



Rule 4.115 of the California Rules of Court would be amended, effective January 1, 2008, to read:

1 **Rule 4.115. Criminal case assignment**

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3 **(a) Master calendar departments**

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5 To ensure that the court's policy on continuances is firm and uniformly  
6 applied, that pretrial proceedings and trial assignments are handled  
7 consistently, and that cases are tried on a date certain, each court not  
8 operating on a direct calendaring system must assign all criminal matters to  
9 one or more master calendar departments. The presiding judge of a master  
10 calendar department must conduct or supervise the conduct of all  
11 arraignments and pretrial hearings and conferences, and assign to a trial  
12 department any case requiring a trial or dispositional hearing.  
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14 **(b) Trial calendaring and continuances**

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16 Any request for a continuance, including a request to trail the trial date, must  
17 comply with rule 4.113 and section 1050's requirement for a showing of  
18 good cause to continue a hearing in a criminal proceeding. All courts are to  
19 actively manage trial calendars to minimize the number of statutory  
20 dismissal situations the court faces. Accordingly, courts should avoid  
21 calendaring or trailing criminal cases for trial to the last day permitted for  
22 trial pursuant to section 1382. Courts must implement calendar management  
23 procedures, in accordance with local conditions and needs, to ensure that  
24 criminal cases are assigned to trial departments before the last day permitted  
25 for trial pursuant to section 1382.