



# UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

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## PUBLIC NOTICE

### UNITED STATES MAGISTRATE JUDGE

**ST. GEORGE**

04-UTD-21

OPEN DATE: MAY 7, 2021

CLOSE DATE: MAY 28, 2021

The Judicial Conference of the United States has authorized the appointment of a full-time United States magistrate judge for the District of Utah in St. George, Utah.

Since March 2019, an incumbent half-time magistrate judge in the Southern Region has handled both civil and criminal matters. Civil case duties were added in connection with the establishment of the Southern Region of the Court in March 2018. After a study of the caseload in the Southern Region, the Judicial Conference of the United States authorized a full-time magistrate judge position. Under Judicial Conference rules, the half-time magistrate judge position will terminate on April 1, 2022 and the incumbent magistrate judge is precluded from automatically assuming the full-time position without re-applying for the position. The court is required to give notice of the new vacancy and to use a Merit Selection Panel to screen and interview applicants to fill the new full-time magistrate judge position.

The essential function of courts is to dispense justice. An important component of this function is the creation and maintenance of diversity in the court system. A community's belief that a court dispenses justice is heightened when the court reflects the community's racial, ethnic, and gender diversity.

**Duties:** The duties of the position are demanding and wide-ranging, including:

- (1) conduct most preliminary proceedings in criminal cases;
- (2) conduct trial or otherwise resolve misdemeanor cases;
- (3) preside over therapeutic courts, such as those dealing with addiction and behavioral health;
- (4) decide non-dispositive civil matters on referral from a district judge;
- (5) prepare reports and recommendations on dispositive civil matters on referral from a district judge;
- (6) conduct settlement conferences;
- (7) upon consent of the litigants, preside over civil cases;
- (8) travel, as needed, to support court proceedings in locations outside the St. George courthouse, including in Salt Lake City, Aneth, Moab, or elsewhere within the State of Utah; and
- (8) support and participate in court management, court functions, educational programs, and various civic responsibilities in furtherance of promoting the judiciary.

In addition to significant responsibilities in criminal cases, the court assigns substantial civil duties

to magistrate judges in the District under [28 U.S.C. § 636\(b\)\(1\)\(A\) and \(b\)\(1\)\(B\) and 636\(c\)](#).

The current annual salary for the position is \$201,112. The term of office is eight years, with the possibility of reappointment for an additional term in the discretion of the district judges.

**Financial Disclosure:** The individual selected must comply with the financial disclosure requirements pursuant to the Ethics in Government Act of 1978, Pub. L. No. 95-521, 90 Stat. 1824 (1978) (codified at [5. U.S.C. app. 4 §§ 101-111](#)), as implemented by the Judicial Conference of the United States.

**Basic Authority:** The basic authority of a United States magistrate judge is specified in [28 U.S.C. § 636](#). Applicants should familiarize themselves with this statute.

**Qualification Requirements:** To be qualified for appointment an applicant must:

- (1) Be, and have been for at least five 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, and have been engaged in the active practice of law for a period of at least five years (with some substitutes authorized);
- (2) Be competent to perform all 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 years old; and
- (4) Not be related to a judge of the district court.

**Selection Process:** The selection process is generally outlined in a booklet, "[The Selection, Appointment, and Reappointment of United States Magistrate Judges](#)." An Order establishing a merit selection panel composed of attorneys and other members of the community will be posted on the court's website. The panel will review all applications, conduct interviews of some candidates, and recommend to the district judges the five applicants it considers best qualified. Public comment will be requested on those five persons. The court will then make the appointment following an FBI full-field investigation and an IRS tax check of the applicant selected by the court for the appointment. Due consideration will be given to all qualified applicants without regard to race, color, age (40 and over), gender, religion, national origin, sexual orientation, or disability.

**Application Form:** Application forms and more information concerning the magistrate judge position may be obtained from the Clerk or Chief Deputy Clerk of Court. The form is also available on the court's Internet website: <https://www.utd.uscourts.gov>. Completed applications signed by the applicant **must be received by 4:00 p.m. on Friday, May 28, 2021**. Please deliver the original signed application and ten additional copies to the Clerk's office in the court by hand-delivery or by mail addressed to:

**United States District Court  
Attn: Human Resources  
Magistrate Judge Position  
351 South West Temple  
Salt Lake City, Utah 84101**

**Confidentiality:** All applications will be kept confidential, unless the applicant consents to disclosure, and all applications will be examined only by members of the Merit Selection Panel, essential court staff, and the judges of the district court. The panel's deliberations will remain confidential. However, as noted above, the names of the five persons considered best qualified by the merit selection panel will be disclosed to facilitate public comment.