



AI Challenges and Opportunities for the Judiciary

October 24, 2025

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Presentation Overview



- Context Setting: AI and the Courts
- TRI/NCSC AI Policy Consortium for Law & Courts
- Hot Topics for the Courts
- Use cases in the courts
- Q&A

Learning Objectives

- Understand the objectives and current work of the AI Policy Consortium on Law and Courts, including insights from their recent survey on court issues related to artificial intelligence implementation.
- Identify specific challenges AI presents to judicial proceedings at both trial and appellate levels, including concerns about reliability, bias, transparency, and ethical considerations for both state and federal courts.
- Explore potential opportunities for AI to enhance judicial efficiency, improve access to justice for underrepresented litigants, and develop appropriate policy frameworks and guardrails for responsible AI adoption.

AI & the Courts

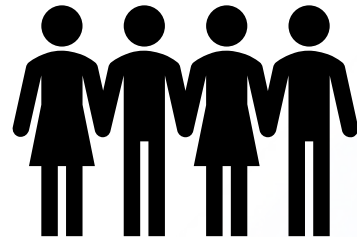
State Courts' Concerns

Access to
Justice

Trust &
Confidence in
the Courts

Evidence &
Accuracy

Improving Court
Processes



Core Ethical Principles

Human Oversight & Responsibility

- Human-in-the-Loop
- Human-on-the-Loop
- Ethical obligations

Accuracy & Verification

- Check citations
- Verify factual claims
- Critically analyze output

Confidentiality & Privacy

- Public vs. in-house tools
- Safeguards for sensitive data
- Ownership, access, and use of data

Core Ethical Principles

Transparency & Community Support

- AI's use in court processes
- Connected to level of risk

Fairness & Bias Prevention

- Training data is biased
- Monitor output for bias
- Don't disadvantage groups or individuals

Competence & Training

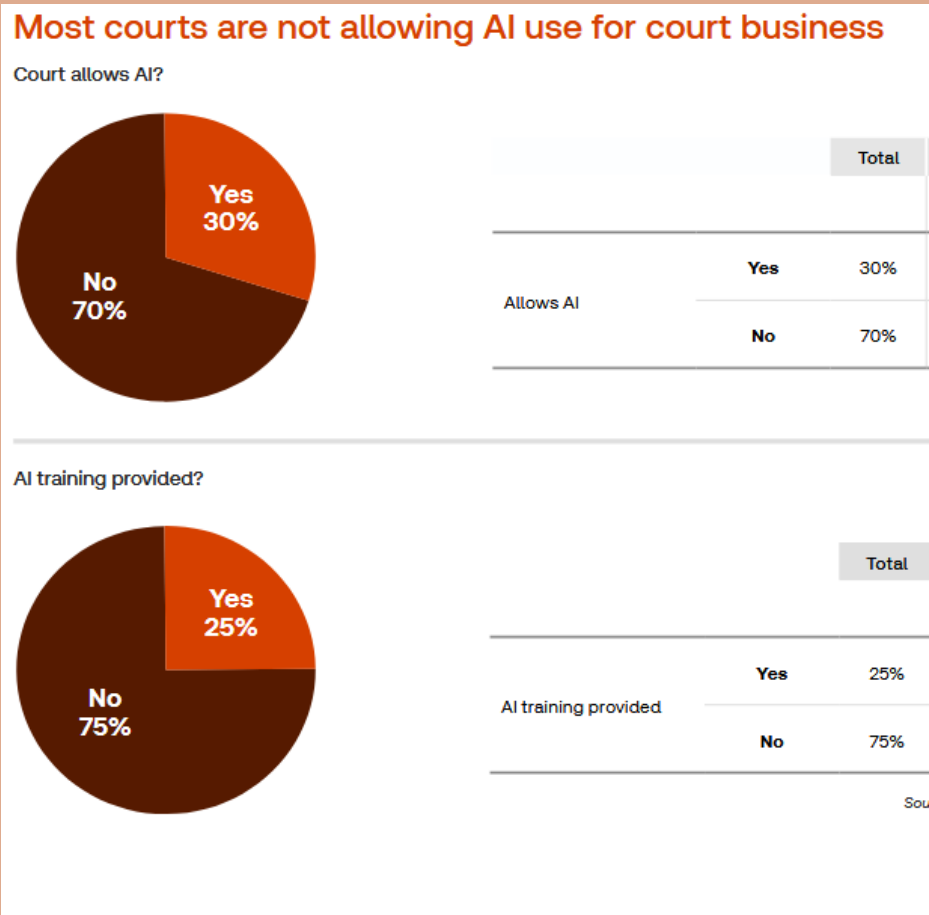
- Include capabilities, benefits, risks
- How staff are impacted
- Guidance on ethics
- Best practices

Considerations of Risk Levels



Minimal risk	Moderate risk	High risk	Unacceptable risk
Potential for direct harm, significant error, or impact on individual rights is low	Informs professional work but not independent legal interpretation	Legal interpretation, analysis, or application of law	Automated decision-making technology for final decisions
Often administrative or organizational	Errors discoverable & fixable	Consequences of errors are significant	Undermine core principles of justice
Automation of routine reports	Transcribe a recording or assist with routine filings	Predicting risk or recidivism	Sentencing, custody decisions

