

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
2 COUNTY OF ORANGE  
3 LAMOREAUX JUSTICE CENTER  
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5 }  
6 \_\_\_\_\_ }  
7 Petitioner, }

8 v. }

9 }  
10 \_\_\_\_\_ }  
11 Respondent. }

Case Number: \_\_\_\_\_

**INITIAL STANDING ORDER FOR  
ALL CASES ASSIGNED TO  
JUDGE ANTHONY J. FERRENTINO**

Dept. L68

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13 This case has been assigned to the calendar of Judge Ferrentino. Whenever a new or existing case  
14 is assigned to Judge Anthony J. Ferrentino, the Court issues this Initial Standing Order (“ISO”). This  
15 Order sets out the Judge’s rules and expectations that all parties<sup>1</sup> must follow. In addition to this ISO,  
16 parties are required to follow the California Code of Civil Procedure, California Rules of Court  
17 (“CRC”), and the Local Rules of Orange County Superior Court (“OCLR”).<sup>2</sup>

18 The Court hereby ORDERS as follows:

19 **I. CIVILITY AND PROFESSIONALISM**

20 The Court expects parties to be familiar with and follow the California Guidelines of Civility and  
21 Professionalism, *available at:* [http://www.calbar.ca.gov/Attorneys/Conduct-](http://www.calbar.ca.gov/Attorneys/Conduct-Discipline/Ethics/Attorney-Civility-and-Professionalism)  
22 [Discipline/Ethics/Attorney-Civility-and-Professionalism](http://www.calbar.ca.gov/Attorneys/Conduct-Discipline/Ethics/Attorney-Civility-and-Professionalism), as well as the Orange County Bar  
23 Association’s Civility Guidelines. Uncivil or unprofessional behavior will not be tolerated and may  
24 be met with sanctions. The Court expects parties to resolve all disputes regarding scheduling or time  
25 extensions without the necessity of Court involvement.  
26

27 <sup>1</sup> As used herein, the term “parties” includes individual parties and their respective counsel, if any.

28 <sup>2</sup> For your convenience, the most recent version of the CRC and the OCLR are available on the Court’s website at <http://www.occourts.org/directory/local-rules/>.

1       **II.     CONTINUANCES AND EXTENSIONS OF DEADLINES**

2       This Court has a *strong interest* in adhering to scheduled dates. Changes in dates are generally  
3 disfavored absent a showing of good cause. Accordingly, the Court will address continuances  
4 pursuant to these guidelines:

- 5       • Request for Order (“RFO”) and Trial Setting Conference (“TSC”): only one continuance  
6 will be freely granted. Telephonic continuances may be requested at any time prior to, but  
7 no later than, *the day before the hearing at 12:00 PM*. Telephonic continuances will be  
8 granted only if both parties agree to the continuance, as confirmed either by (1) being on  
9 the phone together or (2) making separate calls to the Courtroom Clerk. After one  
10 continuance, telephonic or not, appearances by both sides will be required to request any  
11 further continuances unless otherwise instructed by the court. The court has the discretion  
12 to re-set any matter as a status conference only with the request for a continuance.
- 13       • Trial, Mandatory Settlement Conference (“MSC”), Pretrial Conference (“PTC”) and  
14 Specially Set Matters: these dates set by the Court are *firm* and will rarely be changed.  
15 Any request, whether by stipulation or motion, to continue these matters must be filed  
16 directly in the Department and must be supported by a sufficiently detailed explanation of  
17 the grounds for the requested continuance or extension of time. The Court will only  
18 continue these matters upon a showing of good cause. If the parties are not prepared to go  
19 forward, then the Court reserves the option to vacate all pending dates.
- 20       • Domestic Violence Matters: continuances will not be granted telephonically.

21       Note: Stipulations extending scheduling dates do not become effective *unless and until this*  
22 *Court so orders.*

23       **III.    MEET AND CONFER**

24       Pursuant to CRC 5.98, all parties and all attorneys are required to meet and confer to resolve as  
25 many issues as possible prior to the RFO hearing. This meeting shall be conducted in person,  
26 telephonically or through a videoconferencing platform. This meet and confer shall include  
27 discussing “financial issues” as referenced below, which shall encompass agreeing and/or narrowing  
28 areas of disagreement as to the various inputs relevant to any required DissoMaster™  
calculations/submittals. The parties shall likewise exchange all documentary evidence (other than  
rebuttal or impeachment documents) that will be relied upon to prove a material fact. The Court may  
decline to consider documents that were not exchanged before the hearing. This requirement does

