

**APPLICATION INSTRUCTIONS FOR  
UNITED STATES MAGISTRATE JUDGE APPLICANTS**

Rev. 4/2023

The following provides information on applying for the position of United States Magistrate Judge in the United States District Court, Eastern District of California located in Sacramento, California.

**Contents**

A.	Location of Judgeship and Application Deadline.....	2
B.	Magistrate Judge's Responsibilities/Qualifications for Appointment.....	2
C.	Term of Appointment .....	3
D.	Magistrate Judge Salary and Financial Disclosure Requirements.....	3
E.	Magistrate Judge Jurisdiction.....	4
F.	Selection Process .....	4
G.	Instructions for Completing the Application Form.....	5
H.	Submission of Application Packet.....	6

A. LOCATION OF JUDGESHIP AND APPLICATION DEADLINE

The court is seeking well qualified applicants for the office of United States Magistrate Judge in the United States District Court, Eastern District of California located in Sacramento, California. For consideration, a letter of interest (i.e., cover letter), a chronological resume and a completed *Application Form for the Position of United States Magistrate Judge* (found on the court's internet website at [www.caed.uscourts.gov](http://www.caed.uscourts.gov)) must be submitted. All documents must be received by no later than Tuesday, May 16, 2023 as a PDF file sent to email address: [CAED-HR@caed.uscourts.gov](mailto:CAED-HR@caed.uscourts.gov). Incomplete packets and those received after the stated deadline will not be considered. REIMBURSEMENT OF INTERVIEW AND RELOCATION EXPENSES WILL NOT BE PROVIDED BY THE COURT.

B. MAGISTRATE JUDGE'S RESPONSIBILITIES/QUALIFICATIONS

To meet the minimum qualifications for appointment, 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 Virgin Islands of the United States, and 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 federal or state agencies.
  - (d) 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.

(e) Other types of substantial legal experience (subsequent to receipt of a law degree or license to practice law), not included in subparagraphs (a) through (d) above, which is suitable as a substitute in the opinion of the majority of the court.

(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;

(2) Be less than seventy (70) years old at the time of initial appointment (**Note:** For information on continuation and reappointment of magistrate judges upon attaining age 70, see 28 U.S.C. § 631(d));

(4) Not be related to a judge of the district court.

**C. TERM OF APPOINTMENT**

The selected applicant will be appointed for an eight-year term that is expected to commence on or shortly after February 8, 2024. Reappointment to subsequent eight-year terms will be based on the recommendation of a merit selection panel and majority vote of the active district judges of the court.

**D. MAGISTRATE JUDGE SALARY AND FINANCIAL DISCLOSURE REQUIREMENTS**

The current 2023 annual salary rate for the position is \$213,992. Periodically, Congress adjusts salaries based on cost-of-living increases.

The selected candidate must comply with annual 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.

#### **E. MAGISTRATE JUDGE JURISDICTION**

The basic jurisdiction of a magistrate judge is specified in 28 U.S.C. §636 and in Title 11, United States Code. The duties of this position will include: (1) conduct of most preliminary proceedings in criminal cases; (2) trial and disposition of misdemeanor cases; (3) conduct various pretrial matters and evidentiary proceedings on delegation from the judges of the district court; (4) trial and disposition of civil cases upon consent of the litigants; and (5) hearing of habeas corpus prisoner petitions and Social Security cases.

#### **F. SELECTION PROCESS**

Each district court within the Ninth Circuit uses a competitive open-selection merit process in making appointments for the office of magistrate judge. The process is complicated and time-consuming and takes up to nine months to complete.

Once the application filing period has closed, the court will appoint a merit selection panel composed of attorneys and other members of the community by General Order of the court. Once appointed, the panel will have 90 days to review and rank the materials of all qualified applicants. During the ranking process, the panel may contact candidates deemed best qualified to collect more information. At the conclusion of the panel's 90-day appointment period, the panel will submit a report to the court that summarizes their review process and lists the names of five (or fewer) candidates ranked as best qualified overall. The court will interview the recommended candidates and a final selection will be made by majority vote of the active judges of the district court. In cases of failure by the judges of the district court to make a majority selection, the panel may be asked to provide additional names, or the chief judge shall make the determination. Once a final selection has been made and an offer has been accepted, all other applicants will be notified via email that the position has been filled.

The selected candidate will be subject to a thorough background check conducted by the Federal Bureau of Investigation (FBI) and Internal Revenue Service (IRS). The investigation process typically takes at least 90 days and final appointment will be contingent upon satisfactory reports being received from both agencies.

**G. INSTRUCTIONS FOR COMPLETING THE APPLICATION FORM**

- (1) The application form must be typewritten, and candidates must follow the format set forth in the application form (the form can be found on the court's internet website at [www.caed.uscourts.gov](http://www.caed.uscourts.gov)).
- (2) Answer all questions as thoroughly as possible. If a question or section is not applicable, write "N/A". Unless obvious, state why it is inapplicable. Incomplete applications will not be processed.
- (2) Respond fully to each question. If there is insufficient space for your response on the application itself, use a separate attachment sheet. Any attachment sheets should be appended to the application and inserted where appropriate in the application papers. Mark the appended sheets with a letter designation keyed to the page which it supplements (e.g., pg.4A, 4B, etc.).
- (4) Complete and sign the applicant certification page.
- (5) In addition to completing the application form, candidates must file a cover letter and a chronological resume. The cover letter may be addressed to: "Merit Selection Panel, c/o U.S. District Court, 501 I Street #4-200, Sacramento, CA 95814." The inclusion of other supporting documents is optional; however, any such documents must accompany the completed application form to be included for consideration.

- (6) Candidates should retain these instruction pages along with a copy of the submitted application materials for their records.

H. SUBMISSION OF THE APPLICATION PACKET

An application packet may only be submitted by an applicant on his or her own behalf (i.e., the nomination of another person will not be accepted).

The completed application packet must be received by Tuesday, May 16, 2023, as a PDF file sent to email address: CAED-HR@caed.uscourts.gov

Incomplete packets and those received after the deadline will not be considered.

**THE UNITED STATES COURTS IS AN EQUAL OPPORTUNITY EMPLOYER.**

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The United States District Court for the Eastern District of California is an equal employment opportunity employer and does not discriminate against any individual on the basis of race, color, sex, gender, gender identity, gender expression, marital status, pregnancy, parenthood, sexual orientation, religion, creed, ancestry, national origin, citizenship, genetic information, age (40 years and over), disability, or service in the uniformed forces. The Court encourages a broad and diverse range of qualified candidates to apply.

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*Note: If an applicant believes they are the recipient of discriminatory treatment or if an applicant has a complaint about any other aspect of the merit selection process, the complaint should be addressed to:*

Keith Holland, Clerk of Court, at:  
United States District Court  
501 I Street #4-200  
Sacramento, CA 95814

*A copy of the complaint should also be sent to:*  
Greg Santee, Employment Dispute Resolution Coordinator, at:

United States District Court  
501 I Street #4-200  
Sacramento, CA 95814