

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT ANNOUNCEMENT FOR BANKRUPTCY JUDGESHIP

The United States Court of Appeals for the Second Circuit invites applications from qualified candidates for a 14-year appointment as United States Bankruptcy Judge for the District of Vermont at Burlington, Vermont. The selection process will be confidential and competitive. Applicants will be considered without regard to race, color, religion, sex, national origin, age, sexual orientation, or disability.

The current annual salary of a United States Bankruptcy Judge is \$201,112.

The Second Circuit uses an open and competitive selection process. All applications are screened by a Merit Selection Committee. The Committee will review applicants using the following criteria: legal competence evidenced by experience with complex legal issues; an aptitude for legal scholarship and writing; familiarity with the courts and court processes; commitment to equal justice under the law; characteristics indicative of a sound judicial temperament; a reputation for integrity, good character and ethical behavior; and physical and mental health sufficient to meet the demands and tenure of the position. The Merit Selection Committee will select a limited number of applicants for interview and will conduct appropriate due diligence inquiries into the candidates' backgrounds and qualifications. Upon a majority vote of the Second Circuit Judicial Council, the Council will forward the Merit Selection Committee's Report with any recommendations or comments to the active judges of the Court of Appeals. The selected nominee will be required to satisfy FBI and IRS background investigations prior to appointment.

Basic qualifications for consideration include:

1. Membership in good standing of at least one state bar, the District of Columbia bar, or the Commonwealth of Puerto Rico bar, and never other than membership in good standing of every bar of which the applicant has been a member; and
2. A minimum of five years of legal practice experience.

Application forms are posted on the Court's website at <http://www.ca2.uscourts.gov> or may be obtained by calling (212) 857-8700.

Completed application packages must be in the format required by the Second Circuit and received no later than June 30, 2021.

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**APPLICATION FOR POSITION
OF BANKRUPTCY JUDGESHIP
WITH DUTY STATION AT BURLINGTON, VERMONT**

I. GENERAL INFORMATION

1. Full name:
2. All other names by which you have been known:
3. Present occupation, name of employer, and title:
4. Office address and direct phone number:
5. Home address, phone number, cell phone number(s), and preferred email address:
6. Date of birth:
7. Length of residence in (i) the District of Vermont; or (ii) the Second Circuit.
8. Are you a United States citizen?
9. State whether you are single, married, widowed, or divorced. If married, provide your spouse's name:
10. If any member of your household is an attorney, will he/she practice before the bankruptcy court if you are appointed? If yes, give name and relationship:

(a) Identify any potential conflicts caused by people who would likely appear repeatedly before the bankruptcy court if you are appointed?
11. Are you related by blood or marriage to any Member of the Second Circuit Judicial Council, Judge of the United States Court of Appeals for the Second Circuit, or Judge of the United States District Court to be served? If so, give their name(s) and relationship:
12. If you served in the United States Military, provide branch, dates of service, rank, serial number, present status, and type of discharge:

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

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II. HEALTH

Note: The applicant agrees that the Council or the Merit Selection Committee may request medical information, and the applicant agrees to submit such information upon request. See also the confidentiality statement at the end of this form.

13. What is the present state of your health?
14. What was the date of your most recent general physical examination?
15. Do you currently have any physical or mental impairment which you believe would affect your ability to perform the duties of the office for which you are applying? If so, please specify.

III. EMPLOYMENT HISTORY

16. IN REVERSE CHRONOLOGICAL ORDER, list all self-employment, law firms, public agencies, and private business or non-profit organizations by which you have been employed or with which you have been associated.

Provide the following for each:

- a. Firm/organization name
- b. Title of your position(s)—e.g., Associate, Partner, Counsel
- c. Dates of employment
- d. Name of your supervisor(s) or other point(s) of contact and their current telephone number
- e. Address of employer
- f. Telephone number of employer

IV. EDUCATION

17. IN REVERSE CHRONOLOGICAL ORDER, list all law schools, professional schools, colleges, and universities you attended. Provide the following for each:
 - a. Institution's name
 - b. Graduation date
 - c. Degree(s) conferred
 - d. Class standing or class rank
 - e. Honors (Law Review, Awards, Moot Court)
 - f. GPA
18. List all major academic achievements you received and other significant activities in which you participated during your college or law school careers.

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- 19. Were you a member of any law review? Provide journal name(s), supervisor, positions, and dates:
- 20. Please give citations and dates of any legal books or law review articles you published.
- 21. List all Continuing Legal Education courses completed or taught within the last ten years.