1 not apply to cases involving domestic violence in which an active restraining order exists and the  
2 protected party is self-represented. *Under no circumstances may a restrained party communicate*  
3 *directly with a protected party under the guise of complying with any meet and confer requirement.*

4  
5 **IV. WITNESSES**

6 Pursuant to FC § 217 and CRC 5.113(e), any party who wishes to call a witness other than a party  
7 to testify at an RFO hearing shall, upon filing the RFO or any responsive papers, also file and serve a  
8 witness list with the names of all anticipated witnesses and a brief description of each witness'  
9 anticipated testimony. California Judicial Council Form FL-321 may be used for this purpose (and  
10 can be found at <http://www.courts.ca.gov/documents/fl321.pdf>).

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12 **V. EXHIBITS**

13 All exhibits—*whether for hearing or trial*—must be pre-tagged prior to hearing/trial. The exhibit  
14 tags are available on the Court's website at: <http://www.occourts.org/forms/local/l529.pdf>. Staple the  
15 exhibit tag to the *top right* corner of each exhibit, or, if the exhibit is a photograph, tape the exhibit  
16 tag to the back. An Exhibit List must be filed which has a corresponding description for each exhibit.

17 Petitioner's exhibits will be marked as 1, 2, 3, etc. (numerical). Respondent's exhibits will be  
18 marked as A, B, C, etc. (alphabetical).<sup>3</sup> To the extent the proffered exhibit comprises multiple pages,  
19 each page of the exhibit *must be marked sequentially*. For example, in reference to Petitioner's  
20 Exhibit 1, it *must be paginated* as 1-1 on the first page, 1-2 on the second page, and so on. During  
21 trial/hearing, exhibits may be marked and received out of order.

22 If there are *more than ten* exhibits, in addition to being pre-tagged, they must be placed in a 3-  
23 ring binder with tabbed dividers. Each tab should bear the corresponding exhibit number/letter.

24 Ten court day prior to any hearing/trial, the parties shall serve all exhibits on the opposing party  
25 and deliver two copies directly to department L68. Additionally, all witnesses who are called at any  
26 remote hearing/trial must also have a hard copy during their testimony.

27 \_\_\_\_\_  
28 <sup>3</sup> If more than 26 exhibits are anticipated, Respondent may continue as follows: Respondent's  
Exhibit AA, BB, CC, etc.

1       **VI.    OBJECTIONS AT HEARINGS/TRIALS**

2       Speaking objections *are not permitted*. Proper objections should be made as follows:

- 3           1. State the word “Objection”;
- 4           2. State the legally recognized basis for the objection; and
- 5           3. Remain silent and await the Court’s ruling on the objection.

6       The Court’s ruling on an objection is not a request for further comment by counsel. If the Court

7       requires additional input on an objection, then the Court will request additional input. Following an

8       objection, parties may request to be heard, and the Court may grant or deny that request.

9       **VII.   MEDIATION**

10       If child custody or visitation is at issue and the parties have not attended mediation with Family

11       Court Services within the past 120 days, the parties are ordered to attend mediation prior to their

12       hearing date. Pursuant to OCLR 703(c)(1), the Court may impose a \$100 sanction on the parties for

13       failure to appear at mediation or for failure to cancel the appointment upon reaching an agreement.

14       **VIII.   FINANCIAL ISSUES**

15       In any trial or hearing where financial matters are at issue (i.e., child support, spousal support,

16       attorney’s fees, payment of debts, or calculation/payment of arrearages), both parties must comply

17       with OCLR 702. In sum, the parties must file and serve current income and expense declarations

18       with “current” defined as being completed within the last three months provided that no facts have

19       changed. *See* CRC 5.260(a)(3) (support) and 5.427(d) (attorney’s fees). The following supporting

20       documents must be exchanged between the parties and filed with the court ten court days prior to the

21       hearing:

- 22           • The three most recent pay records showing year-to-date wages, salaries, overtime,
- 23           commissions, bonuses, and withholdings;
- 24           • Records showing rents, trust income, workers’ compensation benefits, unemployment
- 25           insurance benefits, disability benefits, social security benefits;
- 26           • The most recent W-2, 1099, and K-1 forms;
- 27
- 28

- 1 • A copy of signed and filed state and federal income tax returns with schedules for the two most recent years;
- 2 • If self-employed, profit and loss statement and balance sheets for the last two years.

