

**PUBLIC NOTICE**  
**APPOINTMENT OF U.S. BANKRUPTCY JUDGE**

The United States Court of Appeals for the Eighth Circuit seeks applications from highly qualified candidates for a fourteen-year appointment as United States Bankruptcy Judge for the District of Minnesota. The position is headquartered in St. Paul, Minnesota. The vacancy will occur upon the retirement of United States Bankruptcy Judge Gregory Kishel, effective May 31, 2016.

The basic jurisdiction of a United States Bankruptcy Judge is specified in Titles 11 and 28, United States Code, and amendments thereto. To be qualified for appointment, an applicant must:

- (1) Be a member in good standing of the bar of the highest court of at least one state, the District of Columbia, or the commonwealth of Puerto Rico, and a member in good standing of any other bar of which they are members.
- (2) Have been engaged in the active practice of law for a period of at least five years (some substitutes authorized);
- (3) Possess, and have a reputation for, integrity and good character; possess, and have demonstrated, a commitment to equal justice under the law; possess, and have demonstrated, outstanding legal ability and competence; be of sound mental and physical health sufficient to perform the essential duties of the office; and indicate by demeanor, character, and personality that the applicant would exhibit judicial temperament if appointed; and
- (4) Not be related by blood or marriage to a judge of the Eighth Circuit Court of Appeals, to a member of the Eighth Circuit Judicial Council, or to a judge of the district court to be served, within the degrees specified in 28 U.S.C. § 458, at the time of the initial appointment.

A Merit Selection Panel will review all applications and recommend to the United States Court of Appeals for the Eighth Circuit, in confidence, persons considered to be best qualified. Appointment follows an FBI and IRS investigation of the candidate chosen by the Court of Appeals. The current annual salary is \$185,012. Applicants shall be considered without regard to race, color, age, gender, religion, national origin or disability.

Application forms may be obtained on line from the Clerk of the U.S. District Court in Minnesota at <http://www.mnd.uscourts.gov/>, the Clerk of the U.S. Bankruptcy Court in Minnesota <http://www.mnb.uscourts.gov/>, and the Circuit Executive's Office in St. Louis, Missouri by e-mail at [CE8employment@ca8.uscourts.gov](mailto:CE8employment@ca8.uscourts.gov) or by phone 314-244-2600. Applications should be submitted only by the applicant personally and should indicate the applicant's willingness to serve if selected. Applications should be submitted to Ms. Millie B. Adams, Circuit Executive, 111 South 10<sup>th</sup> Street, Suite 26.325, St. Louis, Missouri 63102-1116, and must be received by **September 2, 2015**.

The U.S. Courts are equal opportunity employers.

**INSTRUCTIONS  
MERIT SELECTION PANEL QUESTIONNAIRE  
FOR PERSONS BEING CONSIDERED FOR  
POSITION OF BANKRUPTCY JUDGE  
IN THE EIGHTH CIRCUIT**

All questions must be answered fully. If a question or section is not applicable, please so state. If more space is required, use the "Separate Attachment Form." Please type or print. Complete citations for all cases and articles or texts must be given. It will assist the panel if photocopies of opinions and articles accompany the application. Please give full names and current office addresses, phone numbers and email addresses (or residence, if no office) for all judicial, professional, personal or other references.

All written inquiries should be directed to Millie B. Adams, Circuit Executive's Office, at the address below. If you wish to obtain a copy of this application via e-mail, please contact the Circuit Executive's Office at (314) 244-2600.

Please be sure you have completed the Questionnaire in its entirety; sign the application and waiver, and return **one signed original and one hard copy, a .pdf of a signed application and all materials on a CD, DVD, or flash drive (no bound materials, books or pamphlets please)** to:

Office of the Circuit Executive  
Thomas F. Eagleton United States Courthouse  
111 South 10<sup>th</sup> Street  
Suite 26.325  
St. Louis, Missouri 63102-1116

The application must be received in the Office of the Circuit Executive by **September 2, 2015.**

**APPLICATION FORM  
UNITED STATES BANKRUPTCY JUDGE**

**General**

1. Full Name: \_\_\_\_\_
2. All other names by which you have been known \_\_\_\_\_
3. Present Occupation \_\_\_\_\_ Title \_\_\_\_\_
4. Office Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_  
Zip \_\_\_\_\_ Telephone \_\_\_\_\_  
E-mail address \_\_\_\_\_
5. Residential Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_  
Zip \_\_\_\_\_ Telephone \_\_\_\_\_  
E-mail Address \_\_\_\_\_
6. Place of Birth: \_\_\_\_\_
7. Length of Residence in State: \_\_\_\_\_
8. In what countries do you hold citizenship? \_\_\_\_\_
9. Colleges and universities attended, dates, degrees, and class standing (if known):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
10. Law School attended, dates, degree, and class standing (if known): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
11. Military Service:  

