



LARRY W. PROPES
CLERK OF COURT

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

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MEMORANDUM

TO: Prospective Magistrate Judge Applicants

FROM: Larry W. Propes, Clerk of Court

RE: Application Requirements

Attached are the public notice and an application for the position of full-time magistrate judge for the District of South Carolina at Greenville, South Carolina.

The application (original) plus **twelve (12)** copies must be returned to the Clerk of the District Court; 901 Richland Street; Columbia, South Carolina, 29201, in an envelope marked "Confidential" and must be received by the Clerk of Court no later than 4:00 p.m. on Thursday, May 13, 2010.

Attachments to the application are not required, but if an applicant chooses to provide attachments to the application, the attachment(s) should not exceed a total of ten (10) pages.

PUBLIC NOTICE

U.S. DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA

The United States District Court will receive applications for the position of full-time United States Magistrate Judge for the District of South Carolina at Greenville, South Carolina, until Thursday, May 13, 2010. The duty station for this position will be in Greenville, so the selected applicant will be required to reside in either the Greenville, Spartanburg, or Anderson division. The annual salary of a United States Magistrate Judge is \$160,080. The term of office is eight (8) years.

The duties of the position are demanding and wide-ranging and will include: (1) conduct of most preliminary proceedings in criminal cases; (2) trial and disposition of misdemeanor cases; (3) conduct of various pretrial matters and evidentiary proceedings on delegation from the Judges of the District Court; and (4) trial and disposition of civil cases upon consent of the litigants. This position requires extensive research and writing. The basic jurisdiction of the United States Magistrate Judge is specified in 28 U.S.C. § 636.

To be qualified for appointment, an applicant must:

- (1) Be a member in good standing 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 and have been engaged in the active practice of law for a period of at least five (5) years (with some substitutes authorized);
- (2) Be competent to perform all of the duties of the office, be of good moral character, be emotionally stable and mature, be committed to equal justice under the law, be in good health, be patient and courteous, and be capable of deliberation and decisiveness;
- (3) Be less than seventy (70) years old; and
- (4) Not be related to a Judge of the District Court.

A Merit Selection Panel composed of attorneys and other members of the community will review all applications and will recommend to the Judges of the District Court in confidence the five (5) applicants whom they consider best qualified. The Court will make the appointment following an FBI full-field investigation and IRS tax check of the appointee. An affirmative effort will be made to give due consideration to all qualified candidates.

Application forms and further information on the Magistrate Judge's position can be obtained from the Court's Web site at scd.uscourts.gov or from the Clerk of the District Court at 901 Richland Street; Columbia, SC 29201; telephone number 803.765.5789.

Applications must be submitted only by the applicant. **The original plus twelve (12) copies of the application must be in an envelope marked "confidential" and must be received no later than 4 p.m., Thursday, May 13, 2010.**

All applications will be kept confidential, unless the applicant consents to disclosure, and applications will be examined only by members of the Merit Selection Panel and the Judges of the District Court. The Panel's deliberations will remain confidential.

**Larry W. Propes, Clerk of Court
U.S. District Court, District of S.C.**

APPLICATION FORM
United States Magistrate Judge
District of South Carolina
Greenville Division

Type or legibly print your answers. If a question is not applicable, indicate this by marking "N/A."
Return completed form and 12 copies in an envelope marked "personal and confidential" to the following:

Clerk of Court
U.S. District Court
901 Richland Street
Columbia SC 29201

General

1. Full name _____
2. All other names by which you have been known _____
3. Office address _____
City _____ State _____ Zip _____
Telephone _____
4. Residential address _____
City _____ State _____ Zip _____
Telephone _____
5. Place of birth _____
Date of birth _____
6. Length of residence in state _____
7. If you are a naturalized citizen, state the date and place of naturalization.

