

THE ELEVENTH JUDICIAL CIRCUIT  
MIAMI-DADE COUNTY, FLORIDA

CASE NO. 26-1  
(Court Administration)

ADMINISTRATIVE ORDER  
NO. 26-15  
(Rescinding AO No. 26-04)

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

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**WHEREAS**, attorneys and self-represented litigants increasingly use artificial intelligence (“AI”) tools in the preparation of pleadings, motions, memoranda, and proposed orders including generative AI; and

**WHEREAS**, generative AI tools may generate inaccurate, misleading, or entirely fabricated factual assertions or legal authorities (“hallucinations”) which impact the integrity of the legal proceedings; and

**WHEREAS**, information generated by AI must have appropriate human oversight, including verification of factual claims and citation checks; and

**WHEREAS**, the Court should not have to parse case citations and parentheticals to discern whether cases exist. *Takefman v. Pickleball Club, LLC*, 418 So. 3d 826, 827 (Fla. 3d DCA 2025), reh’g denied (Sept. 11, 2025); and

**WHEREAS**, 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 AI. *In re Amendments to Rules Regulating the Florida Bar – Chapter 4*, 393 So. 3d 137 (Fla. 2024) (SC2024-0032); and

**WHEREAS**, self-represented litigants must adhere to the same procedural rules and applicable statutes as attorneys; and

**WHEREAS**, all filings submitted to the Court must comply with the duty of candor to the tribunal, and the responsibility for accuracy rests solely with the filing party, regardless of the technology used; and

**WHEREAS**, 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 Administrative Order No. 2026-03-Gen (Amendment 2) issued by the Seventeenth Judicial Circuit; and

**WHEREAS**, transparency regarding the use of AI promotes accountability, fairness, and public confidence in the judicial process.

**NOW, THEREFORE**, pursuant to the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida, under Rule 2.215 of the Florida Rules of General Practice and Judicial Administration, it is hereby **ORDERED**:

### **1. APPLICABILITY**

This Administrative Order applies to attorneys and self-represented litigants appearing before the Circuit and County Courts of the Eleventh Judicial Circuit.

### **2. AI AND GENERATIVE AI**

AI or artificial intelligence are systems that imitate human intelligence based on vast amounts of accumulated data. AI can interpret and produce language, recognize or create images, solve problems, and create content such as text, images, or audio, including synthetic media such as fake images, videos, and audio recordings. AI analyzes information to find patterns and make decisions relying solely on precise programming that can be highly realistic and extremely difficult to detect but simple to produce without requiring human intelligence, reasoning, perception, or understanding of language.

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; and

### **3. 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 appropriate language.

#### **4. 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)).

#### **5. SELF-REPRESENTED 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.

#### **6. MANDATORY DISCLOSURE OF GENERATIVE AI USE**

Any attorney or self-represented litigant who uses generative AI to draft or generate content that is used in a pleading, motion, memorandum, response, proposed order, or other court filing or record, must disclose such use as set forth in paragraph 8 of this Order.

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. REQUIRED CERTIFICATION**

A submission described in paragraph 7 of this Order must include a statement substantially in the following form:

**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. DUTY OF CANDOR AND RESPONSIBILITY**

The use of generative AI does not relieve any attorney or self-represented litigant of the duty of candor to the Tribunal; the obligation to personally 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 will be deemed the filing party's submission, and the filing party is responsible for its accuracy and propriety.

## **9. 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.

## **10. SANCTIONS**

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

This Administrative Order vacates and supersedes Administrative Order No. 26-04 and takes effect immediately. This Administrative Order applies to filings or submissions made on or after the date of this Administrative Order and remains in effect until modified or rescinded.

**DONE AND ORDERED** in Chambers in Miami-Dade County, Florida, this 19<sup>th</sup> day of May 2026.

**ARIANA FAJARDO ORSHAN, CHIEF JUDGE  
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA**