

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

**STANDING ORDER ON DISCLOSURE AND CERTIFICATION REQUIREMENTS
FOR USE OF GENERATIVE ARTIFICIAL INTELLIGENCE**

Recently, the court has seen an increasing number of filings that rely on generative artificial intelligence for drafting, citations, and legal authority. While generative artificial intelligence can be a helpful tool in the legal landscape, especially for *pro se* litigants who often lack the resources to effectively prosecute and/or defend their interests, these tools can—and often times do—produce fake legal authority. As this court and others in the district have observed, “Many harms flow from the submission of fake opinions.” *Gauthier v. Goodyear Tire & Rubber Co.*, No. 1:23-cv-281, 2024 WL 4882651, at *3 (E.D. Tex. Nov. 25, 2024) (citing *Mata v. Avianca, Inc.*, 678 F. Supp. 3d 443, 448 (S.D.N.Y. 2023)). These harms include:

The opposing party wastes time and money in exposing the deception. The Court’s time is taken from other important endeavors. The client may be deprived of arguments based on authentic judicial precedents. There is potential harm to the reputation of judges and courts whose names are falsely invoked as authors of the bogus opinions and to the reputation of a party attributed with fictional conduct. It promotes cynicism about the legal profession and the American judicial system. And a future litigant may be tempted to defy a judicial ruling by disingenuously claiming doubt about its authenticity.

Mata, 678 F. Supp. 3d at 448–49.

Because of these risks, the Eastern District of Texas’s local rules explicitly caution attorneys and *pro se* litigants that generative artificial intelligence (“AI”) tools may produce factual and legal inaccuracies.¹ *See also* L.R. CV-11(g) (imposing similar AI standards on filings by *pro*

¹ Local Rule AT-3(m) provides: “If the lawyer, in the exercise of his or her professional legal judgment, believes that the client is best served by the use of technology (e.g., ChatGPT, Google Bard, Bing AI Chat, or generative artificial intelligence services), then the lawyer is cautioned that certain technologies may produce factually or legally inaccurate content and should never replace the lawyer’s most important asset—the exercise of independent legal judgment. If a lawyer chooses to employ technology in representing a client, the lawyer continues to be bound by the requirements of Federal Rule of Civil Procedure 11, Local Rule AT-3, and all other applicable standards of practice and must review and verify any computer-generated content to ensure that it complies with all such standards.”

se litigants). Given the recent rise of filings in this court that have improperly utilized generative artificial intelligence, the court now finds it necessary to impose additional requirements on attorneys and *pro se* litigants when they file documents with the court that have been assisted by generative artificial intelligence.

It is hereby **ORDERED** that the following procedures shall be followed when an attorney or *pro se* litigant submits a filing to this court:

1. Certification Requirement

Consistent with Federal Rule of Civil Procedure 11(b), and the certifications required thereunder, any party, whether appearing *pro se* or through counsel, must include with all filings a “**Certificate of Generative Artificial Intelligence Usage**” that discloses: (1) “generative artificial intelligence”² was used (or not used); (2) the specific tool the party used; (3) how the party used the tool in preparing the relevant document; and (4) that the party certifies they have checked the accuracy of any portion of the document drafted or assisted by the tool, including all factual and procedural background, citations, and legal authority.

The court presumes that a party who files a document that does not contain this certification certifies that no part of the document was prepared using generative artificial intelligence.

2. Responsibility

If generative artificial intelligence is utilized in the preparation of any documents filed with the court, the attorney or *pro se* litigant will be held responsible for the contents thereof under Federal Rule of Civil Procedure 11 and applicable rules of professional conduct and attorney discipline.

3. Possibility of Sanctions

If the court has good reason to suspect that a filing has relied on generative artificial intelligence in violation of this Standing Order, and the party has not reasonably dispelled of the court’s concerns, such violation may result in the imposition of appropriate sanctions under Federal Rule of Civil Procedure 11,

² “Generative artificial intelligence” means a computer tool (whether referred to as “generative artificial intelligence” or by another name) that is capable of generating new content (e.g., images, text, etc.) in response to a submitted prompt and/or query by learning from a large reference database of examples. This term also encompasses computer tools that are substantially similar to the computer tools encompassed by the above definition, but differ in some unique way.

including the possibility of dismissal of the responsible party's case, document, or pleading without prejudice for failure to comply with this standing order.

So ORDERED and SIGNED this 9th day of April, 2025.



JOHN D. LOVE
UNITED STATES MAGISTRATE JUDGE