BCSC 2021-AO-01

FILED Superior Court of California County of Butte SEP 18 2020 Kimberly Flener, Clerk By Deputy FILED

SUPERIOR COURT OF CALIFORNIA
COUNTY OF BUTTE

IN THE MATTER OF JUDICIAL DUTIES	)	ORDER FOR 2021 COURT ASSIGNMENTS

This Order is made to facilitate the distribution of files and proper routing of matters by court staff and supersedes any previous orders or addendums.

NOW, THEREFORE, IT IS ORDERED THAT:

I. Effective January 1, 2021, the following matters shall be referred directly by staff to the named judicial officer indicated unless otherwise expressly assigned:

A. TO: JUDGE CLARE KEITHLEY – Department 11

2021 PRESIDING JUDGE;

2021 Presiding Judge of the Juvenile Court;

Family law matters, with the exception of Butte County Department of Child Support Services-Title IV-D matters, as randomly assigned to equal forty percent of the total filings;

All Guardianships of the Person Only;

Supervisory duties of Collaborative Courts;

Supervisory duties of the Juvenile Division;

All other matters as assigned.

B. TO: JUDGE STEPHEN E BENSON – Department 6

All unlimited civil matters as randomly assigned;

All limited civil matters;

All civil matters relating to the California Environmental Quality Act (CEQA);

All other matters as assigned.

C. TO: JUDGE SANDRA L. McLEAN – Department 7

2021 SUPERVISING JUDGE OF THE FAMILY DIVISION;

Family law matters, with the exception of Butte County Department of Child Support Services-Title IV-D, as randomly assigned to equal sixty percent of the total filings;

All CRC 5.83 Family Law Case Management Status Conferences;

All other matters as assigned.

D. TO: JUDGE KIMBERLY MERRIFIELD – Department 5

2021 ASSISTANT PRESIDING JUDGE: Acts as Presiding Judge in the absence of the Presiding Judge;

2021 SUPERVISING JUDGE OF THE CRIMINAL DIVISION;

All felony matters where the defendant's last name begins with A-EA, and Co-Defendants as specified in "Co-Defendant Assignments" (Exhibit A);

All other matters as assigned.

E. TO: JUDGE TAMARA L. MOSBARGER – Department 1

2021 SUPERVISING JUDGE OF THE CIVIL DIVISION;

All unlimited civil matters randomly assigned;

All asset forfeiture cases;

All probate cases, excluding Guardianships of the Person only;

All petitions under Welfare and Institutions code section 5250, and section 8103;

All LPS conservatorship cases;

All previously assigned limited civil and CEQA matters which are pending, unless subsequently reassigned by the Supervising Judge of the Civil Division or the Presiding Judge;

All other matters as assigned.

F. TO: JUDGE JESUS A. RODRIGUEZ – Department 3

All felony matters where the defendant's last name begins with EB-LE, and Co-Defendants as specified in "2021 Criminal Co-Defendant Assignments" (Exhibit A);

All other matters as assigned.

G. TO: JUDGE MICHAEL R. DEEMS – Department 2

All matters pertaining to the administration of the 2021-2022 Grand Jury;

All felony matters where the defendant's last name begins with LF-RI, and Co-Defendants as specified in "2021 Criminal Co-Defendant Assignments" (Exhibit A);

All other matters as assigned.

H. TO: JUDGE KRISTEN A. LUCENA – Department 4

All felony matters where the defendant's last name begins with RJ-Z and Co-Defendants as specified in "Co-Defendant Assignments" (Exhibit A);

All other matters as assigned.

I. TO: JUDGE MICHAEL P. CANDELA – Department 8

Collaborative Court Calendars

All cases referred to and accepted into:

Drug Court calendar;

HIDE (High Intensity Driving under the Influence Enforcement) calendar;

Domestic Violence calendar;

Veterans Treatment Court calendar;

Mental Health Diversion calendar;

Military Diversion calendar;

All matters pertaining to elections, including matters brought under Elections Code §2100 and §2142(a);

Preliminary Hearing long cause special set matters and Preliminary Hearings on the pass off calendar;

All mandatory civil settlement conferences (MSC) calendared by the Civil Division for Mondays at 9:00 a.m., no more than two and no more than one on Mondays at 1:30 p.m. or as otherwise assigned;

All other matters as assigned.

J. TO: JUDGE ROBERT A GLUSMAN – Department 10

All signature duties as assigned through the Presiding Judge and the Supervising Judge of each Division;

All other matters as assigned.

K. TO: JUDGE AS ASSIGNED

All Welfare & Institutions Code §300 matters;

All Adoptions;

All petitions to declare a minor free from parental custody and control pursuant to Family Code section 7840;

All petitions to inspect adoption and birth records;

All other matters as assigned.

L. TO: JUDGE AS ASSIGNED

All misdemeanor DUI matters where the defendant is represented by a Public Defender;

All other misdemeanor matters where the defendant's last name begins with F-R;

All Penal Code §415 and §484-488-490.1(a) infractions where the defendant's last name begins with F-R;

All other matters as assigned.

