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| court seal black and white borderInformation and Application Materials for United States Magistrate Judge ApplicantsSt. George – May 2021 |

This packet provides information necessary to apply to serve as a United States magistrate judge for the United States District Court for the District of Utah:

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| General Information |

# A. LOCATION OF JUDGESHIP AND APPLICATION DEADLINE

The United States District Court for the District of Utah invites applications for the office of United States magistrate judge. The successful applicants will maintain chambers in St. George, Utah. Applications, including the original and ten (10) copies, must be received by **4:00 p.m. on May 28, 2021.**

# B. MAGISTRATE JUDGE QUALIFICATIONS

To meet the minimum qualifications for appointment, as set forth in [28 U.S.C. § 631](https://www.law.cornell.edu/uscode/text/28/631), applicants 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 United States Virgin Islands.
2. Have been engaged in the active practice of law for a period of at least five years. The court may consider as substitute experience for the active practice of law the following, including any combination thereof:
	1. Judge of a state court of record or other state judicial officer;
	2. United States magistrate judge, bankruptcy judge, or other federal judicial officer;
	3. Attorney for federal or state agencies;
	4. No more than two years as a law clerk to any judge or judicial officer or as a staff attorney or pro se law clerk in a court; and
	5. Other substantial legal experience (subsequent to receiving a license to practice law), not included in (a) through (d) above, which is suitable as a substitute in the opinion of the majority of the court.
3. 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 one’s own reason and judgment.
4. At the time of initial appointment, not be related by blood or marriage to a judge of this court within the degrees specified in [28 U.S.C. § 458](https://www.law.cornell.edu/uscode/text/28/458).
5. In the case of an initial appointment, not be 70 years of age or older. The appointment of a magistrate judge terminates when the magistrate judge reaches age 70; however, under [28 U.S.C. § 631(d)](https://www.law.cornell.edu/uscode/text/28/631), a magistrate judge 70 years of age or older may continue to serve and to be reappointed for sequential one-year terms upon majority vote of the district judges.
6. Be a citizen of the United States.

# C. TERM OF APPOINTMENT

The Merit Selection Panel is searching for the best-qualified individuals currently available for appointment to an eight-year term. Magistrate judges may apply for reappointment to subsequent eight-year terms, as further explained in [The Selection, Appointment, and Reappointment of Magistrate Judges](http://www.nced.uscourts.gov/pdfs/Selection-Appointment-Reappointment-of-Magistrate-Judges.pdf). The term is expected to begin on or about April 1, 2022.

# D. MAGISTRATE JUDGE SALARY

A magistrate judge’s salary is set by statute, [28 U.S.C. § 634(c)](https://www.law.cornell.edu/uscode/text/28/634). The current annual salary is $201,112. Retirement benefits for magistrate judges are also set forth by statute, [28 U.S.C. § 377](https://www.law.cornell.edu/uscode/text/28/377).

# E. MAGISTRATE JUDGE JURISDICTION

The jurisdiction, powers, and duties of a magistrate judge are specified in [28 U.S.C. § 636](https://www.law.cornell.edu/uscode/text/28/636). Additional information about the role of magistrate judges in the United States Courts may also be found in, “[A Guide to the Federal Magistrate Judges System](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwiR3tLzp7jwAhWEElkFHUOLDJcQFjAAegQIAhAD&url=https%3A%2F%2Fwww.fedbar.org%2Fwp-content%2Fuploads%2F2019%2F10%2FFBA-White-Paper-2016-pdf-2.pdf&usg=AOvVaw2DAFPjzVcwdW-jpC_zmWAS).” The Local Rules of Practice for the District of Utah ([DUCivR 72-2](https://www.utd.uscourts.gov/sites/utd/files/Civil%20Rules%20Final%202020.pdf); [DUCrimR 57-15](https://www.utd.uscourts.gov/sites/utd/files/Criminal%20Rules%20Final%202020.pdf)), [General Order 11-001](https://www.utd.uscourts.gov/sites/utd/files/Order_11-001.pdf), and [General Order 20-034](https://www.utd.uscourts.gov/sites/utd/files/General%20Order%2020-034%20Pro%20Se%20Case%20Assignment%20FINAL.pdf) also provide information about magistrate judge functions and duties in civil and criminal matters in the District of Utah.

# F. SELECTION PROCESS

The court uses a competitive open-selection merit process in making appointments for the office of a magistrate judge. It is a complex and time-consuming procedure. Applicants should expect the entire process to take approximately six months. The Merit Selection Panel, composed of a chair, six members of the Utah State Bar, and two non-attorney members, evaluates all applications and conducts interviews of those applicants the Panel deems to be most qualified.

