RIGHT OF RESPONSE SUBMITTED TO THE BOROUGH OF BATH FOR PUBLICATION

Response to "A Requester Markets AI Legal-Research Software to the Borough He Is Litigating Against"

WHAT THE BOROUGH'S PAGE SAYS

1. Citations in my filings were inaccurate, and a court sanctioned me. **Conceded — see page 2.**
2. Artificial intelligence is the explanation for it.
3. I market AI legal-research software to the Borough I am litigating against.
4. The General Assembly should act on AI-assisted filings.

The Borough's page places citation history, later software, and a statewide AI policy debate together while **expressly offering no causal theory.** This response keeps those questions separate.

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Times artificial intelligence is mentioned in the court record

The December 2024 sanctions order and the October 2024 opinion are both public. The court stated its own grounds. **Neither document attributes the citation problems to artificial intelligence.**

ANSWERS CLAIM 2

Selected Bath matters showing why workload must be allocated by stage

AP 2022-2675 included production during the appeal. AP 2023-1083 prompted a second invoice review, less-redacted production and 23 exemption logs, while OOR upheld the remaining redactions. AP 2023-1598 generated reconsideration and court proceedings. AP 2024-0001 ended in settlement production and withdrawal.

PROCEDURAL ACCOUNT — NOT A WIN/LOSS SCORECARD

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MATTERS

18

MONTHS

Between the sanctions order and the creation of the software blamed for it

RTK Corpus was created **June 25, 2026**. It did not exist when any filing the Borough's page discusses was made. **It is the response to those errors, not the cause.**

ANSWERS CLAIMS 2 AND 3

THE CORRECTION THAT MATTERS MOST

RTK Corpus is not an artificial-intelligence model, and it was not trained on anything. It is a curated, source-linked collection and index of published OOR final determinations and Pennsylvania court opinions. MIKE OS is local-first evidence-investigation and case-management software built for the Bath investigation — not a model trained on Borough records. That distinction corrects the product description; it does not attribute a causal claim to the Borough's later timeline page.

What the three things actually are

COMPONENT	WHAT IT IS	WHAT IT IS NOT
RTK Corpus	A collection and index of published legal documents — OOR final determinations and Pennsylvania court opinions — each stored with its original source document.	A trained AI model. Nothing is trained; documents are collected, indexed and linked to their sources.
PA RTK Wizard	The research and verification interface that searches the corpus and returns the underlying document with each authority.	An autonomous appeals engine. It does not file, send, or deliver anything.
MIKE OS	A local-first evidence-investigation and case-management system built for the Bath investigation. It preserves source identity, hashes, processing history, custody records, Bates relationships, workpapers and review artifacts.	An AI model, or a system trained on Borough records. Bath records are case evidence handled by the system, not training data.

MIKE OS workflows are structured around documented chain-of-custody and authentication controls, DOJ/NIJ digital-evidence guidance, DOJ electronic-production conventions, and established governmental-accounting and forensic-workpaper standards. No government certification is claimed.

What the Borough gets right

Citations in my filings were wrong, and I concede it without qualification. The Office of Open Records identified three of them, in a single appeal — AP 2025-1943, September 2025. Some cases did not exist as I captioned them; others were real but did not support the proposition attached to them. The finding was correct and nothing here asks anyone to overlook it.

How it happened is ordinary and unflattering. A response is due in thirty days and I use all thirty. When the final version goes out there is often no time left to read it end to end, and an error introduced in an earlier draft survives into the filed copy. The process had no step forcing every citation back to its source document before filing. That is the failure, and it is mine.

THE RELEVANT TEST IS PROVENANCE

A trained model may generate an answer without a verifiable source, and a source-linked system can still be used carelessly. The distinction is whether each authority resolves to a stored source document that a reviewer can open and verify for caption, proposition, and context.

RTK Corpus is designed to make that check possible: its verified legal-authority results are tied directly to the underlying published determinations and court opinions. Any claim that an authority lacks a source can be tested directly against the OOR or court document itself.

The questions I was asked, answered separately

Was RTK Corpus used to prepare filings involving the Borough? It did not exist before June 25, 2026, so it can have played no part in any Bath matter before that date — including every filing the Borough's page discusses. As to the period after, one Bath matter (AP 2026-2665) is pending before the Office of Open Records. I decline to characterise my preparation in a live proceeding through the opposing party's website, and reserve that question for the forum in which it is properly asked — as I did when opposing counsel asked it by email.

