

Risk & Expert Review Plan

> [ATTORNEY REVIEW] — This entire playbook is legally operative. The playbook defines where a compliance agent must stop and where a qualified human must take over. These boundaries have legal consequences in a public-sector context. Every section of this document must be reviewed by qualified counsel before it is treated as binding for any Florida special-district, county-agency, or public-body deployment. Nothing in this document constitutes legal advice.

The Risk and Expert Review Plan is the operational playbook for identifying compliance risk in agent-assisted govtech workflows, marking the points at which a determination must leave the agent and reach a qualified human, and enforcing the "not legal advice" boundary by mechanism rather than by disclaimer alone. The plan is built on s1-hitl-review-policy (which defines the HITL gate mechanics and the C2 override event payload) and feeds t7-compliance-workflow (which implements the gate triggers). A compliance agent operating without this plan in place is operating without a safety net: it may produce outputs that a recipient reasonably interprets as authoritative legal determinations, creating liability for the deploying organization and harm to the applicant. [ATTORNEY REVIEW]

1. Risk Taxonomy for Govtech Compliance Agents

Govtech compliance risk is distinct from general agent reliability risk because the harm pathway runs through public-sector authority. The taxonomy below classifies risk by severity (reusing the GROW glossary enum) and maps each class to its expert-review trigger.

Risk class	severity	Description	Expert-review trigger
Statutory misapplication	critical	Agent applies the wrong statute, cites a repealed provision, or applies a threshold from a superseded rule version.	Any determination on a rule with <code>verify_flag: true</code> and <code>last_confirmed > 12</code> months; any rule with <code>blocking: true</code> in <code>t7-rule-change-tracker</code> .
Legal interpretation required	critical	Determination requires interpreting ambiguous statutory language, resolving a conflict between rules, or applying a legal standard (e.g., "reasonable time," "de minimis") that is not quantitatively defined.	Any determination where the rule's <code>agent_trigger</code> requires a judgment call rather than a binary threshold check.
ERP/permitting authority boundary	critical	Agent output could be construed as an environmental resource permit determination, a denial, or a waiver of FDEP requirements. [ATTORNEY REVIEW]	Any determination touching <code>fdep-stormwater-general</code> or any rule row with <code>attorney_review: true</code> .

Risk class	severity	Description	Expert-review trigger
Public-records obligation	high	Agent output that becomes a public record under FS Chapter 119 [VERIFY] and contains an error that propagates into the official record.	Any agent output that will be filed, posted, or transmitted on behalf of a public body.
Multi-rule conflict	high	Two activated rules produce contradictory requirements; the agent cannot resolve the conflict with rule-based logic alone.	Any application where Phase 3 produces two rules with incompatible approval_flow requirements.
Stale-rule reliance	high	Agent cites a rule row where last_confirmed is beyond the freshness window, producing a determination that may be wrong under updated law.	Any rule with last_confirmed > 12 months (12-month flag) or > 18 months (hard block).
PII handling in determination	high	Applicant personal information appears in the determination output routed to a party not authorized for that data class.	Any output with pii_flags populated that is routed outside the authorized sink list.
Threshold ambiguity	medium	Measured value is close to a trigger threshold; minor measurement error would flip the determination.	Applied when the input value is within 10% (illustrative) of the threshold and the source confidence_band is medium or low.
Form or deadline discrepancy	medium	Agent cites a form ID or deadline that has been updated but the rule row has not yet been refreshed.	Applied when the approval_flow form ID does not resolve in the current forms library.

2. Expert-Review Boundary Definition

The expert-review boundary (glossary term) is the line at which the compliance agent hands off to a qualified human. On this side of the boundary, the agent classifies. Beyond it, a human with appropriate credentials must make the determination. The boundary is not a suggestion; crossing it autonomously is a critical-severity failure mode (unsafe-action-attempted).

