AI HALLUCINATIONS AND THE DOCTRINE OF JUDICIAL INVALIDITY: RETHINKING ACCOUNTABILITY FOR FABRICATED PRECEDENTS IN INDIAN ADJUDICATION

by

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ABSTRACT

Generative artificial intelligence can produce citations that look authoritative and do not exist. In 2026 the Supreme Court of India confronted the consequences in two decisions. In *Gummadi Usha Rani v. Sure Mallikarjuna Rao*, it declared that a trial court's reliance on fabricated judgments is misconduct and not an error of judgment. In *Pooja Ramesh Singh v. Jammu and Kashmir Bank Ltd.*, it set aside insolvency orders resting on hallucinated precedent and held that such a decision is no decision in the eyes of the law. This essay examines the doctrinal basis, scope and consequences of that declaration. It argues that the rule can be reconciled with the established nullity doctrines, especially the principle that a decision must rest on a lawful foundation, but that its categorical formulation, under which even an iota of fabricated material vitiates a decision, sits uneasily with the principles of materiality and prejudice that govern appellate intervention. It further argues that classifying reliance on fabricated precedent as misconduct in every case risks collapsing the distinction between negligence and culpability that Indian service jurisprudence has long maintained for judicial officers. The essay proposes a graduated framework combining verification duties, institutional safeguards, proportionate sanctions and protection for litigants who bear the cost of invalidation.

Keywords: Artificial intelligence; hallucination; fabricated precedent; judicial invalidity; nullity; judicial misconduct; professional misconduct; adjudicatory integrity; Article 141.

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I. INTRODUCTION

Precedent is the currency of a common law system. Under Article 141 of the Constitution the law declared by the Supreme Court binds all courts in India, and the daily business of every court and tribunal consists in finding, reading and applying decisions that the system treats as authoritative. The entire arrangement rests on a quiet assumption that the authorities cited actually exist and say what they are said to say. A fabricated precedent counterfeits that currency, and a decision built on it is a decision that borrows an authority it has not earned.

Generative language models make the counterfeit easy to produce. Such systems generate text by predicting plausible sequences of words, and they do not consult a verified record of the law. When asked for authority, they may return a case name, a court, a year and even a quoted paragraph that has the appearance of a real citation and no existence outside the output. This phenomenon is commonly called hallucination. Its danger lies less in crude error than in fluency, since the fabricated authority is formatted, reasoned and confident in exactly the way a genuine one would be.

For some time the problem was associated with advocates and litigants. It has now reached the bench. In February 2026 the Supreme Court took cognisance of a trial court order that relied on four non-existent judgments, and said that a decision based on such material is misconduct and not an error in decision making.[1] On 2 July 2026, in *Pooja Ramesh Singh v. Jammu and Kashmir Bank Ltd.*, the Court went further. It set aside orders of the National Company Law Tribunal and the National Company Law Appellate Tribunal that rested on hallucinated precedents, and declared that a decision of that kind is no decision in the eyes of the law.[2]

This essay asks three questions that these decisions raise. First, what is the doctrinal basis of the invalidity declared, and how does it relate to the established grounds on which judicial decisions are treated as nullities? Second, should invalidity be categorical, so that the presence of any

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[1] *Gummadi Usha Rani v. Sure Mallikarjuna Rao*, SLP (C) No. 7575 of 2026 (SC, order dated 27 February 2026), reported as 2026 SCC OnLine SC 341. See Aastha Kaushik, "Supreme Court Takes Note Of Use Of Fake AI-Generated Precedents In Trial Court Judgments; Warns Of 'Misconduct' And 'Legal Consequences'", *Verdictum* (4 March 2026), available at https://www.verdictum.in/court-updates/supreme-court/cognizance-using-fake-ai-generated-precedents-trial-court-judgments-1609159 (last visited 18 November 2026).

[2] *Pooja Ramesh Singh v. Jammu and Kashmir Bank Ltd.*, 2026 INSC 668 (SC, 2 July 2026). The account of the judgment in this essay relies on press reports, notably "SC tears into AI-hallucinated judgments, sets aside NCLT insolvency order", *Business Standard* (2 July 2026), available at https://www.business-standard.com/technology/tech-news/sc-sets-aside-nclt-order-over-ai-hallucinated-judgments-warns-courts-126070200549_1.html (last visited 18 November 2026).

fabricated material is fatal, or should it depend on materiality and prejudice? Third, who should bear responsibility when fabricated precedent enters an adjudicatory process, and in what measure? The essay contends that the Supreme Court's instinct is sound but that its formulation needs doctrinal refinement, and that the accountability that follows should be graduated and not categorical.

