

ALERT

California Enacts SB 574, Nation's First Law Governing Attorneys' Use of Generative Artificial Intelligence

Authors: Howard S. Glazer, Amy Jane Longo, Shannon Capone Kirk, Jafar Khalfani-Bey, Britteny Leyva

October 7, 2026

Key Takeaways

- California Senate Bill 574, effective January 1, 2027, makes California the first state to regulate attorneys' use of generative artificial intelligence (AI) by statute.
- The law imposes duties concerning the confidentiality of information entered into AI systems, verification and correction of AI output, personal verification of every citation in court filings, and disclosure of AI use to the court.
- Violations may result in sanctions under Code of Civil Procedure Section 128.7—including attorney's fees and penalties—and law firms are jointly responsible absent exceptional circumstances. Section 6068.1 duties are also enforceable through State Bar discipline.

On September 30, 2026, California Governor Gavin Newsom signed into law Senate Bill 574, making California the first state in the nation to impose a comprehensive statutory scheme governing attorneys' use of generative artificial intelligence ("AI").¹ The new law, which takes effect on January 1, 2027, codifies and expands upon existing State Bar guidance and court rules by adding newly adopted Business and Professions Code Section 6068.1, and by amending Code of Civil Procedure ("CCP") Section 128.7. SB 574 does not prohibit attorneys from using generative AI; it establishes standards that attorneys must meet when using such tools for legal work.

The new law applies to the use of "generative artificial intelligence," defined as an AI system that "can generate derived synthetic content...that emulates the structure and characteristics of the system's training data."² Certain of its provisions apply to attorneys barred in California, including in-house counsel, while others extend to attorneys appearing in California courts. Enacted in the wake of hundreds of reported decisions sanctioning attorneys' misuse of AI, and against the backdrop of dozens of court- and judge-specific rules governing litigants' use, the new law addresses recurring concerns around accuracy, supervision, and the protection of client data.³

SB 574: Who Is Covered

Section 6068.1, which introduces nondelegation, confidentiality, and verification requirements in the use of generative AI tools, applies to all attorneys licensed in California.⁴ While the statute does not specifically address out-of-state attorneys admitted pro hac vice, given that they are generally subject to the State Bar’s disciplinary jurisdiction when appearing in California proceedings,⁵ Section 6068.1 likely applies to them as well.

Separately, amended CCP Section 128.7’s new citation-verification rule applies to “any citation” in a “brief, pleading, motion, or any other paper filed in any court,”⁶ meaning it covers every filing in a California court regardless of the attorney’s state of licensure. Arbitrators and alternative dispute resolution (“ADR”) providers are separately covered under new CCP Section 1282.1 and amended Business and Professions Code Section 6173.⁷

No Delegation of the Practice of Law

SB 574 provides that “[a]n attorney shall not delegate the practice of law to generative artificial intelligence,” while preserving existing duties of reasonable competence and diligence.⁸ Delegation is not defined by the statute, leaving an important interpretive role to State Bar guidance and case law. But a fair assumption is that where generative AI assists with research, drafting, correspondence, and other legal tasks, attorneys must retain responsibility for the legal judgment and analysis underlying any work product.

Confidential, Personal Identifying, and Nonpublic Information

The law prohibits attorneys from entering confidential, personally identifying, or other nonpublic information into a generative AI system unless access to the system “is restricted to the attorney and persons authorized by the attorney under obligations to protect the confidentiality of the information.”⁹ Attorneys using generative AI tools are thus restricted from inputting confidential or identifying information into publicly available or non-enterprise AI systems.

The statute broadly defines “personal identifying information” to include (i) driver’s license numbers; (ii) dates of birth; (iii) Social Security numbers; (iv) National Crime Information and Criminal Identification and Information numbers; (v) addresses and phone numbers of parties, victims, witnesses, and court personnel; (vi) medical or psychiatric information; (vii) financial information; (viii) account numbers; and (ix) any content sealed by court order or otherwise confidential by rule or statute.¹⁰

Verification and Correction of AI Output

SB 574 requires attorneys to take “reasonable steps” to verify the accuracy of generative AI outputs, “including, but not limited to, the accuracy of all case and statutory citations” and to “correct any erroneous or hallucinated output in any material used by the attorney.”¹¹ The verification duty covers all AI output and “any material used by the attorney.”

Importantly, while the verification requirement refers to case and statutory citations, it is not limited to the litigation context. Instead, it governs any attorney’s use of such tools in their legal work. Interpretive guidance will likely inform what “reasonable steps” means for contexts outside the courtroom; for litigants, it likely includes confirming that the cited authorities exist, are cited correctly, remain good law, and support the propositions for which they are cited.

