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IXSOR > RESOURCES > CHECKLISTS > PRE-PUBLICATION CITATION AUDIT CHECKLIST

IXSOR. RESOURCE / CHECKLIST

ixsor.com/resources/checklists/pre-publication-citation-audit · AI implementation for legal practitioners · Not legal advice

[RESOURCE / CHECKLIST]

Pre-publication Citation Audit Checklist.

Run through this checklist before any AI-assisted document leaves the firm. The verification standard from *Mata v. Avianca* and *Park v. Kim* is non-negotiable; this checklist is the workflow that satisfies it. Print it, run it, sign it, file it with the matter.

USE CASE: PRE-FILING AUDIT; MATA V. AVIANCA DEFENCE; RULE 11 / FRCP COMPLIANCE; RULE 3.3 CANDOR

CATEGORY: PRE-FLIGHT & AUDIT

TOOLS: WESTLAW, LEXIS, COCOUNSEL, VINCENT, LEXIS+ AI, COURTLISTENER, CORNELL LII

READ THIS FIRST

IXSOR is not a law firm and this is not legal advice. This resource is a starting artifact you, the lawyer, customize and apply with judgment. Verify every assertion against primary sources. Cross-check against your jurisdiction's rules and your specific situation before relying on it. Full disclaimer below.

The checklist

Print this, run through it, sign it, and file it with the matter. Each phase is sequential; do not skip ahead.

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COPY

PRE-PUBLICATION CITATION AUDIT CHECKLIST

Matter: _____

Document: _____

Drafted by: _____

Date drafted: _____

Audit performed by: _____

Date of audit: _____

PHASE 1 – INVENTORY (do this once per document)

1.1 List every cited authority in the document.

Include cases, statutes, regulations, treatises, and bar opinions. Do not skip ones that look obvious or that you believe were already verified.

1.2 For each citation, record:

- Cite-as-given (verbatim from the document)
- Pin-cite or page reference (if any)
- The proposition the citation is offered to support

1.3 Identify which citations were AI-assisted in any way:

- Found by AI (e.g., CoCounsel research, Westlaw AI search)
- Drafted by AI (the AI suggested the cite to support a point)
- Reformatted by AI (the AI restated a real cite)

PHASE 2 – VERIFY EACH CITATION

For each citation, complete the following. Do NOT skip any.

- [] 2.1 The case (or statute / regulation) exists.
Search a primary-source database (Westlaw, Lexis, Cornell LII, CourtListener, Justia). The result must include:
 - Party names
 - Court
 - Reporter / citation
 - Year

- [] 2.2 The citation format is correct.
The volume, reporter, page, court, and year should match the Bluebook or jurisdiction-specific citation format.

- [] 2.3 The pin-cite (if any) is real.
Open the case and confirm that the cited page exists and that the cited language appears at that page.

- [] 2.4 The case stands for the cited proposition.
Read the relevant portion of the case (headnotes are a starting point; the actual reasoning controls). The proposition should actually appear in the case, not be inferred or invented.

- [] 2.5 The case has not been overruled or abrogated.
Run KeyCite (Westlaw) or Shepard's (Lexis) on every case relied upon. Negative treatment that the AI did not flag is itself a red flag.

PHASE 3 – STATUTORY AND REGULATORY VERIFICATION

- [] 3.1 Each statute citation links to the current version on Cornell LII or eCFR.

- [] 3.2 Each regulation citation reflects the current CFR text, not a repealed or amended version.

- 3.3 Effective dates are correct. Where the matter requires applying the law as it stood at a specific time, the version cited matches that time.

PHASE 4 – DOCUMENT-LEVEL REVIEW

- 4.1 Every quotation is verbatim from the source.
Open the source and confirm word-for-word match.
- 4.2 Every paraphrased proposition is supported by the cited authority.
- 4.3 No citation in the document is unaccounted for in this audit.

