

Younger ON CALIFORNIA MOTIONS

2026 Edition
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By
Judge Eric E. Younger (Ret.)
with
Donald E. Bradley

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Preface to 2026 Edition

The 2026 edition brings California solidly into the decade of the 2020s. Most readers have likely seen stories about lawyers getting in trouble with judges for submitting briefs generated by artificial intelligence, which cite to non-existent authorities. California saw its first published opinion addressing such a circumstance, which we note in Chapter 2 (Documents) and, of course, Chapter 3 on Sanctions. Sanctions also generated California Supreme Court activity in its finding that trial courts have general discretion to impose discovery sanctions even in the absence of a specific statutory authorization pertaining to a specific discovery device.

As usual, arbitration petitions saw significant activity at the state and federal level, most often regarding unconscionability and preemption. At the state court level, at least two published opinions added to the body of authority determining what level of litigation conduct will be deemed a waiver of the right to arbitrate.

Finally, the California legislature's enactment of the statutory increase in the limited civil jurisdiction cap from \$25,000 to \$35,000 generated a significant update to Chapter 21 on Motions to Reclassify.

About the Authors

Judge Eric E. Younger, a former Los Angeles County Superior Court Judge and the founding author of this book, was on the bench for more than 20 years. He was appointed to the Los Angeles Municipal Court in 1974, and was elected to the Superior Court in 1980. He served in every part of the trial court system, and on assignments on the Court of Appeal. He was one of the original 25 “fast-track” judges in Los Angeles. Judge Younger retired in 1995, and as a private judge, focused on bad faith, sexual harassment and wrongful termination, entertainment, construction defects, malpractice and general business matters.

Donald E. Bradley is a partner with the Orange County office of Musick, Peeler & Garrett LLP. Mr. Bradley’s practice includes extensive law and motion work, as well as trial, appellate, and ADR proceedings in the construction, consumer credit/privacy, environmental, antitrust, product liability, insurance coverage, and general commercial litigation fields. He is a third-generation California native, and received his undergraduate degree in English from California State University at Fullerton in 1986 and his law degree from the University of California at Davis in 1989. Mr. Bradley has chaired the Legal Advisory Committee of the Associated General Contractors of California and also is a member and former chair of its Orange County Board of Directors. Mr. Bradley has lectured on litigation issues throughout California, and has spoken on American law in Frankfurt and Cologne, Germany. He and his wife, live in Orange, with their dog, horse, and 12 chicken’s.

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