

**NOTICE OF AVAILABILITY  
PART-TIME UNITED STATES MAGISTRATE JUDGE POSITION  
ROSWELL, NEW MEXICO**

**UNITED STATES DISTRICT COURT, DISTRICT OF NEW MEXICO**

The Judicial Conference of the United States has authorized the appointment of a part-time United States Magistrate Judge for the District of New Mexico at Roswell, New Mexico. *This authorization is contingent upon the appointment of incumbent Magistrate Judge Joel Carson as a circuit judge to the United States Tenth Circuit Court of Appeals.* The term of office is four years.

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 racial, ethnic, and gender diversity. To that end, this notice is being disseminated to the widest audience possible, and all qualified candidates are encouraged to apply.

The duties of the position are demanding and wide-ranging: (1) conduct of most preliminary proceedings in criminal cases such as initial presentments, detention and bail hearings, preliminary proceedings, receiving reports of grand juries and arraignments; (2) trial and disposition of misdemeanor cases; (3) conduct of various pretrial matters and evidentiary proceedings on delegation from a District Judge; and (4) trial and disposition of civil cases upon consent of the litigants. The basic authority of a United States magistrate judge is specified in 28 U.S.C. § 636.

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;
3. Be less than 70 years old; and
4. Not be related to a Judge of the District Court.

A merit selection panel composed of attorneys and other members of the community will review all applicants and recommend to the District Judges in confidence the five persons it considers best qualified. 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 Court will make the appointment following a FBI full-field investigation and an IRS tax check of the applicant selected by the Court for appointment. The individual selected must comply with the financial disclosure requirements pursuant to the Ethics in Government Act of 1978, Pub. L. No. 95-521, 92 Stat. 1824 (1978) (codified at 5 U.S.C. app. §§ 101-111).

### **Compensation and Benefits**

- The current annual salary of the position is \$56,607 effective April 1, 2018, commensurate with the annual caseload for this position.
- Part-time magistrate judges are entitled to federal employee health benefits and are eligible for retirement benefits under the Federal Employees' Retirement System after five years of service.
- Part-time magistrate judges may also be reimbursed, at rates not exceeding those prescribed by regulations, for expenses incurred for clerical or secretarial assistance, telephone, and other expenses necessary for the proper performance of the duties of a part-time magistrate judge.

The U.S. Magistrate Judge Application form is available on the Court's website at [www.nmd.uscourts.gov](http://www.nmd.uscourts.gov) or by calling (575) 528-1439. Application materials must be submitted by email in ONE pdf to [usmjnewmexico@nmcourt.fed.us](mailto:usmjnewmexico@nmcourt.fed.us) no later than **April 3, 2018**. Paper copies will not be accepted. PDF size is limited to 10MB. Applications may only be submitted by applicants on their own behalf (i.e., the nomination of another person will not be accepted).

All applications will be kept confidential, unless the applicant consents to disclosure, and all applications will be examined only by members of the Magistrate Judge Merit Selection Panel and the United States District Court Judges. The panel's deliberations will remain confidential.