

Rule 12.08 Use of Generative Artificial Intelligence

This rule is established to govern the use of Generative Artificial Intelligence (“GenAI”) by attorneys or self-represented litigants in the preparation of materials submitted to the Court, and to ensure the ethical use of GenAI.

(A) Definitions

“Artificial Intelligence” is technology which uses computer systems to imitate human intelligence and perform tasks. Artificial Intelligence relies on pre-defined rules and algorithms to perform tasks.

“Generative Artificial Intelligence” is a branch of Artificial Intelligence which is trained on large datasets and generates new content, such as documents, images, or evidence.

(B) Disclosure of the Use of Generative Artificial Intelligence

GenAI shall not be treated as a substitute for legal research or judgment. If an attorney or self-represented litigant uses GenAI in the preparation of materials submitted to the Court, such use shall be disclosed to the Court. The disclosure must be made at the time of the submission, and must include a general description of the GenAI used and its role in the preparation of the materials.

The disclosure shall be made in a certification which verifies that the materials have been reviewed by the filer for accuracy, validity, and relevancy, and which certifies that the materials meet all legal and ethical standards. The certification shall be attached to the materials submitted.

(C) Review of Materials

An attorney or self-represented litigant who has used GenAI in the preparation, including the editing, of materials submitted to the Court is responsible for reviewing the accuracy, validity, and relevancy of the materials, and for ensuring the materials meet all legal and ethical standards, including any standards set forth in these Rules, the Ohio Rules of Procedure and the Ohio Rules of Professional Conduct.

(E) Court Discretion

The Court may request additional information regarding the use of GenAI in the preparation of any filing.

The Court may strike or disregard a filing in which GenAI was used if the use of GenAI resulted in: (i) a procedural irregularity; (ii) a material misrepresentation; or (iii) a violation of court rules, including, these Rules, the Ohio Rules of Procedure, and the Ohio Rules of Professional Conduct.

(F) Sanctions

Any attorney or self-represented litigant who violates this Rule may be subject to sanctions, including but not limited to any sanction provided for in Civ.R. 11, such as imposing monetary sanctions, striking the submission, or dismissing the lawsuit. For attorneys, this may include a professional grievance being submitted to the Office of Disciplinary Counsel or a Local Certified Grievance Committee.