

**Application for the Position of**

**United States Magistrate Judge**

Information and Application Form for

United States Magistrate Judge Candidates

As approved by the Judicial Conference of the United States, this package provides information and instructions on applying for the eight (8) year term, full-time United States Magistrate Judge position for the U.S. District Court for the District of Oregon.

Marco A. Hernández

Chief Judge

# GENERAL INFORMATION

**1. Magistrate Judge's Responsibilities and Qualifications:**

In accordance with 28 U.S.C. § 631, and in the Regulations of the Judicial Conference of the United States, the qualifications for appointment as a United States Magistrate Judge include:

1. **Bar Membership**

A candidate must be, and have been for at least five (5) years, a member in good standing of the bar of the highest court of a state, the District of Columbia, the Commonwealth of Puerto Rico, the Territory of Guam, the Commonwealth of the Northern Mariana Islands, or the Virgin Islands of the United States. Magistrate Judges are not required to be a member of the bar of the state in which they are appointed.

1. **Experience as an Attorney**

A candidate must have actively practiced law for at least five (5) years. The Court may consider the following substitute experience, including any combination:

* Experience as a judge of a state court of record or other state judicial officer;
* Experience as a United States Magistrate Judge, Bankruptcy Judge, or other federal judicial officer;
* Experience as an attorney for a federal or state agency;
* No more than two years of experience as a law clerk to any judge or judicial officer, or as a staff attorney, or pro se law clerk in a court; and/or
* Other types of substantial legal experience (subsequent to receipt of a law degree or license to practice law) suitable as a substitute in the opinion of the majority of the Court.

1. **Age**

In the case of an initial appointment as a Magistrate Judge, a candidate must not be 70 years of age or older at the time of appointment. A Magistrate Judge may continue to serve and be reappointed after age 70 upon a majority vote of all district judges of the Court. This vote is taken when the Magistrate Judge reaches 70 and upon each anniversary thereafter.

1. **Relationship to District Judges**

At the time of the initial appointment, an appointee to a Magistrate Judge position may not be related by blood or marriage to a judge of the appointing district court within the degree of relationship specified in 28 U.S.C. § 458, i.e. "by affinity or consanguinity within the degree of first cousin."

**(e) Citizenship**

Must meet the citizenship requirements specified in 5 U.S.C. § 3101, as well as the citizenship requirement for employees compensated from appropriated funds.

**(f) Personal Attributes**

To be qualified for appointment, candidates must be:

* Competent to perform the duties of the office;
* 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 when required to act on their own reason and judgment.

**2. Judgeship Availability and Term of Appointment**

The Merit Selection Panel is searching for the best-qualified individuals currently available for appointment to an eight (8) year term as a full-time Magistrate Judge for the United States District Court for the District of Oregon.

**3. Magistrate Judge Salary**

The current salary for this full-time position is $201,112 per year. Magistrate Judge salaries are set by Congress. Periodically, Congress adjusts salaries based on cost-of-living increases. Relocation expenses will not be paid.

**4. Magistrate Judge Jurisdiction**

The authority that a Magistrate Judge exercises is the jurisdiction of the District Court, delegated by the Court's District Judges under governing statutory authority and local rules of the Court. The statutory authority of Magistrate Judges is set forth in the Federal Magistrates Act of 1968, as amended. The basic provisions are found at 28 U.S.C. § 636 and 18 U.S.C. § 3401.

**5. Equal Employment Opportunity**

An affirmative effort will be made to give due consideration to all qualified candidates without regard to gender, race, color, national origin, religion, age (40 and over), disability, or sexual orientation.

**6. Directions for Completing the Application**

**(a)** All applications **must be typed, using the District of Oregon's application form**.

**(b)** Application forms and more information on the Magistrate Judge position may be obtained on the Court's website at [www.ord.uscourts.gov](http://www.ord.uscourts.gov) under "Employment."

**(c)** Answer all questions as thoroughly as possible. If a question or section is not applicable, please state so. Incomplete applications **will not** be considered. If there is insufficient space for your response on the application form itself, use a separate attachment sheet. Each attachment sheet should be appended to the application form and should refer to the page and question number to which it relates.

**(d)** Sign the completed application form.

1. The application package should include a letter of interest, resume, application form, and any appended materials. Electronic submission is highly preferred, and all materials should be combined into **one** Adobe PDF file. Otherwise, all materials should be firmly clipped together, not stapled, and should **not** be placed in a separate binder or report cover. Retain the informational and instruction pages for your records.

1. **Do** **not** include photos of yourself in the application form or in any part of the appended materials.

**7. Deadline for Submission**

All completed application materials must be received at the address listed below or sent by email as **one** Adobe PDF file to [HR2@ord.uscourts.gov](mailto:HR2@ord.uscourts.gov) by 4:30 p.m. on April 9, 2021.

**U.S. Magistrate Judge Application**

Office of the Clerk

Merit Selection Panel

c/o Human Resources Division

United States District Court, District of Oregon

1000 SW Third Avenue, Suite 740

Portland, Oregon 97204

**8. District of Oregon Merit Selection Process**

The United States District Court for the District of Oregon uses a competitive, open-selection merit process in making appointments for the office of Magistrate Judge. Candidates should expect the entire process to take four to twelve months.

