

Availability of a Bankruptcy Judgeship Position in the Southern District of Florida at Fort Lauderdale

The United States Court of Appeals for the Eleventh Circuit seeks applications from all highly qualified candidates for a fourteen-year appointment as United States Bankruptcy Judge for the Southern District of Florida at Fort Lauderdale. The basic jurisdiction of a bankruptcy judge is specified in Title 28, United States Code and explained in Title 11, United States Code, as well as in 98 Stat. 344, Pub. L. 98 353, Title I, §120.

To be qualified for appointment an applicant must –

- (a) Be a member in good standing of the bar of the highest court of at least one state, the District of Columbia, or the Commonwealth of Puerto Rico and a member in good standing of every other bar of which the applicant is a member.
- (b) (1) Possess, and have a reputation for, integrity and good character; (2) possess, and have demonstrated, a commitment to equal justice under the law; (3) possess, and have demonstrated, outstanding legal ability and competence; (4) indicate by demeanor, character, and personality that the applicant would exhibit judicial temperament if appointed; and (5) be of sound physical and mental health sufficient to perform the essential duties of the office.
- (c) Not be related by blood or marriage to (1) a judge of the United States Court of Appeals for the Eleventh Circuit; (2) a member of the Judicial Council of the Eleventh Circuit; or (3) a judge of the district court to be served, within the degrees specified in section 458 of Title 28, United States Code, at the time of the initial appointment.
- (d) Have been engaged in the active practice of law for a period of at least five years. The Judicial Council may consider other suitable legal experience as a substitute for the active practice of law.

The selection process will be confidential and competitive. The current annual salary is \$191,360. Persons shall be considered without regard to race, color, age, gender, religion, national origin, or disability. The individual selected must comply with the financial disclosure requirements pursuant to the Ethics in Government Act of 1978, Pub. L. No. 95-521, 92 Stat. 1824 (1978) (codified as amended at 5 U.S.C. app. §§ 101-111).

If you are interested in applying, please submit an original unbound completed application to James P. Gerstenlauer, Circuit Executive, 56 Forsyth Street, NW, Atlanta, Georgia 30303. Application forms are available on the Court's Website at www.ca11.uscourts.gov. Applications must be submitted by potential nominees to the Circuit Executive's Office, and must be received by **8 February 2019**. Submission of a completed application will be considered verification of willingness to serve if selected. Email and faxed copies of applications will not be accepted.

UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT
56 Forsyth Street, NW
Atlanta, Georgia 30303

**APPLICATION FOR
UNITED STATES BANKRUPTCY JUDGESHIP
with duty station at Fort Lauderdale, Florida**

(In response to any question, you may use continuation pages if necessary.)

General

1. Full name: _____
2. All other names by which you have been known: _____
3. Present Occupation _____ Title _____
4. Office address: _____

City _____ State _____
Zip _____ Telephone _____
5. Residential address: _____

City _____ State _____
Zip _____ Telephone _____
6. Place of birth: _____
Date of birth: _____
7. Length of residence in state: _____
8. In what countries do you hold citizenship? _____
9. Colleges and universities attended, dates, degrees, GPA, and class standing or rank (if available):

10. Law School attended, dates, degree, GPA, and class standing or rank (if class standing or rank is not provided, state name, title, and phone number of person at law school who was contacted by the applicant in an effort to obtain the information):

11. Military service: Branch Dates

Rank or rate at discharge Type of discharge

If still a reserve or national guard member, please give service, branch, unit, and present rank. _____

12. Are you related by blood or marriage to any judges or members of the Judicial Council of the United States Court of Appeals for the Eleventh Circuit or to a Judge of the District Court to be served? If so, give their names and the relationship.

