

# The Saga of Ko v. Li: Integrity on Trial in the Age of AI

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Earlier this year, [we reported on Ko v. Li, 2025 ONSC 2766](#), where Justice Myers confronted a factum filled with fake citations and broken links, apparently stemming from hallucinations generated by Artificial Intelligence ("AI"). At that time, counsel Jisuh Lee acknowledged using AI, apologized, withdrew the factum, and undertook remedial steps which seemingly were sufficient to resolve any contempt of court that might otherwise have been found. She also indicated to the court that the factum had been prepared by a student under her supervision.

## New Developments

The case took a fascinating turn at a [case conference](#) earlier this month, that in Justice Meyer's own words "may resonate throughout the administration of justice".<sup>[1]</sup> In September, Ms. Lee admitted that her earlier statements were misleading, revealing that she alone prepared the AI-assisted factum, reversing her prior claim that others were involved. The court treated this as a fresh act of potential contempt and referred the matter to the Attorney General.

To address this extraordinary situation, the court also appointed an *amicus curiae* to assist the process. As Justice Myers explained, "Ms. Lee's reluctance to retain counsel and her insistence on confessing leaves me in procedural quandary as to the fair and proper way forward".<sup>[2]</sup> This rare step underscores the court's effort to ensure fairness while navigating novel challenges posed by AI and professional duties. Regardless of Ms. Lee's position, the court must still proceed on admissible evidence and apply the law with the gravity that contempt demands.

## Accountability in the Age of AI

AI can be a powerful tool, but its use in legal practice demands the highest standards of diligence. Lawyers must personally verify every citation and ensure accuracy before filing. If mistakes occur, candour is the advised response; efforts to deflect responsibility risk consequences more severe than the original error. Courts view integrity as fundamental to the administration of justice, and as they adapt to the challenges posed by AI, one truth remains clear: integrity cannot be automated.

*The information and comments herein are for the general information of the reader and are not intended as advice or opinion to be relied upon in relation to any particular circumstances. For particular application of the law to specific situations, the reader should seek professional advice.*

<sup>[1]</sup> [Ko v. Li, 2025 ONSC 6785](#) at para. 51.

<sup>[2]</sup> [Ko v. Li, 2025 ONSC 6785](#) at para 52.

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