Disclosure of AI Use to the Court and the Public

Section 6068.1 further requires attorneys to “[d]isclose the use of generative artificial intelligence to the court for all documents submitted to the court and consider whether to disclose” where generative AI is used to create content provided to the public. The statute does not prescribe the form or nature of this disclosure; however, litigants in California courts should continue to assess whether individual courts’ or judges’ disclosure requirements impose greater specificity than the statute.

California attorneys may look to update applicable policies on public-facing materials, to ensure that disclosure of the use of generative AI is considered where such content is provided to the public.

Personal Verification of Citations in Court Filings

Separately, SB 574 amends Code of Civil Procedure Section 128.7 to provide that no “brief, pleading, motion, or any other paper filed in any court shall contain any citations that an attorney responsible for submitting the pleading has **not personally verified**, including any citation provided by generative artificial intelligence” (emphasis added).¹² This provision covers citations regardless of their source—whether from generative AI or otherwise.

“Personally verified” is not explicitly defined, but the plain language suggests that the responsible attorney must independently check each citation of a “brief, pleading, motion, or any other paper filed in court.” The statute likewise does not define which attorney or attorneys are “responsible for submitting” a filing when multiple lawyers sign or appear on a court submission, leaving open another key interpretative question.

Enforcement, Remedies, and Liability

Violations of the citation-verification requirement are enforceable through the existing sanctions framework of CCP Section 128.7. A court may impose sanctions on an attorney in two ways: (1) following a separate motion filed by a party, subject to a 21-day “safe harbor” period that allows the offending party to withdraw or correct the filing before the motion is filed, with reasonable expenses and attorney’s fees available to the prevailing party; or (2) on the court’s own order to show cause, also with a 21-day correction period.¹³

Sanctions are limited to what is sufficient for deterrence and may include nonmonetary directives, a penalty paid

into the court, or attorney’s fees to the moving party.¹⁴ Monetary sanctions may not be awarded against a represented party for a citation-verification violation; that verification failure falls on the attorneys and the firm.¹⁵ Notably, “[a]bsent exceptional circumstances, a law firm shall be held jointly responsible for violations committed by its partners, associates, and employees.”¹⁶

In addition to sanctions, attorneys are also subject to state bar disciplinary actions. The duties established by SB 574 are codified in the State Bar Act (Business and Professions Code). As such, violations may be enforced through the State Bar’s existing disciplinary process. The statute does not provide a separate penalty mechanism for Section 6068.1 violations.

-
1. SB 574, Ch. 858, Stats. 2026 (Umberg), approved and filed September 30, 2026. The bill adds Bus. & Prof. Code § 6068.1, amends Bus. & Prof. Code § 6173, amends Code Civ. Proc. § 128.7, and adds Code Civ. Proc. §§ 180 and 1282.1.
 2. Cal. Gov’t Code § 11549.64 (2026).
 3. Ropes & Gray, Standing Orders, Local Rules, and Decisions on the Use of AI, <https://www.ropesgray.com/en/sites/artificial-intelligence-court-order-tracker> (last visited Oct. 5, 2026).
 4. SB 574.
 5. Cal. R. Ct. 9.40 (f).
 6. Code Civ. Proc. § 128.7(b)(2)(A).
 7. Code Civ. Proc. § 1282.1; Bus. & Prof. Code § 6173.
 8. Bus. & Prof. Code § 6068.1(a)(1)–(2).
 9. Bus. & Prof. Code § 6068.1(a)(3)(A).
 10. Bus. & Prof. Code § 6068.1(b) (defining “personal identifying information” to include driver’s license numbers, dates of birth, Social Security numbers, addresses, and phone numbers of parties, victims, witnesses, and court personnel, medical or psychiatric information, financial information, account numbers, and content sealed by court order or otherwise confidential by rule or statute).
 11. Bus. & Prof. Code § 6068.1(a)(3)(B).
 12. Code Civ. Proc. § 128.7(b)(2)(A) (emphasis added).
 13. Code Civ. Proc. § 128.7(c)(1)–(2).
 14. Code Civ. Proc. § 128.7(d).
 15. Code Civ. Proc. § 128.7(d)(1).
 16. Code Civ. Proc. § 128.7(c)(1).

BOSTON · CHICAGO · DUBLIN · HONG KONG · LONDON · LOS ANGELES · MILAN · NEW YORK · PARIS · SAN FRANCISCO · SEOUL
· SHANGHAI · SILICON VALLEY · SINGAPORE · TOKYO · WASHINGTON, D.C.

© 2026 Ropes & Gray LLP. All rights reserved. Prior results do not guarantee a similar outcome. Communicating with Ropes & Gray LLP or a Ropes & Gray lawyer does not create a client-lawyer relationship.