V. PROFESSIONAL ADMISSIONS

- 22. List all courts, state bar admissions, and administrative entities having special admission requirements in which you are presently admitted to practice. Provide the following for each:
 - a. Name of Court/State Bar/Administrative Entity
 - b. Address and telephone number
 - c. Date of admission

VI. PROFESSIONAL EXPERIENCE HISTORY

- 23. Describe the general nature of your current legal practice. Please include any legal specialties you possess and the characteristics of your typical clients. Additionally, if your practice is substantially different now than previously, provide the same information with respect to your prior practice.
- 24. What percentage of your Courtroom appearances in the past five years were in:
 - Bankruptcy _____ %
 - Civil _____ %
 - Criminal _____ %
 - Administrative _____ %
 - Other _____ %

- 25. During the past five years:
 - a. What percentage of your practice has been trial practice? _____ %
 - b. How many times per month have you appeared in court? _____
 - c. How many times per month have you appeared at administrative hearings? _____
 - d. What percentage of your practice involving litigation has been:
 - Bankruptcy _____ %
 - Civil _____ %

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Criminal	_____ %
Administrative	_____ %
Other	_____ %

- e. What percentage of your practice have you acted as a Mediator? _____ %
26. Have you served as a trustee or other court-appointed officer in bankruptcy matters? If so, provide the approximate number of such cases and list the more important matters in which you served.
27. Please identify no more than ten cases you tried to conclusion in courts of record. This may include (1) adversary proceedings, contested matters, or other actions tried to conclusion; or (2) substantial role in completed bankruptcy cases brought to a conclusion.

State briefly for each case:

- a. Were you sole, associate, or chief counsel?
- b. The issues presented and the decision of the court and for which party
- c. Name, current address, and telephone of your adversary(ies) and co-counsel
- d. Name, current address, and telephone of the judge(s) before whom you appeared
- e. Provide citations of any reported cases
28. Please identify up to five appeals you have handled to conclusion in district and appellate courts during the past five years. State briefly for each case:
- a. Were you sole, associate, or chief counsel
- b. The issues presented and the decision of the court and for which party
- c. Name, current address, and telephone of your adversary(ies) and co-counsel
- d. Name, current address, and telephone of the judge(s) before whom you appeared
- e. Provide citations of any reported cases
29. Please provide the following information regarding any courses, legal or non-legal, you have taught:
- a. Name of institution
- b. Names of courses taught
- c. Dates of courses taught
- d. Name of supervisor at teaching institution. Please include an address and telephone number.

VII. HONORS

30. IN REVERSE CHRONOLOGICAL ORDER, list any honors, prizes, or awards you have received following law school:

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- a. Post-law school and graduate school
- b. Professionally

VIII. PUBLIC OFFICE

31. Have you ever campaigned for, or held, public office? Provide details:
32. Have you ever held judicial office or been a candidate for judicial office? Provide the following for each:
- a. The courts involved
 - b. Dates of your service
 - c. Dates of candidacy
33. Have you ever served in a quasi-judicial capacity? Provide the following for each:
- a. The name of the agency
 - b. What issues were addressed
 - c. Number of cases adjudicated
 - d. Dates of your service

IX. BUSINESS INVOLVEMENT

34. Are you now an officer, director, or otherwise engaged in the management of any business enterprise? Provide the following details:
- a. The name of any such enterprise
 - b. The nature of the business
 - c. The nature of your duties
 - d. Will you resign the position upon appointment to judicial office?
35. Since being admitted to the Bar, have you ever engaged in any occupation, business, or profession other than the practice of law? Include employment as in-house counsel; affiliation in limited partnership; as a managing partner; or participation in an LLC. Provide the following details:
- a. The name of any such enterprise
 - b. The nature of the business
 - c. The nature of your duties
 - d. Will you resign the position upon appointment to judicial office?
36. 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. Include any stock or other interest of value received

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as fees for services. Provide the following details:

- a. Identify the source of any such compensation
- b. The nature of the business enterprise, institution, organization or association involved
- c. Dates such compensation was paid

X. DISCIPLINARY PROCEEDINGS/ OFFENSES

If you affirmatively answer the following series of questions (numbers 37- 48), provide specific details including the following:

- a. Name(s) of lawsuit
 - b. Docket number
 - c. Court of record or disciplinary authority
 - d. Parties of record and relevant dates
 - e. Explain the final judgment
-
37. Have you ever been arrested, charged, or convicted for violation of any federal law, state law, county or municipal law, regulation, or ordinance? Do not include traffic violations for which a fine of \$200 or less was imposed unless it also included a jail sentence.
 38. Have you ever been arrested, charged, or convicted of breaking the law of a foreign jurisdiction?
 39. Have you, to your knowledge, ever been the subject of federal, state, or local investigation for possible violation of a criminal nature?
 40. Have you ever been sued by a client? If so, please provide name of case, docket number, and outcome.
 41. Have you ever been involved as a party to any criminal, civil, or administrative litigation?
 42. 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?
 43. Without regard to the outcome, to your knowledge, has there ever been a formal complaint filed against you by any court, administrative agency, bar association, or other professional group? If so, name of proceeding and docket number.
 44. Have you ever been charged, or investigated to determine if you should be charged, with misconduct, incompetence, unsatisfactory performance of duty, or violation of law?
 45. Have you, to your knowledge, ever been found not qualified for any public position by any court, administrative agency, bar association, or other professional group?