The boundary is crossed when any of the following is true:

1. The determination requires applying a legal standard that is not quantitatively defined in the rule row. [ATTORNEY REVIEW]

2. The rule row carries attorney_review: true.
3. The rule row has verify_flag: true and last_confirmed > 12 months.
4. The determination for any rule is needs-review after Phase 3.
5. The activated rule set contains a rule in the critical or high risk class above AND the source confidence_band for the triggering evidence is medium or low.
6. The application is a first-of-type fact pattern with no prior determination in the evidence store.
7. The applicant is a public body, government agency, or elected official — determinations involving these parties carry heightened accountability. [ATTORNEY REVIEW]

What "crossing the boundary" means operationally:

- expert_review_required: true is set on the C9 record.
- An S1 HITL event is raised with decision_origin: escalation and a rationale naming the specific boundary condition triggered.
- Phase 4 and Phase 5 of t7-compliance-workflow are blocked.
- The agent produces an internal expert-queue summary (not an applicant-facing output) describing the boundary condition and the information the expert needs to resolve it.

3. Expert Queue Protocol

The expert queue receives blocked determinations and manages the review SLA. The queue is implemented as a HITL gate per s1-hitl-review-policy; the specific mechanics use the C2 override event shape.

Expert roles and their authority:

Role	Authority scope	SLA (business hours)
licensed-environmental-engineer	ERP threshold determinations, stormwater calculation review, FAC Chapter 62-330 threshold interpretation [ATTORNEY REVIEW]	8 hours for critical; 24 hours for high
district-counsel	Statutory interpretation, public-records obligations, applicant-rights questions, any attorney_review: true rule [ATTORNEY REVIEW]	4 hours for critical; 16 hours for high
county-planning-staff	Walton County LDC threshold and form questions	8 hours for critical; 24 hours for high
district-clerk	Administrative completeness, form deficiency	2 hours for all classes
board-commissioner	Determinations requiring board discretion or formal board vote	Per board meeting schedule; emergency powers apply for critical

Expert-queue packet contents. The packet is the evidence bundle surfaced to the expert via the HITL gate. Per s1-hitl-review-policy §6, the reviewer must see exactly: the staged determination, the top three evidence pointers, the failure_id refs, the relevant rule row, and a single approve/modify/refuse/escalate control. For compliance contexts, add:

- The specific boundary condition triggered (from §2 above).
- The text of the activated rule (not a summary — the actual citation text). [VERIFY]
- The applicant's submitted evidence that triggered the rule.
- The prior determination history for this applicant and parcel, if any.
- The "not legal advice" boundary notice.

Expert resolution actions:

Action	Effect on C9 record	Effect on workflow
Confirm agent determination	determination unchanged; decision_origin updated to human-override; HITL event closed	Blocking lifted; workflow advances to Phase 4
Modify determination	determination updated; decision_origin: human-override; rationale required	Blocking lifted; modified determination logged
Refuse and instruct	Determination held; expert provides corrective instruction for re-evaluation	Re-evaluation run; new C9 record emitted
Escalate to higher tier	Routed to next role (e.g., district-counsel → outside-counsel)	New HITL event; SLA clock resets
Defer pending rule update	Determination held; t7-rule-change-tracker entry opened	Blocking maintained until tracker entry resolved

4. "Not Legal Advice" Enforcement Mechanism

The "not legal advice" boundary is meaningless if it is enforced only by a disclaimer in an output document. This playbook enforces it structurally.

Mechanism 1 — Block-before-output. expert_review_required: true blocks the applicant-facing output at the workflow level, not at the presentation layer. The disclaimer cannot be stripped because the output does not exist until the HITL gate clears.

Mechanism 2 — Decision origin tagging. Any applicant-facing output carries a decision_origin trace. If any element of the trace is compliance-determination without expert validation for a rule above the boundary, the output is gate-failing.