Branch	Dates
_____	_____
_____	_____

\_\_\_\_\_  
Rank or Rate at Discharge  
\_\_\_\_\_

If still a reserve or National Guard member, give service, branch, unit, and present rank:  
\_\_\_\_\_  
\_\_\_\_\_

12. Are you related by blood or marriage to any judges or member of the Judicial Council of the United States Court of Appeals for the Eighth Circuit or to a Judge of the District Court for the District of Minnesota?

If so, give their names and the relationships.

Names	Relationship
_____	_____
_____	_____
_____	_____

**Honors**

13. Were you a member of the law review board? \_\_\_\_\_

14. List any legal books or articles written by you, giving citations and dates.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

15. List any honors, prizes, or awards you have received.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

16. List continuing legal education courses completed within last five years.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Professional Admissions**

17. 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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Law Practice**

18. Have you been engaged in the active practice of law for at least five years?  
\_\_\_\_\_ Yes \_\_\_\_\_ No

19. State the name, dates, and addresses of all law firms with which you have been associated in practice and of all governmental agencies or private business organizations in which you have been employed, periods you have practiced as a sole-practitioner or worked in and list that information for any other prior practice:

Position

Firm Address Dates

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

20. Describe the general nature of your current practice including any legal specialties which you possess and the character of your typical clients. Additionally, if your practice is substantially different now than previously, please give details of prior practice.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

21. a) Do you regularly appear in court? \_\_\_\_\_

b) What percentage of your appearances in the last five years were in the following forums:

1. Bankruptcy Courts? . . . . . \_\_\_\_\_ %

2. Federal, District and Appeals Courts? . \_\_\_\_\_ %

3. State or Local Courts of Record? . . . . \_\_\_\_\_ %

4. Administrative Bodies? . . . . . \_\_\_\_\_ %

5. Other? . . . . . \_\_\_\_\_ %

22. During the past five years, what percentage of your practice has been trial practice?  
\_\_\_\_\_ %

How frequently have you appeared in court? \_\_\_\_\_ times per month.

How frequently have you appeared at administrative hearings? \_\_\_\_\_ times per month.

What percentage of your practice involving litigation has been in each of the following areas:

Bankruptcy? .....	_____	%
Civil? .....	_____	%
Criminal? .....	_____	%
_____ .....	_____	%
_____ .....	_____	%
_____ .....	_____	%

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

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23. Have you served as a trustee or other court-appointed officer in bankruptcy matters?  
Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, provide the approximate number of such cases and list the more important matters in which you served.

Names	Court
_____	_____
_____	_____
_____	_____
_____	_____

24. Summarize your courtroom experience for the past five years:

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25. State the names, addresses, phone numbers and e-mail addresses of adversary counsel against whom you have litigated your primary cases over the past five years:

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**Public Office**

26. Have you ever run for, or held, public office? If so, give details.

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**Prior Judicial Experience**

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

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b) Prior Quasijudicial service:

Name of Agency \_\_\_\_\_  
Position held \_\_\_\_\_  
Hearing on what issues \_\_\_\_\_  
Number of cases adjudicated \_\_\_\_\_  
Dates of service \_\_\_\_\_

**Business Involvement**

28. a) If you are now an officer, director or otherwise engaged in the management of any business or 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.

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b) Since being admitted to the Bar, have you ever engaged in any occupation, business, or profession other than the practice of law? If so, please give the details, including dates.

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c) 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. If so, identify the source of such compensation; the nature of the business enterprise, institution, organization, or association involved; and the dates such compensation was paid.

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**Disciplinary Proceedings/Offenses**

29. Have you ever been convicted for violation of any federal law, state law, county or municipal law, regulation or ordinance? If so, please give details. Do not include traffic violations for which a fine of \$100 or less was imposed unless it also included a jail sentence.

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30. a) Have you ever been sued by a client? If so, give particulars.

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b) Have you or your professional liability insurance carrier ever settled a claim against you for professional malpractice? If so, please give particulars, including the amounts involved.

