



AI AND THE PRO SE LITIGANT

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ADMINISTRATIVE LAW JUDGE, PUBLIC UTILITIES COMMISSION OF OHIO

WHAT IS AI?



“There is no single definition of artificial intelligence. At its essence, AI involves computer technology, software, and systems that perform tasks traditionally requiring human intelligence. [...] The term is frequently applied to the project of developing systems that appear to employ or replicate intellectual processes characteristic of humans, such as the ability to reason, discover meaning, generalize, or learn from past experience.”



“**Gen AI** uses sophisticated algorithms to organize large, complex data sets into meaningful clusters of information in order to create new content, including text, images and audio, in response to a query or prompt.”

ABA FORMAL OPINION 512



Competence



Confidentiality



Communication



Supervisory
Responsibilities/Managerial
Ethics



Fee Structuring



Candor Toward the
Tribunal

OTHER AI GUIDANCE

- 2024 New Jersey Courts' Notice + New Technology CLE Requirement
- Supreme Court of Ohio's Artificial Intelligence Resource Library
- New York City Bar Association's Committee on Professional Ethics Formal Opinion 2024-5
- National Center for State Courts' "A Legal Practitioners Guide to AI & Hallucinations"
- Bloomberg Law's State Legal Ethics Guidance on Artificial Intelligence table
 - Alaska, California, District of Columbia, Florida, Illinois, Kentucky, Michigan, Minnesota, Mississippi, Missouri, New Jersey, New Mexico, New York, North Carolina, Oregon, Pennsylvania, Texas, Virginia, Washington, West Virginia

BUT WHAT ABOUT PRO SE LITIGANTS?

PRE-HEARING FILINGS

THE EVIDENTIARY HEARING (AND POST-
HEARING BRIEFING)

AI CONSUMER COMPLAINT

DRAFT A CONSUMER COMPLAINT AT THE PUCO WHERE I WAS CHARGED TOO MUCH + CITE APPLICABLE LAW

Consumer Complaint – Electric Estimated Billing Dispute (With Legal Citations)

Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43215

Re: Formal Complaint Regarding Excessive Estimated Electric Bill

Dear Sir or Madam,

I am writing to file a formal complaint against my electric utility provider regarding what I believe to be an inaccurate and excessive estimated bill on my account.

Customer Information:

Name: [Your Full Name]
Service Address: [Your Address]
Account Number: [Your Account Number]
Phone Number: [Your Phone Number]
Email: [Your Email Address]

Utility Company Information:

Company Name: [Electric Utility Provider Name]

Description of the Issue:

On or about [date of bill], I received an electric bill in the amount of \$[amount], which is significantly higher than my typical monthly charges of approximately \$[average amount]. Upon review, the bill appears to be based on an estimated meter reading rather than an actual reading.

I have not experienced any unusual increase in electricity usage that would justify such a charge. I contacted the utility company on [date(s)] to request an actual meter reading and an explanation of the estimate; however, the issue remains unresolved. [Briefly describe the company's response, if any.]

Legal Basis for Complaint:

I believe this billing practice may violate the following Ohio regulations governing electric utilities:

- **Ohio Administrative Code (O.A.C.) 4901:1-10-06 (Meter Readings and Estimated Bills):** Requires electric utilities to make reasonable efforts to obtain actual meter readings and limits reliance on estimated billing. Estimates must be based on the customer's prior usage and other relevant factors, and cannot be arbitrary or excessive.
- **O.A.C. 4901:1-10-05 (Billing Requirements):** Requires that bills be accurate, clearly stated, and based on actual usage whenever possible.
- **O.A.C. 4901:1-10-23 (Complaint Handling):** Requires utilities to promptly investigate and attempt to resolve customer disputes in good faith.
- **Ohio Revised Code (R.C.) 4905.22:** Prohibits public utilities from charging unjust or unreasonable rates or amounts. Excessive or unsupported estimated billing may constitute an unreasonable charge.

