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IN THE JUSTICE COURT OF RENO TOWNSHIP  
COUNTY OF WASHOE, STATE OF NEVADA

IN THE ADMINISTRATIVE MATTER OF  
THE RENO JUSTICE COURT CRIMINAL  
CASE MANAGEMENT PLAN

**ADMINISTRATIVE ORDER 2023-01**

Pursuant to NRS 4.157(c) and JCRRT 21, the Chief Justice of the Peace of Reno Township hereby enters this Administrative Order establishing the Reno Justice Court Criminal Case Management Plan, attached hereto as Exhibit A.

WHEREAS, “the ordinary administration of criminal and civil justice ... contributes, more than any other circumstance to impressing upon the minds of the people affection, esteem, and reverence towards the government,” Alexander Hamilton, Federalist No.17 (1787);

WHEREAS, “A sense of confidence in the courts is essential to maintain the fabric of ordered liberty for a free people ... inefficiency and delay ... could destroy that confidence and do incalculable damage to society,” Burger, Warren E. *What's Wrong With the Courts: The Chief Justice Speaks Out* (address to ABA meeting, Aug. 10, 1970);

WHEREAS, “to delay Justice is Injustice,” Penn, William (1693), “Some Fruits of Solitude,” Headley, 1905, p. 86;

1           WHEREAS, the importance of timely case disposition dates to at least to 1215 when the  
2 Magna Carta declarad, “To no one will we ... delay, right or justice”;

3           WHEREAS, “A judge should dispose promptly of the business of the court,” Canon 3  
4 (5) of the Code of Conduct for United States Judges;

5           WHEREAS, “A judge should monitor and supervise cases in ways that reduce or  
6 eliminate dilatory practices, avoidable delays, and unnecessary costs.” Rule 2.5 of the Nevada  
7 Code of Judicial Conduct;

8           WHEREAS, “Prompt disposition of the court’s business requires a judge ... to take  
9 reasonable measures to ensure that court officials, litigants, and their lawyers cooperate with the  
10 judge to that end.” Rule 2.5 of the Nevada Code of Judicial Conduct;

11           WHEREAS, “The history of the right to a speedy trial and its reception in this country  
12 clearly establish that it is one of the most basic rights preserved by our Constitution.” *Klopf*  
13 *er v. State of North Carolina*, 386 U.S. 213, 87 S.Ct. 988, 18 L.Ed.2d 1 (1967);

14           WHEREAS, the Sixth Amendment speedy trial right “is intended to spare an accused  
15 those penalties and disabilities—incompatible with the presumption of innocence—that may  
16 spring from delay in the criminal process.” *Dickey v. Florida*, 398 U.S. 30, 90 S.Ct. 1564, 26  
17 L.Ed.2d 26 (1970);

18           WHEREAS, there are several “interests of defendants which the speedy trial right was  
19 designed to protect ...: (i) to prevent oppressive pretrial incarceration; (ii) to minimize anxiety  
20 and concern of the accused; and (iii) to limit the possibility that the defense will be impaired. Of  
21 these, the most serious is the last, because the inability of a defendant adequately to prepare his  
22 case skews the fairness of the entire system. If witnesses die or disappear during a delay, the  
23 prejudice is obvious. There is also prejudice if defense witnesses are unable to recall accurately  
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1 events of the distant past....” *Barker v. Wingo*, 407 U.S. 514, 532, 92 S.Ct. 2182, 2193, 33 L.  
2 Ed.2d 101 (1972);

3 WHEREAS, a long period of incarceration “has a destructive effect on human character  
4 and makes the rehabilitation of the individual offender much more difficult,” *Barker v. Wingo*,  
5 407 U.S. 514, 520, 92 S.Ct. 2182, 2187, 33 L. Ed. 2d 101 (1972);

6 WHEREAS, “It is the duty of the prosecution to bring a defendant to trial, and the failure  
7 of the defendant to demand the right is not to be construed as a waiver of the right,” *Id.* at 528;