Names	Relationship
_____	_____
_____	_____
_____	_____

Honors

13. Were you a member of the law review board? _____

14. List any legal books or articles written by you, giving citations and dates.

15. List any honors, prizes, or awards you have received.

16. List continuing legal education courses completed within last five years.

21. a) Do you regularly appear in court? _____

b) What percentage of your appearances in the last five years were in the following forums:

- 1. Bankruptcy Courts? _____%
- 2. Federal, District and Appeals Courts? _____%
- 3. State or Local Courts? _____%
- 4. Administrative Bodies? _____%
- 5. Other? _____%

22. During the past five years, what percentage of your practice has been trial practice? _____%

How frequently have you appeared in court? _____ times/mo.

How frequently have you appeared at administrative hearings? _____ times/mo.

What percentage of your practice involving litigation has been:

- Bankruptcy. _____%
- Civil _____%
- Criminal. _____%
- _____ _____%
- _____ _____%
- _____ _____%

State the number of cases you have tried to conclusion in courts of record during each of the past five years, including whether you were sole, associate, or chief counsel. Give citations of any reported cases.

23. Have you served as a trustee or other court-appointed officer in bankruptcy matters?

Yes _____ No _____ If yes, provide the approximate number of such cases and list the more important matters in which you served.

Names	Court
_____	_____
_____	_____
_____	_____
_____	_____

24. Summarize your courtroom experience for the past five years.

25. State the names and addresses of adversary counsel against whom you have litigated your primary cases over the past five years.

Public Office

26. Have you ever run for, or held, public office? If so, give details.

Prior Judicial Experience

27. a) Have you ever held judicial office or been a candidate for judicial office? If so, please state the courts involved and the dates of service or dates of candidacy.

b) Prior Quasi judicial service:

Name of Agency _____

Position held _____

Hearing on what issues _____

Number of cases adjudicated? _____

Dates of service _____

Business Involvement

28. a) If you are now an officer, director or otherwise engaged in the management of any business or enterprise, state the name of such enterprise, the nature of the business, the nature of your duties, and whether you intend to resign such position immediately upon your appointment to judicial office.

b) Since being admitted to the Bar, have you ever engaged in any occupation, business, or profession other than the practice of law? If so, please give the details, including dates.

c) State whether during the past five years you have received any fees or compensation of any kind, other than for legal services rendered, from any business enterprise, institution, organization, or association of any kind. If so, identify the source of such compensation; the nature of the business enterprise, institution, organization, or association involved; and the dates such compensation was paid.

Disciplinary Proceedings/Offenses

29. Have you ever been arrested, charged, or convicted for violation of any federal law, state law, county or municipal law, regulation or ordinance? If so, please give details, including the date or dates. Do not include traffic violations for which a fine of \$100 or less was imposed unless it also included a jail sentence.

30. a) Have you ever been sued by a client? If so, give particulars.

b) Have you or your professional liability insurance carrier ever settled a claim against you for professional malpractice? If so, please give particulars, including the amounts involved.

31. Have you ever been charged in any civil or criminal proceeding with conduct alleged to involve moral turpitude, dishonesty, and or unethical conduct? If so, please give particulars, including the full style of the cause.

32. At any stage of a criminal or a civil proceeding, have you ever been charged with engaging in or alleged to have engaged in any conduct that could be described as violence? If so, please provide specific details about the matter and how it was resolved.

33. Have you ever been disciplined in any way for a breach of ethics or unprofessional conduct by any court, administrative agency, bar association, or other professional group? If so, please give the particulars.

Taxes

34. To the best of your knowledge, are you in compliance with the tax laws of the federal government and of the state, county, and community of which you are a resident?

_____ Yes _____ No

35. Have you filed appropriate tax returns as required by federal, state, local and other government authorities? _____ Yes _____ No
If no, please explain.

36. Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? If so, give particulars.

37. Have you ever paid on an installment plan federal, state, or local taxes? If so, give particulars including the date or dates.

Debt and Financial Record

38. After all the payments you had made on all of your credit card debt in the last 30 days, did the total unpaid balance carried forward exceed \$10,000? If so, what was the total unpaid balance?

