

F Superior Court of California F
I County of Butte I
L DEC 05 2023 L
D By Sharif Elmallah, Clerk Deputy D

1 BCSC 2024-AO-01

3 SUPERIOR COURT OF CALIFORNIA
4 COUNTY OF BUTTE

6 In the Matter of
7 JUDICIAL DUTIES

ORDER FOR 2024 COURT
ASSIGNMENTS

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

14 NOW, THEREFORE, IT IS ORDERED THAT:

16 I. Effective January 1, 2024, the following matters shall be referred directly by staff to the
17 named judicial officer indicated unless otherwise expressly assigned:

19 A. TO: JUDGE MICHAEL R. DEEMS – Department 2

20 2024 PRESIDING JUDGE;

21 Supervisory duties of Collaborative Courts;

22 Collaborative Court Calendars –

23 All cases referred to and accepted into:

24 Drug Court calendar;

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

26 Domestic Violence calendar;

27 Veterans Treatment Court calendar;

28 Mental Health Diversion calendar;

1 Military Diversion calendar;
2 Preliminary Hearing long cause special set matters and Preliminary Hearings on
3 the pass off calendar;
4 All mandatory civil settlement conferences (MSC) calendared by the Civil
5 Division as assigned;
6 All matters pertaining to the administration of the 2023-2024 and 2024-2025
7 Grand Juries;
8 All other matters as assigned.

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10 B. TO: JUDGE KIMBERLY MERRIFIELD – Department 5

11 2024 ASSISTANT PRESIDING JUDGE: Acts as Presiding Judge in the absence
12 of the Presiding Judge;

13 2024 PRESIDING JUDGE OF THE JUVENILE COURT;

14 All Welfare & Institutions Code §300 matters;

15 All Adoptions;

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

18 All petitions to inspect adoption and birth records;

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

21 All other matters as assigned.

22
23 C. TO: JUDGE JESUS A. RODRIGUEZ – Department 3

24 2024 SUPERVISING JUDGE OF THE CRIMINAL DIVISION

25 All felony matters where the defendant's last name begins with EB-LE, and
26 Co-Defendants as specified in "2024 Criminal Co-Defendant Assignments"
27 (Exhibit A);

28 All other matters as assigned.

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D. TO: JUDGE CORIE J. CARAWAY – Department 9

All felony matters where the defendant’s last name begins with A-EA, and
Co-Defendants as specified in “2024 Criminal Co-Defendant Assignments”
(Exhibit A);
All other matters as assigned.

E. TO: JUDGE VIRGINIA L. GINGERY – Department 7

All felony matters where the defendant’s last name begins with LF-RI, and
Co-Defendants as specified in “2024 Criminal Co-Defendant Assignments”
(Exhibit A);
All other matters as assigned.

F. 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 “2024 Criminal Co-Defendant Assignments”
(Exhibit A);
All other matters as assigned.

G. TO: JUDGE PHILIP H. HEITHECKER – Department 10

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

1 H. TO: JUDGE CLARE KEITHLEY – Department 11
2 2024 SUPERVISING JUDGE OF THE FAMILY DIVISION;
3 Family law matters, except for Butte County Department of Child Support
4 Services-Title IV-D matters, as randomly assigned to equal forty percent of the
5 total filings;
6 All Guardianships of the Person Only;
7 All other matters as assigned.

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9 I. TO: JUDGE MICHAEL P. CANDELA – Department 8
10 Family law matters, except for Butte County Department of Child Support
11 Services-Title IV-D, as randomly assigned to equal sixty percent of the total filings;
12 All CRC 5.83 Family Law Case Management Status Conferences;
13 All other matters as assigned.

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15 J. TO: JUDGE TAMARA L. MOSBARGER – Department 1
16 2024 SUPERVISING JUDGE OF THE CIVIL DIVISION;
17 All unlimited civil matters randomly assigned;
18 All asset forfeiture cases;
19 All probate cases, excluding Guardianships of the Person only;
20 All petitions under Welfare and Institutions code section 5250, and section 8103;
21 All LPS conservatorship cases;
22 All other matters as assigned.

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24 K. TO: JUDGE STEPHEN E. BENSON – Department 6
25 All unlimited civil matters as randomly assigned;
26 All limited civil matters;
27 All civil matters relating to the California Environmental Quality Act (CEQA);
28 All other matters as assigned.

