

# **The United States District Court for the Northern District of West Virginia**

## **APPOINTMENT OF FULL-TIME MAGISTRATE JUDGE (WHEELING )**

The Judicial Conference of the United States has authorized the appointment of a full-time United States Magistrate Judge for the Northern District of West Virginia to serve the Wheeling point of holding court. The magistrate judge should also be prepared to travel and conduct hearings at the Clarksburg, Elkins and Martinsburg points of holding court. 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 but not limited to the following: 1) conducting 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. The basic authority of the United States magistrate judge is specified in 28 U.S.C. § 636.

**Qualifications:** 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 Northern Mariana Islands, or the Virgin Islands of the United States.
- 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:
  - a) Judge of a state court of record or other state judicial officer;
  - b) U.S. magistrate judge, bankruptcy judge, or other federal judicial officer;
  - c) Attorney for a federal or state agency;
  - d) Up to two years as a law clerk to any judge or judicial officer or as staff attorney or pro se law clerk in a court;
  - e) Other types of substantial legal experience (subsequent to receipt of law degree or license to practice law) suitable as a substitute in the opinion of the majority of the district judges.

- 3) 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, courteous, and capable of deliberation and decisiveness.
- 4) Not be related by blood or marriage to a judge of the district courts, within the degrees specified in 28 U.S.C. § 458, at the time of the initial appointment.
- 5) Be less than seventy (70) years of age.

**Selection Process:** A Merit Selection Panel composed of attorneys and other members of the community will review all applications and recommend to the judges of the district court, in confidence, the five persons it considers best qualified. The district court will make the appointment, following an FBI full-field investigation and an IRS tax check of the applicant selected by the court for appointment. 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. An affirmative effort will be made to give due consideration to all qualified applicants without regard to race, color, age (40 and over), gender, religion, national origin, or disability.

**Term and Salary:** The term of office is eight years subject to reappointment. The current annual salary of the position is \$188,692.00.

**Benefits:** Electronic Fund Transfer (EFT) for payroll deposit is required. Benefits include a federal retirement plan, health, life, and disability insurance, long term care insurance, a flexible benefits program, portable savings plan, and a professional environment.

**Application Requirements:** Application forms may be obtained from the clerk's offices of the district court in Clarksburg, Elkins, Martinsburg, or Wheeling or on the court's website at [www.wvnd.uscourts.gov/employment-opportunities](http://www.wvnd.uscourts.gov/employment-opportunities). Applications must be submitted personally or by certified mail (U.S. Postal Service, United Parcel Service, FedEx, or other private carrier) and must be received by January 12, 2018.

Applicants must submit an original and ten (10) copies of the application in an envelope marked "CONFIDENTIAL" to Cheryl Dean Riley, Clerk of Court, U.S. District Court, 1125 Chapline Street, P.O. Box 471, Wheeling WV 26003. No letters of reference will be accepted. Applicants should not have any direct or indirect contact with the Merit Selection Panel and all questions and information must be directed to the Clerk of Court.

The names of all applicants will be kept confidential, unless the applicant consents to disclosure, and all applications will be examined only by members of the Merit Selection Panel and the judges of the district court. The Panel's deliberations will also remain confidential.