8 WHEREAS, waiver of the right to a speedy adjudication is “an intentional relinquishment  
9 or abandonment of a known right or privilege,” and it is not to be presumed but must appear from  
10 the record to have been intelligently and understandingly made. Therefore, courts should  
11 “indulge every reasonable presumption against waiver,” and they should “not presume  
12 acquiescence in the loss of fundamental rights,” *Id.* at 519 (1972) (citations omitted);

13 WHEREAS, “Delay resulting from a systemic ‘breakdown in the public defender  
14 system ’could be charged to the State” and create a speedy trial violation. *Vermont v. Brillon*,  
15 129 S.Ct. 1283, 1292 (2009) (citation omitted);

16 WHEREAS, “there is a societal interest in providing a speedy trial which exists separate  
17 from, and at times in opposition to, the interests of the accused.” *Barker*, 407 U.S. at 519 (1972)  
18 (“society has a particular interest in bringing swift prosecutions”);

19 WHEREAS, “Incarcerated defendants cause considerable public expense and their  
20 dependents often must be assisted by public service programs while they are incarcerated.”  
21 *Barker v. Wingo*, 407 U.S. 514, 519 (1972); *Dickey v. Florida*, 398 U.S. 30, 42 (1970) (Justice  
22 Harlan concurring. Justice Marshall joined with Justice Brennan concurring);

23 WHEREAS, “backlogs of cases may be responsible for plea bargaining that does not  
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1 always match society’s expectations for justice.” *Id.*;

2 WHEREAS, “Delays have led to overcrowding of detention facilities which may result  
3 in unsafe conditions at the facility.” *Id.*;

4 WHEREAS, pursuant to NRS 171.196, this Court “shall hear the evidence within 15  
5 days” ... of the filing of the criminal complaint in felony cases ... “unless for good cause shown  
6 the magistrate extends such time” or the defendant waives the preliminary examination;

7 WHEREAS, “Absent any waiver by the accused, the preliminary examination must be  
8 held in accord with the procedures established by law and the magistrate may not disregard  
9 them.” *Azbill v. Fisher*, 84 Nev. 414, 419, 442 P.2d 916, 919 (1968);

10 WHEREAS, pursuant to NRS 171.1965, there is limited discovery before the preliminary  
11 examination of material “within the possession or custody of the prosecuting attorney”;

12 WHEREAS, pursuant to NRS 171.1965(4), “The magistrate shall not postpone a  
13 preliminary examination at the request of a party based solely on the failure of the prosecuting  
14 attorney to permit the defendant to inspect, copy or photograph material as required in this  
15 section, unless the court finds that the defendant has been prejudiced by such failure”;

16 WHEREAS, “A preliminary examination is not a substitute for trial. Its purpose is to  
17 determine whether a public offense has been committed and whether there is sufficient cause to  
18 believe that the accused committed it. The state must offer some competent evidence on those  
19 points to convince the magistrate that a trial should be held. The issue of innocence or guilt is  
20 not before the magistrate. That function is constitutionally placed elsewhere.” *Marcum v.*  
21 *Sheriff, Clark County*, 85 Nev. 175, 178–79, 451 P.2d 845, 847 (1969);

22 WHEREAS, “The full and complete exploration of all facets of the case is reserved for  
23 trial and is not the function of a preliminary examination. It follows that a greater restriction  
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1 upon the examination of witnesses is permissible at the preliminary examination stage of the  
2 criminal process than at the trial.” *Marcum v. Sheriff, Clark County*, 85 Nev. 175, 178–79, 451  
3 P.2d 845, 847 (1969);

4 WHEREAS, the American Bar Association (ABA) adopted speedy trial standards for  
5 criminal cases in 1968, amending them in 1984 and again in 1992;

6 WHEREAS, the 1992 ABA Time Standards provide that 90% of felony cases should be  
7 disposed within 120 days after arrest, 98% within 180 days of arrest, and 100% within 365 days  
8 of arrest;

