UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

IN THE MATTER OF THE   )
OPERATION OF THE   )
SANTA ANA PLACE OF   )
HOLDING COURT   )
_____   )   GENERAL ORDER NO. 310-A

     IT IS ORDERED that the following shall govern the operation of the Santa Ana Place of Holding Court:

    1.   <u>Judicial Personnel to Santa Ana</u>

     Two active United States District Judges and one United States Magistrate Judge shall be assigned to Santa Ana.

    2.   <u>Method of Selection of Judicial Personnel to be Assigned to Santa Ana</u>

     A.   All active judges may bid on the initial and subsequent assignments to the Santa Ana Court. The positions shall be awarded on the basis of seniority.

     B.   A judge assigned to the Santa Ana Court may return to the Los Angeles Court if:

       (i)   there is a vacancy of an authorized judgeship in Los Angeles, or

(ii)   a courtroom becomes available in Los Angeles that the judge desires to bid on and would be entitled to based on seniority.

3.   Pending Calendar of the Judges Assigned to Santa Ana

The judges assigned to the Santa Ana Court shall retain the pending civil and criminal cases on his/her respective calendar at the time of transfer.

4.   Civil and Criminal Assignment Wheels

A.   The Santa Ana Court shall maintain its own criminal and civil wheels for assignment of cases to the judicial officers of that Court. Case assignments and credit adjustments shall be made pursuant to General Order 224.

B.   When a judge's assignment to Santa Ana becomes effective, the judge will be removed from the Los Angeles assignment wheels and shall only receive cases from the Santa Ana assignment wheels.

5.   Number of Cases Assigned to the Santa Ana Judicial Officers

A.   The judges assigned to the Santa Ana Court shall receive a civil and criminal calendar that shall be equal to the average number of civil and criminal cases assigned to the active judges in Los Angeles.

B.   Senior judges may place civil or criminal assignment cards in either or both the Los Angeles and Santa Ana assignment wheels.

6.   Related Case Rules; Transfer of Cases; Recusal; Disqualification

A.   All related case rules shall apply to criminal and civil cases in the Santa Ana Court. Cases may be transferred between Los Angeles and Santa Ana depending upon the place where the low number related case is assigned.

B.   Judges assigned to the Los Angeles or Santa Ana Court may transfer cases between the Courts pursuant to General Order 224.

C.   Upon the recusal of one Santa Ana judge, the case shall be directly assigned to the other Santa Ana judge. If the second Santa Ana judge also recuses or is disqualified, the matter shall be assigned to Los Angeles from the civil or criminal assignment wheel.

D.   Motions to disqualify a Santa Ana judge or magistrate judge shall be assigned as follows:

(i)   motions to disqualify a Santa Ana judge shall be assigned to a judge selected at random from the Los Angeles civil or criminal assignment wheel.

(ii)   motions to disqualify the Santa Ana magistrate judge shall be determined by the judge to whom the case is assigned.

7.   Procedures for Reassignment of Cases

A.   If a Santa Ana judicial officer determines that he/she (1) will be unable to try a criminal case within the time limitations of the Speedy Trial Act, or (2) desires assistance for the trial of a criminal or civil case that is ready for trial, the matter may be referred to the Calendar Relief Committee and if reassigned, the preferred order of reassignment shall be:

(i)   assign to another judicial officer of the Santa Ana Court, if possible.

(ii)   assign to a senior judge who could hear the matter in Santa Ana.

(iii)   assign to an active judge who could hear the matter in Santa Ana.

         (iv)   assign to a senior judge with the case being transferred to Los Angeles.

B.   All other cases being transferred between the Los Angeles and Santa Courts shall be assigned at random from the appropriate assignment wheels unless the assignment is accomplished pursuant to General Order No. 224.

C.   Cases that have been assigned to the wrong Court due to clerical error shall be reassigned, as soon as practicable, by the Clerk's Office. The Clerk's Office shall maintain a log of all intra-district reassignments made by the Clerk's Office.

8.   <u>Emergency Filings</u>

If a case which was filed in the Los Angeles Court because it was an emergency filing would otherwise have been assigned to Santa Ana, a Los Angeles judicial assignment card shall be drawn to hear the emergency matter only and the filing shall be assigned to a Santa Ana judge the following business day. The Los Angeles judicial assignment card that was drawn to hear the emergency matter shall be returned to the Los Angeles civil assignment wheel the following month.

9.   <u>Criminal and Bankruptcy Duty Judges</u>

A.   The district judges assigned to Santa Ana shall serve as Criminal Duty and Bankruptcy Duty Judges.

B.   The appointments shall be made by the Chief Judge at such time appointments are made for the Los Angeles Duty Rosters.

10.   <u>Trial Jurors</u>

To provide trial jurors for all Courts of the District, there shall be a single Master Jury Wheel and a single Qualified Jury Wheel comprised of prospective jurors selected at random from all parts of the District. The Clerk shall draw from the Qualified Jury Wheel the trial jurors necessary for the needs of both the Los Angeles and Santa Ana Courts.

11.   <u>Grand Jury</u>

The Grand Jury shall meet in the Los Angeles Court. A Grand Jury may be assigned to meet in the Santa Ana Court when the extent of the workload in that Court is better determined.

12.   <u>Monitoring of Relationship Between Los Angeles and Santa Ana Courts</u>

A.   In order to provide continual monitoring of the operations of the Santa Ana Place of Holding Court and to lessen any possible conflicts in the operation of the two Courts, the Court shall appoint a Standing Committee on Santa Ana Operations.

B.   This Committee shall consist of five judicial officers serving two-year staggered terms.