

**APPLICATION OF AN INDIVIDUAL FOR SELECTION  
TO A PANEL OF CHAPTER 7 TRUSTEES  
FOR THE U. S. BANKRUPTCY ADMINISTRATOR**

**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 A PANEL**

When the bankruptcy administrator determines that an additional appointment to the panel is necessary due to removal or resignation of a member or that the panel size should be increased due to a rise in filings, the bankruptcy administrator will review the names of all applicants who have been approved, as well as those whose applications are currently being processed. If the applicant pool is insufficient, the bankruptcy administrator may advertise for more applicants.

Each new appointee to a panel may be 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.

**APPLICATIONS**

Each panel applicant must complete a B 315 application form (individual) and file the original with the bankruptcy administrator for the district in which the applicant wishes to serve.

Each applicant must also forward a B 318 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;
3. persons in business with the applicant.

References are confidential and must therefore be filed directly with the bankruptcy administrator by the person providing the reference. The applicant should not receive copies of the B 318 references. It is the responsibility of the applicant to make sure that all three references are filed with the bankruptcy administrator within 60 days of the filing of the application. Any applicant whose file remains incomplete after the 60-day period will be rejected, without further notice.

Applicants will receive an acknowledgment that their applications have been reviewed *and* all of the B 318 reference forms have been received and processed. Any applicant wishing to receive an acknowledgment of the receipt of the application should include a self-addressed, stamped post card with the application.

The bankruptcy administrator will reject the application of any person who has failed to complete or file all necessary forms, or who does not meet the minimum qualifications.

## **QUALIFICATIONS:**

All individual applicants must:

1. Possess integrity and good moral character;
2. Be physically and mentally able to perform satisfactorily a trustee's duties;
3. Be free of prejudices against any individual, entity or group which would interfere with unbiased performance of a trustee's duties;
4. Be willing to accept appointment to asset and no-asset cases;
5. Not be related by affinity or consanguinity within the degree of first cousin to any bankruptcy administrator, employee of a bankruptcy administrator, Federal judicial officer (including the appointing court of appeals of the circuit), Federal court employee, chapter 12 or chapter 13 trustee or chapter 7 panel member serving the district;
6. Not be employed by the Federal Government, or by state and local agencies which regularly appear before the bankruptcy court as creditors;
7. Reside or maintain an office in the judicial district or in an adjacent judicial district;
8. Not derive a financial benefit either directly or indirectly from debtor counseling or pro-rating;
9. Be a college graduate from an accredited school with a major in a business related field of study; or  
Have at least three years of business experience using skills of a nature required of a trustee; or  
Be a member in good standing of each bar in which the applicant is a member, or a certified public accountant; or  
Have equivalent expertise as deemed acceptable by the bankruptcy administrator.

## **INSTRUCTIONS FOR COMPLETING THE B 315 APPLICATION FORM**

1. All information must be typed.
2. Do not use abbreviations of locations not commonly known outside your local area.
3. All addresses provided must include ZIP codes.
4. Business addresses should include the name of the firm or association.
5. Answers must be provided to ALL questions. If a question is inapplicable, indicate by answering N/A.
6. If more space is needed, attach additional sheets.
7. You must sign the application.
8. Upon completion of the application, please make two copies and forward the original to the bankruptcy administrator at:

U. S. Bankruptcy Administrator - NCM  
William P. Miller  
101 South Edgeworth Street  
Greensboro, NC 27401

*NOTE: Item 5 on the application requests your Social Security Number. The bankruptcy administrator, pursuant to the administrator's authority to maintain panels of trustees, requests that you voluntarily provide this information to expedite payment of fees if you are selected for panel service. Your decision not to provide this information will neither delay nor prejudice consideration of your application.*

**APPLICATION OF INDIVIDUAL FOR SELECTION  
TO THE PANEL OF TRUSTEE**

Please read the qualifications information and instructions before completing this application. Additional space for detailed answers is provided in Item 24 – REMARKS.

