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Judge Matthew J. Kacsmark

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205 SE 5th Avenue, Room 123
Box F-13248
Amarillo, Texas 79101-1559

Courtroom: 1st Floor**Case Letter Designation:** (Z)

Judge Tabs

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Judge Specific Requirements

Submission of Sealed Documents

The Court "heavily disfavor[s] sealing information placed in the judicial record" and discourages such requests. *June Med. Servs. L.L.C. v. Phillips*, 22 F.4th 512, 520–21 (5th Cir. 2022). The parties may agree between themselves to designate documents "confidential" during discovery. The typical standard there involves the parties asserting whether they want that material in the public domain. But filing that material with the Court under seal is a different matter altogether. *See Binh Hoa Le v. Exeter Finance Corp.*, 990 F.3d 410, 417 (5th Cir. 2021).

A party or parties seeking to file a specific document under seal must: (1) move for leave to do so; (2) brief the legal authorities indicating the risks of disclosure outweigh the public's right to know; and (3) explain that no other viable alternative to sealing exists. *See Planned Parenthood of Greater Tex. Family Planning & Preventative Health Servs., Inc. v. Kaufman*, No. 1750535, Doc. 00514098372, at 2 (5th Cir. Aug. 1, 2017). All facts recited in any such motion must be verified by the oath or declaration of a person or persons with personal knowledge. *See United States v. Edwards*, 823 F.2d 111, 119 (5th Cir. 1987). Parties should not seek to file under seal publicly available information. *June Med. Servs.*, 22 F.4th at 521. If any

party wishes to submit "confidential" information to the Court, the submission must be filed only in a motion to file under seal.

Submission of Proposed Orders

All motions require a proposed order that must be emailed to Kacsmaryk_Orders@txnd.uscourts.gov and must be in a Word format (not PDF). The subject line of the email must include the case number and the document number of the referenced motion.

Standard of Dress Pursuant to LR 83.16 and LCrR 53.2

The following attire is prohibited in the courtroom: shorts, flip flops, tank tops, halter tops, T-shirts with graphic writing, hats, sunglasses, and tights/athletic wear.

Mandatory Certification Regarding Generative Artificial Intelligence

All attorneys and pro se litigants appearing before the Court must, together with their notice of appearance, file on the docket a certificate attesting either that no portion of any filing will be drafted by generative artificial intelligence (such as ChatGPT, Harvey.AI, or Google Bard) or that any language drafted by generative artificial intelligence will be checked for accuracy, using print reporters or traditional legal databases, by a human being. These platforms are incredibly powerful and have many uses in the law: form divorces, discovery requests, suggested errors in documents, anticipated questions at oral argument. But legal briefing is not one of them. Here's why. These platforms in their current states are prone to hallucinations and bias. On hallucinations, they make stuff up—even quotes and citations. Another issue is reliability or bias. While attorneys swear an oath to set aside their personal prejudices, biases, and beliefs to faithfully uphold the law and represent their clients, generative artificial intelligence is the product of programming devised by humans who did not have to swear such an oath. As such, these systems hold no allegiance to any client, the rule of law, or the laws and Constitution of the United States (or, as addressed above, the truth). Unbound by any sense of duty, honor, or justice, such programs act according to computer code rather than conviction, based on programming rather than principle. Any party believing a platform has the requisite accuracy and reliability for legal briefing may move for leave and explain why. Accordingly, the Court will strike any filing from a party who fails to file a certificate on the docket attesting that they have read the Court's judge-specific requirements and understand that they will be held responsible under Rule 11 for the contents of any filing that they sign and submit to the Court, regardless of whether generative artificial intelligence drafted any portion of that filing. [A template Certificate Regarding Judge-Specific Requirements is provided here.](#)

Standard Forms

Forms for Civil Trial

[Sample Pre-Trial Order](#)

[Sample Exhibit List](#)

[Sample Witness List](#)

Biography

Birth: 1977

Year Service Began: 2019

Appointed by: President Donald J. Trump

Education: Bachelor of Arts, *summa cum laude*, from Abilene Christian University in 1999; Juris Doctor *with honors* from the University of Texas Law School 2003

Legal Practice: Deputy General Counsel, First Liberty Institute 2014 - 2019; Assistant United States Attorney for the Northern District of Texas 2008 - 2014; Associate, Baker Botts, L.L.P. 2003 - 2008

Current Memberships: State Bar of Texas; The Federalist Society; Texas Review of Law & Politics; The Philadelphia Society

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