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Proposed Language Addition for ORCP 17

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The attached language is included after a lengthy discussion with the Chief Justice and the Presiding Judges regarding the increasing use of generative artificial intelligence and the lack of proper controls used by litigants.

I hope this will be put on next year's agenda.

Thank you. The Chief has been cc'd on this email.

Robert S. Raschio

24th Judicial District (Grant/Harney)

Presiding Circuit Court Judge

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ORCP 17.proposed revision.docx

14K

Proposed additional language for ORCP 17 for next year's council to consider in response to the current rule of the Oregon Court of Appeals "NOTICE REGARDING COURT IMPOSITION OF SANCTIONS FOR SUBMISSION OF FABRICATED AUTHORITY PRODUCED BY AI":

C(6) The party or attorney certifies that in all pleadings and other documents filed with the court that (1) all court cases cited exist; (2) all quotations attributed to existing court cases are contained therein and properly quoted enclosed in quotation marks if 49 words or less or in block quotations indented right and left if over 50 words, with the case citation and the page number of the quote, are accurately reported; and (3) all paraphrased propositions of law attributed to existing cases are objectively reasonable in light of the language of the case cited to the court.