The Panel anticipates conducting initial interviews in June or July 2021. The Panel will submit to the court for final consideration the names of those candidates the Panel considers most qualified. The final selection of the magistrate judge is made by majority vote of the Article III judges, including both active and senior judges. In the event the judges are unable to make a selection, the chief judge will make the determination. The court anticipates that the judges will conduct final interviews in September 2021.

Following the selection of a magistrate judge, a thorough background check will be undertaken by the Federal Bureau of Investigation, and a report will be submitted by the Internal Revenue Service. Final appointment is contingent upon satisfactory reports by these agencies.

# G. SUGGESTIONS FOR COMPLETING THE APPLICATION

1. All applications must be typed. You must follow the format in the application.
2. Answer all questions as thoroughly as possible. If a question or section is not applicable, please so state and, unless obvious, state why it is inapplicable.
Incomplete applications will not be processed.
3. Respond fully to each question. If there is insufficient space for your response on the application itself, please attach a separate sheet. Any attachment sheets should be inserted where appropriate between the application pages. Mark each appended sheet with a letter designation keyed to the page it supplements (e.g., page 4A, 4B).
4. Complete and sign the Professional Experience Inquiry Authorization and Waiver accompanying the application.
5. You may—but are not required to—include a resumé or curriculum vitae.
6. To be considered, the application must be complete. All materials should be stapled or firmly clipped together.
7. In addition to the original application, please provide ten (10) copies, which should be stapled, clipped, or bound. Only one Professional Experience Inquiry Authorization and Waiver should be provided.

# H. SUBMISSION OF APPLICATION

The completed application, including the Professional Experience Inquiry Authorization and Waiver, must be signed. The original application, the Professional Experience Inquiry Authorization and Waiver, and ten (10) copies of the application must be **received by May 28, 2021,** at the following address:

 U.S. District Court

 Magistrate Judge Application

 Attn: Human Resources

 351 South West Temple

 Salt Lake City, UT 84101

**Applications that are delivered in person must be received by 4:00 p.m. Please deliver the applications to the intake counter in the Clerk’s Office.**

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| United States Magistrate JudgeApplicationSt. George - 2021  |

# A. PERSONAL/BIOGRAPHICAL

|  |  |
| --- | --- |
| Name: |  |
| List all other names by which you have been known: |  |
| Office Address: |  |
|  |
| Office Email: |  |
| Office Telephone: |  |
| Home Address: |  |
|  |
| Home Phone: |  |  |
| Mobile Phone: |  |  |
| Personal Email Address: |  |
| Where should we contact you, if necessary: | [ ]  Mobile phone | [ ]  Home phone | [ ]  Office phone |
| [ ]  Personal email | [ ]  Office email |  |
| Length of residence in Utah:  |  |
| Place & date of birth: |  |
| Are you under age 70? | [ ]  yes [ ]  no |  |
| Are you a citizen of the United States? | [ ]  yes [ ]  no |
| If you are a naturalized citizen, state the date and place of naturalization: |
|  |

# B. HEALTH INFORMATION

|  |
| --- |
| 1. What is the present state of your physical and mental health? |
|  |

|  |
| --- |
| 2. Do you have any physical or mental impairment that might prevent or limit the performance of the essential functions of the office of magistrate judge unless some accommodations were to be made? [ ]  yes [ ]  no |
| If yes, please explain. |
|  |

# C. PRESENT EMPLOYMENT/AFFILIATION

|  |  |
| --- | --- |
| Name of employer, firm, or agency:  |   |
| Your title or position: |  |
| Your supervisor’s or managing partner’s name: |  |
| Your supervisor’s title or position: |  |
| If you are selected as a finalist, may we contact this person regarding your qualifications? | [ ]  yes [ ]  no |
| Dates of employment or affiliation: |  |
| Give a synopsis of this position, including nature of practice and types of matters accounting for most of your time. Please include a description of your typical clients and any legal specialties. |
|  |