II. HALLUCINATION AS A DISTINCT FAILURE MODE

It is tempting to treat fabricated precedent as a variant of the old problem of the misquoted or misapplied case. The comparison understates the difference. A misquotation is a deviation from a real source, and a diligent reader who consults the source will detect it. A hallucination has no source from which to deviate. It is an artefact that mimics the surface features of authority, and verifying it requires an affirmative act of checking against an independent record.

Three features make the problem distinctive. The first is plausibility. The fabricated entry is not randomly wrong. It is wrong in a way that conforms to the conventions of citation and to the expectations of the reader, which lowers the reader's guard. The second is hybridity. Reports of the *Pooja Ramesh Singh* proceedings indicate that, on independent examination, some citations referred to non-existent judgments while others attributed fabricated paragraphs to real decisions that could not be traced in the reported text.[3] A reader who confirms that the case exists may therefore be reassured without having confirmed that the proposition is there. The third is scale and speed. A tool can generate dozens of citations in seconds, and the burden of verification falls on a human reader working through a heavy docket.

The institutional setting compounds these features. Courts and tribunals in India work under severe case loads, and the pressure to rely on assistive technology is real. A decision maker who receives a well formatted list of authorities from counsel, or who consults a research tool, has every incentive to trust it. This tendency, sometimes described as automation bias, converts a technical weakness into an adjudicatory hazard. The remedy cannot lie only in exhorting individual vigilance. It must also lie in rules and structures that make verification routine.

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[3] See "Supreme Court sets aside NCLT orders after tribunal relies on fake AI-generated judicial precedents", *Telangana Today* (2026), available at https://telanganatoday.com/supreme-court-sets-aside-nclt-orders-after-tribunal-relies-on-fake-ai-generated-judicial-precedents (last visited 18 November 2026).

III. THE INDIAN JUDICIAL RESPONSE

A. Early signals. Indian forums encountered the problem before the Supreme Court addressed it directly. The Income Tax Appellate Tribunal at Bengaluru recalled its own order in the *Buckeye Trust* matter after realising that it had relied on case law cited by a representative that proved to be fabricated.[4] The Bombay High Court, in *KMG Wires Pvt. Ltd. v. National Faceless Assessment Centre*, found that an assessing officer had relied on judicial decisions that did not exist, and treated the lapse with evident alarm.[5] In each case the fabricated material originated outside the adjudicator or was adopted by a quasi-judicial authority, and the response was correction after the fact.

B. Institutional frameworks. The Kerala High Court issued, in July 2025, a policy governing the use of artificial intelligence by the district judiciary. It forbids the use of AI tools to arrive at findings, grant reliefs or issue orders or judgments under any circumstances, and it permits only tools approved by the High Court or the Supreme Court.[6] In November 2025 the Supreme Court released a White Paper on Artificial Intelligence and Judiciary, which identified the fabrication of cases and hallucination as a principal risk and urged mandatory human verification.[7] These documents are advisory or local in reach, and neither sets out the consequences of a breach.

C. Gummadi Usha Rani. The facts are instructive. In a suit for injunction concerning immovable property, the trial court appointed an advocate commissioner and, on the petitioners' objections to the commissioner's report, dismissed the objections in an order of 19 August 2025 that relied on four decisions presented as Supreme Court judgments. The decisions could not be found.[8] The Andhra Pradesh High Court recognised that the judgments appeared to have been generated by artificial intelligence, issued a caution on unverified use of such tools, and

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[4] See "India's New Courtroom Menace: Judgments That Never Existed", *Analytics India Magazine* (2026), available at https://analyticsindiamag.com/ai-features/indias-new-courtroom-menace-judgments-that-never-existed/ (last visited 18 November 2026) (describing the *Buckeye Trust* matter before the ITAT).

[5] *KMG Wires Pvt. Ltd. v. National Faceless Assessment Centre* (Bom. HC, 2025), as described in "Integrating Intelligence: The Courts' Evolving Engagement With AI", *Mondaq* (2026), available at https://www.mondaq.com/india/new-technology/1742820/integrating-intelligence-the-courts-evolving-engagement-with-ai (last visited 18 November 2026).