Was MIKE OS used in any Bath matter? It is evidence- and case-management software built for the Bath investigation. It can generate structured evidence, workpaper and reporting artifacts, but it does not independently decide legal questions or autonomously file, send or deliver anything, and it is not a trained model. Where the question concerns a pending matter, the same reservation applies.

WERE BOROUGH RECORDS USED TO BUILD, TRAIN OR TEST EITHER PRODUCT?

Neither system has a training set. RTK Corpus contains published OOR determinations and Pennsylvania court opinions — not records produced by the Borough. MIKE OS was built for the Bath investigation and may process records already lawfully in my possession as case evidence. Those records are **evidence handled by the system — not material used to train a model or create the software.** Determinations and opinions involving the Borough are in the corpus because **every agency's are**; they are published documents in which legal authority is written, which is the only category it indexes.

WHAT THE BOROUGH ITSELF SAYS, AND WHAT FOLLOWS FROM IT

The Borough's page expressly states that it has no evidence Borough records were used, and offers no theory connecting the citation errors to the later creation of RTK Corpus. I agree that neither proposition should be implied, and I do not attribute either claim to the Borough.

An invitation, so the claim can be checked rather than argued

Every authority in RTK Corpus resolves to a document published on the Office of Open Records' own website or on a Pennsylvania court's. That is a falsifiable statement and it is made deliberately. **If the Borough or its counsel can identify one authority in the corpus that cannot be resolved to a published source document, I invite them to name it.** The check takes an afternoon, and it is the only test that separates a system built to make citations verifiable from one that produces them without a source.

WHY THIS MATTERS TO THE BOROUGH'S LEGISLATIVE REQUEST

The Borough's page asks the General Assembly to act on AI-assisted filings, and the label it applies to this software is the premise of that request. **If the label is wrong, the premise is wrong — and the proposed remedy is aimed at something that is not there.** Correcting the description is not a defence of the citation errors, which are conceded on page 2. It is the minimum a legislature needs before it writes a rule about a category of tool.

What the appeal count cannot establish

The Borough's public pages describe appeal volume and expense. They do not allocate that expense by actor or procedural stage, and they do not measure whether AI was used.

> **THE DOCUMENTARY RESPONSE**
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> An appeal count does not allocate public workload or establish that artificial intelligence caused it. **AP 2023-1083** showed that the Borough's general-solicitor matter combined RTKL and non-RTKL work and did not maintain a contemporaneous per-request allocation for the requested period. After OOR required invoice-specific substantiation, the Borough conducted another review, produced less-redacted invoices, and supplied 23 exemption logs; OOR upheld the remaining redactions.

AP 2025-1943 involved a materially narrower follow-up to AP 2025-0522. OOR ordered access to reports available through QuickBooks's built-in functions, while again declining to require Excel production or to find bad faith. **AP 2026-2665**, still pending, separately documents a missed agency submission deadline, an additional opportunity to participate, and later agency materials identifying categories still under review.

These examples do not establish that every appeal was correct or that every cost was agency-caused. They establish that **appeal volume alone cannot distinguish initial response work, post-appeal production, supplemental submissions, missed deadlines, OOR development, requester motion practice, or agency-initiated litigation.**

The Borough's page ends by asking the General Assembly to act on AI-assisted filings. That request deserves to be measured against the Office of Open Records' own statewide data rather than one municipality's experience. Statewide, **the share of appeals ending with records released has risen in each of the last four years**, and in **two of every five** orders releasing a record in 2026 the agency filed nothing at all in the appeal.

Bath Borough posts being answered

1. RTK Corpus, MIKE OS, and Bath Borough: A Documentary Timeline
2. Right-to-Know: The Costs Behind One Requestor
3. Artificial Intelligence and the Right-to-Know Law: Bath Borough Experience
4. History of OOR Appeals with Bath Borough

The full chronology and documentary sources are set out in *The Missing Half of the Story*, **provided separately to the Office of Senator Nick Miller.** The statewide policy question and the correction of this Borough's record are two different conversations.

Respectfully submitted,

Michael Long

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