

U.S. District Court, District of Minnesota

GenAI FAQ

October 1, 2025

What is Generative AI?

Generative AI, often referred to as “GenAI,” is a set of AI tools and techniques trained to detect complex patterns within large textual and audio-visual data sets it is fed. GenAI creates new content, such as text, images, audio, video, and computer code, based on those patterns and in response to human inputs and instructions called “prompts.”

What is Generative AI used for?

Some litigants use GenAI to help research facts and issues, create first drafts of documents and communications (or revise and refine human-created drafts of content), summarize large volumes of text, paraphrase existing text, translate foreign-language content, compare documents, and create images and other audio-visual content for presentations.

What are the limitations of Generative AI?

GenAI’s responses depend on the content and quality of the training data. Responses may be out of date, plausible in appearance but inaccurate (a phenomenon known as “AI hallucination”), or reflective of biases in the training data. GenAI responses are especially unreliable when relating to facts and issues that are underrepresented in training data. GenAI cannot check the accuracy of its own responses.

Do litigants need to disclose the use of GenAI tools to the Court?

The District of Minnesota does not currently require disclosure of AI use in court filings. Litigants should be aware, however, of AI-use disclosure requirements in other jurisdictions.

What are some practice pointers for the use of GenAI tools to assist with legal tasks?

When using GenAI tools to assist with legal tasks, be aware that pursuant to Fed. R. Civ. P. 11 and 26(g), you are ultimately responsible for the accuracy and sufficiency of the resulting work product, and for any other impacts of your GenAI use. Here are some practice pointers:

- Avoid entering privileged, confidential, or otherwise sensitive information into a GenAI tool if you are concerned that data inputs may be retained by the tool or may be intercepted or otherwise accessed by malicious actors. Whenever possible, assess the tool’s terms of use and security statement.
- Use detailed prompts to instruct the GenAI tool on the requirements and constraints of the task and on the desired structure of the response. Use follow-up prompts to revise and refine initial GenAI responses.
- Review the overall accuracy and reliability of GenAI-created factual assertions to avoid the risk of hallucinated content.
- Confirm that GenAI-provided legal research and citations are valid references to existing caselaw, statutes, or regulations that have not been superseded or overruled, and that cited excerpts are not taken out of context.
- Review GenAI-created content for professionally appropriate tone, language, and imagery.

You must always use GenAI in a manner consistent with applicable ethical obligations, obligations under the Federal Rules of Civil and Criminal Procedure, including Fed. R. Civ. P. 11 and 26(g), and duties under controlling protective orders.