8. Military service:
Branch _____ Dates _____

Rank or Rate at Discharge _____ Type of Discharge _____

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

9. Are you related by blood or marriage to any judges of this court? Yes _____ No _____
If yes, give name(s) and relationship. _____

Health

10. What is the present state of your health? _____
11. Do you have any visual or hearing impairment or other mental or physical impairment that could interfere with your ability to perform the duties assigned to a magistrate judge?
Yes _____ No _____ If yes, specify. _____

12. Have you had any hospital confinement, mental illness, serious physical illness, or drug or alcohol addiction during the past ten years? Yes _____ No _____. If yes, explain and identify your attending physician, the names of any hospital or other institution to which you were admitted and the date(s) of your hospitalization. _____

13. Are you presently receiving treatment for a physical or mental illness or condition, or drug or alcohol addiction? Yes _____ No _____. If yes, give details. _____

Education

14. Colleges and universities attended (dates, degrees, and class rank):

15. Continuing legal education courses completed within last 10 years: _____

Honors

16. Were you a member of law review? Yes _____ No _____. If yes, describe role.

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

18. List any honors, prizes, or awards you have received: _____

Professional Admissions

19. 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 of Admission
_____	_____
_____	_____
_____	_____

20. Have you ever failed a bar admission examination? Yes _____ No _____

Law Practice

21. State the names, addresses, and dates of employment for all law firms with which you have been associated in practice, all government 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.

Organization	Address	Position	Dates
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

22. Describe the general nature of your current practice including any legal specialties and character of your typical clients; also, if your practice is substantially different now than previously, give details of prior practice. _____

23. a) Do you appear regularly in court? Yes _____ No _____

- b) What percentage of your appearances in the last five years were in
- 1. Federal courts _____ %
 - 2. State or local courts of record _____ %
 - 3. Administrative bodies _____ %
 - 4. Other _____ %

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

25. How frequently have you appeared in court? _____ times per month.

26. How frequently have you appeared at administrative hearings? _____ times per month.

27. What percentage of your practice involving litigation has been

Civil _____ %

Criminal _____ %

Other: _____ %

_____ %

_____ %

_____ %

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

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

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

Public Office

31. Have you ever run for, or held, public office? Yes _____ No _____
If yes, give details. _____

Prior Judicial Experience

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

b) Prior quasi-judicial service:
Name of agency _____
Position held _____
Hearings on what types of issues _____
Number of cases adjudicated _____
Dates of service _____

Business Involvement

33. a) 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. _____

b) Since being admitted to the Bar, have you ever engaged in any occupation, business or profession other than the practice of law? Yes _____ No _____
If yes, give the details, including dates. _____

c) During the past five 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? Yes _____ No _____
If yes, identify the source of such compensation, the nature of the business enterprise, institution, organization or association involved, and the dates such compensation was paid. _____

34. a) Have you, to your knowledge, ever been under federal, state or local investigation for possible violation of a criminal statute?

Yes _____ No _____. If yes, give particulars. _____

35. a) Have you ever been sued by a client? Yes _____ No _____. If yes, give particulars.

b) Have you or your professional liability insurance carrier ever settled a claim against you for professional malpractice? Yes _____ No _____. If yes, give particulars, including the amounts involved. _____

36. Have you ever been charged in any civil or criminal proceeding with conduct alleged to involve moral turpitude, dishonesty, or unethical conduct? Yes _____ No _____. If yes, give particulars. _____

37. 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? Yes _____ No _____. If yes, give particulars. _____

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

39. Have any liens or claims ever been instituted against you by the federal, state or local authorities? Yes _____ No _____. If yes, explain. _____

Professional and Other Activities

40. a) List all bar associations and legal 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 39.a), 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 such organization. _____

c) Are you a member of any organization or club that discriminates on the basis of race, religion, gender, or national origin? Yes _____ No _____

Supplemental Information

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

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

43. State any other pertinent information reflecting positively or adversely on you which you believe should be disclosed to the District Court and the selection panel in connection with your possible nomination as United States Magistrate Judge. _____

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

Name	Address	Telephone
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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 you have listed as references above may be contacted by the panel, but no other employers, colleagues, or other individuals will be contacted without your prior approval.

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

Executed on _____
Date *Signature of Candidate*

The District Court is an Equal Opportunity Employer