RULE 49. Use of Artificial Intelligence in Court Submissions

(A) Purpose and Scope

This rule is established to govern the use of artificial intelligence (AI) technologies by attorneys and/or parties in the preparation and submission of materials to the Hamilton County Court of Common Pleas. It aims to ensure the ethical use of AI and maintain the integrity of evidence.

(B) Definitions

Artificial Intelligence (AI): AI refers to a machine-based system that can, for a given set of human-defined objectives, make predictions, recommendations, or decisions influencing real or virtual environments.

Generative AI (GenAI): GenAI refers to a type of AI that can generate new content, including text, images, audio, video, and software code in response to a user's prompts and questions. GenAI tools that produce new text are prediction tools that generate statistically probable output when prompted by the user. GenAI tools are self-learning and therefore keep and use the information with which they are prompted to train the AI for future users. GenAI tools do not possess human judgment or understanding. Examples include LexisNexis Protégé, Westlaw Precision, ChatGPT, Microsoft Copilot, Google Gemini, Claude, and DALL-E.

(C) Disclosure of GenAI Assistance

Attorneys and/or parties must disclose the use of GenAI in the creation or editing of any document or evidence submitted to the court. Such disclosure should include a general description of the GenAI technology used and its role in the preparation of the materials. The disclosure must be made at the time of submission through a certification attached to the document or evidence, indicating the type of GenAI used and certifying the submitter's final review, approval, and checking for accuracy, relevance, and appropriateness of all GenAI-produced material.

(D) Responsibility and Review

(1) Attorneys and/or parties remain ultimately responsible for the accuracy, relevance, and appropriateness of any and all material submitted to the court, regardless of whether created, edited, or otherwise prepared by GenAI. Attorneys and/or parties shall thoroughly review all GenAI material—including but not limited to legal arguments, factual assertions, evidence, and citations—to ensure it meets all legal and ethical standards and is accurate, relevant and appropriate. Use of any type of AI does not absolve attorneys from their duties of competence, diligence, and supervision as required under the Ohio Rules of Professional Conduct. For non-binding guidance on the ethical use of AI, see Ohio Ethics Guide: Artificial Intelligence for Lawyers and

Judicial Officers, Ohio Board of Professional Conduct (April 2026) or later version. In appearing before the court, attorneys and parties are governed by duties of candor and good faith. Rule 11 of the Ohio Rules of Civil Procedure requires attorneys and pro se or self-represented parties to sign documents submitted to the court. Such signature certifies that the party has read the document and, to the best of their knowledge, information, and belief, there is good ground to support it and it is not interposed for delay.

(2) By filing or submitting documents or other materials containing GenAI content or otherwise generated using GenAI assistance, attorneys and/or parties represent to the court that they have complied with (D)(1) of this rule.

(3) The filing or submission of any material having hidden text or other parameters meant to manipulate outcomes based on any court usage of AI technology is strictly prohibited.

(E) Sanctions

(1) Violations of this rule may subject an attorney and/or party to sanctions, including but not limited to those listed in Rules 11 and 37 of the Ohio Rules of Civil Procedure, attorney's fees, or striking of the filing or otherwise submitted material. The court retains full discretion to determine the nature and severity of sanctions based on the circumstances.

(2) For a willful violation of this rule, an attorney or party, upon motion of a party or upon the court's own motion, may be subjected to appropriate action, including an award to the opposing party of expenses and reasonable attorney fees incurred in bringing any motion under this rule.

Effective: (November 19, 2026)