SUPERIOR COURT OF CALIFORNIA, COUNTY OF MADERA

IN THE MATTER OF THE REASSIGNMENT OF CASES FOR ALL PURPOSES PURSUANT TO RULE 3.734 OF THE CALIFORNIA RULES OF COURT UPON DISQUALIFICATION OF A JUDGE WITHIN THE CRIMINAL DIVISION

2016 MISCELLANEOUS ORDER No. 2

IT IS ORDERED that effective January 1, 2016 cases in which a judge within the Criminal Division of the court [1] is disqualified shall be reassigned as follows:

The case will be reassigned to a courtroom for all purposes pursuant to Rule 3.734 of the California Rules of Court based upon the "Department Assignment" number sheet attached hereto and incorporated herein. In order to determine the reassignment, staff is directed to exclude the last digit from the case number and assign the case based upon the next two digits of the case number.

If following the above methodology, the case would be assigned to the same disqualified department, staff is directed to exclude an additional digit from the case number and re-assign the case based upon the next two digits.

In situations where the case happens to fall within the same department, after excluding all numbers, the case will be automatically assigned to the next department as follows:

- Department 21 cases will go to Department 22
- Department 22 cases will go to Department 23
- Department 23 cases will go to Department 29
- Department 29 cases will go to Department 21

Unless the judge finds unusual circumstances and in the interest of justice to do otherwise, all of the defendant's pending cases in the disqualified department will be moved to the reassigned department with the disqualified case.

a. If a traffic case is the source of the disqualification in Department 21, Department 22, Department 23 and/or Department 29, the traffic case may be sent back to Department 17 to hear that matter unless the judicial officer in Department 17 has been disqualified. The remaining cases will continue to be assigned to their appropriate department pursuant to the "Department Assignment" number sheet attached to this order.

In cases in which a judicial officer hearing traffic matters of the court[2] is disqualified, those cases shall be reassigned as follows:

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[1] Criminal Division shall be defined as including Department 8 when hearing criminal/traffic matters, Department 17, Department 21, Department 22, Department 23, and Department 29.

[2] Traffic matters are defined as matters filed exclusively under the California Vehicle Code involving misdemeanor and/or infraction charges which are regularly heard in Department 17.

b. All traffic cases assigned to Department 17 in which the judicial officer is disqualified shall first be reassigned to Department 36, unless the defendant has other criminal matters pending in another department in which circumstance the case may be heard by the judge in that department pursuant to the "Department Assignment" number sheet attached to this order.
c. If Department 36 is also disqualified that case shall be reassigned to the criminal department (Department 21, Department 22, Department 23 or Department 29) based upon the "Department Assignment" number sheet attached to this order.
d. Any further disqualifications of a judicial officer on traffic matters shall then follow the disqualification reassignment procedures set forth above in this order.

If the judicial officers assigned to Department 21, Department 22, Department 23, and Department 29 are all disqualified in a case that is being heard in the Main branch of the Madera Superior Court then the case(s) shall be routed to the presiding judge (if not disqualified) or the assistant presiding judge (if not disqualified) for further reassignment. If both the presiding judge and assistant presiding judge are disqualified, the case(s) shall be routed to the most senior judge[3] available who has not been disqualified for reassignment.

Dated: January 4, 2016

Hon. Ernest J. LiCalsi
Presiding Judge 2015-2016

[3] The most senior judge shall be determined by the date the judge was sworn into office.

Department Assigned					
Department 29	0	20	40	60	80
Department 21	1	21	41	61	81
Department 22	2	22	42	62	82
Department 23	3	23	43	63	83
Department 29	4	24	44	64	84
Department 21	5	25	45	65	85
Department 22	6	26	46	66	86
Department 23	7	27	47	67	87
Department 29	8	28	48	68	88
Department 21	9	29	49	69	89
Department 22	10	30	50	70	90
Department 23	11	31	51	71	91
Department 29	12	32	52	72	92
Department 21	13	33	53	73	93
Department 22	14	34	54	74	94
Department 23	15	35	55	75	95
Department 29	16	36	56	76	96
Department 21	17	37	57	77	97
Department 22	18	38	58	78	98
Department 23	19	39	59	79	99

Department 29: 0, 4, 8, 12, 16, 20, 24, 28, 32, 36, 40, 44, 48, 52, 56, 60, 64, 68, 72, 76, 80, 84, 88, 92, 96

Department 21: 1, 5, 9, 13, 17, 21, 25, 29, 33, 37, 41, 45, 49, 53, 57, 61, 65, 69, 73, 77, 81, 85, 89, 93, 97

Department 22: 2, 6, 10, 14, 18, 22, 26, 30, 34, 38, 42, 46, 50, 54, 58, 62, 66, 70, 74, 78, 82, 86, 90, 94, 98

Department 23: 3, 7, 11, 15, 19, 23, 27, 31, 35, 39, 43, 47, 51, 55, 59, 63, 67, 71, 75, 79, 83, 87, 91, 95, 99