

Rule 1.16

ASSIGNMENT OF MATTERS TO MAGISTRATE JUDGES

(a) Criminal Cases. All misdemeanor cases filed by indictment or information shall be assigned to a full-time Magistrate Judge who shall proceed in accordance with 18 U.S.C. §3401 and the Rule of Procedure for the Trial of Misdemeanors Before United States Magistrate Judges. Misdemeanor cases filed by indictment or information shall be assigned to a full-time Magistrate Judge by automated random selection, with the exception of cases brought before the full-time Magistrate Judges sitting in Flagstaff and in Yuma, which shall be directly assigned. All other misdemeanors, except petty offense cases processed by the Central Violations Bureau, shall be assigned to any Magistrate Judge designated by those rules to try misdemeanors. Any Magistrate Judge may act in the absence or unavailability of the assigned Magistrate Judge. In the case of a Class A misdemeanor, ~~if~~ the defendant does not waive trial, judgment, and sentencing before a District Judge of the District Court and does not consent to those proceedings before the Magistrate Judge, the case shall be promptly referred to the Clerk of Court for assignment to a District Judge and the defendant shall be directed to appear before the assigned District Judge.