[6] Kerala High Court, Policy Regarding Use of Artificial Intelligence Tools in District Judiciary (19 July 2025). See "In a first, Kerala High Court issues policy for use of AI by judges; says no AI for judgments", *Bar and Bench* (July 2025), available at https://www.barandbench.com/news/in-a-first-kerala-high-court-issues-policy-for-use-of-ai-by-judges-says-no-ai-for-judgments (last visited 18 November 2026).

[7] Supreme Court of India, Centre for Research and Planning, *White Paper on Artificial Intelligence and Judiciary* (November 2025). See also the discussion in "Integrating Intelligence", *supra* note 5.

[8] Kaushik, *supra* note 1.

nonetheless dismissed the civil revision, reasoning in effect that the law as it stood supported the outcome.[9] The Supreme Court issued notice, directed that the trial court shall not proceed on the commissioner's report pending disposal, issued notice to the Attorney General, the Solicitor General and the Bar Council of India, and appointed Mr. Shyam Divan as amicus.[10] In the passage that matters most, the Bench of Justices P.S. Narasimha and Alok Aradhe took cognisance of the deployment of non-existent, fake or synthetic judgments and declared that a decision based on them is not an error in decision making. It is misconduct, and legal consequences shall follow.[11]

D. Pooja Ramesh Singh. The matter arose from an appeal by a suspended director against the NCLAT's judgment of 11 September 2025, which had upheld the NCLT's order of 28 August 2024 admitting Essel Infraprojects into the corporate insolvency resolution process on an application by Jammu and Kashmir Bank concerning an alleged default of Rs. 87.43 crore.[12] On examination, the Supreme Court found that the NCLT had relied on non-existent, AI-generated precedents. The Bench of Justices Narasimha and Aradhe held that reliance on hallucinated material strikes at the integrity of adjudication, directed that courts adopt a zero tolerance approach towards producing, citing or using AI-generated precedents without verification, characterised the citation of such precedents by advocates as professional misconduct, and described reliance on them by a judge as a serious judicial lapse.[13] It added that human control over adjudication must remain total and absolute at every stage, and directed the Bar Council of India to constitute a committee to examine the issue. It declared that such a decision is no decision in the eyes of the law, and that a judgment must be set aside even if an iota of fabricated material has entered the decision making process.[14] Both tribunal orders were set aside, and the matter was remitted to the NCLT for fresh consideration, uninfluenced by the fabricated citations, with the parties directed to maintain status quo until it is decided afresh.[15]

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[9] *Id.*
[10] *Id.*
[11] *Id.*
[12] *Pooja Ramesh Singh*, *supra* note 2.
[13] *Id.*
[14] *Id.*
[15] "Supreme Court Sets Aside NCLT, NCLAT Orders Over AI-Generated Fake Citations; Asks BCI To Frame Norms", *Free Press Journal* (2026), available at https://www.freepressjournal.in/india/supreme-court-sets-aside-nclt-nclat-orders-over-ai-generated-fake-citations-asks-bci-to-frame-norms (last visited 18 November 2026).

IV. THE DOCTRINE OF JUDICIAL INVALIDITY AND ITS TRADITIONAL GROUNDS

The declaration that a decision is no decision in the eyes of the law is the language of nullity. To appreciate its force and its limits, it helps to recall how narrow the traditional categories of nullity are. The general rule of Indian procedure is that a judgment, even an erroneous one, is valid and binding until it is set aside in the manner the law provides. The remedies for error are appeal, revision and review, and each has its own conditions and limitation. Nullity is the exception, reserved for defects so fundamental that the decision has no legal existence.

Three grounds are conventionally recognised. The first is want of inherent jurisdiction. A decree passed by a court lacking subject matter jurisdiction is a nullity, and its invalidity may be set up wherever and whenever it is sought to be enforced.[16] The second is fraud. A judgment or decree obtained by playing fraud on the court is a nullity and may be disregarded, since fraud unravels everything it touches.[17] The third is breach of the principles of natural justice. A decision rendered in violation of the right to a fair hearing, or tainted by bias, is liable to be invalidated, and in the administrative context the Court has treated the breach as fatal irrespective of whether a different outcome would have followed.[18] A fourth, related idea is the doctrine of *per incuriam*, under which a decision rendered in ignorance of a binding statute or precedent loses its authority as a precedent, though not necessarily its binding effect between the parties.[19]

A decision resting on fabricated precedent fits none of these categories comfortably. The court or tribunal may have jurisdiction. There may be no fraud by the adjudicator, who may have acted in good faith, as the Andhra Pradesh High Court was prepared to assume of the trial judge. The parties may have received a full hearing. And the *per incuriam* doctrine addresses ignorance of real law, not reliance on imaginary law. The Supreme Court's declaration therefore either creates a new ground of nullity or rests on a principle that the older categories imply without naming.