PHASE 5 – RED FLAGS

If any of the following are present, escalate to the supervising attorney before filing:

- 5.1 An AI-assisted citation that I could not independently verify.
- 5.2 A pin-cite to a page that does not exist or does not contain the cited language.
- 5.3 A case that supports a different proposition than the one cited.
- 5.4 A case that has been overruled or abrogated for the cited point.
- 5.5 A "quotation" that does not appear verbatim in the source.

PHASE 6 – SIGN-OFF

- 6.1 I have personally verified every citation in this document against a primary-source legal-research database.
- 6.2 I have not relied on AI output to confirm any citation.
- 6.3 I am prepared to defend every citation under Rule 11 (FRCP) /

Rule 3.3 (Model Rules of Professional Conduct).

Signature: _____

Date: _____

This completed checklist is filed with the matter as part of the firm's audit trail. Retention period: per firm records retention policy.

How to use it

INPUTS / FILL-INS

Any document containing citations that will be filed with a court, sent to opposing counsel, or transmitted to a client: brief, motion, memorandum of law, demand letter, opinion letter.

What you get

OUTPUT

A signed, dated checklist filed with the matter. Documents the verification of every citation and creates an audit trail in the event of a sanctions inquiry.

Verification — what the lawyer must do

- **The checklist IS the verification.** The whole point is that there is no shortcut: every citation must be independently verified against a primary source.

- **Use the right tool for verification.** CoCounsel, Vincent, Lexis+ AI, or direct Westlaw / Lexis. Do not use general-purpose AI.
- **File the completed checklist with the matter.** If a sanctions inquiry ever arises, the documented audit is the firm's strongest defence.

⚠ Risks and failure modes

- **Skipping the audit:** *Mata v. Avianca* and *Park v. Kim* establish that the lawyer who signs the document is responsible for every citation, regardless of how the citation got there. Skipping this audit is the path to sanctions.
- **Verifying with AI:** The original *Mata* failure was an attorney trusting AI output to verify AI-generated citations. The verification step must use a primary-source database.
- **Treating obvious citations as already-verified:** Some sanctioned attorneys had real citations mixed with hallucinated ones. The hallucinated cites were the ones the lawyer did not double-check because they "looked right."

Citations and further reading

- [*Mata v. Avianca, Inc.*, 678 F. Supp. 3d 443 \(S.D.N.Y. 2023\).](#)
- [*Park v. Kim*, 91 F.4th 610 \(2d Cir. 2024\).](#)
- [Federal Rule of Civil Procedure 11.](#)
- [ABA Formal Opinion 512.](#)
- [IXSOR Resources: Citation Verifier — the Mata Defense Prompt — the AI-assisted version of Phase 1 inventory.](#)

A note on using IXSOR Resources

These resources are educational tools written by a consultant, not legal advice from an attorney. **IXSOR is not a law firm and Dan Hughes is not licensed to practise law.** Using a template, checklist, framework, or prompt from this site does not create an attorney-client relationship and does not substitute for legal advice from a licensed attorney in your jurisdiction.

The resources are written to be useful in general; they cannot be tailored to your specific facts, jurisdiction, practice area, ethics regime, client circumstances, or matter posture. Differences in any of those can change the right answer materially.

If you use these resources in client work, you remain responsible for verifying their accuracy against primary sources, satisfying your duty of competence under Model Rule 1.1, meeting your duty of candor under Rule 3.3, protecting client confidences under Rule 1.6, and supervising any non-lawyer use under Rule 5.3. The *Mata v. Avianca* line of cases is a reminder that the lawyer who signs the document is the lawyer who answers for it.

Some uses of these resources can cause real damage if applied without judgment. Sanctions, malpractice claims, ethics complaints, breached confidentiality, and bar discipline have all followed AI use that the lawyer did not check carefully. **Consult your own ethics counsel for anything that matters.**

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If you find an error or have a correction, write to hello@ixsor.com and we will fix it.

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