9 WHEREAS, the Conference of State Court Administrators (COSCA) released national  
10 time standards for state courts in 1983 providing a 180-day time standard for felony cases;

11 WHEREAS, the National Center for State Courts (NCSC) released the *Model Time*  
12 *Standards for State Courts* in 2011 after “a two-year review of the more than 40 years of  
13 experience with time-to-disposition standards.” *Model Time Standards for State Courts*, The  
14 National Center for State Courts (2011);

15 WHEREAS, “A sizable body of research shows that meeting the obligation to provide  
16 timely and affordable justice calls for courts to monitor and control the progress of cases from  
17 initiation to conclusion through consistent application of caseload management principles.”  
18 *Model Time Standards for State Courts*, The National Center for State Courts (2011);

19 WHEREAS, the *Model Time Standards* were approved and adopted in August 2011 by  
20 the Conference of State Court Administrators, the Conference of Chief Justices, the ABA House  
21 of Delegates and the National Association for Court Management;

22 WHEREAS, a majority of the 39 states adopt time standards adopted either the ABA or  
23 COSCA standards. *Model Time Standards for State Courts* (2011);

1           WHEREAS, pursuant to the *Model Time Standards*, 75% of all felony cases should be  
2 concluded within 90 days of the filing of charges, 90% within 180 days, and 98% within 365  
3 days. For misdemeanor dispositions, the *Model Time Standards* call for final disposition of 75%  
4 of cases within 60 days of filing, 90% within 90 days, and 98% within 180 days;

5           WHEREAS, the *Model Time Standards* recognize “In many jurisdictions, achievement  
6 of the goals set by these time standards involves more than one level of court (e.g., a limited  
7 jurisdiction court that hears the early stages of criminal proceedings and a general jurisdiction  
8 court that obtains jurisdiction only after an indictment or information is filed).” *Model Time*  
9 *Standards for State Courts*, The National Center for State Courts (2011);

10           WHEREAS, in jurisdictions with two-tiered handling of felony cases, the *Model Time*  
11 *Standards* set forth intermediate time standards that call for the bind over in the lower court and  
12 arraignment in the trial court to occur in 98% of cases “within 60 days.” *Model Time Standards*  
13 *for State Courts*, The National Center for State Courts (2011);

14           WHEREAS, pursuant to the *Model Time Standards* for misdemeanors, “In 98% of cases,  
15 trials should be initiated, or a plea accepted within 150 days.” *Model Time Standards for State*  
16 *Courts*, The National Center for State Courts (2011);

17           WHEREAS, “it is critical that prompt and affordable justice in each judicial district or  
18 trial jurisdiction be a matter of court policy and not be subject to any substantial differences  
19 among individual judges. The policy should be reflected in a published caseflow management  
20 plan in each judicial district or individual trial court.” *Model Time Standards for State Courts*,  
21 The National Center for State Courts (2011);

22           WHEREAS, “a 2010 study of criminal and juvenile case processing in a multi-county  
23 district including a large urban court, showed that not having meaningful court dates for pretrial  
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1 conferences and trials in felony, misdemeanor, and juvenile delinquency cases cost the court and  
2 its justice partners about \$7 million in personnel time each year, and that the reduction of  
3 personnel time from the adoption and implementation of effective caseflow management would  
4 yield the equivalent of having two more judges, about ten more line prosecutors, and ten more  
5 assistant public defenders, four more courtroom clerks, four more corrections and juvenile  
6 detention officers, ten more law enforcement officers, and more support staff for the court,  
7 prosecution, public defenders and law enforcement agencies.” D. C. Steelman and J. L.  
8 Meadows, *Ten Steps to Achieve More Meaningful Criminal Pretrial Conferences* (NCSC, May  
9 2010);  
10

