LPI
LEGAL PROFESSIONAL'S HANDBOOK
2026 UPDATE

This 2026 softbound Update completely replaces the 2025 Update.

The Litigation Chart, Checklist and Timetable have been given significant importance. They provide a guide to help manage litigation proceedings effectively and efficiently. The chapter's content is designed to assist in keeping track of important dates, deadlines, and documents, ensuring a well-organized and successful litigation process.

The forms in this Publication are not only filled out **AS AN EXAMPLE ONLY** and display a watermark with the word **SAMPLE** across the form, but we have added the Judicial Council or other appropriate form number.

The information enclosed in brackets shown on some of the forms is for instructional purposes (and/or as optional allegations) and should not be typed on the pleadings presented for filing with the clerk of the court. No attempt has been made *to* reconcile one document to another bearing the same name as these vary from file to file and in actual practice must incorporate facts from the file in question. Follow your supervising attorney's preference on direction how to fill out any form.

The Judicial Council forms used as examples are frequently revised and new forms approved; caution should be exercised to use the most current form available. The use of Judicial Council forms are mandatory Local court rules must be closely followed as to Attorney's Name, Address, Office/ Fax Number, State Bar Number, and email address on all forms.

Refer to our "Disclaimer" contained in this publication regarding all forms.

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HIGHLIGHTS

CHAPTER 1

CALIFORNIA COURT SYSTEM

We have streamlined your search to state, county, and governmental websites by removing “www” or “https://” throughout this publication to access the appropriate websites. However, we have found in some instances, “www” or “https://” is still required to access certain websites.

CHAPTER 2

STATUTES ON LIMITATION/JURISDICTION

This chapter has been edited for clarity and updated as applicable. All codes and rules have also been checked for accuracy.

CHAPTER 3

ATTACHMENT/OTHER PROVISIONAL REMEDIES

If the Summons and Complaint have not previously been served on the defendant, the instructions to the levying officer shall instruct the levying officer to make the service at the same time the levying officer serves the defendant with a copy of the Writ of Attachment. (Code Civ. Proc., §488.020(c).)

CHAPTER 4

COMMENCEMENT OF CIVIL ACTIONS

The Service of Process Accountability, Reform and Equity (SPARE) Act, AB 747 was approved on October 10, 2025, amends service of process to include reasonable diligence to mean including a photograph of the service or service attempt. This bill would define reasonable diligence, for purposes of service of process in specified civil cases, to mean attempting personal delivery of the summons and complaint, in good faith, on at least three occasions on three different days at three different times. Also, this bill would make these requirements operative on January 1, 2027.

CHAPTER 5

DISCOVERY IN CIVIL ACTIONS

Pursuant to Code of Civil Procedure section 2016.090, initial disclosures must be made if a written demand is made. The demand may be made by any party to the action. Initial disclosures shall include witness names and contact details, documents that may be used to support a party’s claims or defenses, and any contractual agreement or insurance policy. The responding party must respond within 60 days of a demand made by any party to the action.

CHAPTER 6

PRETRIAL AND JUDGMENT IN CIVIL ACTIONS

A default will not be entered unless a statement of damages is served on the defendant 30 days before requesting the default. In addition, California Rule of Court, rule 3.110(g), requires that a request for entry of default be entered within 10 days after the time for service has elapsed. Furthermore, California Rules of Court, rule 3.110(h) requires that a party who has requested entry of default must obtain a default judgment against the defaulting party within 45 days after entry of default, unless the court has granted an extension of time.

CHAPTER 7

POSTJUDGMENT PROCEEDINGS

If the moving party fails to serve and file the prescribed memorandum, the court may deny the motion without a hearing on the merits. (Cal. Rules of Court, rule 3.1600.)

CHAPTER 8

CIVIL APPEALS AND WRITS

A notice of appeal may be combined with the notice of the designation of the record. (Rule 8.831.) Refer to paragraph 806.2 for detailed explanation of preparing the designation of the record. The inclusion of a fax number or email address on any document does not constitute consent to service by fax or email unless otherwise provided by law.