If the estimate is not reasonably based on my historical usage or if the utility failed to make reasonable efforts to obtain an actual meter reading, the charge may be in violation of these provisions.

Requested Resolution:

I respectfully request that the Commission:

- Require the utility to perform an actual meter reading immediately
- Recalculate my bill based on the actual reading
- Remove or adjust any excessive estimated charges
- Provide a detailed explanation of how the estimate was calculated
- Ensure future bills are based on actual readings whenever possible

I am attaching copies of the disputed bill, prior bills showing typical usage, and any correspondence with the utility provider.

Thank you for your attention to this matter. I respectfully request a prompt investigation and resolution.

Sincerely,
[Your Full Name]

Attachments:

- Copy of disputed estimated bill
- Prior billing history
- Correspondence with utility provider

PRE HEARING MOTION

DRAFT A MOTION TO FIND AN OHIO POWER SITING BOARD APPLICATION INCOMPLETE BASED ON NOT PROVIDING ENOUGH INFORMATION ON ENVIRONMENTAL IMPACTS

BEFORE THE OHIO POWER SITING BOARD

In the Matter of the Application of

[Applicant Name]

For a Certificate of Environmental Compatibility and Public Need

Case No. [Case Number]

MOTION TO FIND APPLICATION INCOMPLETE

Now comes [Your Name / Intervenor Name], by and through [himself/herself/itself or counsel], and respectfully moves the Ohio Power Siting Board ("Board") to find the above-captioned application incomplete pursuant to Ohio law and the Board's rules. In support of this Motion, Movant states as follows:

I. INTRODUCTION

The Applicant has failed to provide sufficient, specific, and reliable information regarding the environmental impacts of the proposed facility. As a result, the application does not satisfy the statutory and regulatory completeness requirements necessary for the Board and interested parties to meaningfully evaluate the project.

II. LEGAL STANDARD

Under **Ohio Revised Code § 4906.06**, an application for a certificate must include detailed information regarding the nature of the facility and its environmental impact. The statute requires sufficient data to enable the Board to determine whether the facility represents the minimum adverse environmental impact, considering the state of available technology and the nature and economics of the proposal.

Additionally, **Ohio Administrative Code 4906-2-12** requires applicants to provide detailed information concerning the environmental impacts of the proposed facility, including but not limited to impacts on air, water, wildlife, vegetation, and land use.

The Board may deem an application incomplete where it lacks the information necessary to evaluate compliance with **R.C. 4906.10(A)**, which sets forth the criteria for approval, including that the facility represents the minimum adverse environmental impact.

III. ARGUMENT

A. The Application Lacks Required Detail Regarding Environmental Impacts

The application fails to include adequate analysis, data, and supporting documentation concerning several key environmental impact areas, including:

- **Wildlife and Habitat Impacts:** The Applicant has not provided sufficient site-specific studies regarding impacts on wildlife, including threatened or endangered species, migratory birds, and habitat fragmentation.
- **Water Resources:** The application lacks detailed assessments of impacts to surface water, groundwater, wetlands, and drainage patterns, and does not include adequate mitigation plans.
- **Vegetation and Land Use:** The Applicant provides only generalized descriptions rather than project-specific analyses of vegetation clearing, land disturbance, and long-term land use effects.
- **Cumulative Impacts:** The application does not adequately evaluate cumulative environmental impacts in conjunction with other existing or proposed developments in the area.

Without this information, the Board cannot determine whether the project satisfies the "minimum adverse environmental impact" requirement under **R.C. 4906.10(A)(3)**.

B. The Lack of Specific Data Prevents Meaningful Review

The deficiencies identified above prevent meaningful participation by affected stakeholders and frustrate the Board's statutory duty to conduct a thorough review. The absence of site-specific studies, quantified impact assessments, and clearly defined mitigation measures renders the application insufficient under **Ohio Administrative Code 4906-2-12**.

