

**APPLICATION, QUALIFICATIONS AND DIRECTIONS FOR SELECTION
TO A PANEL OF CHAPTER 7 TRUSTEES
FOR THE U. S. BANKRUPTCY ADMINISTRATOR
FOR THE NORTHERN DISTRICT OF ALABAMA (DECATUR, FLORENCE &
HUNTSVILLE)**

PANEL TRUSTEES

Section 302(d)(3)(1) of the Bankruptcy Judges, United States Trustees, and Family Farmer Bankruptcy Act of 1986 charges the Bankruptcy Administrator with the responsibility of establishing and maintaining panels of trustees in Alabama and North Carolina.

Immediately after the filing of a chapter 7 petition, the court must appoint an interim trustee from the panel, in accordance with 11 U.S.C. § 701. The interim trustee serves until the section 341 meeting of creditors. At that time, the creditors may elect a permanent trustee, who need not be a member of the panel. If there is no election, the interim trustee automatically becomes the permanent trustee.

APPOINTMENT TO THE PANEL

Each new appointee to the panel is required to serve a probationary term of one year. After completion of the probationary period, the Bankruptcy Administrator evaluates the probationary member and determines whether the person should be appointed as a regular member of the panel. Once appointed, panel trustees are subject to re-appointment annually. The successful applicant will be required to undergo a background check, a fingerprint check, a report on credit history and must qualify to be bonded.

APPLICATIONS

Each panel applicant must submit a resume, complete the application form and supporting documents and electronically submit the completed application and resume to the Bankruptcy Administrator at human_resources@alnb.uscourts.gov

Each applicant must also forward the enclosed reference form to each of three persons, who will answer inquiries concerning the qualifications of the applicant for membership on the panel. The references may not be:

1. Federal judicial officers or employees of any Federal court in the circuit in which the applicant wishes to serve;
2. relatives who are related by affinity or consanguinity within the third degree to the applicant; or,
3. persons in business with the applicant.

References are confidential and must therefore be submitted directly to the Bankruptcy Administrator by the person providing the reference by emailing the completed form to human_resources@alnb.uscourts.gov by noon on May 16, 2023.

The applicant should not receive copies of the references. It is the responsibility of the applicant to make sure that all three references are submitted to the Bankruptcy Administrator by noon on May 16, 2023. Any applicant whose file remains incomplete after the application deadline of noon on May 16, 2023 will be rejected, without further notice.

The Bankruptcy Administrator will reject the application of any person who fails to complete or submit all necessary forms, or who does not meet the minimum qualifications.

QUALIFICATIONS:

All individual applicants must:

- (1) have integrity and good moral character;
- (2) be competent to perform a trustee's duties satisfactorily;
- (3) have no demonstrated prejudices against any individual, entity, or group of individuals or entities that would interfere with unbiased performance of a trustee's duties;
- (4) receive no financial benefit either directly or indirectly from debt counseling, credit counseling, financial management, debtor education, or prorating, with the following applicable definitions:
 - (A) "debt counseling" is a business engaged primarily in advising persons how to manage their debt, except as the counseling is provided in the ordinary course of an attorney-client relationship;
 - (B) "credit counseling," "financial management," and "debtor education" as defined in 11 U.S.C. § 111; and
 - (C) "prorating" is a business engaged in receiving money from an individual to make regular distributions to an individual's creditors.
- (5) have no relation, by affinity or consanguinity within the degree of first cousin, to a:
 - (A) bankruptcy administrator for that judicial district;
 - (B) bankruptcy administrator's employee for that judicial district;
 - (C) federal judicial officer of that court;
 - (D) federal court employee of that judicial district; or
 - (E) chapter 12 trustee, chapter 13 trustee, chapter 7 panel member serving the district, although none of the foregoing should preclude a chapter 7 panel trustee from serving as a chapter 11 or chapter 12 trustee.
- (6) is not in business with a chapter 13 trustee, chapter 12 trustee, or chapter 7 panel member serving the district;
- (7) is not employed by the federal government or by state or local agencies that appear regularly before the bankruptcy court;
- (8) resides or maintains an office in the judicial district or in an adjacent judicial district (for the trustee panel);
- (9) have the resources to provide timely and accurate reports required by the court, the bankruptcy administrators, and the AO;
- (10) be willing to accept appointments to asset and no asset cases;
- (11) have one or more of the following educational, professional, or business qualifications:
 - (A) is a college graduate from an accredited school with a major in a business-related field of study,
 - (B) is an attorney in good standing with each bar of which the applicant is a member,
 - (C) is a certified public accountant, or
 - (D) has at least three years of relevant fiduciary work experience using skills required of a trustee.
- (12) is a "disinterested person," as defined by 11 U.S.C. §§ 101(14) and 701. Examples of professional relationships that would often disqualify the applicant are:
 - (A) an applicant who is on retainer as counsel to a creditor or creditors who appear regularly before the bankruptcy court, or
 - (B) an applicant who is an executive officer of an organization composed principally of creditors who litigate regularly in bankruptcy court.

INSTRUCTIONS FOR COMPLETING THE APPLICATION FORM

1. All information must be typed.
2. All addresses provided must include ZIP codes.
3. Business addresses should include the name of the firm or association.
4. Answers must be provided to ALL questions. If a question is inapplicable, indicate by answering N/A.
5. If more space is needed, attach additional sheets.
6. You must sign the application and submit it to the following email address, no later than noon on May 16, 2023: human_resources@alnba.uscourts.gov