



Posted: July 23, 2018

**United States District Court
Southern District of Florida
Public Notice**

**United States Magistrate Judge
Miami, Florida**

The Judicial Conference of the United States has authorized the appointment of two full-time United States Magistrate Judges for the Southern District of Florida at Miami. These appointments will succeed the incumbents who will retire effective December 31, 2018, and January 4, 2019, respectively. 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 diversity.

The duties of the position are demanding and wide ranging, including, but not limited to: 1) conducting most preliminary proceedings in criminal cases; 2) trial and disposition of misdemeanor cases; 3) presiding over 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) assisting the district court with any "additional duties as are not inconsistent with the Constitution and Laws of the United States." The basic jurisdiction of the United States magistrate judge is specified in Title 28, United States Code § 636.

One of the two new Magistrate Judges will be assigned for an initial period not to exceed three years to be responsible mainly for all pro se habeas corpus petitions brought pursuant to 28 USC §§ 2241 and 2254, all cases brought pursuant to 28 U.S.C. § 2255 for post-conviction relief, and all pro se prisoner complaints, including civil rights complaints challenging conditions of confinement and brought pursuant to 42 USC §§ 1983 and 1985. The magistrate judge overseeing the Pro Se Prisoner Division will review pleadings, prepare reports and proposed orders, and conduct hearings and trials as necessary. In addition, that magistrate judge will supervise the Pro Se Prisoner Division, including staff attorneys and an administrative clerk. At the conclusion of the initial assignment, the magistrate judge supervising the Pro Se Prisoner Division will be given the option to move to a general pairing assignment.

To be qualified for the 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;
3. Be less than seventy years old; and
4. Not be related to a judge of the district court.

A Merit Selection panel ([Administrative Order 2018-54](#)) composed of attorneys and other members of the community will review all applicants and recommend to the judges of the district court, in confidence, the six (6) persons it considers best qualified. The Court will make the appointment following an FBI full-field investigation and an IRS tax check of the applicants selected by the court for appointment. The individuals 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. The current annual salary for the position is \$191,360. The term of office is eight years. In order to be available for emergency, after hours and weekend duty matters, the successful applicants are expected to reside within the division applied for, or an adjacent division within the District, or relocate to the division (or adjacent division) within a reasonable amount of time upon appointment.

Click [here](#) for the official application. Applications must be submitted only by applicants personally to Flsd_magistratejudgerecruitment@flsd.uscourts.gov.

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. The Court's policy is that once an application has been submitted, applicants should not initiate contact with members of the Merit Selection Panel. Applicants may, however, respond to inquiries initiated by Panel members.

Instructions for completion and submission of the application are included on each application form. **Completed applications must be received by 5:00 p.m. on Wednesday, August 22, 2018.**

THE DISTRICT COURT IS AN EQUAL OPPORTUNITY EMPLOYER