

The Rutter Group Practice Guide: Federal Civil Trials and Evidence

"What's New or Updated" 2025

The 2025 Edition of *Federal Civil Trials and Evidence* is an up-to-date guide on federal civil trial practice and procedure covering the full gambit of the trial process, from pretrial preparation through post-trial motions. For this edition, the authors have added new material and/or updated existing material based on relevant case and statutory law developments, including, but not limited to, the following subjects:

- Detailed analysis of new Federal Rule of Evidence 107 (use of illustrative aids at trial) and related amended Federal Rule of Evidence 1006 (admissibility of voluminous materials)
- Financial interest in a party as a basis for judge disqualification
- Court's power to deny continuance and dismiss case at pretrial conference stage
- Improper conduct during opening and closing statements
- Appellate review of juror misconduct
- Evidentiary relevance in discrimination and harassment cases and issues of limited admissibility
- Authentication of documentary evidence
- Judicial notice of filed lawsuits
- Latest cases on admissibility of character and habit evidence
- Limits on lay opinion testimony in property value cases
- Foundational requirements for expert opinion testimony
- Latest cases and amendments to the Federal Rules of Evidence on hearsay exceptions, including discussion of Supreme Court decision in *Smith v. Arizona* regarding inadmissible hearsay testimony of substitute expert witnesses in violation of the Confrontation Clause
- Latest cases on privileges and other evidentiary exclusions
- Discussion of new procedural requirements for impeachment by witness's prior inconsistent statement under amended Federal Rule of Evidence 613(b)
- Limits on Article III functions of magistrate judges in nonjury trials
- Requirements and limits on calculating attorney fees and awarding attorney fees in trademark actions
- Scope of due diligence requirement for post-trial relief from judgment

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