C. The Application Should Be Deemed Incomplete

Because the application omits required environmental information, it fails to meet the threshold completeness requirements under **R.C. 4906.06** and applicable administrative rules. The Board should require the Applicant to supplement the record before proceeding further.

IV. CONCLUSION

For the foregoing reasons, Movant respectfully requests that the Ohio Power Siting Board:

1. Find the application incomplete;
2. Require the Applicant to provide complete and detailed environmental impact information consistent with Ohio law; and
3. Grant such other relief as the Board deems appropriate.

Respectfully submitted,

[Your Name / Attorney Name]

[Address]

[Phone Number]

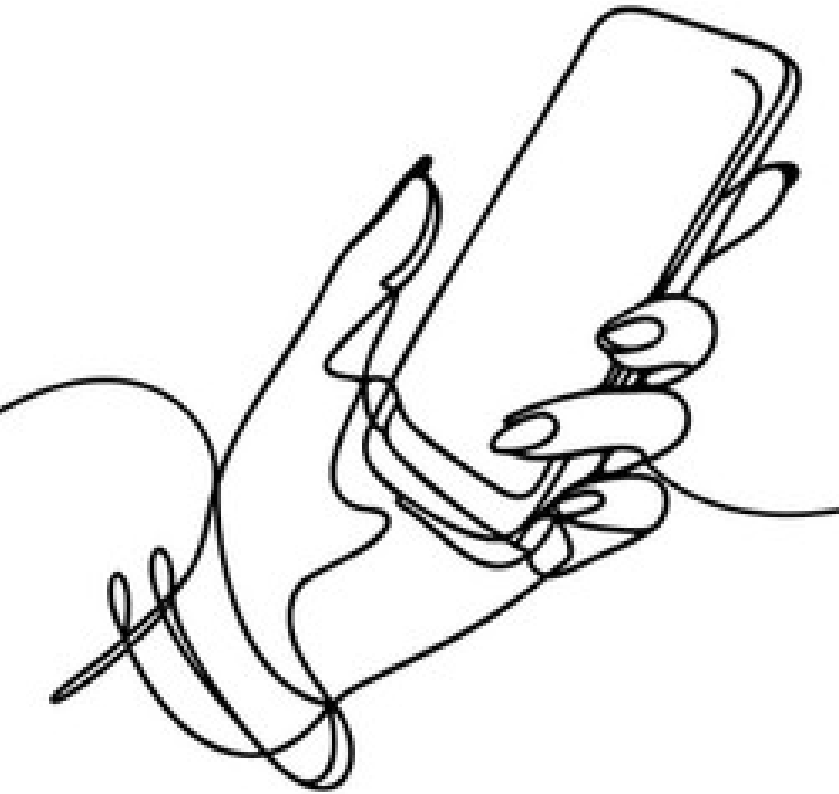
[Email Address]

[Attorney Registration Number, if applicable]

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Find Application Incomplete was served upon all parties of record in this proceeding on this [day] of [month], [year], in accordance with applicable rules.

[Signature]



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AI Notetakers & The Law: A Lawyer's Guide to a Silent Witness

The Primary Risks

Violation of Consent & Privacy Laws



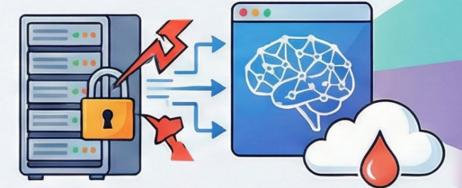
Violation of Consent & Privacy Laws
Recording without all-party consent can violate state wiretapping and biometric privacy laws.

Waiver of Attorney-Client Privilege



Waiver of Attorney-Client Privilege
Allowing a third-party vendor access to confidential communications may nullify privilege protections.

Data Security Breaches & Vendor Misuse



Data Security Breaches & Vendor Misuse
Your confidential data may be stored insecurely or used to train the vendor's AI models.

