

The Rutter Group California Practice Guide: Personal Injury

What's New or Updated 2026

For the 2026 Edition of ***Personal Injury***, 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:

- New California Supreme Court opinion on validity of CCP §998 offer presenting two alternative, independent terms for offeree to choose from
- Settlement with MICRA party and nonsettling MICRA defendant's entitlement to reduction of capped noneconomic damages based on percentage of fault
- MICRA application to injuries caused by paramedic's professional negligence versus negligent ambulance driving
- Federal preemption of state law wrongful death claims related to motor carrier's transportation of property
- New cases on strict liability for defective products, including establishing prima facie case for risk-benefit test, limitation of consumer expectation test for minor's misuse of vehicle, and FIFRA preemption of state pesticide labeling claims
- New cases on hirer's liability for acts of independent contractor, including failure to warn of hazardous condition and negligent exercise of retained control
- Evidence of prior accidents to establish public entity had notice of dangerous condition
- School district immunity for off-premises injuries to students
- Revival of certain claims against entities engaged in cover-up of sexual assault of adult
- Uninsured/underinsured motorist coverage requirements for transportation network companies
- New rules for court-ordered mediation where certain conditions are met, effective 1/1/27
- New rules for statements of decision in nonjury trials and entry of judgment, effective 1/1/27

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