CHAPTER 9

ADR

Local court rules may establish a process whereby arbitrators are assigned to arbitrate cases. (Cal. Rules of Court, rules 3.815(b), (c).)

CHAPTER 10

FORECLOSURES

An electronic message (instant message, text message, etc.) is insufficient to constitute a contract to convey real property, in the absence of written confirmation as required in paragraph (B), paragraph (3), (b) of Civil Code section 1624. (Civ. Code, §1624(d).)

CHAPTER 11

UNLAWFUL DETAINER

Key changes in landlord-tenant laws include mandatory electronic security deposit returns, enhanced protections for immigrant families, and new procedural requirements for commercial evictions.

CHAPTER 12

FEDERAL CIVIL PROCEDURE & APPEALS

If the opening brief in a civil case is not filed and no mention of an extension of time has been submitted, the clerk may dismiss the appeal for lack of prosecution without prior warning. (9th Cir. R. 31-2.3, 42-1.)

CHAPTER 13

BANKRUPTCY

Individuals must complete a credit counseling briefing from an approved nonprofit agency within 180 days before filing, unless the court or U.S. trustee determines that adequate services are unavailable.

CHAPTER 14

FAMILY LAW

Joint Petitions: Expanded options let eligible couples file joint dissolution petitions to bypass adversarial hurdles and start amicable separations out-of-court.

CHAPTER 15

ADOPTIONS

This chapter has been edited for clarity and updated as applicable and contains the latest forms. All codes and rules have also been checked for accuracy. Each form has been meticulously completed to serve as a clear example. Please note that the checked boxes and entered data are intended solely for informational purposes, providing you with a reliable reference.

CHAPTER 16

CRIMINAL LAW AND PROCEDURE

If a person who has been arrested is delivered or referred to a public health or social service organization that provides services such as housing, medical care, substance use treatment, mental health counseling, employment training, or education, and the organization agrees to accept the individual, the arresting officer may release the person without a warrant instead of taking them before a magistrate when no further proceedings are deemed necessary. (Pen. Code, §849(b).)

CHAPTER 17

PROBATE PROCEEDINGS

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CHAPTER 18

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The CEQA Guidelines, authorized by Public Resources Code section 21083 are found in California Code of Regulations, Title 14, Section 15000 et seq., and are the official administrative interpretation of CEQA. To order the California Environmental Quality Act 2026 CEQA Statute & Guidelines Handbook from the California Association of Environmental Professionals' it can be purchased from the following website: *califaep.org/statute_and_guidelines.php*. For a free version of the 2026 CEQA Statute & Guidelines Handbook, it can be downloaded at *califaep.org/docs/CEQA_Handbook_2026_final.pdf*.

CHAPTER 19

CALIFORNIA COMMERCIAL CODE

UCC forms are no longer available on the Secretary of State's website. UCC filings must now be submitted through the Secretary of State's online filing system bizfile California portal (*bizfileonline.sos.ca.gov*). For filings submitted by mail, select **"Print and Mail"** after completing the form in the bizfile California portal. This option generates a pre-populated PDF containing all of your filing information, which you can print and mail with your submission.

CHAPTER 20

CORPORATIONS

All statutes and rules were checked, additional statutory citations added, and information regarding Secretary of State filing protocols updated. Where revised forms were available, they have been produced. For those forms that are no longer able to be downloaded, the samples contain a disclaimer indicating that the Secretary of State now requires access to the forms to occur via the business filing portal only.

CHAPTER 21

PARTNERSHIPS & LIMITED LIABILITY COMPANIES

The California Secretary of State has transitioned business filings to the online bizfile California Portal, requiring complete, labor-judgment-compliant Statements of Information for LLCs. While many LLC actions and LP updates are handled online, GP and LLP amendments still require paper submissions. For detailed information, visit *sos.ca.gov/business-programs/business-entities*.

CHAPTER 22

INTELLECTUAL PROPERTY LAW

Applications to register a Trademark or Service Mark with the California Secretary of State may be submitted online through the Secretary of State's bizfile California portal, in person at the Sacramento office, or by mail.

CHAPTER 23

REAL ESTATE

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