STATE OF WISCONSIN CIRCUIT COURT 5TH JUDICIAL DISTRICT

IN THE MATTER OF: GENERATIVE ARTIFICIAL INTELLIGENCE

INTERIM POLICY

POLICY ADOPTION AND PROMULGATION

This Interim Policy is issued under Supreme Court Rule 70.19(3)(f), which allows the Chief Judge to establish policies, and under Supreme Court Rule 70.20(1), which allows the Chief Judge to order that their directives, policies, and rules be carried out.

This Interim Policy supersedes any local rule that is not in conformity with its provisions. Each county may adopt supplemental local rules, provided such rules remain consistent with this Interim Policy and are approved by the Chief Judge pursuant to Wis. Stat. § 753.35. The Interim Policy shall be posted and made available for public review in each courthouse.

This Interim Policy is effective on the date of the policy and shall remain in effect until the Wisconsin Supreme Court issues a policy or rule that supersedes it.

POLICY ON GENERATIVE ARTIFICIAL INTELLIGENCE

"Generative Artificial Intelligence," also known as GenAI or GAI, is a type of artificial intelligence that uses sophisticated machine learning models to create new and original content (e.g., text, images, videos, audio, or software code) in response to a user prompt or request.

All attorneys and parties who use Generative Artificial Intelligence (GenAI), to prepare anything that is submitted to the court remain fully responsible for the accuracy and integrity of those submissions and must comply with Wis. Stat. § 802.05(2)(a)–(d). Any failure by an attorney or party to comply with this provision may be deemed grounds for sanctions.[1] Attorneys and parties who present legal arguments, briefs, affidavits, or any pleading are certifying to the court that any legal arguments are correctly cited, based on applicable law, and not frivolous in nature.[2] Attorneys and parties do not have to disclose the use of GenAI upon filing submissions with the court.

[1] Wis. Stat. § 802.05(3); Wis. Stat. § 805.03.
[2] Wis. Stat. § 802.05(2).

However, disclosure may be required by the court if the accuracy or integrity of the submission is challenged.[3]

After notice and a reasonable opportunity to respond, attorneys and parties may face the following sanctions for improper use of GenAI:

(1) Pleadings will be rejected by the court;[4]
(2) Pleadings will not be reviewed and considered by the court;[5]
(3) Monetary sanctions, including costs and actual attorney fees;[6]
(4) Contempt of court;[7]
(5) Dismissal of the lawsuit with or without prejudice;[8]
(6) Orders placing limits on the filings that can be submitted to the court either within the pending litigation or in a separate action;[9]
(7) Any other sanction the court deems appropriate.[10]

DATED this 23 day of September, 2026.

Julie Genovese
HON. Julie Genovese
CHIEF JUDGE

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[3] *See, i.e.*, Wis. Stat. § 802.05(3) [comment] noting "[w]hether the matter should be decided solely on the basis of written submission or should be scheduled for oral argument (or indeed, for evidentiary presentation) will depend on the circumstances."
[4] Wis. Stat. § 805.03 (citing Wis. Stat. § 804.12(2)(a) as available sanctions to the court under this section. Wis. Stat. § 804.12(2)(a)2. authorizes the court to "strike pleadings or parts thereof").
[5] *Id.*
[6] Wis. Stat. § 802.05(3)(b).
[7] Wis. Stat. § 785.01(1)(a)–(b); Wis. Stat. § 785.02.
[8] Wis. Stat. § 805.03; *see also Indus. Roofing Servs., Inc. v. Marquardt*, 2007 WI 19, 299 Wis. 2d 81, 726 N.W.2d 898; *Scudder v. Concordia Univ., Inc.*, 2025 WI App 13, 415 Wis. 2d 318, 18 N.W.3d 173.
[9] *See, e.g.*, *Minniecheske v. Griesbach*, 161 Wis. 2d 743, 468 N.W.2d 760 (Ct. App. 1991); *Village of Tigerton v. Minniecheske*, 211 Wis. 2d 777, 565 N.W.2d 586 (Ct. App. 1997).
[10] *See generally* Wis. Stat. § 802.05(3); Wis. Stat. § 805.03.