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Federal Court: Ignorance Is No Excuse for Lawyer's Erroneous AI Citations

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The federal court in Tacoma recently issued a pointed reminder to lawyers: ignorance of how technology works is no excuse. The rejoinder came in the context of sanctions against a lawyer under Federal Rule of Civil Procedure 11 in *Ledoux v. Outliers, Inc.*, 2026 WL 2137370 (W.D. Wash. July 24, 2026) (unpublished). The Court found that the lawyer had “submitted multiple filings containing dozens of inaccurate factual and legal citations which appeared ‘hallucinated’ by a generative artificial intelligence tool.” (*Id.* at *1.) The Court also noted that two associated expert reports submitted by the lawyer contained similar errors.

The lawyer apologized for the inaccuracies and claimed that they were due to her unfamiliarity with two well-known consumer AI tools the lawyer had used in preparing the filings. The Court was not impressed. It noted pointedly that the lawyer “did little to correct her errors” before the Court issued a show cause order—even though opposing counsel had raised the issue with the lawyer earlier. (*Id.* at *4.) Further, a “corrected” filing continued to include “some of the original false citations that Defendants had highlighted.” (*Id.*) The lawyer conceded she did not independently verify the citations involved. (*Id.* at 2.)

The Court found that the lawyer’s professed “blind trust in these programs was unfounded.” (*Id.* at *3.) The Court quoted WSBA Advisory Opinion 202505 on AI tools in law practice for the fundamental notion that “[A] lawyer using technology in law practice is obliged to do so competently.” (*Id.*) The WSBA opinion, in turn, cited Comment 8 to RPC 1.1 on competence for the unremarkable proposition that a lawyer using technology to deliver legal services must understand both “the benefits and risks” of the technology concerned. The Court imposed a \$3,000 sanction and required the lawyer to include a specific certification on all future filings in the case that she had independently verified all citations.

The seminal case sanctioning a lawyer (and the lawyer’s law firm) for “hallucinated” citations in court filings is *Mata v. Avianca, Inc.*, 678 F. Supp.3d 443 (S.D.N.Y. 2023), which also involved a lawyer who claimed he didn’t understand how a consumer AI tool worked and trusted it was correct. When *Mata* came out three years ago, it might have been written off as an outlier if similar cases had not followed. Three years later, however, the risk of AI tools “hallucinating” has spawned an unfortunate and well-publicized genre of sanctions cases. In short, as the Court in *Ledoux* pointed out, ignorance of the technology a lawyer uses in law practice isn’t an excuse.

ABOUT THE AUTHOR

Mark J. Fucile of Fucile & Reising LLP advises lawyers, law firms and legal departments throughout the Northwest on professional responsibility and risk management. Mark has chaired both the WSBA Committee on Professional Ethics and its predecessor, the WSBA Rules of Professional Conduct Committee. Mark has served on the Oregon State Bar Legal Ethics Committee and is a member of the Idaho State Bar Section on Professionalism & Ethics. Mark writes the Ethics Focus column for the Multnomah (Portland) Bar's *Multnomah Lawyer*, the Ethics & the Law column for the WSBA *Bar News* and is a regular contributor on legal ethics to the WSBA *NWSidebar* blog. Mark is a contributing author and the editor-in-chief for the WSBA *Legal Ethics Deskbook* and was a contributing author and principal editor for the OSB *Ethical Oregon Lawyer* and the WSBA *Law of Lawyering in Washington*. Before co-founding Fucile & Reising LLP in 2005, Mark was a partner and in-house ethics counsel for a large Northwest regional firm. He also taught legal ethics for over a decade as an adjunct for the University of Oregon School of Law. Mark is admitted in Oregon, Washington, Idaho, Alaska and the District of Columbia. He is a graduate of the UCLA School of Law. Mark's telephone and email are 503.860.2163 and Mark@frllp.com.