|  |                                       |
|--|---------------------------------------|
| 1a. DISTRICT AND STATE WHERE YOU ARE WILLING TO SERVE.       | 2. NAME (Last, First, Middle Initial) |
| 1b. LOCATION IN THE DISTRICT WHERE YOU ARE WILLING TO SERVE. | DATE OF BIRTH                         |
| 3. COMPLETE BUSINESS ADDRESS (Including Firm Name)           | 4. HOME ADDRESS                       |
| BUSINESS TELEPHONE (including area code)                     | HOME TELEPHONE (including area code)  |
|  | 5. SOCIAL SECURITY NBR OR EMPLOYER ID |

**6. EDUCATION**

| NAME OF SCHOOL | LOCATION | DATES ATTENDED | DEGREE | MAJOR FIELD OF STUDY |
|----------------|----------|----------------|--------|----------------------|
|                |          |                |        |                      |

**7. EMPLOYMENT EXPERIENCE**

|                        |                |
|------------------------|----------------|
| 7a. PRESENT OCCUPATION | DATE COMMENCED |
|------------------------|----------------|

DESCRIPTION OF DUTIES:

7b. HAVE YOU EVER SERVED AS A TRUSTEE, DEBTOR 'S ATTORNEY, TRUSTEE'S ATTORNEY OR CREDITOR'S ATTORNEY?

YES  NO

IF YES, LIST APPROXIMATE NUMBER OF CASES IN WHICH YOU HAVE SERVED OR ARE SERVING.

| POSITION              | NUMBER OF CASES | POSITION                | NUMBER OF CASES |
|-----------------------|-----------------|-------------------------|-----------------|
| (1) TRUSTEE           |                 | (3) TRUSTEE'S ATTORNEY  |                 |
| (2) DEBTOR'S ATTORNEY |                 | (4) CREDITOR'S ATTORNEY |                 |

LIST THE NAME AND CASE NUMBER OF THREE CASES IN WHICH YOU HAVE SERVED. INDICATE WHETHER YOU ACTED AS TRUSTEE, DEBTOR'S ATTORNEY, TRUSTEE'S ATTORNEY OR CREDITOR'S ATTORNEY (SPECIFY NAME OF CREDITOR).

7c. LIST PREVIOUS EMPLOYMENT EXPERIENCE OR OTHER EXPERIENCE EXHIBITING YOUR ABILITY TO PERFORM THE DUTIES OF TRUSTEE.

**8. REFERENCES**

List three persons who are not related to you and will have definite knowledge of your qualifications and fitness for this position of panel trustee. Bankruptcy judges within the district for which you are applying and business partners should not be listed. The bankruptcy administrator will consider the responses from the individuals named by you as references in the application form. It is your responsibility to forward form B 318 Personal Reference Inquiry for Panel Trustee Applicant to the individuals whom you have named as references. The form B 318 must be forwarded directly to the bankruptcy administrator by the individual completing the form. It is suggested that form B 318 be returned to the bankruptcy administrator via certified mail and that the applicant request references to provide applicant with a copy of the receipt so that applicant will have a record of delivery to the bankruptcy administrator.

| FULL NAME | PRESENT BUSINESS OR HOME ADDRESS INCLUDING STREET, CITY, ZIP CODE | TELEPHONE NUMBER INCLUDING AREA CODE | OCCUPATION |
|-----------|---|--------------------------------------|------------|
|           |   |                                      |            |
|           |   |                                      |            |
|           |   |                                      |            |



24. REMARKS

ATTACH ADDITIONAL SHEET IF NECESSARY.

25. SIGNATURE

READ THIS STATEMENT BEFORE SIGNING AUTHORITY FOR RELEASE OF INFORMATION

I have completed this Application with the knowledge and understanding that any and all items contained herein may be subject to investigation and I consent to the release of information concerning my capacity and fitness to act as a Trustee in Bankruptcy by employers, educational institutions, law enforcement agencies, and other individuals and agencies, to duly accredited investigators, and authorized employees of the bankruptcy administrator for that purpose.

CERTIFICATION

I certify under penalty of perjury that the foregoing is true and correct. I further certify under penalty of perjury that I am generally familiar with the Bankruptcy Code (title 11 of the United States Code), the Bankruptcy Rules, and the local rules of the bankruptcy court for the district in which I wish to serve, and that I am competent to serve in the capacity of trustee in bankruptcy.

SIGNATURE (IN INK)

DATE