

ADDENDUM NINE

REGULATIONS OF THE UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT FOR THE SELECTION AND APPOINTMENT OR THE REAPPOINTMENT OF BANKRUPTCY ADMINISTRATORS

PURPOSE

United States bankruptcy administrators oversee trustees and estate administration in bankruptcy cases for the three judicial districts in Alabama. Their duties are essentially the same as those of the U.S. trustees in the Department of Justice, who serve in all other judicial districts in the Eleventh Circuit. It is imperative that only highly qualified individuals be selected as bankruptcy administrators. These regulations supplement the Regulations of the Judicial Conference of the United States for the Selection, Appointment and Reappointment of Bankruptcy Administrators, the Guide to Judiciary Policy, and governing statutes. These regulations set forth procedural guidelines that create no vested rights for any prospective or incumbent bankruptcy administrator.

Bankruptcy administrators will be appointed without regard to race, color, sex, religion, or national origin.

Confidentiality of Public Comments

If a member of the public makes a comment concerning the qualifications of the incumbent bankruptcy administrator or an applicant for that position, in response to a survey solicitation, public notice, or otherwise, the person making the comment may request that their identity be kept confidential. The incumbent or applicant will, however, be provided with a general description of the source and nature of any comments.

The Court of Appeals may determine, at its sole discretion, that the identity of a person making a comment should be disclosed to the incumbent or applicant in order to afford that person a fair opportunity to respond to the comment. In that event, the person making the comment will be given an opportunity to withdraw the comment before the commenter's identity is disclosed to the incumbent or applicant. If the comment is withdrawn, it will not be considered by the Court of Appeals, and the identity of the person making the comment will remain confidential. If the person making the comment waives confidentiality, the commenter's name will be revealed to the incumbent or applicant, along with the substance of the comment.