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46. Have you ever been disciplined or terminated, or resigned to avoid possible termination, by any public or private employer, law firm, or any other entity because of misconduct, impropriety, or unsatisfactory performance?
47. Have you ever resigned from, or for other reasons ceased to be a member of, the bar or bench of any state or court in any jurisdiction, a member of any governmental body, a hearing officer, or the holder of any similar position?
48. Have any formal complaints been filed accusing you of sexual or non-sexual harassment, retaliation, hostile work environment, or disparate treatment on the basis of sex, race, color, national origin, religion, age, sexual orientation, or physical or mental disability status.

XII. TAXES

49. Are you in compliance with the tax laws of the federal government and state, county, and community of which you are a resident?
50. Have you timely filed appropriate tax returns as required by federal, state, local, and other government authorities? For any lapse in filing, please specify.
51. Do you have any liens or claims outstanding against you by the Internal Revenue Service or any State or Local tax authority? If yes, please specify.

XIII. PERSONAL FINANCES

52. Are there any unsatisfied judgments against you? Provide dates, nature, and amount of judgment.
53. Are you in default in the performance or discharge of any duty or obligation imposed upon you by decree or order of any court or administrative agency, including alimony/maintenance and support order decrees? If yes, please specify.
54. Have you ever made an assignment for the benefit of creditors? If yes, please specify.
55. Has any petition in bankruptcy ever been filed by or against you? If so, provide date, docket number, court where filed, and disposition.

XIV. PROFESSIONAL AND OTHER ACTIVITIES

56. List all bar associations and legal professional societies of which you are a member. Give the titles and dates of any office you have held in such groups and list your committee memberships.

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57. List all organization and clubs, other than bar associations and professional societies identified in response to question number 56, of which you have been a member during the past ten years, including the titles and dates of any offices you held in such organization.
58. Describe your civic, philanthropic, community, social, or public service activities during the past five years, including any posts or offices you held and honors or awards you received.

XV. SUPPLEMENTAL INFORMATION

59. Do any clubs or private associations to which you belong restrict membership to any persons on the basis of gender, race, religion, or sexual orientation? If yes, please advise whether you intend to remain a member.
60. In 500 words or less, state any achievements or actions you have accomplished, demonstrating your commitment to equal justice under the law.
61. In 500 words or less, state any additional education or other experiences you believe would assist you in holding judicial office.
62. State any other pertinent information reflecting positively or adversely on you that you believe should be disclosed to the Court of Appeals, the Judicial Council, and the merit selection committee concerning your possible nomination as United States Bankruptcy Judge.
63. Give the names and current phone numbers of at least five (5) but not more than eight (8) persons (excluding relatives) as references who are familiar with your professional work and abilities and with your personal character, stating how long and in what capacity each has known you. Provide the following for each:
- a. Name and relationship
 - b. Address and telephone number
 - c. Period of acquaintance

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Confidentiality Statement

This application will be kept confidential and will be examined only by members of the Merit Selection Committee, the Circuit Executive, Judges of the Judicial Council, and Judges of the United States Court of Appeals for the Second Circuit. The individuals whom you have listed as references may be contacted by the Committee. If you do not wish employers, co-workers, adversaries, colleagues or others (such as physicians and hospitals) to be contacted, please indicate by a check mark: _____

If you wish to withhold your consent to such contacts until such time as you may be considered a potential finalist for the position, and in that event, consent to such contacts, please indicate by a check mark: _____

Date

Signature of Candidate

Submit:

1. **The original application; and**
2. **An original writing sample not to exceed 10 pages**

The completed application must be emailed no later than June 30, 2021, as a single PDF attachment to:

special_events2@ca2.uscourts.gov

The cover letter should be addressed to:

**Michael D. Jordan
Circuit Executive
United States Courthouse
40 Foley Square, Room 2904
New York, NY 10007**

N.B. If you change your address, or if anything occurs that would affect your answers to the application, notice of such change should be sent to Circuit Executive Michael D. Jordan.