

IN THE CIRCUIT COURT OF THE SEVENTEENTH
JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA

Administrative Order 2026-03-Gen (Amendment 2)

USE OF ARTIFICIAL INTELLIGENCE IN COURT FILINGS

- (a) 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.
- (b) Florida Rule of General Practice and Judicial Administration 2.215(b)(3) states the chief judge “ensures the efficient and proper administration of all courts within [this] circuit, considering available resources.”
- (c) The Court recognizes the increasing use of artificial intelligence technology in the researching and drafting of legal documents, including pleadings, motions, briefs, and other filings.
- (d) Artificial intelligence’s use raises important concerns including, but not limited to, confidentiality of the client, candor to the tribunal, diligence, compliance with court rules of procedure and with the Rules Regulating the Florida Bar.
- (e) Changes in the law and its practice exist including benefits and risks associated with the technology relevant to courtroom proceedings, if a person uses artificial intelligence tools or not, the understanding of its uses and challenges is essential to the preparation of any filing or presentation.
- (f) The Court recognizes the importance of consistency and uniformity in the administration of justice concerning the disclosure of generative AI use in court filings and submissions, and issues this Administrative Order in coordination with the Administrative Order No. 26-15 issued by the Eleventh Judicial Circuit.
- (g) In accordance with the authority vested in the Chief Judge by Article V, section 2(d) of the Florida Constitution, section 43.26, Florida Statutes, and Florida Rule of General Practice and Judicial Administration 2.215, it is hereby **ORDERED**:

1. AI Use or Assistance: AI may be used to assist in preparation, researching, drafting pleadings, review of pleadings, drafting documents, review of documents, filing documents, review of discovery and preparation of requests for discovery. All information generated by AI must have appropriate human oversight that includes checking citations, verifying factual claims, and analyzing conclusions. All those using

AI must guard against including, but not limited to, potential plagiarism, confidentiality breaches, inaccurate information, false information, hallucinations, and the use of inappropriate language.

2. Definition: "AI" or artificial intelligence is defined as systems that imitate human intelligence learned from vast amounts of data including interpreting and producing language, recognizing or creating images, solving problems, creating content such as text, images, or audio, synthetic media such as fake images, videos, and audio recordings which analyzes information to find pattern making decisions relying solely on precise programming that can be highly realistic and extremely difficult to detect but simple to produce as opposed to requiring human intelligence, such as learning, reasoning, problem-solving, perception, and understanding language.

3. Attorney Responsibility: An attorney may use AI technologies but only to the extent that the lawyer can reasonably guarantee compliance with the lawyer's ethical obligations. Attorneys must be fully responsible for their work product and must comply with Florida law and the Rules Regulating the Florida Bar, including Rule 4-1.1 (Competence), Rule 4-1.6 (Confidentiality), Rule 4-3.3 (Candor to Tribunal), Rule 4-5.1 (Supervision), and Rule 4-5.3 (Non-lawyer Supervision). (*See In Re: Amendments to Rules Regulating the Florida Bar – Chapter 4*, No. SC2024-0032 (Aug. 29, 2024), and *Florida Bar Ethics Opinion 24-1* (Jan. 19, 2024)).

4. Pro se Litigants Responsibility: Pro se litigants using AI must be aware of the technology's propensity to generate fictitious legal authorities and must ensure such citations do not appear in any court filing. Pro se litigants are required to follow the same procedural rules as attorneys and must be prepared to accept the consequences of any nondisclosure, procedural mistakes, inaccurate information, false facts, AI (digital) hallucinations, and/or legal error.

5. Confidentiality and Authenticity: Attorneys and pro se litigants must use their best efforts to verify the authenticity of information obtained by them using AI if there is a reasonable basis to question the authenticity of the information and have produced inaccurate information, legal error, and/or AI (digital) hallucinations. The AI tools for legal research, drafting documents, and assisting in the discovery process must be consistent with Florida law, court rules of procedure, the rules governing professional responsibilities, and the obligation to protect confidential information.

6. Mandatory Disclosure of Generative AI Use:

- a. Any attorney or pro se litigant who uses any **generative** artificial intelligence tool in the preparation of court filings, drafting pleadings, review of pleadings, drafting documents, review of documents, filing documents, review of discovery, preparation of requests for discovery, preparation of proposed orders, or any other court documents, must

disclose such use at the conclusion of the submission or immediately above the signature block.

- b. “Generative AI” refers to a type of artificial intelligence that creates **new, original content** by learning and interpreting patterns from existing data. It operates by learning from large amounts of data to recognize and interpret patterns, enabling it to imitate human intelligence in tasks such as interpreting and producing language, generating citations, creating or analyzing images, and solving problems. Generative AI can create content such as text, images, or audio, and other synthetic media. Generative AI can also fabricate images, videos, and audio recordings. 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; and Claude AI.
- c. Disclosure is not required when using AI legal research platforms solely for routine research purposes, or for retrieving authorities or cite-checking. Disclosure is also not required when generative AI tools are used solely for grammar, spelling, or clarity edits, provided the substance and content of the filing is drafted and verified by the filer.

7. Certification: Any attorney or pro se litigant submitting a filing or submission where generative artificial intelligence was used to draft or prepare such filing, must include a certification that they have personally reviewed and verified the content’s accuracy, specifically regarding factual statements, legal arguments, and case citations. All filings or submissions containing AI-generated content must disclose the use of AI in the document, pleading, and/or filing and must confirm the accuracy and reliability of the work by including the following,

The undersigned hereby certifies that generative artificial intelligence was used in the preparation of this submission. The undersigned certifies that s/he has read and verified the accuracy of every citation to the law and/or the record, and the accuracy of any language drafted by the generative artificial intelligence, including quotations, citations, paraphrased assertions, facts, and legal analysis, and accepts full responsibility for the contents of this submission.

This certification may be included at the conclusion of the submission or immediately above the signature block.

8. Prohibited Conduct: The following conduct is prohibited: submission of fictitious, fabricated, or hallucinated legal authority, statutes, quotations, or facts; reliance on AI-generated citations without personal verification; or failure to disclose the use of AI as required by this Order.

9. Sanctions: The failure to comply with this Administrative Order may result in sanctions, including but not limited to: the denial of the requested relief; contempt proceedings; striking of pleadings or dismissal of actions; monetary sanctions; referral to The Florida Bar or other appropriate authority; and any other sanction deemed appropriate by the Court, as permitted by law.

This Administrative Order vacates and supersedes Administrative Order 2026-03-Gen (Amendment 1).

DONE AND ORDERED in Chambers, Fort Lauderdale, Broward County, Florida on this 19th day of May, 2026.

/s/ Carol-Lisa Phillips
Carol-Lisa Phillips, Chief Judge