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31. Have you ever been charged in any civil or criminal proceeding with conduct alleged to involve moral turpitude, dishonesty, and or unethical conduct? If so, please give particulars, including the full style of the cause.

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32. Have you ever been disciplined for a breach of ethics or unprofessional conduct by any court, administrative agency, bar association, or other professional group? If so, please give the particulars.

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**Taxes**

33. To the best of your knowledge, are you in compliance with the tax laws of the federal government and of the state, county, and community of which you are a resident?  
\_\_\_\_\_ Yes \_\_\_\_\_ No

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

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35. Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? If so, give particulars.

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**Professional and Other Activities**

36. a) List all bar associations and legal or other 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.

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b) List all organizations and clubs, other than bar associations and professional societies identified in response to Question No. 36a, 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.

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37. Describe any civic, philanthropic, community, social, or public service activities during the past five years, including any posts or offices held and honors or awards received?

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**Supplemental Information**

38. Do any clubs or private associations to which you belong have a discrimination clause or have a history of barring membership to women or minorities? \_\_\_\_\_ Yes \_\_\_\_\_ No

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

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

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41. State any other pertinent information reflecting positively or adversely on you which you believe should be disclosed to the circuit court and the selection panel in connection with your possible nomination as United States bankruptcy judge.

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**Personal and Judicial References**

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

Name	Address	Phone & E-mail
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

43. (a) Give the names and current phone numbers of at least five, but no more than ten, persons (of whom not fewer than four must be lawyers not associated with you in the practice of law or in business) to whom we may refer as to your character and ability, and state how long each has known you. Your references must have had adequate opportunities for observing your professional and general conduct and ability. Describe the status of nonlaw references.

Name	Telephone & E-mail	Period of Acquaintance
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

(b) Give the names and current phone numbers of at least three persons who have worked for you and with you in a subordinate position.

Name	Telephone & E-mail	Work Relationship
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

- (c) Give the names and current phone numbers of not more than five judges (of whom at least three must be active) with whom you are not and have not been associated in the practice of law or in business, before whom you have appeared recently in matters which would afford them an opportunity to observe your professional conduct and ability. If yours is a non-litigation practice, list such judges, if any, who have had an opportunity to observe you in bar association or other activities. Indicate those before whom you have appeared in court or other judicial bodies by inserting (C) before the name of the judge.

Name of Judge	Phone	Court	Date and Nature of Most Recent Matter
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

## **CONFIDENTIALITY STATEMENT**

This form will be kept confidential and will be examined only by members of the merit selection panel, the circuit executive, judges of the judicial council, and the judges of the court of appeals. The individuals, whom you have listed as references above, as well as your employer or coworkers, may be contacted by the panel. If this presents a problem, you should notify the circuit executive so that special arrangements can be made. Sometimes the arrangement is that there will be no contact with an employer or co-workers unless you are a potential finalist for the position.

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

\_\_\_\_\_

Date

\_\_\_\_\_

Signature of Candidate

**SEPARATE ATTACHMENT FORM**

Separate attachment to:

Part \_\_\_\_\_

Question \_\_\_\_\_

**MEDICAL AUTHORIZATION AND WAIVER**

TO:

Physician \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

Phone \_\_\_\_\_

In connection with my application for the position of U. S. Bankruptcy Judge in the Eighth Circuit, I hereby authorize any person designated by the Merit Selection Panel to communicate orally (including by telephone) and/or in writing with the physician named above with regard to my physical and mental condition and history, and any care, treatment and advice given me.

I further authorize and direct the physician named above to communicate to such person orally (including by telephone) such information regarding my physical and mental condition, care, treatment and advice sought by such person and to supply a written statement if requested by such person. For these purposes, I hereby waive any physician-patient privilege that may exist.

Name: \_\_\_\_\_ (Print or Type)

Address: \_\_\_\_\_

\_\_\_\_\_

Phone \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

NOTE TO CANDIDATE: Please forward one signed original to physician.

**AUTHORIZATION AND WAIVER**

In connection with my application for the position of U.S. Bankruptcy Judge in the Eighth Circuit, I hereby authorize the administrators of the disciplinary and inquiry bodies of any court, bar or other association to disclose to the Merit Selection Panel all information contained in the files of such bodies concerning my present professional status, all complaints which have been made against me, together with the disposition thereof. I expressly waive whatever right I may have to confidentiality of the foregoing information.

Name: \_\_\_\_\_ (Print or Type)

Address: \_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_