Best Practices for Compliance

Obtain Explicit Consent from ALL Participants



Obtain Explicit Consent from ALL Participants
Proactively notify everyone before recording, regardless of one-party consent state laws.

Vet Technology & Control Data



Vet Technology & Control Data
Use licensed tools with strong security and contractually ensure data is not used for training.

Review Output & Establish Clear Policies



Review Output & Establish Clear Policies
Always verify AI transcripts for accuracy and implement a firm-wide policy for AI tool usage.

NotebookLM

THE EVIDENTIARY HEARING: TALK TO TEXT

POST-HEARING BRIEFS

BEFORE THE OHIO POWER SITING BOARD

In the Matter of the Application of

[Applicant Name]

For a Certificate of Environmental Compatibility and Public Need

Case No. [Case Number]

POST-HEARING BRIEF OF [INTERVENOR NAME] IN OPPOSITION TO THE PROPOSED SOLAR FACILITY

I. INTRODUCTION

[Intervenor Name] (“Intervenor”) respectfully submits this Post-Hearing Brief in opposition to the above-captioned application. The record developed in this proceeding demonstrates that the proposed solar facility fails to satisfy the statutory requirements set forth in Ohio law. Specifically, the Applicant has not established that the facility represents the minimum adverse environmental impact, and the project, as proposed, undermines fundamental property rights of affected landowners.

Because the environmental impacts remain uncertain and inadequately studied, and because the burdens imposed on neighboring property owners are substantial and insufficiently mitigated, the Ohio Power Siting Board (“Board”) should deny the application.

II. APPLICABLE LAW

Under **Ohio Revised Code § 4906.10(A)**, the Board may not grant a certificate unless it determines, among other things, that:

- The facility represents the minimum adverse environmental impact, considering the state of available technology and the nature and economics of the proposal (**R.C. 4906.10(A)(3)**); and
- The facility serves the public interest, convenience, and necessity (**R.C. 4906.10(A)(6)**).

The Applicant bears the burden of proof to demonstrate compliance with these criteria by a preponderance of the evidence.

III. ARGUMENT

A. The Applicant Failed to Demonstrate That the Facility Represents the Minimum Adverse Environmental Impact

The record reflects substantial gaps and uncertainties in the Applicant’s environmental analysis. Key impact areas remain insufficiently studied or are supported only by generalized, non-site-specific information.

1. Incomplete and Uncertain Wildlife and Habitat Impacts

The Applicant has not provided adequate, site-specific data regarding impacts to wildlife, including migratory birds, pollinators, and threatened or endangered species. Testimony acknowledged reliance on limited or outdated surveys, and the absence of comprehensive seasonal studies. Without such data, the Board cannot determine whether the facility minimizes harm as required by **R.C. 4906.10(A)(3)**.

2. Insufficient Analysis of Water, Soil, and Drainage Impacts

The evidence regarding stormwater management, soil compaction, and drainage alterations remains incomplete. The conversion of large tracts of land to industrial solar use raises legitimate concerns about runoff, erosion, and impacts to adjacent properties. The Applicant’s mitigation measures are conceptual and lack enforceable detail.

3. Lack of Meaningful Cumulative Impact Assessment

The Applicant failed to analyze cumulative environmental impacts in conjunction with other existing or planned developments in the region. This omission is particularly significant given the increasing concentration of utility-scale solar projects in rural areas.

4. Reliance on Future Plans Rather Than Present Commitments

Throughout the record, the Applicant repeatedly deferred critical environmental details to future plans, studies, or agency coordination. Such deferrals do not satisfy the statutory requirement that the Board make its determination based on the evidence before it.

Taken together, these deficiencies preclude a finding that the project represents the minimum adverse environmental impact.

B. The Project Imposes Significant and Unmitigated Burdens on Neighboring Property Owners

The proposed facility also undermines the rights of adjacent property owners by imposing substantial and inadequately addressed impacts.

