

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

HOUSE BILL 4348

By: Moore

AS INTRODUCED

An Act relating to artificial intelligence in civil proceedings; amending 5 O.S. 2021, Section 3, which relates to the duty of an attorney and legal advisor; providing that an attorney shall never knowingly encourage or produce false, misleading, or manipulated evidence including evidence artificially generated or altered to be false, misleading, or manipulated; providing that an attorney shall never knowingly cite to fictitious court authorities; requiring an attorney to exercise reasonable diligence to verify the authenticity of evidence before offering it to the court; amending 12 O.S. 2021, Section 2016, which relates to pretrial procedure; permitting pretrial conference to consider the authenticity and admissibility of exhibits; requiring party to raise concerns of opposing counsel's exhibits reasonably believed to be false, misleading, or manipulated; requiring party to disclose exhibits known or reasonably believed to be false, misleading, or manipulated; directing attorneys to exercise reasonable diligence to verify authenticity of evidence; authorizing sanctions or disciplinary action if attorney fails to disclose certain information; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 5 O.S. 2021, Section 3, is amended to read as follows:

1 Section 3. It is the duty of an attorney and ~~counselor~~ legal
2 advisor:

3 First. To maintain, while in the presence of the courts of
4 justice, or in the presence of judicial officers engaged in the
5 discharge of judicial duties, the respect due to the said courts and
6 judicial officers, and at all times to obey all lawful orders and
7 writs of the court.

8 Second. To counsel and maintain no actions, proceedings, or
9 defenses, except those which appear to him or her legal and just,
10 except the defense of a person charged with a public offense.

11 Third. To employ for the purpose of maintaining the causes
12 confided to him or her such means only as are consistent with truth,
13 and never to seek to intentionally mislead the judges by any
14 artifice or false statements of facts or law, never knowingly
15 encourage, introduce, or produce false, misleading, or manipulated
16 evidence including evidence that is artificially generated or
17 altered to be false, misleading, or manipulated without disclosing
18 such fact to the court and opposing counsel, nor never knowingly
19 cite to fictitious court authorities.

20 Fourth. To exercise reasonable diligence to verify the
21 authenticity of evidence before offering said evidence to the court.

22 Fifth. To maintain inviolate the confidence, and, at any peril
23 to himself or herself, to preserve the secrets of his or her client.

1 ~~Fifth.~~ Sixth. To abstain from all offensive personalities, and
2 to advance no fact prejudicial to the honor or reputation of a party
3 or witness unless required by the justice of the cause with which he
4 or she is charged.

5 ~~Sixth.~~ Seventh. Not to encourage either the commencement or
6 continuance of an action or proceeding from motive of passion or
7 interest.

8 ~~Seventh.~~ Eighth. Never to reject for any consideration personal
9 to himself or herself the cause of the defenseless or the oppressed.

10 SECTION 2. AMENDATORY 12 O.S. 2021, Section 2016, is
11 amended to read as follows:

12 Section 2016.

13 PRETRIAL PROCEDURE; FORMULATING ISSUES

14 ~~In the absence of specific superseding legislation~~ A. Except as
15 provided in subsection B of this section, the procedures for
16 conducting pretrial conferences shall be governed by rules
17 promulgated by the Supreme Court of Oklahoma.

18 B. 1. In any civil action in a district court, the court may,
19 at its discretion, direct the attorneys for the parties to appear
20 before it for conferences to consider the authenticity and
21 admissibility of exhibits that a party intends to introduce at
22 trial, including a pretrial ruling on the admissibility of exhibits
23 or the setting of a hearing date as to the admissibility of
24 exhibits.

1 2. If a party has reasonable suspicion that an opposing party's
2 exhibits are falsified, misleading, or manipulated, including having
3 been generated or altered by artificial intelligence resulting in
4 the exhibits appearing false, misleading, or manipulated, the party
5 shall raise these concerns at the pretrial conference or at a
6 pretrial hearing on the admissibility of the exhibits or upon
7 discovery of such concerns if the discovery occurs after the
8 pretrial conference.

9 3. If a party, including its attorney, knows or has reason to
10 know that its exhibits have been falsified, are misleading, or are
11 manipulated, including having been generated or altered by
12 artificial intelligence resulting in the exhibit's possible
13 appearance as false, misleading, or manipulation, the party and its
14 attorney shall disclose the fact. An attorney shall exercise
15 reasonable diligence to verify the authenticity of evidence before
16 offering it to the court. If an attorney knows or should have known
17 through the exercise of reasonable diligence that evidence is false,
18 misleading, or manipulated, the offering of that evidence without
19 disclosure of that fact may be grounds for sanctions by the court or
20 for disciplinary action by the Supreme Court.

21 SECTION 3. This act shall become effective November 1, 2026.

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