

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

2023 MISCELLANEOUS ORDER No. 5

IT IS ORDERED that effective January 1, 2023, cases in which a judge within the Civil Division of the court ¹ 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 either Department 37 or Department 40 based upon the terminal case number as generally assigned to such department. Cases assigned to Department 44 for which the judges assigned to Department 44, Department 45 and either Department 37 or 40 are disqualified shall be reassigned to either Department 37 or 40 for which the judge is not disqualified. All cases assigned to Department 44 for which the judges assigned to Department 44, Department 45, Department 37 and Department 40 are all disqualified 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 45 and Department 44 are both disqualified shall be reassigned to either Department 37 or Department 40 based upon the terminal case number as generally assigned to such department. Cases assigned to Department 45 for which the judges assigned to Department 45, Department 44 and either Department 37 or 40 are disqualified shall be reassigned to either Department 37 or 40 for which the judge is not disqualified. All cases assigned to Department 45 for which the judges assigned to Department 45, Department 44, Department 37 and Department 40 are all disqualified shall be reassigned to the presiding judge (if not disqualified) or the assistant presiding judge (if not disqualified)

¹ Civil Division shall be defined as including Department 17 when hearing AB 1058 matters, Department 37, Department 40, Department 44, and Department 45.

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.

3. All cases assigned to Department 40 in which the judge assigned to Department 40 is disqualified shall first be reassigned to Department 37. Cases assigned to Department 40 for which the judge assigned to Department 37 is disqualified shall be assigned to either Department 44 or Department 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, Department 37 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. All cases assigned to Department 40 for which the judges assigned to Department 40, Department 37, Department 44, Department 45 are all disqualified 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 cases assigned to Department 37 in which the judge assigned to Department 37 is disqualified shall first be reassigned to Department 40. Cases assigned to Department 37 for which the judge assigned to Department 40 is disqualified shall be assigned to either Department 44 or Department 45 based upon the terminal case number as generally assigned to such department. Cases assigned to Department 37 for which the judges assigned to Department 37, 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. All cases assigned to Department 37 for which the judges assigned to Department 37, Department 40, Department 44, Department 45 are all disqualified 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.
5. All cases assigned to Department 17 while that judicial officer is sitting as a commissioner under AB1058 for which that judicial officer is disqualified shall be reassigned to either Department 37 or Department 40 based upon the terminal case number as generally assigned to such department. Cases assigned to Department 17 for which the judges assigned to Department 17 and either Department 37 or 40 are disqualified shall be reassigned to either Department 37 or 40 for which the judge is not disqualified. All cases assigned to Department 17 for which the judges assigned to Department 37 and Department 40 are all disqualified 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.

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 1, 2023



Hon. Ernest J. Licalsi
Presiding Judge 2023-2024