

The Rutter Group California Practice Guide: Civil Trials and Evidence

What's New or Updated 2025

For the 2025 Edition of *Civil Trials & Evidence*, the authors have added new material and/or updated existing material based on new case law and statutory developments, including, but not limited to, the following subjects

- Waiver of jury trial and enforcement of forum selection clauses
- Motions in limine, including motions to prevent evidence on defenses and the effect of granting a motion in limine that is tantamount to nonsuit
- Peremptory challenges, including pretextual challenges and CCP §231.7 objections to peremptory challenges
- Court's inquiry into allegations of juror misconduct
- Expert witness qualifications and examinations
- Attorney-client and psychotherapist-patient privileges
- Court's Ev.C. §352 analysis
- Improper jury instructions, including refusing jury instructions and conflicting jury instructions
- Challenging juror misconduct involving juror writings, failure to deliberate, juror dishonesty or bias
- Statements of decision, including appellate review, effect of failure to object in the trial court and findings inconsistent with independent judgment review of agency decisions
- Attorney fees as costs involving Labor Code Private Attorneys General Act, "private attorney general" fee awards, "prevailing party" for statutory fee awards, court discretion re the amount awarded, Civ.C. §1717 fee recovery and postjudgment fees

Please refer to the "Update highlights and filing (PDF)" for a more comprehensive summary of the most significant developments in this edition.