1. A Merit Selection Panel is appointed by a majority vote of the judges of the District Court. It is composed of a chair and at least six other members consisting of lawyers and other members of the community. The Panel evaluates all applications, conducts background reference checks of selected candidates, and interviews those candidates the Panel deems to be most qualified. The Panel prepares a written report to the Court recommending the five (5) candidates most qualified to serve.
2. No person may be considered for selection by the Court for a Magistrate Judge position while serving as a member of a panel. For a former panel member to be considered for a subsequent Magistrate Judge position, one year must elapse between the earlier of when a former merit selection panel submitted its report to the Court or when the member of that panel seeking a position resigned, and the date by which applications for a subsequent vacancy are due to be submitted to the Court. The Committee on the Administration of the Magistrate Judges System may waive this provision on an individual case basis.
3. The Panel's recommendations are then considered by the Court, and the Court makes any additional inquiries it deems necessary, including an interview. At the conclusion of this phase, the Court nominates the final candidate for appointment.
4. Once the Court makes its nomination for appointment, a tax and FBI check of the candidate is initiated. This generally requires eight to twelve weeks. The candidate also completes financial disclosure forms. Upon the determination by the District Court that the FBI investigative report does not contain information that would make it reconsider its nomination, the Court issues an Order of Appointment. It is only at this point that a public announcement regarding the appointment is made.

**9. Non-return of Applications**

At the completion of the selection process, the Court will retain all application materials for a period of time, after which all materials will be destroyed and will not be returned to the candidates.

# GENERAL INFORMATION

## Full name (Last, First, and Middle):

Click or tap here to enter text.

## List all other names by which you have been known:

Click or tap here to enter text.

## Office mailing address and telephone number:

Click or tap here to enter text.

## Residence address, telephone number, and email address:

Click or tap here to enter text.

## Date and place of birth:

Click or tap here to enter text.

## Are you a citizen of the United States? Yes No

## If you are a naturalized citizen, please indicate the date and place you were naturalized:

Click or tap here to enter text.

## Military Service:

|  |  |  |
| --- | --- | --- |
| Service | Branch | Dates |
| Enter service types in this column. | Enter branches here. | Enter dates here. |

## Rank or Rate at Discharge and Type of Discharge: Click or tap here to enter text.

## If still a reserve or national guard member, please indicate service, branch, unit, and present rank: Click or tap here to enter text.

## Are you related by blood or marriage to any judge of this Court? If so, give their name(s) and relationship: Click or tap here to enter text.

# HEALTH

## What is the present state of your health?

Click or tap here to enter text.

## During the past ten (10) years have you experienced drug or alcohol addiction? If yes, please describe your current status.

Click or tap here to enter text.

## Do you have any mental or physical impairment that would affect your ability to perform the duties of a Magistrate Judge with or without reasonable accommodation? If yes, please describe the impairment and how your impairment could be accommodated to allow you to perform the duties of a Magistrate Judge.

Click or tap here to enter text.

# EDUCATION

## Undergraduate

For each undergraduate institution attended, list names, dates, and degrees:

Click or tap here to enter text.

## Law School For each institution attended, list names, dates, and degrees:

Click or tap here to enter text.

## Other Graduate Education Received For each institution attended, list names, dates, and degrees:

Click or tap here to enter text.

## Please list continuing legal education courses/seminars completed within the past ten (10) years:

Click or tap here to enter text.

# HONORS

## Describe any academic honors, awards, law review, and other activities and achievements:

Click or tap here to enter text.

## If you have published any legal books or articles, list them, giving citations and dates:

Click or tap here to enter text.

# PROFESSIONAL ADMISSIONS

## List all courts (including state bar admissions) and administrative bodies having special admission requirements in which you are presently admitted to practice, giving the dates of admission in each case:

|  |  |
| --- | --- |
| Court or Administrative Body | Date Admitted |
| Enter admitting courts or bodies in this column. | Enter date here. |

# DESCRIPTION OF LEGAL PRACTICE

## State the names, addresses, and dates of employment for all law firms with which you have been associated in practice, all governmental agencies, and all private business organizations in which you have been employed. Also provide all dates during which you have practiced as a sole practitioner, and other prior legal service:

|  |  |  |
| --- | --- | --- |
| Position(s) | Firm or Agency Name and Address | Dates |
| Enter positions in this column. | Enter firm names and addresses in this column. | Enter dates here. |

## Describe the general nature of your current practice, including any legal specialties that you possess and the character of your typical clients. Additionally, if your practice is substantially different now than previously, please give details of your prior practice:

Click or tap here to enter text.

## Do you regularly appear in court?

Click or tap here to enter text.

## Estimate what percentages of your total time in legal work during the past five (5) years concerned:

|  |  |
| --- | --- |
| Federal Civil Law Matters | Percentage% |
| Federal Criminal Law Matters | Percentage% |
| State Civil Law Matters | Percentage% |
| State Criminal Law Matters | Percentage% |
| Other | Percentage% |

If Other, explain:

Click or tap here to enter text.