11 WHEREAS, “A 2011 study to improve the efficiency of the trial court process concluded  
12 that early and continuous court control of criminal case progress would reduce the average  
13 monthly population of the jail by almost 10%, and that it would result in a reduction of the number  
14 of scheduled criminal court events by about-25%, so that the court, the prosecutor, and the public  
15 defender would have more time available to deal more fully with criminal cases needing  
16 attention.” D.C. Steelman, I. Keilitz, M.B. Kirven, N. Raaen, and L. Murphy, *Twelve Steps to*  
17 *Enhance the Efficiency of Court Operations in Lancaster County, Pennsylvania* (Denver, CO:  
18 NCSC, April 2011);  
19

20 WHEREAS, the Effective Criminal Case Management (ECCM) project, funded by the  
21 Arnold Foundation, was designed to discover effective practices in the state courts for resolving  
22 felony and misdemeanor cases. It is based upon “1.2 million felony and misdemeanor cases  
23 from over 136 courts in 21 states,” which is “the largest case-level data set ever assembled on  
24 the details of criminal caseflow.” *Delivering Timely Justice in Criminal Cases: A National*  
25 *Picture*, Brian J. Ostrom, Ph.D. Lydia E. Hamblin, Ph.D. Richard Y. Schauffler National Center

1 for State Courts (2020);

2 WHEREAS, the study concluded, “limiting the number of hearings and continuances per  
3 disposition and effectively managing the duration between scheduled court events, are the key to  
4 timely case outcomes.” *Id.*;

5 WHEREAS, the study recommended changing the Model Time Standards to make them  
6 more attainable. “The More Timely category relaxes the Model Time Standard goal of 98%  
7 within 365 days to include courts meeting a solid performance level of 90%, a challenging though  
8 attainable goal for a high-performing court.” *Id.*;

9  
10 WHEREAS, “More Timely courts better maintain control over scheduling and reduce  
11 both the number of continuances as well as the time a continuance or an additional hearing is  
12 allowed to add to the schedule.” *Id.*;

13 WHEREAS, “timely courts have the same proportion of trials and pleas. Notably, timely  
14 courts dismiss fewer cases than the slowest courts.” *Id.*;

15 WHEREAS, “it is active caseflow management that makes the biggest difference.” *Id.*;

16 WHEREAS, “To make the progress of criminal cases from filing to resolution more  
17 predictable and reliable, judges must adhere to a clearly articulated continuance policy.” *Id.*;

18 WHEREAS, “continuances can be kept to a minimum by firm adherence to enforcement  
19 standards, under which continuances are granted only when good cause is shown and requests  
20 for continuances and extensions are in writing and are recorded in the court’s case management  
21 information system.” *Id.*;

22  
23 WHEREAS, “The court should set the tone for criminal case processing by insisting that  
24 cases move expeditiously from arrest and initial arraignment or bail hearing through plea or trial  
25 to sentencing and resolution of any post-sentence matters in the trial court”;



1           WHEREAS, the court should “schedule case events at short intervals and insist that  
2 counsel meet deadlines for case preparation.” *Id.*;

3           WHEREAS, “For management of case progress to be effective, the court should promote  
4 preparation for court events by the lawyers. Cases settle or reach a timely disposition when  
5 lawyers are prepared. Preparation is enhanced by creating the expectation that court events are  
6 meaningful. That is, the court should communicate to all participants the purpose, deadlines,  
7 and possible outcomes of all proceedings so all events can occur as scheduled and contribute  
8 substantially to the resolution of the case. This requires careful exercise of judicial control.” *Id.*;

9           WHEREAS, “While hearings can be continued for good cause, continuance practices  
10 that are too lenient fail to encourage attorneys to be prepared. Courts should establish a clear,  
11 short-set of legitimate reasons for requesting a continuance, and all judges should adhere to this  
12 policy consistently. Courts should monitor the number of continuances granted over the life of  
13 a case. Additional benefit can be derived from tracking whether the court, prosecution, or  
14 defense requested continuances.” *Id.*;

