

The Rutter Group Practice Guide: Federal Civil Trials and Evidence

"What's New or Updated" 2026

The 2026 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:

- The court's power under FRCP 16(c)(2)(A) to sua sponte merge claims to simplify the issues at the final pretrial conference
- Improper conduct during opening statement (e.g. mentioning matters previously ruled inadmissible by the court)
- Juror misconduct (e.g., undisclosed conflicts of interest) as grounds for reversal on appeal
- Latest cases discussing lay vs. expert testimony
- Evidentiary relevance in condemnation and workplace discrimination cases
- Authentication of real evidence
- Self-authenticating documents
- Latest cases on best evidence rule and exceptions thereto
- Limits on admissibility of demonstrative evidence
- Latest cases on FRE 404(b) and admissibility of "other acts" evidence
- Latest cases on FRE 412 and admissibility of evidence of victim's sexual behavior
- Foundational requirements for expert opinions
- Application of the crime-fraud exception to the attorney-client privilege
- Latest cases on attorney fee/costs awards
- Latest cases on post-trial motions based on FRCP 50(a), 59(e), 60(a) and 60(b)

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