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The better reading is the second. The foundation is the proposition that a judicial decision must be reasoned according to law, and that reasons must be real. The Court has long insisted that a reasoned order is a requirement of fairness and a check on arbitrariness, because reasons expose

[16] *Kiran Singh v. Chaman Paswan*, AIR 1954 SC 340.
[17] *S.P. Chengalvaraya Naidu v. Jagannath*, (1994) 1 SCC 1.
[18] *A.K. Kraipak v. Union of India*, (1969) 2 SCC 262.
[19] *State of U.P. v. Synthetics and Chemicals Ltd.*, (1991) 4 SCC 139.

the basis of a decision to scrutiny.[20] A decision whose stated reasoning depends on authority that does not exist has reasons that cannot be scrutinised, because their foundation is absent. In that sense it resembles a decision founded on no evidence, or on material that is not on the record, which Indian courts treat as perverse. The analogy to fraud on the court is also instructive where counsel introduces the fabrication knowingly, though it does not require intent, and it is better to rest the principle on the failure of the lawful foundation than on culpability, which varies from case to case.

This analysis has a practical corollary that the Court's language does not make explicit. If invalidity means that the decision is a nullity in the strongest sense, then it could be challenged collaterally, in any proceeding, by anyone, at any time. That consequence would sit badly with the value of finality. The Supreme Court itself proceeded by the ordinary route of appeal and set aside the orders, and it is submitted that this is the correct model. The invalidity should be understood as functional, meaning that it is established on discovery by a competent forum in a proceeding properly invoking its jurisdiction, and not as an automatic nullity open to collateral attack. Clarity on this point will matter for the many past decisions that may now be re-examined.

V. THE IOTA RULE EXAMINED

The most striking element of *Pooja Ramesh Singh* is the statement that a judgment must be set aside even if an iota of fabricated or hallucinated material enters the decision making process. This is a categorical rule, and it departs from the approach that Indian procedural law ordinarily takes to error. Section 99 of the Code of Civil Procedure, 1908 provides that no decree shall be reversed or substantially varied on account of any error, defect or irregularity not affecting the merits of the case or the jurisdiction of the court. The criminal analogue, formerly in section 465 of the Code of Criminal Procedure, 1973 and now in section 511 of the Bharatiya Nagarik Suraksha Sanhita, 2023, makes a finding unassailable on account of irregularity unless a failure of justice has in fact occurred. The common premise is that appellate courts should look to substance and prejudice, and not to technical imperfection.

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The Andhra Pradesh High Court's approach in *Gummadi Usha Rani* illustrates that logic. If the real law supports the outcome, the High Court reasoned, the presence of fake citations does not change the result. On a harmless error analysis, that conclusion is defensible. The Supreme Court

[20] *Kranti Associates (P) Ltd. v. Masood Ahmed Khan*, (2010) 9 SCC 496.

rejected it. Its position can be justified on at least four grounds. First, the integrity of adjudication is a value in itself, and not merely an instrument for producing correct outcomes. A decision that reaches the right result by an unlawful route has not been properly made. Second, the counterfactual is unknowable. Once a fabricated authority has entered the reasoning, a court cannot determine with confidence what weight it carried in the mind of the decision maker, and a rule requiring proof of prejudice would ask the impossible. Third, a categorical rule deters. The bright line sends the message that verification is non negotiable, which is precisely what an institution facing a new technological risk needs to communicate. Fourth, legitimacy. Public confidence is damaged by the existence of a fabricated authority in a judgment regardless of its causal contribution.

These justifications make the iota rule best understood as a prophylactic rule of the same family as exclusionary rules in other fields. Its purpose is to protect a systemic interest even at the cost of some individual outcomes, and it should be assessed in those terms. Seen thus, three refinements deserve consideration.

The first is a distinction between reliance and mere presence. The rule is aimed at fabricated material that enters the decision making process, and the natural reading is that it must have been relied on or adopted in the reasoning. Where fabricated authority appears in a party's submissions and the court expressly identifies and disregards it, nothing has entered the decision and nothing is vitiated. The test should therefore be reliance in the operative reasoning, not the mere appearance of the material on the record.