Mechanism 3 — Mandatory disclaimer language. [ATTORNEY REVIEW] The following notice must appear on all applicant-facing determination outputs, in accessible language, without modification: "This screening summary is produced by an automated compliance tool operated by [District Name]. It is not a final agency determination, is not

legal advice, and does not constitute a permit, approval, denial, or legal opinion. You have the right to seek independent legal counsel and to request review of any determination by district staff. For questions about your rights under Florida law, contact [District Contact Information]." Counsel must review and approve the specific language for each jurisdiction before it is used.

Mechanism 4 — Audit trail integrity. The `decision_trace` in `s3-provenance-metadata-schema` records the `decision_origin` for every element of every determination. A determination that reached an applicant without a human-override or escalation event for every `expert_review_required: true` rule is a provenance integrity failure and triggers an immediate correction workflow per `t7-accountability-layer`.

5. Risk Review Cadence

Govtech risk does not diminish over time; it accumulates as rules change and as the agent handles more fact patterns. The following cadence maintains the safety level.

Weekly (operational). Review the expert-queue backlog: any HITL events older than 2x the role SLA are escalated to the next tier automatically.

Monthly (trend). Review the distribution of determination: needs-review outcomes. If the needs-review rate for any rule exceeds 40% of activations (illustrative threshold), the rule's `agent_trigger` may be too broad, or the rule may need a threshold recalibration. This is a signal for a hardening task per `s1-hitl-review-policy §5`.

Quarterly (structural). Full review of the expert-review boundary conditions in §2 against current rule-map state. Any new `attorney_review: true` row in `t7-jurisdiction-rule-map` must be reflected in the boundary conditions before the next deployment cycle.

Annual (policy). Full [ATTORNEY REVIEW] of this playbook against current Florida statutes, FDEP rules, and applicable federal authority. All SLA values and role definitions reviewed with district counsel.

Triggered. Any instance where a determination crossed the boundary without raising an HITL event is a critical-severity incident. Immediate incident review, `s1-monitoring-rollout-postmortem` postmortem triggered, corrective action required before the next determination is issued.

6. Worked Example — ERP Boundary Crossing, South Walton County

Scenario. Application `app-2026-0515` triggers `fdep-stormwater-general`. The agent evaluates: impervious increase is 0.4 acres. The rule row has `verify_flag: true`, `last_confirmed: 2024-11-01` (18 months prior — auto-block threshold), `attorney_review: true`. The rule is also in the active tracking item `rc-2026-0001` in `t7-rule-change-tracker` with `blocking: true`.

Boundary conditions triggered: (1) `verify_flag: true` + `last_confirmed > 18 months`, (2) `attorney_review: true`, (3) rule in `blocking: true` tracker item.

Agent actions:

1. Sets expert_review_required: true, determination: needs-review, decision_origin: escalation on the C9 record for fdep-stormwater-general.
2. Raises S1 HITL event with rationale: "Rule fdep-stormwater-general has not been confirmed in 18 months, carries attorney_review flag, and is blocked in t7-rule-change-tracker pending threshold verification. ERP applicability determination requires licensed engineer + district counsel review."
3. Blocks Phase 4 and Phase 5. No applicant-facing output produced.
4. Routes expert-queue packet to licensed-environmental-engineer (8-hour SLA) and district-counsel (4-hour SLA, given critical risk class).
5. Engineer reviews FDEP FAC Chapter 62-330 and confirms the threshold has NOT changed; [VERIFY] cleared by counsel. Tracker item rc-2026-0001 is updated; blocking lifted.
6. Determination re-run: ERP pre-application meeting is required. determination: needs-review updated to non-compliant (application cannot proceed without ERP pre-app). decision_origin: human-override. expert_review_required remains recorded as true (the boundary was crossed; that fact is permanent in the record).
7. Phase 4 aggregates; Phase 5 produces clerk-reviewed applicant notice: "Your application requires an FDEP ERP pre-application meeting before the district can process the permit. See attachment for FDEP contact information." Disclaimer language appended. [ATTORNEY REVIEW]

Outcome. The applicant was not told anything by the agent. The applicant received a clerk-transmitted notice grounded in expert confirmation. The provenance record shows the full trace including the HITL escalation, the expert review, and the override event.