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4 All confidential information can be redacted. Failure to comply with this requirement may result in  
5 the Court drawing an adverse inference against the non-complying party.

6 In addition, if child support or temporary spousal support is at issue, both parties shall provide  
7 the Court with competing (or joint where the parties agree) DissoMaster™ calculations (based upon  
8 the most recent financial information) supporting their respective positions on the amount of support  
9 sought. In those instances where support is not at issue but attorney's fees (or other similar relief) are  
10 sought, which in turn requires a consideration of a party's financial capacity or needs, the parties  
11 shall nonetheless provide DissoMaster™ calculations to demonstrate the parties' respective  
12 disposable net incomes after accounting for support obligations and/or tax consequences. Where  
13 retroactivity is sought, and income amounts vary during the retroactivity period in question, separate  
14 DissoMaster™ calculations shall be provided for each such timeframe. Again, all of these  
15 documents need to be filed with the court at least ten court days prior to the hearing.

16 For any matters for modification or termination of spousal support post judgment, the parties  
17 must file a single joint document delineating the F.C. 4320 factors as detailed in section X(c)(5) of  
18 these orders. Additionally, the parties must identify the controlling orders for spousal support by date  
19 and amount owed from time of judgment. Lastly, the parties must provide the yearly income for the  
20 parties at the time of judgment and each time spousal support was modified thereafter. If the parties  
21 disagree as to these amounts, then each party will provide their position on these issues. Again, this  
22 is one document filed with the court with input from both parties. This document needs to be filed  
23 with the court at least ten court days prior to any hearing.

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**IX. PROPOSED ORDERS**

Unless the Court orders otherwise or the parties stipulate to the contrary, the moving party (the party who filed the RFO) shall prepare the proposed order after hearing. The parties shall comply with CRC 5.125 in preparing and submitting the proposed order (and any objections or alternate proposed order). Alternatively, the Court may permit the parties to “waive notice,” in which case the Court’s unsigned minute order will serve as the order of the Court.

**X. GETTING TO TRIAL**

Trials must be requested by filing an “At Issue Memorandum for Trial Setting” (Orange County Form L-0031). See OCLR 709. The parties must have complied with Family Code § 2104 requiring exchange of Preliminary Declarations of Disclosure (“PDDs”) prior to filing the “At Issue Memorandum.” Once the “At Issue Memorandum” is filed, a Trial Setting Conference (“TSC”) will be set automatically. As set forth below, the TSC will set in motion a series of events designed to bring the case, in whole or in part, to a resolution by way of agreement or trial.

**a. Trial Setting Conference (“TSC”)**

At the TSC, the Court will confirm that the parties have exchanged their PDDs, as required above, and the Court will assess whether the parties are reasonably ready for trial. If the PDDs have been exchanged and the parties are reasonably ready for trial, then the Court will set a date for a Mandatory Settlement Conference. No other dates will be set.

**b. Mandatory Settlement Conference (“MSC”)**

The Court expects full and complete compliance with OCLR 707. Moreover, the parties shall check in with the Court before leaving for the day. If the MSC cannot occur at the courthouse due to court closure, then it must occur in person, telephonically or through a videoconferencing platform prior on the MSC date. *Under no circumstances may a restrained party communicate directly with a protected party under the guise of complying with any MSC requirements.*

1                    **c. Pretrial Conference (“PTC”)**

2 All pretrial motions must be filed and served *prior to the PTC* as follows:

- 3            1. Moving papers at least twenty-one (21) court days prior to the PTC;  
4            2. Opposition papers at least nine (9) court days prior to the PTC; and  
5            3. Reply papers at least five (5) court days prior to the PTC.

6            *Note:* All time extensions set forth in Code of Civil Procedure § 1005(b) for parties outside the  
7 State of California or outside the United States are applicable.