The second is protection of the innocent litigant. The party who prevailed below may have done nothing wrong, and invalidation exposes that party to delay, expense and the loss of a result that may be substantively correct. The Court mitigated this in *Pooja Ramesh Singh* by remitting the matter for fresh determination and directing maintenance of status quo, which are sensible measures. Courts should as a matter of course consider expedited rehearing, preservation of interim protections and an award of costs payable by the person responsible for introducing the fabrication, whether counsel, representative or officer.

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The third is clarity on severability. If a decision rests on several independent grounds and the fabricated authority supports only one that is expressly collateral and non essential, the logic of the prophylactic rule may still call for invalidation because the reasoning has been contaminated.

But the Court should say so explicitly, so that lower forums know whether any contamination is disqualifying or whether some may be cured on remand by a simple re-examination of the unaffected grounds. Until the Court speaks to these questions, the iota rule will operate as a blunt instrument, and its bluntness is both its strength as a deterrent and its weakness as a principle of justice.

VI. ACCOUNTABILITY: WHO ANSWERS AND FOR WHAT

A. Advocates. Advocates are officers of the court, and their duty of candour to the tribunal includes an obligation not to place before it authorities that they have not verified. The Advocates Act, 1961 provides for disciplinary action for professional misconduct,[21] and the Supreme Court has characterised the citation of fabricated AI precedents as professional misconduct and directed the Bar Council of India to constitute a committee on the subject.[22] The appropriate sanctions range from costs, including costs personally payable by the advocate, to referral to the disciplinary authorities in cases of knowing or reckless conduct. What the profession now needs is a clear and uniform standard of the duty of verification, accompanied by guidance on how verification should be done and documented.

B. Judges and adjudicators. Here the position is more delicate, and it is where the Court's language needs the most careful reading. The Supreme Court has said that reliance by a trial court on fabricated judgments is misconduct and not an error in decision making. Yet service jurisprudence on judicial officers has long distinguished error from culpability. The Court has held that disciplinary proceedings against a judicial or quasi-judicial officer on account of an erroneous decision are not warranted unless the officer acted with ulterior motive, with reckless disregard of the law, or with gross negligence.[23] The Andhra Pradesh High Court, which accepted the judge's explanation of good faith, evidently approached the matter in that light.

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These positions can be harmonised, but only by reading the Supreme Court's statement with some care. Reliance on an unverified authority that proves to be fabricated is not misconduct in the abstract. It becomes misconduct when it reflects gross negligence or reckless indifference to the duty of verification. That standard is context sensitive. As warnings from the Supreme Court, the Kerala High Court and others spread, the reasonable expectation of verification grows, and

[21] Advocates Act, 1961, s. 35.
[22] *Pooja Ramesh Singh*, *supra* note 2.
[23] *Union of India v. K.K. Dhawan*, (1993) 2 SCC 56; *Ramesh Chander Singh v. High Court of Allahabad*, (2007) 4 SCC 247.

what might have been excusable in 2023 is difficult to excuse in 2026. A judge who relies on an AI generated citation without checking it against an authoritative source is, in the present environment, hard to describe as merely mistaken. The doctrine of gross negligence therefore supplies a principled route by which the Court's language can be reconciled with service law, and the proper reading of the declaration is that the threshold of culpability is reached more readily than before.

Two safeguards must accompany this. The first is institutional. Control over the district judiciary vests in the High Court under Article 235, and disciplinary proceedings should follow the established procedure, with an opportunity to explain, and not an ad hoc response. Judicial independence is served by the integrity of that process. The second concerns protection under the Judges (Protection) Act, 1985, which shields judges from civil and criminal proceedings for acts done in the discharge of judicial duties in good faith. That statutory immunity does not bar disciplinary action by the High Court, and its existence is a further reason for the disciplinary route to be carefully calibrated and fairly applied.

C. Tribunals and quasi-judicial authorities. The facts of *Pooja Ramesh Singh* and *KMG Wires* show that the risk extends beyond regular courts to tribunals and administrative adjudicators, who often work with limited research support and high volumes. These bodies are not subject to the Article 235 control that applies to the district judiciary, and their accountability arrangements vary. A common minimum standard, enforced through the appellate authorities and through supervisory jurisdiction, is needed.