# D. PRIOR EMPLOYMENT/AFFILIATIONS

*(For this section, list your legal and non-legal work experience since law school, excluding your current position. Explain any periods of unemployment of more than 90 days, except those due to disability. Repeat this information for each position.)*

|  |  |
| --- | --- |
| 1. Name of employer, firm, agency:
 |  |
| 1. Address:
 |  |
|  |
| 1. Telephone:
 |  |
| 1. Positions you held:
 |  |
| 1. Your supervisor’s/managing partner’s name:
 |  |
| 1. Your supervisor’s title or position:
 |  |
| 1. If you are selected as a finalist, may we contact this person regarding your qualifications?
 | [ ]  yes [ ]  no |
| 1. Dates of employment or affiliation:
 |  |
| 1. Principal duties:
 |
|  |

|  |  |
| --- | --- |
| 1. Name of employer, firm, agency:
 |  |
| 1. Address:
 |  |
|  |
| 1. Telephone:
 |  |  |
| 1. Positions you held:
 |  |
| 1. Your supervisor’s/managing partner’s name:
 |  |
| 1. Your supervisor’s title or position:
 |  |
| 1. If you are selected as a finalist, may we contact this person regarding your qualifications?
 | [ ]  yes [ ]  no |
| 1. Dates of employment or affiliation:
 |  |
| 1. Principal duties:
 |
|  |

|  |  |
| --- | --- |
| 1. Name of employer, firm, or agency:
 |  |
| 1. Address:
 |  |
|  |
| 1. Telephone:
 |  |  |
| 1. Positions you held:
 |  |
| 1. Your supervisor’s/managing partner’s name:
 |  |
| 1. Your supervisor’s title or position:
 |  |
| 1. If you are selected as a finalist, may we contact this person regarding your qualifications?
 | [ ]  yes [ ]  no |
| 1. Dates of employment or affiliation:
 |  |
| 1. Principal duties:
 |
|  |

# E. DESCRIPTION OF LEGAL PRACTICE

|  |
| --- |
| 1. Estimate the percentage of your total time in legal work during the last ten years concerned:
 |
| Federal civil law matters | % |  |
| Federal criminal law matters: | % |  |
| State civil law matters: | % |  |
| State criminal law matters: | % |  |
| Other: | % |  |
| If necessary, please explain. |
|  |

1. On average, how frequently have you appeared in court during your career?

 times per [ ]  week [ ] month [ ]  year

1. On average, how frequently have you appeared in court over the last five years?

 times per [ ]  week [ ] month [ ]  year

1. On average, how frequently have you appeared at administrative hearings?

 times per [ ]  week [ ] month [ ]  year

|  |
| --- |
| 1. State the number of cases you have tried (i.e., either jury or bench) in courts of record, indicating whether you were sole, lead, or associate counsel.
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| --- |
| 1. Summarize your courtroom experience, specifically indicating your trial and motion practice and your involvement in civil discovery proceedings or criminal pretrial proceedings.
 |
|  |
| 1. Summarize your experience in therapeutic courts, such as drug court, behavioral health court, veterans court, or tribal court.
 |
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| 1. Summarize your litigation and other professional work (e.g., administrative duties, alternative dispute resolution, teaching, supervising the legal work of others, and firm management).
 |
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| --- |
| 1. Provide the following information on three particularly significant cases in which you were involved during the last ten (10) years. *If you are a judge, list counsel against whom you have ruled in three (3) significant cases in the last ten (10) years.*
 |
| Case name: |  |
| Court: |  |
| Presiding Judge: |  |
| Nature of case: |  |
| Your role in case: |  |
| Describe your involvement, identify the result, and explain why this case was significant to you. |
|  |

|  |  |
| --- | --- |
| Co-counsel name(s): |  |
| Address: |  |
|  |
| Telephone: |  |
| Opposing counsel name(s): |  |
| Address: |  |
|  |
| Telephone: |  |

|  |  |
| --- | --- |
| Case name**:** |  |
| Court:  |  |
| Presiding Judge: |  |
| Nature of case: |  |
| Your role in case: |  |
| Describe your involvement, identify the result, and explain why this case was significant to you. |
|  |

|  |  |
| --- | --- |
| Co-counsel name(s): |  |
| Address: |  |
|  |
| Telephone: |  |
| Opposing counsel name(s): |  |
| Address: |  |
|  |
| Telephone: |  |

|  |  |
| --- | --- |
| Case name: |  |
| Court:  |  |
| Presiding Judge: |  |
| Nature of case: |  |
| Your role in case: |  |
| Describe your involvement, identify the result, and explain why this case was significant to you. |
|  |

|  |  |
| --- | --- |
| Co-counsel name(s): |  |
| Address: |  |
|  |
| Telephone: |  |
| Opposing counsel name(s): |  |
| Address: |  |
|  |
| Telephone: |  |