8            No later than ten (10) court days before the PTC, the parties *must file and serve* on all other  
9 parties, the following:

- 10            1. *Joint* Statement of Issues to be Tried, including:  
11                a. Identification of issues resolved between the parties with specificity; and  
12                b. Identification of each issue left unresolved to be determined and ruled upon at trial  
13                    or hearing with *detailed* legal and factual specificity in support of each party’s  
14                    position.  
15            2. Witness List, including:  
16                a. time estimate for direct examination; and  
17                b. brief description of anticipated testimony.  
18            3. Expert Reports<sup>4</sup>  
19            4. If property is at issue, the parties are to prepare a *jointly* executed SCHEDULE OF  
20            PROPERTY “FREDMAN FORM” (FL001 – San Luis Obispo). The Courtroom Clerk  
21            will provide you with a copy upon request, if necessary.  
22            5. If spousal support is at issue, the parties shall file a **Joint Statement of Family Code §**  
23            **4320 Factors**. Each factor (subdivisions (a) through (n) of § 4320) shall be listed in a  
24            separate row, and the chart shall have the following three columns:  
25                a. Section 4320 Factor  
26                b. Petitioner’s Position  
27                c. Respondent’s Position  
28                To the extent the parties agree to the findings on any of the factors, those findings  
                 shall be included in the Petitioner’s Position column, and Respondent’s Position  
                 column shall merely say “Stipulated.”  
                 6. Trial Brief, setting forth the arguments and legal authority supporting the parties’ position  
                 on each of the issues identified for trial in the “Joint Statement of Issues to be Tried.”  
                 Trial Briefs shall not exceed twenty-five (25) pages absent leave of Court to file a Trial  
                 Brief in excess thereof.  
                 7. *Current* Income and Expense Declarations<sup>5</sup>  
                 8. *Proposed* DissoMaster™ calculation for child support, if at issue

26 <sup>4</sup> If experts are involved, then parties *must* file a stipulation as to undisputed and disputed issues.

27 <sup>5</sup> The Court **will not** consider an Income & Expense Declaration that has blanks or is not supported  
28 by all of the required documentation as set forth in Judicial Council Form FL-150, including tax  
returns and pay stubs, as appropriate.

1 Prior to the PTC, the parties must:

- 2 1. Exchange all trial exhibits
- 3 2. If the parties have not filed a "Stipulation and Waiver of Final Declaration of Disclosure"  
4 (Judicial Council Form FL-144), then the Court will confirm that Final Declarations of  
5 Disclosure ("FDDs") have been exchanged prior to the PTC and that a Declaration  
6 Regarding Service has been filed. Failure to timely exchange FDDs and file the required  
7 Declaration Regarding Service may result in the PTC being taken off-calendar.
- 8 3. Meet and confer regarding stipulations to exhibits
- 9 4. Provide time commitments for trial, including opening statements, all examinations, and  
10 closing arguments

11 **d. Trial**

12 The dates set for trial are firm. Continuances will be granted only upon an affirmative showing of  
13 good cause requiring a continuance. *See* CRC 3.1332. Motions in Limine must be served on the  
14 opposing party and filed with the court no later than sixteen (16) court days before the trial date.  
15 Reply briefs regarding such motions are not permitted.

16 Trials set for the same day will be prioritized by issue, age of case, state of readiness, and time  
17 commitment. Trials not completed on the date set for trial shall continue day-to-day until completed.  
18 The parties, including counsel, are ordered back each day to Dept. L68 at 8:45 a.m. for trial, and the  
19 Court will hear the matter in any available time it may have each day until the matter has been  
20 completed.

21 **XI. OTHER ISSUES**

22 **a. Court Reporter Fees**

23 Prior to the start of any trial or hearing with a time estimate of one (1) hour or more, the parties  
24 must report to the Clerk's Office to pay their fees. *See* OCLR 709(D).

25 **b. Communication with the Court**

26 All appropriate inquiries should be directed to Judge Ferrentino's Courtroom Clerk at (657) 622-  
27 5568. Counsel should not attempt to contact chambers directly. Counsel should list their email  
28 addresses and phone numbers on their papers to facilitate communication by the Courtroom Clerk.  
For assistance with determining the status of a proposed Stipulation and Order, proposed Order  
and/or proposed Judgment that has been submitted to the Court for signature, you may contact the  
courtroom by phone between the hours of 3:00 PM and 4:00 PM.



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**c. Notice of this Order**

Petitioner’s counsel or Petitioner (if appearing on his or her own behalf) shall immediately serve this Order on all parties, including any new parties to the action.

*Failure to comply with any part of this Order may subject the litigant in non-compliance to sanctions pursuant to Code of Civil Procedure § 177.5.*

**IT IS SO ORDERED:**

DATED: 12-29-21



\_\_\_\_\_  
Judge Anthony J. Ferrentino  
Superior Court of California, Orange County