

Peremptory Challenge Checklist

1. Has the challenging party previously filed a peremptory challenge?

- If answer is YES the challenge is improper and must be denied pursuant to 48.1 (1), otherwise go to #2.

2. Was the challenge filed within 10 days (13 days if notice was mailed) after the party was notified of the hearing date?

- If answer is NO the challenge is untimely pursuant to Rule 48.1 (3)(a), otherwise go to #3.

3. Was the challenge filed more than three days prior to the date that a contested pretrial matter has been set?

- If the answer is NO the challenge is untimely pursuant to Rule 48.1 (3)(b), otherwise go to #4.

4. Has the judge being challenged already made any ruling on a contested matter, or already commenced a hearing on a contested matter?

- If the answer is YES the challenge is improper pursuant to Rule 48.1 (5), otherwise go to #5.

5. Has the party challenging the judge previously filed an affidavit of bias or prejudice without specifying the facts upon which the disqualification was sought that resulted in a reassignment of the case?

- If the answer is YES the party has waived their right to file a peremptory challenge pursuant to Rule 48.1 (7), otherwise go to #6.

6. The peremptory challenge is proper under Rule 48.1.