

Model Local Rule: Verification of Generative AI & Digital Evidence

Drafting an institutional framework for procedural integrity in the era of synthetic authority and fabricated artifacts.

PROPOSAL FOR JUDICIAL CONSIDERATION

The Crisis of Plausible Legal Fiction

Addressing the structural decay caused by unverified digital drafting.

Institutional Precedent: Mezu v. Mezu



The 2025 Maryland Mandate

In *Chukwuemeka Mezu v. Kristen Mezu*, the Appellate Court of Maryland confronted a brief containing entirely fabricated citations.

The authorities appeared structurally authentic but were the result of unverified AI search queries. This triggered a fundamental shift in judicial skepticism.

Outcome: Mandatory Show Cause orders and the requirement for forensic citation validation.

Rule Definition: Mandatory Disclosure



Drafting Transparency

Any party utilizing generative AI for legal research or drafting must disclose the specific tools used and the extent of their application.



Scope of Duty

This rule applies to all filings, including those by self-represented litigants, ensuring no "shadow" authority enters the record.



Integrity Threshold

Disclosure is the first line of defense, enabling the court to allocate resources for secondary verification where risk is highest.

Human-in-the-Loop Certification

The Verification Mandate

Attorneys and pro se litigants must sign a separate "AI Verification Certificate" for every substantive motion. This certificate confirms:

- ✓ Every case citation has been cross-referenced against an official reporter.
- ✓ Every quoted passage has been verified for accuracy.
- ✓ No portion of the legal argument is purely synthetic.



Combating "Hallucination" with Human Accountability

The Evidence Passport

Digital Provenance Standard





Digital exhibits (text logs, photos, audio) are no longer presumptively authentic. All submissions must include an "Evidence Passport."

This protocol requires the retention of original file metadata and the creation of an immutable cryptographic hash at the time of filing.

This shift prevents "Accountant Judges" from having to manually audit the timing and source of every message.



Technical Requirements: Metadata

-  **Temporal Integrity:** Original EXIF "DateTimeOriginal" tags must be preserved to verify the chronological sequence of events.
-  **Geospatial Provenance:** GPS coordinates for images must be provided to confirm physical presence during alleged incidents.
-  **Hashing Protocol:** All files must be submitted with a SHA-256 hash value to ensure the file remains unchanged throughout the litigation.
-  **Splicing Prohibition:** Any modification to audio or video files must be disclosed via a "Modification Log" detailing all edits.

Verification Matrix: Standards by Asset

Evidence Type	Standard Required	Forensic Target	Weight
Digital Photographs	EXIF / IPTC	Device Serial / Software Log	High
Communication Logs	XMP / JSON Export	Server Timestamp Consistency	Moderate
Voice Recordings	BWF / WAV	Spectrographic Splicing Check	Critical
Financial Data	Structured CSV	Direct Institution Metadata	High

Impact on Judicial Economy

40%

Reduction in Audit Time

2.5x

Filing Verification Speed

By shifting the burden of verification to the structured Evidence Passport, courts can focus on adjudication rather than forensic accounting. This preserves judicial resources for complex decision making.

Rule X-402: Sanctions & Penalties

Fictional Precedent

The submission of a non-existent case citation shall result in an immediate Order to Show Cause and potential striking of the entire brief.

Synthetic Evidence

Willful submission of deepfake artifacts or altered screenshots without disclosure shall trigger evidentiary preclusion and attorney fee shifting.

Credibility is the currency of the court. Counterfeit currency will be seized.

Implementation Roadmap



A horizontal timeline diagram with four blue dots representing milestones. Below each dot is a phase label and a description of the activities and timing for that phase.

Phase 1

Public Comment and Bar
Association Review (Q3
2025)

Phase 2

Technical Pilot for E-Filing
Hash Integration (Q4
2025)

Phase 3

Mandatory Disclosure and
HITL Rollout (Q1 2026)

Phase 4

Full Forensic Standards
Enforcement (Q2 2026)



Discussion & Questions

Preserving the integrity of the judicial record in the digital age.



COMMITTEE ON LEGAL TECHNOLOGY & RULES

Image Sources



<https://www.bryanfagan.com/wp-content/uploads/2024/11/DALL%C2%B7E-2025-01-03-12.40.01-A-realistic-depiction-of-a-courtroom-setting-showing-a-formal-courtroom-with-a-judges-bench-wooden-seating-for-attendees-and-a-professional-atmosp.webp>

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