

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY

ADMINISTRATIVE ORDER NO. 2.109 – 4/26

IN RE: DISCLOSURE OF USE OF
GENERATIVE ARTIFICIAL INTELLIGENCE
BY ATTORNEYS AND SELF-REPRESENTED LITIGANTS

The Supreme Court of Florida amended the Comments to Rules 4-1.1, 4-1.6, 4-5.1 and 4-5.3 of the Rules Regulating the Florida Bar to add a warning about the necessity to take care in using generative artificial intelligence. In re Amendments to Rules Regulating the Florida Bar – Chapter 4, 393 So. 3d 137 (Fla. 2024) (SC 2024-0032). Additionally, self-represented litigants must adhere to the same procedural rules and applicable statutes as attorneys.

Pursuant to Article V, section 2(d) of the Florida Constitution, and section 43.26, Florida Statutes, the chief judge of each judicial circuit is charged with the authority and the power to do everything necessary to promote the prompt and efficient administration of justice. Furthermore, Florida Rule of Judicial Administration 2.451 provides that the use of electronic devices in a courtroom is subject to the authority of the presiding judge or quasi-judicial officer and that the use of electronic devices in a courthouse or court facility is subject to the authority of the chief judge. Fla. R. Jud. Admin. 2.451. The Court recognizes the increasing use of artificial intelligence technology in the researching and drafting of legal documents.

NOW, THEREFORE, pursuant to the authority conferred by Florida Rule of Judicial Administration 2.215, it is **ORDERED** as follows:

1. **Applicability:**
 - a. This Administrative Order applies to attorneys and self-represented litigants appearing before the Circuit and County Courts of the Fifteenth Judicial Circuit.
 - b. Any party to a court proceeding may address a deficiency in disclosure of Artificial Intelligence (“AI”) usage or a violation of this Administrative Order by motion to the court. Additionally, the court may sua sponte address a deficiency in disclosure of AI usage or a violation of this Administrative Order.
2. **Mandatory Disclosure of Generative AI Use:**
 - a. Any attorney or self-represented litigant who uses any generative artificial intelligence tool in the preparation of a pleading, motion, memorandum, response, proposed order or other court document, must disclose such use on the face of the filing. If the use of AI creates any new content, it must be disclosed. Litigants shall exercise caution and discretion when distinguishing the type of AI used.

- b. "Generative AI" refers to a type of artificial intelligence that, based on a user prompt, creates new, original content by learning and interpreting patterns from existing data.
 - 1. Uses of generative AI that must be disclosed include but are not limited to: legal research using generative AI, drafting legal documents or portions of legal documents, translating and interpreting language using generative AI, generative AI note taking and the creation of images, audio or video.
 - 2. Some examples of generative AI programs commonly used include: Harvey AI; Lexis+AI; AI.Law; Co-Counsel by Thomson Reuters; Westlaw drafting assistant; ChatGPT by OpenAI; Google Gemini; Microsoft Copilot; Claude AI.

- c. The use of "Traditional AI" does not have to be disclosed. Traditional AI refers to a type of artificial intelligence that performs specific, pre-programmed tasks using predefined rules, logic and models to analyze data.
 - 1. Uses of traditional AI that do not have to be disclosed include but are not limited to: legal research utilizing rule-based programs to process, sort and analyze legal databases to search, classify and flag relevant information and spelling and grammar checks.
 - 2. Some examples of traditional AI programs and non AI legal research tools commonly used include: Westlaw Precision, LexisNexis, Justia, FindLaw, Cornell's Legal Information Institute, Florida Law Weekly, Spelling and Grammar Checks

3. **Required Certification:**

- a. To comply with the mandatory disclosure, the filing shall include a statement substantially in the following form

"Generative artificial intelligence (name of generative AI program used) was used in the preparation of this filing. The undersigned certifies that all factual assertions, legal authority, and citations have been independently reviewed and verified for accuracy and accepts full responsibility for the contents of this filing."

- b. This certification shall be included at the conclusion of the filing or immediately above the signature block.

- c. When generative AI has been used or assisted in the use of preparation, researching, drafting pleadings, drafting documents, filing documents, and/or discovery requests, the document shall identify the specific tool used in such manner.

4. **Duty of Candor and Responsibility**

- a. The use of generative artificial intelligence does not relieve any attorney or self-represented litigant of the duty of candor to the tribunal; the obligation to independently verify all factual assertions and legal authority; or compliance with applicable statutes, procedural rules, and the Rules Regulating the Florida Bar. All AI-generated content shall be deemed the work product of the filing party.
- b. All information generated by AI must have appropriate human oversight that includes checking citations, verifying factual claims, and analyzing conclusions. All those using AI shall guard against, including, but not limited to, potential plagiarism, confidentiality breaches, inaccurate information, false information, and the use of appropriate language.

5. **Prohibited conduct**

- a. The following conduct is prohibited: submission of fictitious, fabricated, or hallucinated legal authority, statutes, quotations, or facts; reliance on AI-generated citations without independent verification; misrepresentation of AI-generated content as independently researched authority; or failure to disclose the use of AI as required by this Administrative Order.
- b. The use of artificial intelligence for note taking and recording in a courtroom or a virtual courtroom is subject to the authority of the presiding judge or quasi-judicial officer. If a litigant intends on utilizing AI note taking and recording they shall notify the presiding judge or quasi-judicial officer prior to the start of the proceedings. The presiding judge or quasi-judicial officer may deny the request. AI notes and recordings shall not be considered an official record of the court proceeding and shall not be utilized as such in any filing to the court.

6. **Sanctions**

- a. The failure to comply with this Administrative Order may result in sanctions, including but not limited to striking the filing; denial of the requested relief; monetary sanctions; contempt proceedings; referral to The Florida Bar or other appropriate authority; and any other sanction deemed appropriate by the Court.

DONE and ORDERED in Chambers at West Palm Beach, Palm Beach County, Florida, this 10th day of April 2026.



Glenn D. Kelley, Chief Judge