1 L. TO: COMMISSIONER KURT W. WORLEY

2 All Parole and Post Community Release Supervision Revocation Petitions;

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

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

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

9 All Juvenile infraction matters;

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

11 All Transitional Age Youth Pretrial Diversion matters;

12 All infractions under Education Code §48293(a);

13 All other matters as assigned.
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15 M. TO: COMMISSIONER LEAH B. SEARS

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

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

19 All Small Claims matters;

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

22 All Limited Unlawful Detainer matters;

23 All Civil Harassment matters;

24 All other matters as assigned.
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1 II. The following general principles are applicable in referring matters pursuant to these
2 assignments:

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

- 7 i. to the Supervising Judge of the division in which the unavailable judicial
8 officer presided; or
9 ii. to the Presiding Judge.

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

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

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

- 19 i. If the Supervising Judge is disqualified, the case shall be referred to the
20 Presiding Judge for reassignment.
21 ii. If the Presiding Judge is disqualified the case shall be referred to the
22 Assistant Presiding Judge for reassignment, pursuant to Code of Civil
23 Procedure §170.3(a)(2).
24 iii. In divisions where only two Judges preside, if one is disqualified, the
25 case shall be reassigned to the Judge who has not been disqualified. This
26 shall also apply to the Criminal Misdemeanor assignments.
27 iv. In the Criminal Division, by this order, cases shall be reassigned
28 according to Exhibit B.

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

3 vi. Assignments of non-Criminal cases are for all purposes, within the
4 meaning of Code of Civil Procedure §170.6(a)(2). Assignments of non-
5 Criminal cases as a result of a disqualification, recusal or unavailability
6 of another judicial officer, will be assignments for all purposes, within
7 the meaning of Code of Civil Procedure §170.6(a)(2).
8

9 B. Assignments of Criminal cases are for all purposes within the meaning of Code of
10 Civil Procedure §170.6(a)(2) effective upon the first court appearance on the
11 criminal calendar of the assigned judge. Assignments of Criminal cases as a result
12 of a disqualification, recusal, or unavailability of another judicial officer, will be
13 assignments for all purposes, within the meaning of Code of Civil Procedure
14 §170.6(a)(2), effective upon the first court appearance before that judicial officer.
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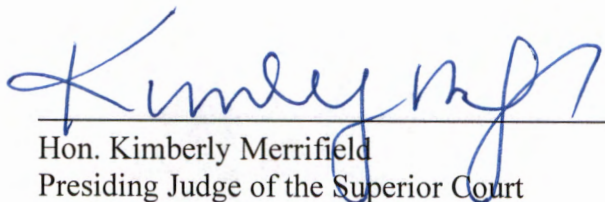
16 C. If, at the felony trial assignment calendar, a jury trial is assigned to a trial judge
17 other than the previously assigned felony alpha judge, the parties will have the
18 right to exercise a peremptory challenge pursuant to Code of Civil Procedure
19 §170.6(a)(2) as to the newly assigned trial judge, unless the party has previously
20 exercised a peremptory challenge in the matter.
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22 D. In the event that all available judicial officers are disqualified, the matter shall be
23 heard by a visiting judge on the Shasta Exchange calendar or as otherwise
24 assigned.
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26 E. At the request of a neighboring court, the Presiding Judge will assign a Judge of
27 the Butte Superior Court to assist as needed, to include Shasta Superior Court on
28 the Exchange calendar.

1 IV. Pursuant to Section 246 of the Welfare and Institutions Code of the State of California,
2 Judges Stephen E. Benson, Michael P. Candela, Corie J. Caraway, Michael R. Deems,
3 Virginia Gingery, Philip H. Heithecker, Clare Keithley, Kristen A. Lucena, Kimberly
4 Merrifield, Tamara L. Mosbarger, and Jesus A. Rodriguez are designated as Judges of
5 the Juvenile Court.

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9 Dated: 12-4-23


Hon. Kimberly Merrifield
Presiding Judge of the Superior Court

2024 Criminal Co-Defendant Assignments

Cases filed in the month of:	Assigned to:
January May September	Corie J. Caraway – Department 9
February June October	Jesus A. Rodriguez – Department 3
March July November	Virginia L. Gingery – Department 7
April August December	Kristen A. Lucena – Department 4

2024 Criminal Judicial Officer Reassignment after Disqualification

Disqualified Judicial Officer	Reassigned Judicial Officer
Corie J. Caraway	Jesus A. Rodriguez
Jesus A. Rodriguez	Corie J. Caraway
Corie J. Caraway and Jesus A. Rodriguez	Virginia L. Gingery
Virginia L. Gingery	Kristen A. Lucena
Kristen A. Lucena	Virginia L. Gingery
Virginia L. Gingery and Kristen A. Lucena	Corie J. Caraway
Corie J. Caraway, Virginia L. Gingery, Kristen A. Lucena, Jesus A. Rodriguez, and Philip H. Heithecker	Presiding Judge