15           WHEREAS, “faster courts tend to process felonies with fewer events and tighter control  
16 over continuances, despite having similar caseloads.” *Id.*;

17           WHEREAS, “While courts must allow adequate time to accomplish necessary tasks,  
18 events should also be scheduled sufficiently soon to maintain awareness that the court wants  
19 reasonable case progress. Attention to the timing between key intermediate events helps ensure  
20 that attorneys retain a sense of urgency about case preparation and case progress.” *Id.*;

21           WHEREAS, “In faster courts, continuances only added 12 days to the case disposition  
22 time where in less timely courts, a continuance added 35 days to the case disposition time, on  
23 average.” *Id.*;

1           WHEREAS, “Intermediate time standards suggest 98% of cases should be arraigned or  
2 indicted on the information within 60 days. This includes the initial hearing by the general  
3 jurisdiction court following bind over in two-tiered systems. About two-thirds of courts met this  
4 standard (66%), with the average just above the standard and the median at about 6 weeks.” *Id.*;

5           WHEREAS, “Delay has a direct effect on time and resources for all criminal justice  
6 actors. Therefore, to the extent that continuances are liberally granted and backlogs grow, the  
7 resource pool is drained unnecessarily, and the productivity of the court, prosecution, and  
8 defense decline.” *Id.*;

9           WHEREAS, “Given that the vast majority of criminal cases are resolved by plea or by  
10 other non-trial means (98%), criminal case management should focus on ways to provide  
11 meaningful plea discussions between prosecution and defense counsel at an early stage in the  
12 proceedings. If both sides are prepared, prosecutors should be ready to make realistic plea offers,  
13 and defense counsel, in turn, should be able to effectively negotiate, balancing the best interests  
14 and constitutional rights of their clients. Such practice by defense counsel works to resolve cases  
15 using only the number of hearings required to achieve the best outcome for their client”;

16           WHEREAS, in 2011, the Reno Justice Court implemented mandatory status conferences  
17 (MSCs) set seven days from the date of arraignment on all felony cases. Prior to the MSC  
18 program, all cases were initially set for a preliminary hearing after arraignment. The MSC  
19 program saved millions of dollars in officer overtime, witness fees, incarceration expenses, and  
20 opportunity costs for victims and witnesses;  
21

22           WHEREAS, in 2021, in response to the COVID-19 Pandemic, the court’s stakeholders,  
23 including the District Attorney, Public Defender and Alternate Public Defender, petitioned this  
24 court to replace the MSC program with the new status conference program adopted in Sparks  
25

1 Justice Court, AO 2021-04. Under this new program, the first court event after arraignment was  
2 set out a minimum of 60 days. This program also allowed two continuances of unlimited  
3 duration;

4 WHEREAS, the new status conference program was designed to alleviate the backlog of  
5 cases in the justice system of Washoe County but did not achieve its goal;

6 WHEREAS, new criminal cases filed in the courts in Washoe County have decreased  
7 significantly since the MSC program was instituted in 2011. (*See Annual Reports of the Nevada*  
8 *Judiciary* [https://nvcourts.gov/supreme/reports/annual\\_reports](https://nvcourts.gov/supreme/reports/annual_reports)) However, despite a reduction in  
9 new arrests and cases filings, the number of pending cases in the court system has increased such  
10 that the Public Defender declared in 2022 that their office could not accept any new cases for a  
11 significant period of time. This backlog has also led to millions in budgetary increases for the  
12 stakeholder offices;

13 WHEREAS, on July 19, 2022, the Washoe County Sheriff informed the courts that the  
14 Washoe County Detention Facility had exceeded its operational capacity as defined by NRS  
15 211.240(7);

16 WHEREAS, judicial power is vested in the state court system—comprised of the Supreme  
17 Court, a court of appeals, district courts and justices of the peace, and municipal courts where  
18 established. Nev. Const. Art. VI § 1;

