

From: Patty Barksdale
Sent: Friday, May 29, 2026 11:59 AM
To: RulesCommittee Secretary
Subject: Rules Suggestion: Rule 11(a), Federal Rules of Civil Procedure

To address the use of generative AI and preempt the entry of additional standing orders by judges who discern a gap in Rule 11 (see, for example, [one of two standing orders in the MDFL](#)), please consider adding a fifth subsection to Rule 11(a) akin to what the Florida Supreme Court has done [here](#). Comments to the Florida Supreme Court's action, due by August 11, 2026, may be helpful in deciding whether to pursue this suggestion.

By presenting to the court a pleading, written motion, or other paper—whether by signing, filing, submitting, or later advocating it—an attorney or unrepresented party certifies that to the best of the person's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances:

- (1) it is not being presented for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation;
 - (2) the claims, defenses, and other legal contentions are warranted by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law;
 - (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; ~~and~~
 - (4) the denials of factual contentions are warranted on the evidence or, if specifically so identified, are reasonably based on belief or a lack of information-; **and**
 - (5) **the legal authorities exist and are accurately cited.**
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Thank you for your consideration.

Patricia D. Barksdale
United States Magistrate Judge
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