D. Institutions and technology providers. Beyond individuals lies the question of institutional responsibility. Courts that permit or encourage the use of AI tools without training, approved tools and verification protocols create the conditions for failure. The Kerala policy, with its restriction to approved tools and its prohibition on AI for findings, is an example of institutional design that places responsibility where it can be discharged. The responsibility of technology providers, whose products generate the fabrication, is largely unexplored in Indian law. Whether and how liability can attach for a system that produces confident falsehoods is a question that may be beyond the immediate reach of the courts, and the point is flagged for further study and for legislative attention.

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VII. TOWARDS A GRADUATED FRAMEWORK

The foregoing analysis points towards a framework in which responsibilities are clear, sanctions are proportionate and the interests of litigants are protected. Five elements are proposed.

A duty of verification and certification. Every authority cited before a court or tribunal should be accompanied by a reference to an official or recognised report, and counsel or representatives should certify that each authority has been checked against that source. A false certification should attract consequences distinct from, and more serious than, an innocent error. Such certification already has analogues in practice, and the cost of adopting it is small relative to the risk it addresses.

Judicial and tribunal verification protocols. Every court and tribunal should adopt a protocol requiring that no authority be relied upon in an order unless it has been verified against an authoritative source, and that chambers keep a record of verification. The Kerala model of excluding AI from the formation of findings and limiting the tools that may be used should be considered for adoption by other High Courts, consistently with the Supreme Court's insistence that human control over adjudication remain total and absolute.

Graduated sanctions. For advocates, the response should range from costs and cautions to disciplinary referral, depending on knowledge, recklessness and repetition. For judges and adjudicators, negligence in verification should lead first to training, supervision and, where appropriate, administrative remarks, with disciplinary proceedings reserved for knowing, reckless or repeated lapses, in keeping with the standards that protect judicial independence. A rule that treats every instance as misconduct in the full disciplinary sense risks chilling the legitimate and supervised use of research tools and driving use underground, which would worsen verification.

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Protection for litigants. When a decision is invalidated, courts should as a matter of course consider expedited rehearing, preservation of interim protections and an order of costs or compensation against the person responsible for the fabrication, so that the burden of the institution's failure does not fall on the party who did nothing wrong.

Verification infrastructure. Verification is only as quick as the tools allow. A freely accessible and searchable database of official judgments, with persistent identifiers and links that citing parties can attach to every authority, would convert verification from a laborious search into a click. Where official repositories already exist, interoperability and ease of access are the priority.

The same infrastructure would support transparency, through the maintenance by High Courts of registers of incidents so that patterns can be detected and addressed.

Comparative experience supports the direction of this proposal. Courts in the United States, beginning with *Mata v. Avianca*, have responded to fabricated citations by lawyers with sanctions and with standing orders requiring certification,[24] and English courts have warned practitioners that placing false authorities before a court may attract serious consequences, including referral to professional regulators.[25] Those systems have primarily addressed counsel. India is among the first to confront the problem at the level of the bench, and its response will be watched accordingly.

VIII. CONCLUSION

The Supreme Court's decisions in *Gummadi Usha Rani* and *Pooja Ramesh Singh* mark a moment at which Indian law named a new threat to the integrity of adjudication and responded with unusual firmness. The declaration that a decision resting on fabricated precedent is no decision in the eyes of the law is defensible. It reflects the principle that a judicial decision must rest on a lawful foundation and that reasons must be real. It is best understood as a functional invalidity, established by a competent forum on discovery, and not as an automatic nullity open to collateral attack.

The categorical iota rule is justifiable as a prophylactic measure, but it calls for refinement on reliance, on severability and above all on the protection of litigants who have done nothing wrong. The classification of reliance on fabricated precedent as misconduct is likewise defensible, provided it is read in harmony with the settled law that distinguishes error from culpability, so that the threshold of gross negligence or reckless indifference is applied with due regard to the warnings now widely available.

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Technology will continue to change the way law is researched and written. The judiciary cannot stop that change, and it should not try to. What it can do is to ensure that every authority on which a decision rests is real, that every person responsible for verifying it knows that they are, and that the consequences of failure are proportionate, fair and clear. In the end the question is not whether machines will be used in the service of law, but whether the law will remain in the hands of those who can be held answerable for it.

[24] *Mata v. Avianca, Inc.*, 678 F. Supp. 3d 443 (S.D.N.Y. 2023).
[25] See *Ayinde v. London Borough of Haringey* [2025] EWHC 1383 (Admin).