19 WHEREAS “the judiciary has the inherent power to govern its own procedures,” and  
20 “the authority of the judiciary to promulgate procedural rules is independent of legislative  
21 power.” *State v. Connery*, 99 Nev. 342, 345, 661 P.2d 1298, 1300 (1983);

22 WHEREAS “the judiciary, as a coequal branch of government, has inherent powers to  
23 administer its affairs,” including but not limited to the “the procedural management of litigation,  
24  
25

1 which includes conservation of judicial resources.” *Borger v. Eighth Judicial Dist. Court ex rel.*  
2 *County of Clark*, 120 Nev. 1021, 1029, 102 P.3d 600, 606 (2004);

3 WHEREAS, the Reno Justice Court has “inherent authority to administrate its own  
4 procedures and to manage its own affairs, meaning that the judiciary may make rules and carry  
5 out other incidental powers when ‘reasonable and necessary’ for the administration of justice.”  
6 *See Halverson v. Hardcastle*, 123 Nev. 245, 261, 163 P.3d 428, 440 (2007);

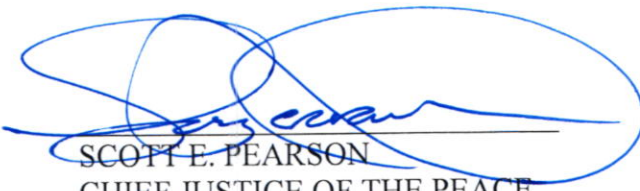
7 Good cause appearing therefor,

8 **IT IS HEREBY ORDERED:**

9  
10 In order to alleviate jail overcrowding, needless expenditure of public resources, and the  
11 many negative effects to defendants, victims, and the public from the unreasonable delay of case  
12 processing under the 2021 status conference program, the Court is hereby rescinding all previous  
13 Administrative Orders regarding the 2021 status conference program, including Administrative  
14 Order 2021-01 and Administrative Order 2022-04. The court is returning to the MSC program  
15 for all criminal cases. The specific timelines for the MSC program will be set forth in the RJC  
16 Criminal Case Management Plan. The initial RJC Criminal Case Management Plan is attached  
17 hereto as Exhibit A.

18 This *Order* is effective July 3, 2023.

19  
20  
21 DATED this 9<sup>th</sup> day of June 2023.

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23   
24 SCOTT E. PEARSON  
25 CHIEF JUSTICE OF THE PEACE  
RENO JUSTICE COURT  
DEPARTMENT 4

1 RJC CRIMINAL CASE MANAGEMENT PLAN

2 As Amended on Dec.31, 2023

3 I. In-custody defendants

4 All in-custody cases will be set for a mandatory status conference (MSC) approximately  
5 seven days from the date of the filing of the criminal complaint. The exact date will be set in a  
6 manner that best ensures the assigned attorneys can appear on the case. However, the first MSC  
7 may not be set out longer than twelve days from the filing of the criminal complaint.

8 All defendants will be transported for their MSCs. Defense counsel shall meet with their  
9 client at the MSC and convey any offer that has been made and discuss the status of the case  
10 with their client. All in-custody MSCs will then go on the record to verify counsel has met with  
11 their client, conveyed any offers, and report on the status of the case to the court.

12 Counsel may request a continuance of an MSC by a written motion or a stipulated  
13 proposed order prior to the MSC so long as the motion or stipulation contains the basis or good  
14 cause for the continuance. Defense counsel shall include in their pleading the status including if  
15 they have met with their client and conveyed any offer that has been made and if they discussed  
16 the status of the case with their client since the last court date. Court Administration will not  
17 continue a scheduled MSC unless and until the parties' request for a continuance is approved by  
18 the Court.

19 Each continuance must be set on the next department specific MSC date. No continuance  
20 will be granted for more than 21 days without a finding on the record of good cause for a longer  
21 delay. Setting cases in the above manner will ensure three MSC hearings in each case for the  
22 parties to explore negotiations and ensure the statutory discovery provisions are complied with  
23 before the matter is set for a preliminary examination.