1. Interference with the Use and Enjoyment of Property

Neighboring landowners will experience changes in landscape character, potential glare, noise from inverters and substations, and other disturbances associated with industrial-scale solar development. These impacts diminish the use and enjoyment of nearby properties.

2. Impacts on Property Values and Rural Character

Testimony in the record indicates concern regarding the effect of the project on local property values and the transformation of agricultural land into industrial use. The Applicant has not provided persuasive, site-specific evidence to rebut these concerns.

3. Setbacks and Screening Are Inadequate

The proposed setbacks and vegetative screening measures are insufficient to fully mitigate visual and other impacts, particularly given seasonal variability and long-term maintenance uncertainties.

4. Burden Shifting to Non-Participating Landowners

While participating landowners may receive financial benefits, neighboring property owners bear the externalized costs of the project without compensation. This imbalance weighs against a finding that the project serves the public interest under **R.C. 4906.10(A)(6)**.

C. The Application Does Not Satisfy the Public Interest Requirement

The Board must consider whether the project serves the public interest, convenience, and necessity. Here, the unresolved environmental impacts and disproportionate burdens on local landowners weigh heavily against approval.

A project that proceeds without adequate environmental safeguards and imposes significant impacts on non-consenting neighbors cannot reasonably be said to serve the public interest.

IV. CONCLUSION

The Applicant has failed to meet its burden under **Ohio Revised Code § 4906.10(A)**. The record contains significant gaps in environmental analysis, unresolved uncertainties, and insufficient mitigation measures. Additionally, the project imposes material and inequitable burdens on neighboring property owners.

Draft a post-hearing brief for an Ohio Power Siting Board case in opposition to a proposed solar farm that argues environmental impacts are undetermined and property rights are undermined

**KRUSE V.
KARLEN,
NO. ED
111172 (MO.
CT. APP.
FEB. 13,
2024)**

“pro se litigants are subject to the same procedural rules as parties represented by counsel” and “are not entitled to exceptions they would not receive if represented by counsel”- citing to Huteson v. Dep’t Soc. Servs., Fam. Support Div., 656 S.W.3d 37, 40 (Mo. App. E.D. 2022)

What went wrong?

No appendix on controlling statutes + did not provide points relied on

No citations to the record in pro se appellant’s statement of fact

Table of authorities included 22 fictitious citations

Erroneous citations to Missouri statutes and rules

ADMINISTRATIVE DISCRETION

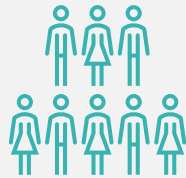
- How do we make sure pro se litigants get their “day in court” vs. administrative efficiency
- Building a healthy record for a comprehensive review without a deluge of AI-generated filings
- Ethics of AI
 - Disclosure by other parties?
 - Disclosure by filer?



