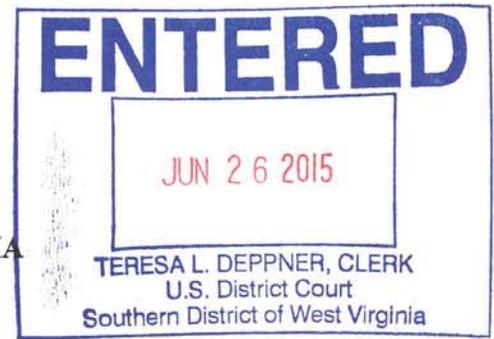


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA



**IN RE: STANDARDS AND PROCEDURES FOR THE APPOINTMENT
OF A FULL-TIME MAGISTRATE JUDGE AT BLUEFIELD**

GENERAL ORDER

In accordance with 28 U.S.C. § 631 and the Regulations of the Judicial Conference of the United States Establishing Standards and Procedures for the Appointment and Reappointment of United States Magistrate Judges, it is hereby **ORDERED** that a Merit Selection Panel be established to consider the appointment of a new Magistrate Judge for the Southern District of West Virginia, at Bluefield, to a full eight-year term. Upon a unanimous vote of the district judges of this court, it is further **ORDERED** that the following persons shall constitute the Merit Selection Panel of this court:

Thomas E. McHugh, Esquire
Bowles Rice, LLP
Post Office Box 1386
Charleston, WV 25325-1386
Office: 304/347-2133
Cell: 304/549-4733
Email: tmchugh@bowlesrice.com

William B. Flanigan, Esquire
Sanders Austin Flanigan & Prudich
320 Courthouse Road
Princeton, WV 24740
Office: 304/425-8125
Cell: 304/320-7750
Email: lhobbs@sapf-law.com

James J. Palmer, III, Esquire
Palmer Law Firm
1991 Stadium Drive
Bluefield, WV 24701
Office: 304/325-6571
Cell: 304/920-2631
Email: jamespalmer@citlink.net

Deborah K. Garton, Esquire
Hensley Muth Garton & Hayes
Post Office Box 1375
Bluefield, WV 24701
Office: 304/325-8161
Cell: 304/887-3505
Email: dkgarton@frontiernet.net

William R. Wooton, Esquire
Wooton and Wooton, Attorneys at Law
210 Main Street
Beckley, WV 25801
Office: 304/253-2222
Cell: 304/222-2455
Email: bill@wootonlaw.com

William D. Turner, Esquire
111 North Jefferson Street
Lewisburg, WV 24901
Office: 304/645-6400
Cell: 304/646-7592
Email: wturner@wturnerlaw.com

Susan Landis (Non-Attorney Member)
Beckley Area Foundation
129 Main Street, Suite 301
Beckley, WV 25801
Office: 304/253-3806
Cell: 304/890-7319
Email: susan@bafwv.org

Craig Hammond (Non-Attorney Member)

Bluefield Union Mission
2203 Bluefield Avenue
Post Office Box 4056
Bluefield, WV 24701
Office: 304/327-8167
Cell: 304/887-2524
Email: newsbrew@yahoo.com

It is further **ORDERED** that Thomas E. McHugh, Esquire, be designated as Chair for the panel. The Chair shall set the time and place for and preside at all meetings and propose the rules and procedures to be adopted for the review of applications.

Members of the panel are hereby notified to proceed with a review of each of the applications received for the office of Magistrate Judge to ensure that all applicants are qualified pursuant to statutory and regulatory requirements. Following the initial screening of applications, the Merit Selection Panel, in its discretion, may choose to conduct personal interviews of some or all of the qualified applicants. When evaluating the applicants, the Merit Selection Panel shall consider each applicant's academic record and related achievements in law school and college, how long the applicant has practiced law and the type of legal practice, the applicant's familiarity with the federal court system, any other pertinent evidence as to the applicant's good character, judgment, legal ability, temperament, and commitment to equal justice under the law.

The Guide to Judiciary Policy, Volume 3, Chapter 4, addresses the **minimum** qualifications for appointment as a United States Magistrate Judge. See § 410.10.10. An applicant must:

(a) 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.

(b) 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:

(1) Judge of a state court of record or other state judicial officer.

(2) U.S. magistrate judge, bankruptcy judge, or other federal judicial officer.

(3) Attorney for federal or state agencies.

(4) 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.

(5) Other types of substantial legal experience (subsequent to receipt of a law degree or license to practice law), not included in (1) through (4) above, which is suitable as a substitute in the opinion of the majority of the court.

(c) Be competent to perform the duties of the office, of good moral character, emotionally stable and mature, committed to equal justice under the law, in good health, patient, courteous, and capable of deliberation and decisiveness when required to act on his or her own reason and judgment.

(d) Not be related by blood or marriage to a judge of the appointing court or courts, within the degrees specified in 28 U.S.C. § 458, at the time of the initial appointment.

(e) In the case of an initial appointment, not be seventy years of age or older.

As a further condition of employment, the successful candidate is required to reside in a county located in either the Bluefield or Beckley divisions, which include: McDowell, Mercer, Monroe, Greenbrier, Raleigh, Summers, or Wyoming.

After all written information has been obtained, all interviews have been completed, and all follow-up information has been gathered, members of the Merit Selection Panel shall determine collectively which individuals among the applicants meet the standards and appear qualified for appointment as a United States Magistrate Judge. Following these discussions, the Merit Selection Panel shall designate the names of five applicants that it finds most qualified to serve as a United States Magistrate Judge. Decisions by the panel shall be by majority vote of all of the members.

The Merit Selection Panel shall submit its report to Chief Judge Robert C. Chambers no later than August 31, 2015. The report of the panel shall specify the total number of individuals who applied for the position and the names of the five persons it has determined to be most qualified. All written information received or prepared by the panel concerning the recommended applicants must accompany the panel's report to the court.

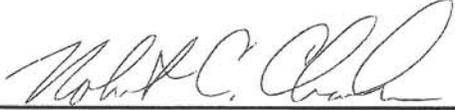
Panel members shall keep **CONFIDENTIAL** all information, written and oral, obtained in the course of performing their duties. The Panel's deliberations should also remain **CONFIDENTIAL**.

The court will make the appointment following an FBI full-field investigation and an IRS tax check of the applicant selected by the court for appointment. 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.

In compliance with the Judicial Conference Regulations, the court hereby **ORDERS** that public notice may include, but not be limited to, general local newspapers at Bluefield, Beckley, Charleston and Huntington, postings on the court's website or The West Virginia State Bar's website, e-mail from The West Virginia State Bar, and The Mountain State Bar Association.

Dated this 26th day of June, 2015.

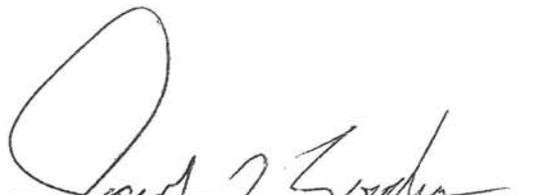
ENTER:



ROBERT C. CHAMBERS,, CHIEF JUDGE

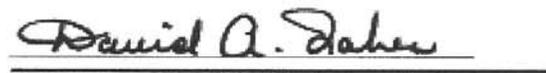


JOHN T. COPENHAVER, JR., JUDGE


JOSEPH R. GOODWIN, JUDGE


THOMAS E. JOHNSTON
UNITED STATES DISTRICT JUDGE


IRENE C. BERGER, JUDGE


DAVID A. FABER, SENIOR JUDGE