39. Have you ever had your wages garnished or had any property repossessed for any reason? If so, give particulars including the date or dates.

40. Have you ever had a lien placed against any of your property for failing to pay any debts? If so, give particulars including the date or dates.

41. Have you ever had any judgments against you that were not paid when first due? If so, give particulars including the date or dates.

Alcohol and Drug Abuse

42. Have you within the last ten years sought or received treatment or counseling related to abuse of alcohol or any other type of drug? If so, give particulars including date or dates. You may provide an explanation and more details if you choose to do so.

43. Have you ever been charged with driving under the influence of alcohol or any other type of drug? If so, give particulars including the date or dates.

Professional and Other Activities

44. a) List all bar associations and legal or other professional societies of which you are a member and give the titles and dates of any office you have held in such groups and committees to which you belonged.

b) List all organizations and clubs, other than bar associations and professional societies identified in response to Question No. 45a, of which you have been a member during the past ten years, including the titles and dates of any offices you have held in each.

45. Describe any civic, philanthropic, community, social, or public service activities during the past five years, including any posts or offices held and honors or awards received.

Supplemental Information

46. Do any clubs or private associations to which you belong have a discrimination clause or have a history of barring membership to women or minorities?
_____ Yes _____ No

47. State any achievements or actions you have accomplished, demonstrating your commitment to equal justice under the law.

48. State any additional education or other experiences you believe would assist you in holding judicial office.

49. State any other pertinent information reflecting positively or adversely on you which you believe should be disclosed to the circuit court and the selection panel in connection with your possible nomination as United States bankruptcy judge.

Personal and Judicial References

50. List five individuals as references who are familiar with your abilities and personal character.

Name	Address	Phone
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

51. a) Give the names and current phone numbers of at least five, but no more than ten, persons (of whom not fewer than four must be lawyers not associated with you in the practice of law or in business) to whom we may refer as to your character and ability, and state how long each has known you. Your references must have had adequate opportunities for observing your professional and general conduct and ability. Describe the status of non-law references.

Name	Telephone	Period of Acquaintance
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

- b) Give the names and current phone numbers of at least three persons who have worked for you and with you in a subordinate position.

Name	Telephone	Work Relationship
_____	_____	_____
_____	_____	_____
_____	_____	_____

- c) Give the names and current phone numbers of not more than five judges (of whom at least three must be active) with whom you are not and have not been associated in the practice of law or in business, before whom you have appeared recently in matters which would afford them an opportunity to observe your professional conduct and ability. If yours is a non-litigation practice, list such judges, if any, who have had an opportunity to observe you in bar association or other activities. Indicate those before whom you have appeared in court or other judicial bodies by inserting (C) before the name of the judge.

Name of Judge	Phone	Court	Date and Nature of Most Recent Matter
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

52. Have you previously applied for a bankruptcy judge position? ___ Yes ___ No

If yes, please list the all positions applied for and dates below.

Confidentiality Statement

The information submitted with this form will be kept confidential and will be examined only by members of the merit selection panel, the circuit executive, judges of the judicial council, and the judges of the court of appeals, and others who have good reason to view it in order to carry out their duties.

The individuals whom you have listed as references above, as well as your current employer or co-workers, may be contacted by the panel. If this presents a problem, you should notify the circuit executive so that special arrangements can be made. Sometimes the arrangement is that there will be no contact with an employer or co-workers unless you are a potential finalist for the position.

I declare under penalty of perjury that the foregoing is true and correct. Executed on:

Date Signature of Candidate

Please return an original unbound completed application to:

James P. Gerstenlauer, Circuit Executive
U.S. Court of Appeals, Eleventh Circuit
56 Forsyth Street, NW
Atlanta, Georgia 30303

Applications must be received at the Circuit Executive's office **no later than 8 February 2019**. Email and fax copies of applications will not be accepted.