24 No MSC may occur on an in-custody case more than 60 days after the filing of the  
25 criminal complaint. Therefore, any continuance of an MSC that will put the date outside the 60-  
26 day period must instead be set for a preliminary examination or trial. All felony in-custody cases

1 must be waived, dismissed, or set for a plea or preliminary examination date that is within 90  
2 days from the filing of the first criminal complaint in the case.

3 Time for further negotiations or to produce discovery, not necessary for the limited  
4 purpose of a preliminary examination or not in possession of the prosecutor, will, generally, not  
5 be good cause for a continuance of a felony case.

6 If a defendant requests a speedy preliminary examination at their arraignment the court  
7 will set the matter for a preliminary examination date that is within 15 days of the filing of the  
8 criminal complaint unless good cause exists for a later date. If a defendant requests a speedy  
9 preliminary examination at an MSC, the court will set the matter for a preliminary examination  
10 date that is within 30 days of the date of the request unless good cause exists for a different date.

## 11 II. Out of custody defendants

12 All out-of-custody defendants will be set for an MSC within 60 days of the defendant's  
13 arraignment on the criminal complaint. After July 1, 2024, all out-of-custody defendants will be  
14 set for an MSC within 30 days of the defendant's arraignment on the criminal complaint. The  
15 exact date will be set in a manner that best ensures the assigned attorneys can appear on the case.

16 All out of custody defendants are required to appear for their MSC. Defense counsel  
17 shall meet with their client at or before the MSC and convey any offer that has been made and  
18 discuss the status of the case with their client. All MSCs will then go on the record to verify  
19 counsel has met with their client, conveyed any offers and report on the status of the case to the  
20 court.

21 Counsel may request a continuance of an MSC by a written motion or a stipulated  
22 proposed order prior to the MSC so long as the motion or stipulation contains the basis or good  
23 cause for the continuance. Defense counsel shall include in their pleading the status including if  
24 they have met with their client and conveyed any offer that has been made and if they discussed  
25 the status of the case with their client since the last court date. Court Administration will not  
26 continue a scheduled MSC unless and until the parties' request for a continuance is approved by  
the Court.

1 Each continuance must be set on the next department specific MSC date. No continuance  
2 will be granted for more than 21 days without a finding on the record of good cause for a longer  
3 delay. Setting cases in the above manner will ensure three MSC hearings in each case for the  
4 parties to explore negotiations and ensure the statutory discovery provisions are complied with  
5 before the matter is set for a preliminary examination.

6 No MSC may occur on an out of custody case more than 90 days after the filing of the  
7 criminal complaint. Therefore, any continuance of an MSC that will put the date outside the 90-  
8 day period must instead be set for a preliminary examination or trial. All felony out-of-custody  
9 cases must be waived, dismissed, or set for a plea or preliminary examination date that is within  
10 120 days from the filing of the first criminal complaint in the case.

11 Time for further negotiations or to produce discovery, not necessary for the limited  
12 purpose of a preliminary examination or not in possession of the prosecutor, will, generally, not  
13 be good cause for a continuance of a felony case.

### 14 III. MSC Scheduling

15 To make the MSC productive, MSCs in felony and gross misdemeanor cases will be  
16 scheduled pursuant to the District Court Department to which the case will be assigned as  
17 indicated in the criminal complaint. Specifically, the cases tracking to the following District  
18 Court Departments will be heard on the following days unless otherwise ordered by the Court.

19 Tuesday: Departments 3,4, and 6.

20 Wednesday: Departments 7, 8, and 15.

21 Thursday: Departments 1,9, and 10.

22 If a case is continued after the first MSC, it will be continued to a date for the specific district  
23 court department it is assigned to, when possible, to further enhance the effectiveness of  
24 the MSC. All misdemeanor cases will be set for an MSC on the assigned Justice Court  
25 Department Day when possible.  
26