

USE OF GENERATIVE AI

Federal Rule of Civil Procedure 11 imposes a duty on attorneys and pro se litigants to certify that they have conducted a reasonable inquiry and have determined that any papers filed with the court are well grounded in fact and that they have verified all cited sources for accuracy. See *Cooter & Gell v. Hartmarx Corp.*, 496 U.S. 384, 393 (1990).

Although the use of ChatGPT and other such generative artificial intelligence (“AI”) tools is not prohibited, unqualified reliance on such tools may result in filings replete with misrepresentations and fabricated case law. Failure to exercise due care in reviewing and filing work product created with the assistance of generative AI tools may violate Rule 11 and other applicable standards of practice and expose the filer to sanctions or other corrective or disciplinary action. See, e.g., *Park v. Kim*, 91 F.4th 610, 614 (2d Cir. 2024) (referring attorney who filed brief relying on non-existent cases to grievance panel).