M. TO: COMMISSIONER CORIE J. CARAWAY

All Parole and Post Community Release Supervision Revocation Petitions;

All misdemeanor DUI matters where the defendant is not represented by a Public Defender;

All other misdemeanor matters where the defendant's last name begins with A-E and S-Z;

All Penal Code §415 and §484-488-490.1(a) infractions where the defendant's last name begins with A-E and S-Z;

All Juvenile infraction matters;

All Juvenile Welfare & Institutions Code §601 and §602 matters;

All Transitional Age Youth Pretrial Diversion matters;

All infractions under Education Code §48293(a);

All other matters as assigned.

N. TO: COMMISSIONER KURT W. WORLEY

All Butte County Department of Child Support Services-Title IV-D matters;

All Penal Code §270 and §166(a)(4) matters related to Butte County Department of Child Support Services-Title IV-D matters;

All Small Claims matters;

All Adult infraction matters, excluding Penal Code §415 and §484-488-490.1(a), excluding infractions under Education Code §48293(a);

All Limited Unlawful Detainer matters;

All Civil Harassment matters;

All other matters as assigned.

II. The following general principles are applicable in referring matters pursuant to these assignments:

A. Orders submitted for signature shall be routed to the judicial officer who made the order. If the judicial officer who made the order is unavailable, then it shall be routed pursuant to Code of Civil Procedure §635, as follows:

i. to the Supervising Judge of the division in which the unavailable judicial officer presided; or

ii. to the Presiding Judge.

For the purposes of this section, a judge is unavailable for signature if the judge is away from the court for more than five (5) consecutive Court days.

III. The following general principles apply when determining reassignment after a disqualification of judicial officer:

A. In the event a judicial officer is disqualified, or if the parties do not stipulate to a Commissioner (if required), the case shall be referred to the Supervising Judge of the division for reassignment, with exception of the following:

i. If the Supervising Judge is disqualified, the case shall be referred to the Presiding Judge for reassignment.

ii. If the Presiding Judge is disqualified the case shall be referred to the Assistant Presiding Judge for reassignment, pursuant to Code of Civil Procedure §170.3(a)(2).

iii. If the Presiding Judge of the Juvenile Court is disqualified, the case shall be referred to the Presiding Judge for reassignment.

iv. In divisions where only two Judges preside, if one is disqualified, the case shall be reassigned to the Judge who has not been disqualified. This shall also apply to the Criminal Misdemeanor assignments.

v. In the Criminal Division, by this order, cases shall be reassigned according to Exhibit B.

vi. In the Juvenile Division, if the assigned judge is disqualified, the matter will be referred to the Presiding Judge for assignment.

B. Assignments of non-Criminal cases are for all purposes, within the meaning of Code of Civil Procedure §170.6(a)(2). Assignments of non-Criminal cases as a result of a disqualification, recusal or unavailability of another judicial officer, will be assignments for all purposes, within the meaning of Code of Civil Procedure §170.6(a)(2).

C. Assignments of Criminal cases are for all purposes within the meaning of Code of Civil Procedure §170.6(a)(2) effective upon the first court appearance on the criminal calendar of the assigned judge. Assignments of Criminal cases as a result of a disqualification, recusal, or unavailability of another judicial officer, will be assignments for all purposes, within the meaning of Code of Civil Procedure §170.6(a)(2), effective upon the first court appearance before that judicial officer.

D. If, at the felony trial assignment calendar, a jury trial is assigned to a trial judge other than the previously assigned felony alpha judge, the parties will have the right to exercise a peremptory challenge pursuant to Code of Civil Procedure §170.6(a)(2) as to the newly assigned trial judge, unless the party has previously exercised a peremptory challenge in the matter.

E. In the event that all available judicial officers are disqualified, the matter shall be heard by a visiting judge on the Shasta Exchange calendar or as otherwise assigned.

F. At the request of a neighboring court, the Presiding Judge will assign a Judge of the Butte Superior Court to assist as needed, to include Shasta Superior Court on the Exchange calendar.

IV. Pursuant to Section 246 of the Welfare and Institutions Code of the State of California, Judges Stephen E. Benson, Michael P. Candela, Michael R. Deems, Robert A. Glusman, Clare Keithley, Kristen A. Lucena, Sandra L. McLean, Kimberly Merrifield, Tamara L. Mosbarger, and Jesus A. Rodriguez are designated as Judges of the Juvenile Court.

DATED: 9/18/2020

Clare Keithley

Hon. Clare Keithley
Presiding Judge of the Superior Court

2021Criminal Co-Defendant Assignments

Cases filed in the month of:	Assigned to:
January May September	Kimberly Merrifield – Department 5
February June October	Jesus A. Rodriguez – Department 3
March July November	Michael R. Deems – Department 2
April August December	Kristen A. Lucena – Department 4

Exhibit A

2021 Criminal Judicial Officer Reassignment after Disqualification

Disqualified Judicial Officer	Reassigned Judicial Officer
Kimberly Merrifield	Jesus A. Rodriguez
Jesus A. Rodriguez	Kimberly Merrifield
Kimberly Merrifield and Jesus A. Rodriguez	Michael R. Deems
Michael R. Deems	Kristen A. Lucena
Kristen A. Lucena	Michael R. Deems
Michael R. Deems and Kristen Lucena	Kimberly Merrifield
Michael R. Deems, Kristen Lucena, Kimberly Merrifield and Jesus A. Rodriguez	Michael P. Candela
Michael P. Candela	Presiding Judge