



SAN MATEO COUNTY SUPERIOR COURT
400 County Center
Redwood City, CA 94063

Court Policy on the Use of Generative AI for Court Filings and Documents

1. Introduction

This policy addresses the use of generative artificial intelligence (AI) technologies in relation to the submission of court filings and documents. The intention is to provide guidance to all parties regarding the use of such technologies, including potential risks and confidentiality concerns.

2. Scope

This policy applies to all individuals, whether represented by counsel or not, attorneys, and entities involved in submitting filings and documents to the court who may be utilizing generative AI tools to assist in drafting or processing filings or documents.

3. Accuracy and Reliability

- **3.1 AI Limitations:** Generative AI tools are known to exhibit limitations such as generating content that may be inaccurate, incomplete, or irrelevant. The court warns that AI-generated content may not always reflect the current state of the law or accurately represent the facts of a case.
- **3.2 Verification Requirement:** Filings and documents prepared with the assistance of generative AI tools must be thoroughly reviewed and verified by the submitting party before submission. Any citations to cases should be independently verified by the party submitting the filing or document. The responsibility for ensuring the accuracy and appropriateness of any filing and document rests solely with the party submitting the filing or document. Code Civ. Proc., § 128.7; Cal. Rules of Professional Conduct, rules 3.1, 3.3. The failure to verify the accuracy of case and statute citations in a filing or document, may result in sanctions, including but not limited to, professional discipline. Bus. & Prof. Code, § 6086.7.
- **3.3 Human Oversight:** While AI tools may assist in drafting or organizing court filings and documents, all submissions must be reviewed and signed by either a self-represented litigant or attorney of record. The use of generative AI does not substitute for the required professional judgment and expertise of attorneys or other legal professionals.

4. Confidentiality and Security

- **4.1 Confidentiality Warning:** Parties using generative AI tools to prepare court filings and documents should be aware that submissions made to AI platforms are not fully confidential. Generative AI systems often process data on external servers, which may pose risks to the confidentiality of sensitive or private information. The court advises against entering any confidential, privileged, or sensitive information into AI tools.

- **4.2 Data Security:** The court does not guarantee the security of data submitted to or processed by generative AI systems. Users are strongly recommended to exercise caution and consider the implications of sharing potentially sensitive information with such tools.