The Citation Chain of Custody: AI Verification Workflow Checklist

Oct 27, 2026 · Keith Smith

Six links between an AI draft and your signature. Run them on every citation before a filing goes out, whoever or whatever supplied it.

AI in Your Law Practice (NC CLE, November 19, 2026), Handout 2. Prepared by Keith Smith, Summit Legal Technologies. Educational material, not legal advice.

The Six Links

Apply them to every citation in the filing, including ones a colleague or contract attorney supplied. Check the citations in your opponent's brief too.

- ☐ **1. Pull.** From Westlaw, Lexis, or the court's own site — never from the AI. Treat every AI citation as a lead, not as authority.
- ☐ **2. Read.** The whole opinion, not the AI's summary or a headnote.
- ☐ **3. Match.** Every quote and every pin cite, word for word, on the page.
- ☐ **4. Validate.** Run KeyCite, Shepard's, or your service's citator for subsequent history and later treatment.
- ☐ **5. Confirm.** The case stands for your proposition, on your facts — not just the topic.
- ☐ **6. Sign.** The lawyer who signs verifies personally, or through an attorney of record working under the signer's supervision (as trackers quote the W.D.N.C. order), and records who checked what, and when.

Four Ways AI Gets the Law Wrong

Listed from easiest to hardest to catch. Only the first fails a "does this case exist?" check.

Problem	What you see	The link that catches it
Invented authority	A citation to a case that doesn't exist	Pull
Real case, invented quote	Real case, made-up words or a wrong pin cite	Match
Real case, wrong holding	A real case that says something else, or doesn't fit your facts	Read and Confirm
Real case, no longer good law	Reversed, overruled, vacated, or amended	Validate

Never Verify an AI's Answer by Asking the Same AI

In *Mata v. Avianca*, the lawyer asked ChatGPT whether a case it had supplied was real. It said yes, and said the case could be found on Westlaw and LexisNexis. The case did not exist. Asking a tool to vouch for itself is not verification.

Why It Matters in Federal Criminal Cases

- **Rule 11 is civil.** Fed. R. Civ. P. 11 "applies only to civil cases" (*United States v. Cohen*, S.D.N.Y. 2024, n.9, which looked to it only by analogy). In criminal cases courts act under inherent authority and 28 U.S.C. § 1927, which generally require bad faith or something close to it; under local rules adopting the conduct rules; and, for CJA counsel, through control of compensation and the panel.
- **Federal defenders are not exempt.** An Assistant Federal Defender was personally sanctioned $1,500 for a nonexistent case and quote (*United States v. Hayes*, 763 F. Supp. 3d 1054 (E.D. Cal. 2025)). Counsel denied using AI; the court did not decide whether he had.
- **CJA pay is at stake.** Appointed counsel whose brief quoted language not found in the cited sources received no CJA compensation for the appeal and was referred for possible discipline (*United States v. Farris*, 171 F.4th 920 (6th Cir. 2026)).
- **Fix it fast.** Under N.C. Rule 3.3(a)(1), a lawyer may not knowingly fail to correct a false statement of material fact or law previously made to the tribunal.

Free Places to Start

- **CourtListener:** courtlistener.com
- **Google Scholar (Case law):** scholar.google.com
- **N.C. Judicial Branch (appellate opinions):** nccourts.gov
- **NC Bar Association members:** vLex Fastcase is a member benefit.

If a free source does not show later history, step 4 (Validate) still needs a citator.

Sign-Off

Matter	Filing	Verified by	Date	Citator run?
				Y / N
				Y / N

Sources

- *Mata v. Avianca, Inc.*, 678 F. Supp. 3d 443 (S.D.N.Y. 2023)
- *Noland v. Land of the Free, L.P.*, 114 Cal. App. 5th 426 (2025) (no sanctions award to the opposing party, which had not alerted the court to the fabricated citations)
- N.C. State Bar, 2024 FEO 1, Inquiries #1 and #4
- *United States v. Cohen*, No. 18-cr-602 (JMF) (S.D.N.Y. Mar. 20, 2024)
- *United States v. Hayes*, 763 F. Supp. 3d 1054 (E.D. Cal. 2025)

- *United States v. Farris*, 171 F.4th 920 (6th Cir. 2026)

As of November 2026. Updated November 11, 2026. Check your court's and judge's current AI orders before filing.