# F. PRIOR JUDICIAL OR QUASI-JUDICIAL EXPERIENCE

*(Repeat this information for each judicial or quasi-judicial experience.)*

|  |  |
| --- | --- |
| Name of court/agency: |  |
| Period of service: |  |
| Judicial title: |  |
| Address: |  |
|  |
| Telephone: |  |
| Chief Judge: |  |
|  |  |
| Have you ever been required to respond to any complaints of judicial misconduct? | [ ]  yes [ ]  no |
| If yes, explain fully. |
|  |
| Describe the nature of your judicial duties (e.g., nature of cases, level of authority, criminal or civil, administrative, written or oral opinion, etc.). |
|  |

|  |  |
| --- | --- |
| Name of court/agency: |  |
| Period of service: |  |
| Judicial title: |  |
| Address: |  |
|  |
| Telephone: |  |
| Chief Judge: |  |
|  |  |
| Have you ever been required to respond to any complaints of judicial misconduct? | [ ]  yes [ ]  no |
| If yes, explain fully. |
|  |
| Describe the nature of your judicial duties (e.g., nature of cases, level of authority, criminal or civil, administrative, written or oral opinion, etc.). |
|  |

# G. EDUCATION

|  |
| --- |
| 1. **Undergraduate**
 |
| For each undergraduate institution attended, list: |
| Name of institution: |  |
| Dates attended: |  |
| Degree(s) received and date(s) conferred: |  |
| Major field(s) of study: |  |

|  |  |
| --- | --- |
| Name of institution: |  |
| Dates attended: |  |
| Degree(s) received and date(s) conferred: |  |
| Major field(s) of study: |  |

|  |
| --- |
| 1. **Law School**
 |
| For each law school attended, list: |
| Name of institution: |  |
| Dates attended: |  |
| Degree(s) received and date(s) conferred: |  |

|  |  |
| --- | --- |
| Name of institution: |  |
| Dates attended: |  |
| Degree(s) received and date(s) conferred: |  |

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| --- |
| 1. **Other Graduate Education Received**
 |
| For each other graduate institution attended, list: |
| Name of institution: |  |
| Course of study: |  |
| Degree(s) received and date(s) conferred: |  |

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| 1. For all institutions listed above, describe any academic honors, awards, law review participation (including name of journal and positions held), and other activities and achievements.
 |
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# H. ADDITIONAL QUESTIONS

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| 1. List seminars and workshops you have attended or participated in as a speaker or panelist during the last five (5) years, the subjects of which are relevant to the duties of a magistrate judge in this district.
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| 1. If you have written—individually or with others—any articles, treatises, texts, or handbooks, provide as to each the complete citation, including publisher, date, title, and subject matter.
 |
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| --- |
| 1. List any elective or appointive public offices you have ever held (other than judicial or quasi-judicial). Please indicate whether the position was full-time or part-time, the location, duties, and dates of service.
 |
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| 1. Have you ever been accused in any civil or criminal proceeding with conduct alleged to involve moral turpitude, dishonesty, or unethical conduct?
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| 1. Have you ever been formally censured, reprimanded, adjudged or held in contempt, sanctioned, or otherwise disciplined by any judge, court, agency, tribunal, bar association, or other professional group? Has your license to practice law ever been suspended or revoked? If so, describe the facts and circumstances fully.
 |
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| 1. Have you ever sued or been sued by a client? If so, state fully the facts and circumstances, the court and case number, and the disposition of the matter.
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| 1. Have you or your professional liability carrier ever settled a claim against you for professional malpractice?
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| 1. Have you ever been a party to any litigation? If so, state the court, case number, the nature of the case, and the circumstances of your involvement.
 |
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| 1. To the best of your knowledge, are you in compliance with the tax laws of the federal government and the state, county, and community of which you are a resident? If not, explain fully.
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| 1. Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? If so, please explain.
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| 1. Have you ever been charged with or convicted of any criminal offense (other than a minor traffic offense involving a fine of less than $200)? If yes, explain fully.
 |
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| 1. Have you served in the military of the United States or of any other country? If yes, state the branch, dates of service, rank or position held, and type of discharge.
 |
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| 1. Are you related by blood or marriage to any judge of this court? If yes, provide the name(s) and explain the relationship.
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| 1. Have you performed any significant public service (e.g., Peace Corps)? If so, explain fully.
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| 1. Describe any pro bono service you have provided in the past ten (10) years, if any.
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| 1. How have you demonstrated your commitment to equal justice under the law?
 |
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|  |
| 1. List all bar associations and legal professional societies of which you are a member and include the title and dates of any office you have held in such groups and any committees to which you have belonged.
 |
|  |
|  |
| 1. List all organizations and clubs (other than bar associations and professional societies identified in Question 17 above) of which you have been a member in the last ten (10) years, including any titles and dates of any offices you have held in such organizations.
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| 1. If you are now an officer, director, or otherwise engaged in the management of any business enterprise (other than a law firm), state the name of such enterprise, the nature of the business, the nature of your duties, and whether you intend to resign such a position immediately if you selected to serve as a magistrate judge.
 |
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| 1. Since graduating from law school, have you ever engaged in any occupation, business, or profession other than the practice of law? If yes, provide details, including dates.
 |
|  |
|  |
| 1. 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 the compensation, the nature of the business enterprise, institution, organization, or association involved, and the dates the compensation was paid.
 |
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| 1. State any other pertinent information reflecting positively or negatively on you that you believe should be disclosed to the court and the Merit Selection Panel in connection with your application for the position of United States magistrate judge.
 |
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|  |
| 1. Provide a brief statement regarding why you are seeking the position of United States magistrate judge and why you feel that you are qualified for the office. Include any special professional, occupational or other experience you have had that you feel should be considered by the Merit Selection Panel. Describe how your educational, legal, administrative, and business experience have prepared you for this position.
 |
|  |