## During the past five (5) years, what percentage of your practice has been trial practice?

|  |  |
| --- | --- |
| Civil | Percentage% |
| Criminal | Percentage% |

## How many times per month do you appear in court?

Click or tap here to enter text.

## How many times per month do you appear in administrative hearings?

Click or tap here to enter text.

## What percentage of your practice involving litigation has been:

|  |  |
| --- | --- |
| Civil | Percentage% |
| Criminal | Percentage% |
| Other | Percentage% |

If Other, explain:

Click or tap here to enter text.

## State the number of cases you have tried to conclusion in courts of record during the past five (5) years. Indicate whether you were sole, associate, or chief counsel. List citations of any reported cases:

Click or tap here to enter text.

## Summarize your courtroom experience prior to the past five (5) years:

Click or tap here to enter text.

## State the names and addresses of adversary counsel against whom you have litigated your primary cases over the past five (5) years:

|  |  |
| --- | --- |
| Name of Adversary Counsel | Address |
| Enter names in this column. | Enter addresses in this column. |

# PUBLIC OFFICE

## Have you ever run for or held public office? If yes, please give details:

Click or tap here to enter text.

# PRIOR JUDICIAL EXPERIENCE

## Have you ever held judicial office or been a candidate for judicial office? If yes, please indicate the courts involved and the dates of service or dates of candidacy:

Click or tap here to enter text.

## If you have held judicial office, state the names and addresses of counsel who have appeared before you who would be knowledgeable of your work, temperament, and abilities:

|  |  |
| --- | --- |
| Name of Counsel | Address |
| Enter names in this column. | Enter addresses in this column. |

## Indicate any prior quasi-judicial service or experience:

Name of court/agency and position:

Click or tap here to enter text.

Description of the type of hearing(s)/issues:

Click or tap here to enter text.

Number of cases adjudicated:

Click or tap here to enter text.

Date(s) of service:

Click or tap here to enter text.

# BUSINESS INVOLVEMENT

## If you are now an officer, director, or otherwise engaged in the management of any business 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:

Click or tap here to enter text.

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

Click or tap here to enter text.

## During the past five (5) years have you 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 yes, identify the source of such compensation, the nature of the business enterprise, institution, organization, or association involved, and dates such compensation was paid:

Click or tap here to enter text.

## Have you ever been arrested, charged, or convicted for violation of any federal, state, county, or municipal law, regulation, or ordinance? If so, please give details. (Do not include traffic violations for which a fine of $200 or less was imposed unless it also included a jail sentence.)

Click or tap here to enter text.

## Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? If yes, please give particulars:

Click or tap here to enter text.

## Have you ever been sued by a client? If yes, please give particulars:

Click or tap here to enter text.

## 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:

Click or tap here to enter text.

## In any civil or criminal proceeding, have you ever been charged with conduct alleged to involve moral turpitude, dishonesty, and/or unethical conduct? If so, please give particulars:

Click or tap here to enter text.

## Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by any court, administrative agency, bar association, or other professional group? If so, please give particulars:

Click or tap here to enter text.

## Have you filed appropriate tax returns as required by federal, state, local, and other government authorities? If no, please explain:

Click or tap here to enter text.

## Do you have any outstanding liens or claims filed against you by federal, state, or local authorities? If yes, please explain:

Click or tap here to enter text.

# PROFESSIONAL AND OTHER ACTIVITIES

## List all bar associations and legal professional societies of which you are a member. List the titles and dates of any office you have held in such groups and committees to which you belong:

Click or tap here to enter text.

## List all other organizations and clubs, other than bar associations and professional societies identified above, of which you have been a member during the past ten (10) years. List titles and dates of any offices you have held in each such organization:

Click or tap here to enter text.

## Have you ever served on a merit selection panel to consider the appointment or reappointment of a United States Magistrate Judge in this District? If yes, please provide date(s) of appointment(s).

Click or tap here to enter text.

# SUPPLEMENTAL INFORMATION

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

Click or tap here to enter text.

## State any additional education or other experiences you believe would assist you in holding judicial office:

Click or tap here to enter text.

## State any other pertinent information reflecting positively or adversely on you that you believe should be disclosed to the District Court and the Merit Selection Panel in connection with your possible nomination as United States Magistrate Judge:

Click or tap here to enter text.

## List five (5) individuals (with addresses) as references who are familiar with your abilities and personal character:

|  |  |  |  |
| --- | --- | --- | --- |
| Name and Title | Organization | Address | Telephone |
| Click here. | Click here. | Click here. | Click here. |
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| Click here. | Click here. | Click here. | Click here. |

**CONFIDENTIALITY STATEMENT**

This form will be kept confidential and will be examined only by members of the Merit Selection Panel and the Judges of the District Court. The individuals whom you have listed as references above may be contacted by the Panel, but no other employers, colleagues, or other individuals will be contacted without a signed Waiver of Confidentiality.

**DECLARATION**

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

DATED Click or tap to enter a date.

Type your name here.

Signature of Candidate