



POSITION ANNOUNCEMENT UNITED STATES BANKRUPTCY ADMINISTRATOR

The United States Court of Appeals for the Fourth Circuit is now accepting applications for the position of United States Bankruptcy Administrator for the Middle District of North Carolina.

Announcement #: BA-0712
Appointment: Five-year term; eligible for reappointment to additional terms.
Location: Greensboro, NC
Salary Range: CC-16 - \$133,389-\$166,331 - depending on experience and qualifications.
Closing Date: August 14, 2012

The Bankruptcy Administrator is responsible for supervising trustees and debtors in possession in bankruptcy cases and assuring that such persons effectively administer estates in cases in the district under section 1334, of Title 28, United States Code.

Applicants must be a member in good standing of the bar of the highest court of at least one state, the bar of the Commonwealth of Puerto Rico, or the bar of the District of Columbia, and be a member in good standing of every other bar of which the nominee is a member. A minimum of three years of active practice of law is required. The Court may consider as substitute experience for the active practice of law the following, including any combination thereof: (1) judge of a court of record or other judicial officer; (2) attorney for federal or state agencies and courts; (3) law clerk to any judge or judicial officer (limited to two years). In addition, applicants must be competent to perform the duties of the office; must possess and have a reputation for integrity and good character; a commitment to equal justice under the law; and outstanding legal ability and competence. Applicants must be of sound mental and physical health and indicate by demeanor, character, and personality that they would exhibit the quality of judgment and temperament required of an officer of the judiciary if appointed. Serve full-time and must hold no other civil or military office under the United States, except that retired officers and enlisted personnel of the Regular and Reserve components, and members of the Reserve components of the Army, Navy, Air Force, Marine Corps, Coast Guard, and the National Guards may be appointed and serve as administrators. Applicants cannot be related by blood or marriage to a judge of the appointing court of appeals or judicial council of the circuit, or to a judge within the district.

In carrying out these responsibilities the Bankruptcy Administrator performs such duties as:

- Establish, maintain, and supervise a panel of private trustees that are eligible and available to serve as trustees in cases under chapter 7 of title 11;
- Prepare and implement a system for recommending a disinterested member of the trustee panel for appointment as trustee in a chapter 7 bankruptcy case;
- Implement a system for recommending to the court the amount of the bond to be filed under [11 U.S.C. § 322\(a\)](#), advising the court on the sufficiency of the surety on the bond, monitoring the bond the court has set, and recommending any adjustments to that bond;
- May require any report from any trustee that the administrator determines is appropriate;
- Monitor and, when appropriate, review the following documents and reports to ensure they are complete and filed on time;
- Act in the public interest and make every effort to prevent abuses in the bankruptcy system by monitoring cases and reporting suspected abuses and criminal activity pursuant to [18 U.S.C. § 3057](#);
- With regard to chapter 12 and chapter 13 trustees, (1) must recommend candidates to serve as trustees in a case or cases under chapter 12 or chapter 13 of title 11; and (2) must supervise chapter 12 and chapter 13 trustees, and may require reasonable and appropriate reports from them as the bankruptcy administrator determines;
- With regard to creditors' committees and equity security holders' committees, (1) recommend candidates for the unsecured creditors' committee and may recommend additional creditors' or equity security holders' committees as the bankruptcy administrator deems appropriate; (2) when the court appoints additional

- creditors' or equity security holders' committees, must recommend candidates to serve on these committees; (3) may convene and preside at creditors' committee meetings and equity security holders' committee meetings; and (4) monitor the activities of creditors' and equity security holders' committees;
- With regard to chapter 11 trustees and examiners, (1) may move the court to appoint a trustee or examiner in a chapter 11 case for the reasons listed in [11 U.S.C. § 1104](#) and must recommend a trustee or examiner in a chapter 11 case if the court decides to appoint one; (2) may ask that the court terminate a trustee's appointment in a chapter 11 case and restore the debtor to possession and management of the estate's property and to operation of the debtor's business, [11 U.S.C. § 1105](#);
 - With regard to meetings of creditors, (1) may convene and preside at meetings of creditors under [11 U.S.C. § 341\(a\)](#), and may convene a meeting of equity security holders; and (2) may examine the debtor at the meeting of creditors under [11 U.S.C. § 341\(a\)](#); and
 - May perform other duties relating to supervising the administration of estates.

To receive a copy of the application materials, promptly email a request to ce04_vacancy@ca4.uscourts.gov. Persons interested in applying for this position must submit the application documents via email to the attention of Mr. Samuel W. Phillips, Circuit Executive, U.S. Court of Appeals for the Fourth Circuit at ce04_vacancy@ca4.uscourts.gov. Completed applications must be received no later than August 14, 2012. Applicants must indicate their willingness to serve a 5-year term if selected. Applicants selected for an interview must appear in-person. Reimbursement for interview-related travel expenses and relocation is not provided.

Applicants must be U.S. citizens or lawful permanent residents seeking citizenship. Prior to appointment, the selected candidate will be required to undergo a background investigation.

The United States Court of Appeals for the Fourth Circuit is an equal opportunity employer.