

**Superior Court of California
County of Solano**

**Rule 2 – Criminal and Traffic Infraction Cases
PART ONE: Rules Applicable to Misdemeanors and Felonies**

2.1 APPLICATION OF RULES

The rules in Part One of Rule 2 apply to all felony and misdemeanor criminal cases pending on, or filed on or after, January 1, 1998.

(Rule 2.1 amended effective January 1, 2013; adopted effective January 1, 1998; previously amended effective January 1, 2010.)

2.2 DIRECT CALENDARING OF CRIMINAL CASES

When a criminal case is filed either by complaint or indictment, the matter shall be assigned, after arraignment, to one judicial officer for all purposes. All criminal cases shall be heard first in an arraignment department of the court and from that department the case shall be assigned to one of the judicial officers in the Criminal Division of the court and the parties shall be notified in open court and on the record of the name of the judicial officer so assigned. The assignment to the judicial officer shall be deemed for all purposes.

If the parties are not notified of the assignment to one judicial officer for all purposes in open court, then the Clerk of the Court, after a judicial officer is selected, shall send a written notification to all parties by first class mail and file in the court file a verification of mailing.

(Rule 2.2 amended effective January 1, 2013; adopted effective January 1, 1998; previously amended effective January 1, 2010.)

2.3 PROCEDURE

a. PETITIONS PER PENAL CODE SECTION 1203.4 AND 1203.4a

Any defendant wishing to file a petition for relief per Penal Code sections 1203.4 or 1203.4a and who wishes to have their costs waived shall file a completed financial declaration on a form designated by the court. The form shall be filed concurrently with the petition.

(Subd. (a) adopted effective January 1, 2013.)

b. ORDERS SHORTENING TIME

Regarding pretrial motions governed by Rule of Court 4.111, when good cause exists, the court may prescribe a shorter time for the service and filing of a notice of motion and supporting papers *sua sponte* or if the party seeking to shorten the time files an *Application for Ex Parte Order Shortening Time* with the court. A

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party filing an *Application for Ex Parte Order Shortening Time* must notify all parties no later than 10:00 a.m. the court day before the ex parte appearance, absent a showing of exceptional circumstances that justify a shorter time for notice. Notice may be given by telephone. The application shall be accompanied by an affidavit or declaration setting forth facts showing good cause for the order and showing that notice was given to each party of the ex parte hearing. The application shall also be accompanied by a proposed order, as well as by the notice of motion and supporting papers.

(Subd. (b) adopted effective July 1, 2014.)

(Rule 2.3 amended effective July 1, 2014; adopted effective January 1, 2013; prior Rule 2.3, adopted effective January 1, 1998, repealed effective January 1, 2013.)

**2.4 PEREMPTORY CHALLENGE OF JUDGE ASSIGNED FOR ALL PURPOSES
[Repealed]**

(Rule 2.4 repealed effective January 1, 2013; adopted effective January 1, 1998.)

2.5 – 2.49 [Reserved]

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**Rule 2 – Criminal and Traffic Infraction Cases
PART TWO: Felony Criminal Cases**

2.50 – 2.99 [Reserved]

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**Rule 2 – Criminal and Traffic Infraction Cases
PART THREE: Misdemeanor Cases**

2.100 – 2.149 [Reserved]

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**Rule 2 – Criminal and Traffic Infraction Cases
PART FOUR: Traffic Infraction Cases**

2.150 – 2.199 [Reserved]

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