

**UNITED STATES COURT OF APPEALS**  
**ELEVENTH JUDICIAL CIRCUIT**

**JAMES P. GERSTENLAUER**  
CIRCUIT EXECUTIVE

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**Availability of Bankruptcy Administrator Position in the  
Middle District of Alabama at Montgomery**

The United States Court of Appeals for the Eleventh Circuit invites applications for the Bankruptcy Administrator position for the Middle District of Alabama stationed at Montgomery. The Bankruptcy Administrator serves a five-year term and will be responsible for all matters relating to the administration of estates in bankruptcy cases. The administrator is charged with the effective administration of estates in the district under Section 1334 of Title 28 United States Code and is eligible for reappointment to additional terms. In carrying out these responsibilities the bankruptcy administrator performs duties such as:

- a. establishes, maintains, and supervises a panel of private trustees who are eligible and available to serve as trustees in cases under Chapter 7 of Title 11;
- b. prepares and implements a system for recommending a disinterested member of the trustee panel for appointment as trustee in a Chapter 7 bankruptcy case;
- c. implements a system for recommending to the court the amount of the bond to be filed under 11 U.S.C. Section 322(a), advises the court on the sufficiency of the surety on the bond, monitors the bond the court has set, and recommends any adjustments to that bond;
- d. may require reports from any trustee that the administrator determines appropriate;
- e. monitors and, when appropriate, reviews documents and periodic reports to ensure they are completed and timely filed;
- f. acts in the public interest and makes 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. Section 3057;
- g. recommends candidates to serve as trustees under Chapters 12 or Chapter 13 of title 11, and supervises Chapter 12 and Chapter 13 trustees, and may require reports from them as determined;
- h. with regard to creditors' committees and equity security holders' committees, recommends candidates for the unsecured creditors' committee and may recommend additional committees as deemed appropriate; may convene and preside at committee meetings;

- i. with regard to Chapter 11 trustees and examiners, may move the court to appoint a trustee or examiner in Chapter 11 cases for reasons listed in 11 U.S.C. Section 1104 and must recommend a trustee or examiner in a Chapter 11 case if the court decides to appoint one; 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;
- j. may convene and preside at meetings of creditors under 11 U.S.C. Section 341(a), may convene a meeting of equity security holders, and may examine the debtor at the meeting; and,
- k. may perform other duties relating to supervising the administration of estates.

### **Qualifications**

To qualify for the position of bankruptcy administrator applicants must:

- a. 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 they are a member;
- b. have engaged in the active practice of law for at least three years;
- c. be competent to perform the duties of the office;
- d. have a reputation for:
  - (1) integrity and good character;
  - (2) sound physical and mental health;
  - (3) commitment to equal justice under law; and,
  - (4) outstanding legal ability and competence.
- e. indicate by the applicant's demeanor, character, and personality that he or she would exhibit the quality of judgment and temperament required of an officer of the judiciary if appointed;
- f. 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
- g. at the time of initial appointment, not be related by blood or marriage to a judge of the Eleventh Circuit Court of Appeals or Judicial Council, or to a judge of the district court or bankruptcy court to be served, within the degree specified in Title 28 U.S.C. Section 458.

- h. the annual salary range is \$121,280 – \$174,500 (JSP 15-17), based on experience and qualifications.

### **Applications**

Persons interested in applying for this position must submit a resume and cover letter to James P. Gerstenlauer, Circuit Executive, U.S. Court of Appeals, 56 Forsyth Street, NW, Atlanta, Georgia 30303, no later than **12 October 2018**. Email and fax copies of applications will not be accepted.

*The United States Courts Are Equal Opportunity Employers*