at (903) 590-1008 or david_maland@txed.uscourts.gov.