GRAPPLING WITH GPT



Trainings



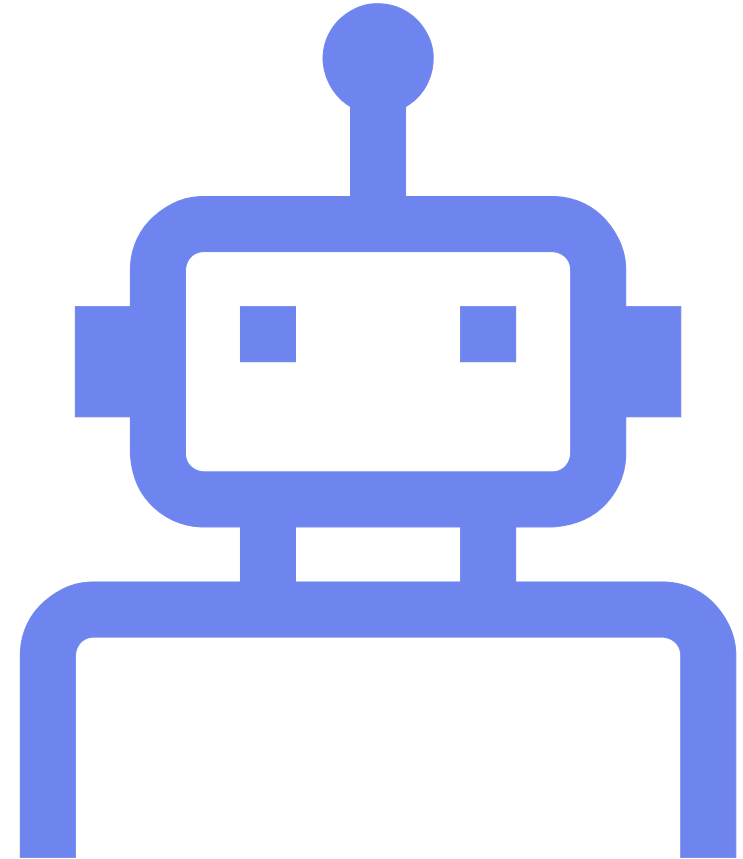
AI Working Group



Internal
Policies/Rulemakings?

THANK YOU!

In the preparation of this presentation, Chat GPT was used to generate example materials. I acknowledge full responsibility for the intellectual content of this work and has ensured that all AI-assisted sections have been reviewed and revised for accuracy.



REFERENCES

- BRITANNICA, <https://www.britannica.com/technology/artificial-intelligence>.
- George Lawton, What is Generative AI? Everything You Need to Know, TECHTARGET (July 12, 2024), <https://www.techtargget.com/searchenterpriseai/definition/generative-AI>
- American Bar Association, Standing Comm. on Ethics and Professional Responsibility, Formal Opinion 512 (July 29, 2024) https://www.americanbar.org/content/dam/aba/administrative/professional_responsibility/ethics-opinions/aba-formal-opinion-512.pdf
- Catherine Reach, AI in Client Meetings: Helpful Assistant or Hidden Ethical Risk” (Jan. 30, 2026) <https://www.ncbar.org/2026/01/30/ai-in-client-meetings-helpful-assistant-or-hidden-ethical-risk/> (Infographic)
- *Noland v. Land of the Free, L.P.*, 114 Cal. App. 5th 426, 336 Cal. Rptr. 3d 897 (2025) (disciplined counsel for not alerting court that opposing counsel was relying on hallucinated cases)
- *Kruse v. Karlen*, No. ED 111172 (Mo. Ct. App. Feb. 13, 2024) (disciplined pro se litigant for citing to 22 hallucinated cases and related errors related to briefing utilizing Gen-AI)
- Example documents generated by free Chat GPT

RESOURCES

- New Jersey Notice to Legal Practice Preliminary Guidelines on the Use of Artificial Intelligence by New Jersey Lawyers <https://www.njcourts.gov/sites/default/files/notices/2024/01/n240125a.pdf>
- Supreme Court of Ohio Artificial Intelligence Resource Library <https://www.supremecourt.ohio.gov/courts/services-to-courts/artificial-intelligence-resource-library/>
- New York City Bar Association Formal Opinion 2024-5 https://www.nycbar.org/wp-content/uploads/2024/08/20221329_GenerativeAILawPractice.pdf
- National Center of States Courts' A Legal Practitioner's Guide to AI & Hallucinations <https://www.ncsc.org/resources-courts/legal-practitioners-guide-ai-hallucinations>
- Bloomberg Law Tracker <https://www.bloomberglaw.com/external/document/X2JK49QC000000/legal-profession-comparison-table-state-legal-ethics-guidance-on>
- Damien Charlotin's AI Hallucination Cases Database (tracks legal decisions in cases where Gen AI produced hallucinated content and other types of AI-generated arguments, including any sanctions/penalties assessed) <https://www.damiencharlotin.com/hallucinations/?page=2>