

BY Hinojosa, Ana  
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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY OF KERN

**IN RE: ROLE OF PROBATION  
OFFICERS AT MISDEMEANOR  
ARRAIGNMENTS**

MISCELLANEOUS NO.: STO-24-0012

THE COURT HEREBY FINDS AND ORDERS AS FOLLOWS:

This order is issued under the authority of California Rules of Court rule 10.603(a)(1), which authorizes the presiding judge to establish policies and allocate resources in a manner which “promotes access to justice for all members of the public, provides a forum for the fair and expeditious resolution of disputes, maximizes the use of judicial and other resources, increases efficiency in court operations, and enhances service to the public.” (Cal. Rules of Court, rule 10.603(a)(1).)

Effective September 18, 2023, the role of probation officers during misdemeanor arraignments was clarified, pursuant to the directive of Assistant Presiding Judge John Lua, as follows:

For misdemeanor arraignments going forward, the probation officer will not convey offers to defendants from the Kern


1 County District Attorney's Office unless the offer is written  
2 and referenced on the record. The probation officer will not  
3 convey court indicated offers to defendants. Court indicated  
4 offers will be made by the judicial officer presiding over the  
5 calendar. Probation officers will assist the court with offers  
6 and resolution where appropriate, which may include  
7 discussing necessary terms and conditions with defendants.

8 Probation department personnel are not to determine, convey, and/or negotiate  
9 plea offers for defendants charged with misdemeanors.

10 Pursuant to Code of Civil Procedure section 575.1, California Rules of Court,  
11 rule 10.613, and Government Code section 68070, et seq., the Court intends to  
12 prepare a proposed local rule that further adopts the September 18, 2023 directive  
13 and this standing order. The Court anticipates consideration and adoption of the local  
14 rule by July 1, 2025.

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16 THIS ORDER IS EFFECTIVE IMMEDIATELY.

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18 Dated: December 5, 2024.

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22 J. Eric Bradshaw, Presiding Judge  
23 Kern County Superior Court  
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