

Superior Court of California  
County of Madera  
Local Rules of Court

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 CIVIL  
DIVISION

2016 MISCELLANEOUS ORDER No. 3

IT IS ORDERED that effective January 1, 2016, cases in which a judge within the Civil Division of the court <sup>1</sup> is disqualified shall be reassigned as follows:

1. All cases assigned to Department 44 in which the judge assigned to Department 44 is disqualified shall first be reassigned to Department 45. All cases assigned to Department 44 for which the judges assigned to Department 44 and Department 45 are both disqualified shall be reassigned to Department 40. All cases assigned to Department 44 for which the judges assigned to Department 44, Department 45 and Department 40 are all disqualified shall be reassigned to Department 8 unless an interpreter is required. If an interpreter is required or Department 8 is also disqualified, the case(s) shall be reassigned 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 available who has not been disqualified for reassignment.
2. All cases assigned to Department 45 in which the judge assigned to Department 45 is disqualified shall first be reassigned to Department 44. All cases assigned to Department 45 for which the judges assigned to Department 44 and Department 45 are both disqualified shall be reassigned to Department 40. All cases assigned to Department 45 for which the judges assigned to Department 44, Department 45 and Department 40 are all disqualified shall be reassigned to Department 8 unless an interpreter is required. If an interpreter is required or Department 8 is also disqualified, the case(s) shall be reassigned 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 available who has not been disqualified for reassignment.

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<sup>1</sup> Civil Division shall be defined as including Department 8 when hearing civil matters, Department 37 when hearing AB 1058 matters, Department 40, Department 44, and Department 45.

3. All cases assigned to Department 40 in which the judge assigned to Department 40 is disqualified shall first be reassigned to Departments 44 or 45 based upon the terminal case number as generally assigned to such department. Cases assigned to Department 40 for which the judges assigned to Department 40 and either Department 44 or Department 45 are disqualified shall be reassigned to either Department 44 or 45 for which the judge is not disqualified. Cases assigned to Department 40 by this Order for which the judges assigned to Department 44, Department 45 and Department 40 are all disqualified shall be reassigned to Department 8 unless an interpreter is required. If an interpreter is required or Department 8 is also disqualified, the case(s) shall be reassigned 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 available who has not been disqualified for reassignment.
  
4. All civil cases assigned to Department 8 in which the judge assigned to Department 8 is disqualified shall be reassigned as follows:  
  
 If Family Law or guardianship of the child only then to Department 40. If Civil or probate other than guardianship of the child only then to Department 44 or Department 45 based upon the terminal case number as generally assigned to such department. All cases assigned to Department 8 for which the judges assigned to Department 8, Department 44, Department 45 and Department 40 are all disqualified shall be routed to the presiding judge (if not disqualified) or to 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<sup>2</sup> available who has not been disqualified for reassignment.
  
5. All cases assigned to Department 37 while that judicial officer is sitting as a commissioner under AB1058 for which that judicial officer is disqualified shall first be reassigned to Department 40. If the judicial officer assigned to Department 40 is disqualified then the case(s) shall be reassigned as indicated above for disqualifications of Department 40.
  
6. All such assignments and reassignments are for all purposes pursuant to Rule 3.734 of the California Rules of Court.

The Clerk of this Court shall post copies of this Order for public inspection.

Dated: January 4, 2016



Hon. Ernest J. LiCalsi  
 Presiding Judge 2015-2016

<sup>2</sup> The most senior judge shall be determined by the date the judge was sworn into office.