

VIRGINIA: IN THE CIRCUIT COURT OF THE CITY OF STAUNTON

LOCAL RULE ON USE OF GENERATIVE ARTIFICIAL INTELLIGENCE

Pursuant to the authority granted by Virginia Supreme Court Rule 1:15, the following Local Rule is established in this Court:

The Court recognizes the increasing use of Artificial Intelligence (“AI”) technology and tools both by attorneys and *pro se* litigants. While the use of AI is not prohibited by this Court, AI users are responsible for understanding the limitations and risks when utilizing generative AI for materials submitted to the Court or when relying upon AI in any form for legal advice, documents, citations, authorities, sources, arguments, or conclusions. AI use within the Court in any form must have human oversight. Any person submitting materials drafted, created, enhanced, or modified by generative AI must review the same for accuracy of factual claims, legal claims, citations, authorities, sources, arguments, and conclusions, and is responsible for compliance with all relevant laws, regulations, court policies, and rules of professional conduct.

Henceforth, all attorneys and *pro se* litigants must provide a written disclosure certification at the end of, or attached to, materials drafted, created, enhanced, or modified by generative AI. All attorneys and *pro se* litigants shall also, no less than ten (10) days before any trial or evidentiary hearing, file a certification disclosing the use of generative AI in any proposed exhibits, including demonstrative exhibits. Attached hereto is a model disclosure that meets the requirements of this local rule.

Consistent with Virginia Code §8.01-271.1(B), all parties utilizing AI bear the burden of exercising due care in reviewing filings before their submission to the Court to ensure they are “hallucination-free” and are otherwise well-grounded in fact and warranted by existing law or a good faith argument for the extension, modification, or reversal of existing law. Accordingly, the failure to properly review filings that have been drafted, created, enhanced, or modified in any way by generative AI tools may violate the certification standard set forth in Virginia Code §8.01-271 and may result in sanctions, including but not limited to those sanctions as authorized by Virginia Code §8.01-271.1(D), Rule 1:5A of the Rules of the Supreme Court of Virginia, and the Rules of Professional Conduct.

As required by Rule 1:15, the Clerk is hereby **DIRECTED** to forthwith: (1) spread this Order upon the order book; (2) post a copy of this Order with the date of entry in the Clerk's Office; (3) file a copy of this order with the Executive Secretary of the Supreme Court of Virginia; and (4) place on the Court's website a link to a copy of this Order. In addition, the Clerk is **DIRECTED** to place a copy of this Order in the box for each local attorney and forward a copy of this ORDER to the local bar association.

It is so ORDERED.

ENTER: 
JUDGE

DATE: 6/25/2016

DISCLOSURE ON THE USE OF GENERATIVE ARTIFICIAL INTELLIGENCE

I hereby certify that generative artificial intelligence tools were used in the drafting, creation, enhancement, or modification of the instant filing. Pursuant to the duty found in Virginia Code §8.01-271.1(B), notwithstanding the assistance from AI tools, to the best of my knowledge, the content of this filing is well-grounded in fact and is warranted by existing law or a good faith argument for the extension, modification, or reversal of existing law.

I acknowledge that this certification only applies to the instant filing.

Date

Attorney/*Pro Se* Litigant