

PUBLIC NOTICE

The Judicial Conference of the United States has authorized the appointment of a full-time United States Magistrate Judge for the Middle District of Pennsylvania at Harrisburg, Pennsylvania.

The duties of a Magistrate Judge in this court include the following: (1) To exercise all the powers and duties conferred or imposed upon United States Magistrate Judges by law or the Federal Rules of Criminal Procedure or the Federal Rules of Civil Procedure; (2) To administer oaths and affirmations, impose conditions of release under 18 U.S.C. §3146, and take acknowledgments, affidavits, and depositions; (3) To try persons accused of misdemeanors committed within this district in accordance with 18 U.S.C. §3401, order presentence investigation reports and sentence such persons; (4) To conduct proceedings in accordance with Fed.R.Cr.P. 40; (5) To conduct extradition proceedings, in accordance with 18 U.S.C. §3184; (6) To appoint attorneys under the court's Criminal Justice Act Plan; (7) To review applications by prisoners for post-trial and other relief, make such orders as are necessary to obtain appropriate information which may be of assistance in determining the merits of any complaint, submit reports and recommendations to the District Judge having jurisdiction over the case; (8) To act as a special master when designated by the district court; (9) To receive indictments returned by grand juries; (10) To conduct arraignments to the extent of taking a not guilty plea or noting a defendant's intention to plead guilty or nolo contendere; and (11) Conduct trials and the disposition of civil cases on consent of the parties.

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 when required to act on his or her own reason and judgment;
- (3) Be less than seventy years old; and
- (4) Not be related to a Judge of the appointing district court within the degree of relationship specified in 28 U.S.C. §458, i.e., "by affinity or consanguinity within the degree of first cousin."

A merit selection panel composed of seven individuals (five lawyers and two nonlawyer members of the community) will review all applications and recommend to the court in confidence the persons it considers best qualified.¹ The court will make the appointment following an FBI full-field investigation and an IRS tax check of the applicant selected by the court. An affirmative effort will be made to give due consideration to all qualified applicants, including women and members of minority groups. The current salary for a full-time Magistrate Judge is \$155,756.00. The term of office is eight (8) years.

Application forms and more information on the Magistrate Judge position in this court may be obtained from the clerk of the district court or from the court's internet website at www.pamd.uscourts.gov. This public notice is also posted in the clerk's office in Scranton, Harrisburg, and Williamsport. Applications must be marked confidential and must be received by **February 23, 2009**. An original plus eight copies must be provided to the following address:

Merit Selection Panel
c/o Clerk, U.S. District Court
William J. Nealon Federal Building and U.S. Courthouse
P.O. Box 1148
Scranton, PA 18501-1148

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 and the judges of the district court. The panel's deliberations will remain confidential.

¹No person may be considered by the court for a magistrate judge position while serving as a member of a merit selection panel, or for one year after such service is completed. But, the Judicial Conference Committee on the Administration of the Magistrate Judges System may grant, on an individual case basis, waivers of the provision prohibiting a member of a merit selection panel from being considered for selection by the court.