

# STATE OF NEW YORK

9097

2025-2026 Regular Sessions

## IN ASSEMBLY

September 12, 2025

Introduced by M. of A. K. BROWN -- read once and referred to the Committee on Judiciary

AN ACT to amend the civil practice law and rules and the criminal procedure law, in relation to requiring disclosure of use of generative artificial intelligence

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The civil practice law and rules is amended by adding a new  
2 rule 2107 to read as follows:

3 Rule 2107. Use of generative artificial intelligence. (a) For the  
4 purposes of this section:

5 1. "generative artificial intelligence" shall mean the use of machine  
6 learning technology, software, automation, and algorithms to perform  
7 tasks, to make rules and/or predictions based on existing data sets and  
8 instructions, including, but not limited to:

9 (A) any artificial system that performs tasks under varying and unpre-  
10 dictable circumstances without significant human oversight, or that can  
11 learn from experience and improve performance when exposed to data sets;

12 (B) an artificial system developed in computer software, physical  
13 hardware, or other context that solves tasks requiring human-like  
14 perception, cognition, planning, learning, communication, or physical  
15 action;

16 (C) an artificial system designed to think or act like a human,  
17 including cognitive architectures and neural networks;

18 (D) a set of techniques, including machine learning, that is designed  
19 to approximate a cognitive task; and/or

20 (E) an artificial system designed to act rationally, including an  
21 intelligent software agent or embodied robot that achieves goals using  
22 perception, planning, reasoning, learning, communicating, decision-mak-  
23 ing, and acting.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

LBD13617-01-5

1 2. "drafting" shall mean the substantive process of creating a paper  
2 or file which shall include, but not be limited to, conducting research,  
3 performing document review, and/or creating a paper or file.

4 (b) Each court shall inform all counsel and pro se litigants that of  
5 the dangers of using generative artificial intelligence in performing  
6 legal research, document review, and document creation and inform such  
7 persons of the requirements of this rule.

8 (c) No paper or file shall be drafted with the use of generative arti-  
9 ficial intelligence without the informed consent of the client after  
10 being warned of the dangers of using generative artificial intelligence  
11 in performing legal research, document review, and document creation.

12 (d) Any paper or file drafted with the assistance of generative arti-  
13 ficial intelligence must attach to the filing a separate affidavit  
14 disclosing such use and certifying that a human being has reviewed the  
15 source material and verified that the artificially generated content is  
16 accurate including, but not limited to, any case citations.

17 (e) Any paper or file drafted without the assistance of generative  
18 artificial intelligence must attach to the filing a separate affidavit  
19 stating such.

20 § 2. Paragraphs 4 and 5 of subdivision (a) of rule 5528 of the civil  
21 practice law and rules, paragraph 5 as amended by chapter 730 of the  
22 laws of 1963, are amended and a new paragraph 6 is added to read as  
23 follows:

24 4. the argument for the appellant, which shall be divided into points  
25 by appropriate headings distinctively printed; [~~and~~]

26 5. an appendix, which may be bound separately, containing only such  
27 parts of the record on appeal as are necessary to consider the questions  
28 involved, including those parts the appellant reasonably assumes will be  
29 relied upon by the respondent; provided, however, that the appellate  
30 division in each department may by rule applicable in the department  
31 authorize an appellant at [~~his~~] the appellant's election to proceed upon  
32 a record on appeal printed or reproduced in like manner as an appendix,  
33 and in the event of such election an appendix shall not be required[~~+~~];  
34 and

35 6. if required by rule twenty-one hundred seven, a disclosure of the  
36 use of generative artificial intelligence in the drafting of the brief  
37 and certification that the content therein was reviewed and verified by  
38 a human being.

39 § 3. The criminal procedure law is amended by adding a new section  
40 10.50 to read as follows:

41 § 10.50 Use of generative artificial intelligence.

42 1. For the purposes of this section:

43 (a) "generative artificial intelligence" shall mean the use of machine  
44 learning technology, software, automation, and algorithms to perform  
45 tasks, to make rules and/or predictions based on existing data sets and  
46 instructions, including, but not limited to:

47 (i) any artificial system that performs tasks under varying and unpre-  
48 dictable circumstances without significant human oversight, or that can  
49 learn from experience and improve performance when exposed to data sets;

50 (ii) an artificial system developed in computer software, physical  
51 hardware, or other context that solves tasks requiring human-like  
52 perception, cognition, planning, learning, communication, or physical  
53 action;

54 (iii) an artificial system designed to think or act like a human,  
55 including cognitive architectures and neural networks;

1 (iv) a set of techniques, including machine learning, that is designed  
2 to approximate a cognitive task; and/or

3 (v) an artificial system designed to act rationally, including an  
4 intelligent software agent or embodied robot that achieves goals using  
5 perception, planning, reasoning, learning, communicating, decision-mak-  
6 ing, and acting.

7 (b) "drafting" shall mean the substantive process of creating a paper  
8 or file which shall include, but not be limited to, conducting research,  
9 performing document review, and/or creating a paper or file.

10 2. Each court shall inform all counsel and pro se defendants that of  
11 the dangers of using generative artificial intelligence in performing  
12 legal research, document review, and document creation and inform such  
13 persons of the requirements of this section.

14 3. No paper or file shall be drafted with the use of generative arti-  
15 ficial intelligence without the informed consent of the defendant after  
16 being warned of the dangers of using generative artificial intelligence  
17 in performing legal research, document review, and document creation.

18 4. Any paper or file drafted with the assistance of generative artifi-  
19 cial intelligence must attach to the filing a separate affidavit  
20 disclosing such use and certifying that a human being has reviewed the  
21 source material and verified that the artificially generated content is  
22 accurate including, but not limited to, any case citations.

23 5. Any paper or file drafted without the assistance of generative  
24 artificial intelligence must attach to the filing a separate affidavit  
25 stating such.

26 § 4. This act shall take effect on the ninetieth day after it shall  
27 have become a law.