



ANNOUNCEMENT OF VACANCY Ninth Circuit Bankruptcy Appellate Panel (BAP) Judge

Application Deadline: July 28, 2022

Information Concerning the Bankruptcy Appellate Panel:

The Bankruptcy Appellate Panel (BAP) of the Ninth Circuit is recruiting to fill a vacancy at the end of BAP Judge Laura S. Taylor's (CAS) term on December 30, 2022. Current members of the BAP are: Judges Laura S. Taylor (CAS)(Chief Judge), Robert J. Faris (HI), William J. Lafferty III (CAN), Julia W. Brand (CAC), Gary A. Spraker (AK), and Scott H. Gan (AZ). The BAP Clerk is Ms. Susan Spraul. The BAP hears appeals from Ninth Circuit bankruptcy courts. Cases are heard by panels composed of three judges. A judge is precluded from hearing an appeal arising from the district in which he or she has been appointed. 28 U.S.C. § 158 sets forth the jurisdiction and framework of the panel.

BAP judges serve a term of seven years, provided the judge continues in the status of an active bankruptcy judge. BAP judges may apply for a reappointment to one three-year term. Judges continue to carry a caseload in their own court. Current judges on the BAP report a 30-40% increase in their normal workload due to their BAP responsibilities. Caseload permitting, BAP judges are permitted to employ an additional law clerk to manage the increased caseload due to BAP responsibilities.

The BAP administrative offices are located in Pasadena, California. Bankruptcy Appellate Panels conduct oral arguments in 13 districts within the Ninth Circuit. Based on the current mix of cases, at least half of the oral arguments for judges outside the Central District of California are heard in Pasadena and other Los Angeles locations. The BAP has been conducting oral arguments by video during the pandemic, however, the BAP will be returning to in-person hearings and BAP meetings. Applicants should expect a considerable amount of travel, typically nine 1-2 night trips per year. In recent years, each BAP judge has sat on merits panels that disposed of approximately 50-60 appeals in about nine court session days. Additionally, each judge spends considerable time on motions work, with the assistance of a BAP staff attorney in Pasadena. Serving on rotating motions panels, each judge can expect to be heavily involved in deciding motions during six months of each year, with lesser involvement for two additional months. Each BAP judge participates in the disposition of an additional 100 appeals per year on jurisdictional and procedural grounds while serving on motions panels.

Selection Criteria and Appointment Process:

To be appointed to the BAP, an applicant must meet all of the following minimum standards:

1. be a United States bankruptcy judge in a district of the Ninth Circuit (retired or recalled bankruptcy judges are not eligible to be appointed);
2. possess and be able to demonstrate superior writing skills, collegiality, and decisiveness in the disposition of cases; and
3. have significant experience as a bankruptcy trial judge.

Applications will be reviewed by a five member Ad Hoc Committee appointed by Chief Judge Murguia. The Committee will evaluate and interview all applicants without regard to race, color, age, gender, religion, or national origin. The Committee may make further inquiry into any matters deemed appropriate and shall select the applicant best qualified to fill the vacancy. The Committee will then submit a report to the Judicial Council for consideration and vote on the Committee's recommendation. All information made available to the Ad Hoc Committee, including the names of the applicants and the contents of the Committee's report, shall be kept in strict confidence, unless such disclosure is authorized by regulations or the Judicial Council. A copy of the regulations governing the appointment process is available upon request from the Office of the Circuit Executive.

How to Apply:

Bankruptcy judges interested in applying for this position should submit one electronic copy of the following:

- a resume (or other document outlining experience, education and other qualifications), and
- three recent written opinions that reasonably reflect the candidate's writing and legal scholarship.

These documents should be sent to following address by the application deadline noted below:

Bankruptcy Appellate Panel Vacancy
rlung@ce9.uscourts.gov

APPLICATION DEADLINE:
All application materials must be received no later than Thursday, July 28, 2022