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| --- |
| 1. Identify the family members or other persons, parties, categories of litigation, and financial arrangements that are likely to present potential conflicts of interest if you were chosen for the position of United States magistrate judge. Explain how you would address any such conflict if it were to arise, including the procedure you will follow in determining areas of potential concern.
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| 1. 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) or appointment(s).
 |
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|  |

# I. STATE BAR AND COURT ADMISSIONS

For all federal and state courts to which you have been admitted to practice, list the following information:

|  |  |
| --- | --- |
| State bar or court: |  |
| Year admitted: |  |
| Current status (active/inactive): |  |

|  |  |
| --- | --- |
| State bar or court: |  |
| Year admitted: |  |
| Current status (active/inactive): |  |

|  |  |
| --- | --- |
| State bar or court: |  |
| Year admitted: |  |
| Current status (active/inactive): |  |

# J. REFERENCES

Please list four persons who are familiar with your professional qualifications and character. These individuals may be contacted by the Merit Selection Panel. For each person, list the following:

|  |  |
| --- | --- |
| Name and title: |  |
| Organization: |  |
| Address: |  |
| Telephone: |  |

|  |  |
| --- | --- |
| Name and title: |  |
| Organization: |  |
| Address: |  |
| Telephone: |  |

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| --- | --- |
| Name and title: |  |
| Organization: |  |
| Address: |  |
| Telephone: |  |

|  |  |
| --- | --- |
| Name and title: |  |
| Organization: |  |
| Address: |  |
| Telephone: |  |

# K. STATE BAR REQUEST

If your primary bar membership is of a bar other than the State Bar of Utah, you are required to submit in support of your application a current certificate of good standing issued by the authority governing attorney admissions in that jurisdiction. The certificate may be submitted with the application or separately mailed to:

 D. Mark Jones, Clerk of Court

 United States District Court

 351 South West Temple

 Salt Lake City, UT 84101

While your request to the bar should be made as soon as possible, the certificate of good standing need not be received by the Clerk of Court before the application deadline. If selected for a final interview, the certificate must be received by September 1, 2021.

# L. CONFIDENTIALITY OF APPLICATION

This application will be kept confidential and will be examined only by members of the Merit Selection Panel, staff to the 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 your approval. The names of the persons considered best qualified by the Merit Selection Panel will be disclosed to facilitate public comment for consideration by the district judges, but this application will not be disclosed.

# M. AUTHORIZATION AND WAIVER

Complete, sign and return the accompanying Professional Experience Inquiry Authorization and Waiver.

# N. APPLICATION VERIFICATION

This application is being submitted by me personally and, if selected, I am willing to serve as a United States magistrate judge in the United States Court for the District of Utah.

I swear or affirm under penalty of perjury that all statements made in connection with this application are true and correct.

 Signature & date:

|  |
| --- |
|  |

|  |  |  |  |
| --- | --- | --- | --- |
| Executed in the County |  | in the State of |  |



U.S. District Court
District of Utah

## **Professional Experience Inquiry Authorization and Waiver**

 I hereby authorize present or former employers, contracting parties, partners, educators, and administrators of the disciplinary and inquiry bodies of any court, bar, or other association to disclose to the Merit Selection Panel and the district court judges all information concerning my work history, qualifications, and present professional status, and all complaints that have been made against me, together with the disposition thereof. I expressly waive whatever right I may have to confidentiality of the foregoing information.

 I also hereby authorize the custodian of any records or information related to my application for magistrate judge to permit the examination or receipt of such records, whether written or oral, and/or information by anyone designated by the Merit Selection Panel.

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| Name: |  |

 Signature & date:

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