

Preparing Your Court for AI

Eight Steps for Success

1. Form a Team

Form a team or task force of representatives in your court. The team should include, but not be limited to, judicial officers, court administrators, IT, Legal Counsel, and Business/Operations. Consider members with diverse ethical perspectives.

2. Get Educated

Find opportunities to learn about and understand the types of AI technologies and implications. The AI RRT resource center at ncsc.org/ai is a great place to start.

Artificial Intelligence:

“The capability of computer systems or algorithms to imitate intelligent human behavior.”

Generative AI:

“Artificial intelligence that is capable of generating new content (such as images or text) in response to a submitted prompt (such as a query) by learning from a large reference database of examples.”

Defined by Merriam-Webster

3. Define Goals and Ethics

Use your team and their learning/knowledge of AI to define your organization’s AI goals and ethics.

Goal and Ethical Guidance

- Approach from the perspective of the problem you are trying to solve and if AI is one of the solutions.
- What data privacy and security protections are in place, and do they meet the needs of this population and your court?
- Anticipate ethical issues that arise from use of (AI) in the legal profession. Consider Model Code of Judicial Conduct (MCJC) and Model Rules of Professional Conduct (MRPC) for attorneys.

Continue to steps 4-8 on back.

4. Grant Permission With Restrictions

Create an internal AI policy that gives permission for staff in your organization to utilize AI-related applications with appropriate limitations that balance innovation, learning, and risks.

Do:

- Start small
- Start with use cases with only public/non-confidential data
- Ensure legal review of terms and conditions
- Ensure IT and cybersecurity review of tools
- Ensure humans are in the loop until AI tool tested and understood (then still have QA checks)
- Share both successes and failures openly with the organization

Do Not:

- Prohibit any use of AI technologies
- Allow unchecked use of free/public AI tools
- Use confidential or sensitive data without assurance it is protected
- Avoid requiring legal and cybersecurity review
- Remove humans from the loop too soon
- Avoid sharing successes and failures with the organization

5. Prepare Your Data

Data is the lifeblood of AI technologies and critical to effectively benefiting from AI.

- Practice good data governance
- Build data literacy in your organization
- Understand that good data will benefit AI and that some AI tools can help improve data governance and quality

6. Prepare Your People

Understand that AI technologies have the potential to continually change the tasks people do and the way they work.

- Practice good organizational change management
- Invest in continuous training
- Take a human-centered designed approach to the implementation of AI tools

7. Promote Transparency & Explainability

Be transparent about when AI tools are used, understand the data they use, and how they arrive at decisions. Have it well documented and be able to explain it both internally and externally. This is critical to ensuring public trust and confidence.

8. Continually Repeat

AI will continue to advance and change, and it must be treated as a journey and not a destination. Consider developing a road map or adopting a maturity model to help your court along the way.

Return to step 1.