

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS**

GENERAL ORDER AMENDING GENERAL ORDER 09-12

According to Section 3.02 of Chapter 3 of the Regulations of the Judicial Conference of the United States Establishing Standards and Procedures for the Appointment and Reappointment of United States Magistrate Judges (2001), “[n]o federal judge, including a senior, retired or recalled judge...shall be appointed as a member of the [merit selection] panel.” The Court has just become aware of this regulation and has determined that the Hon. Robert M. Parker cannot serve on the Merit Selection Panel that is considering U.S. Magistrate Judge Judith K. Guthrie’s reappointment. In light of the above and with thanks to Judge Parker for his willingness to serve, the panel membership specified in General Order 09-12 is AMENDED as follows:

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In appraising the incumbent's performance, the Panel is encouraged to carefully consider all written public commentary and interview several judges, attorneys or members of the public who are familiar with the incumbent's job performance. To encourage candor, the Panel should assure individuals who comment on the incumbent's performance that their names will not be disclosed. The incumbent also should be invited to appear before the Panel to answer any questions regarding her performance and respond to any comments received. See Chapter 13 of *The Selection, Appointment, and Reappointment of United States Magistrate Judges* (Administrative Office of the U.S. Courts, 2006), at pp. 30-31.

After considering the above information, the Panel shall report to the court within 90 days of the date of this order whether it recommends the incumbent for reappointment to an additional term of office. The report may contain written reasons for substantiating the Panel's decision. All information received by the Panel as a result of the appraisal process should be included as part of the record submitted to the court.

Signed this _____ day of June, 2009.

FOR THE COURT:

DAVID FOLSOM
Chief Judge