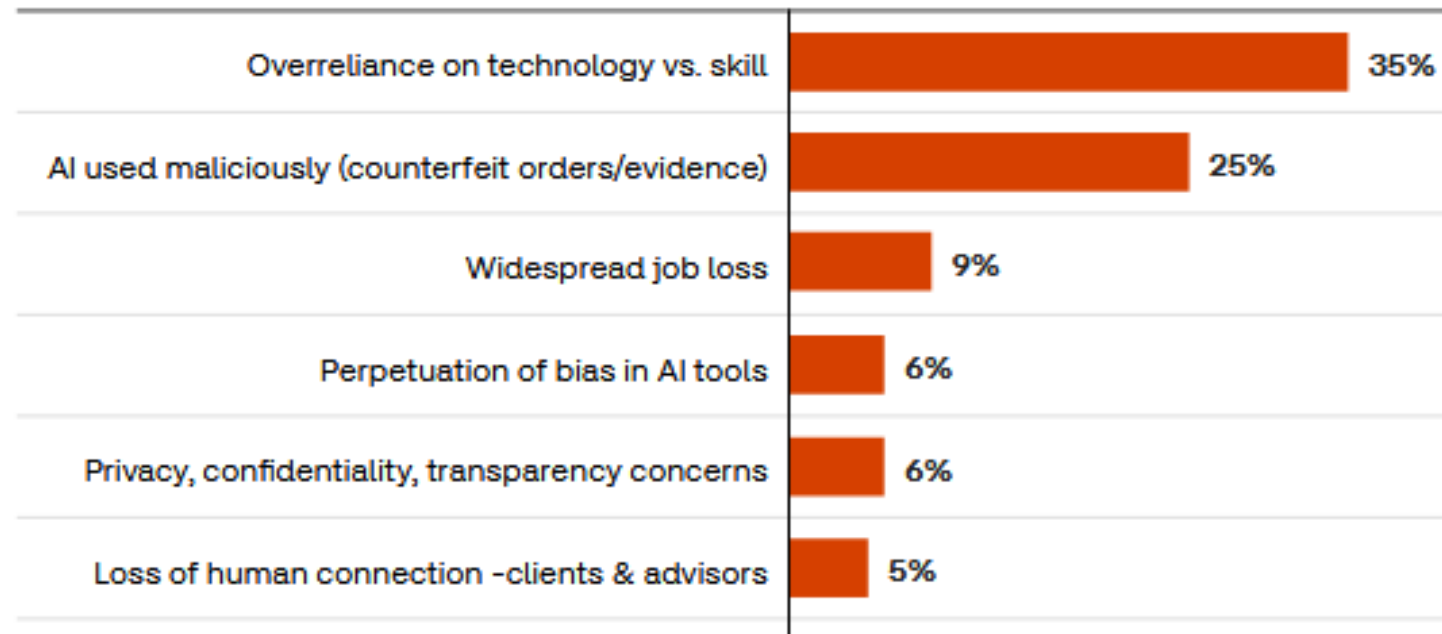
Recent Survey Highlights



Recent Survey Highlights

Concerns about AI

Which, if any, of the following potential negative consequences of AI are you most worried about?



<https://www.thomsonreuters.com/en-us/posts/ai-in-courts/courts-slow-ai-adoption/>

AI in the Courts: Opportunities and Challenges

Pace of Change:

- GenAI evolving rapidly
- Courts need to implement very deliberately
- Maintain public trust and confidence



TRI/NCSC AI Policy Consortium for Law & Courts

NCSC

AI Policy Consortium Mission

To inform and educate the judiciary and other legal professionals about the opportunities and challenges of evolving AI and Generative AI solutions, thereby enabling judges to make informed decisions about adoption and use. Consequently, the partnership will have a significant positive impact on the practice of law, increase access to justice to underserved communities, and position the U.S. state courts as the trusted leader on responsible judicial AI adoption.

Consortium Design & Products

- **Steering Committee**, made up of appellate and trial court judges, academics, attorneys, industry representatives
- **Working groups**
 - Governance & Ethics
 - Access to Justice
 - Workforce Readiness
 - Rules & Practices
- **Monthly Webinars**
- **Resource Center & Publications (www.ncsc.org/ai)**

AI Sandbox

www.aisandbox.ncsc.org

Welcome to the AI Sandbox

This sandbox lets courts experiment with AI-powered tools in a secure environment.

Get Started

Learn More

NCSC



The AI Sandbox is...

Secure and controlled

The infrastructure is entirely hosted within the NCSC cloud (Microsoft Azure) with no external exposure.

Administered by NCSC

Management is specifically handled by NCSC IT and our data science team.

Data protected

Information shared in the Chatbot is stored by NCSC with access limited to a small internal team.

Learning-focused

Data is used only for understanding user engagement and improving the service.



The AI Sandbox is not...

Requiring document uploads

While users can upload any type of document, the Sandbox does not require uploads.

Externally accessible

No external entity can access the data or infrastructure.

A substitute for organizational approval

Users should have approval, especially when sharing corporate documents.

Recommended for sensitive data

Do not upload sensitive information unless there is a compelling business need.

Impact

Positioned as leading voice on ethical AI integration in U.S. judicial system

Providing practical guidance for courts nationwide

Supporting a more efficient, effective, and equitable justice system

Hot Topics for the Courts

Governance & Ethics

Principles & Practices for using AI Responsibly & Effectively in the Courts

- Core ethical principles
- Best Practices for Implementation
- Evaluation
- Review
- Common Risk Areas (overreliance, privacy, bias amplification)

Guide: Principles and Practices for Using AI Responsibly and Effectively in Courts 



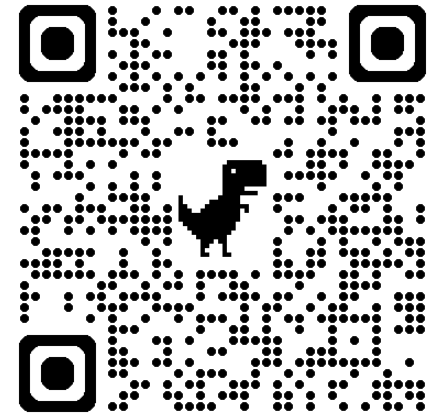
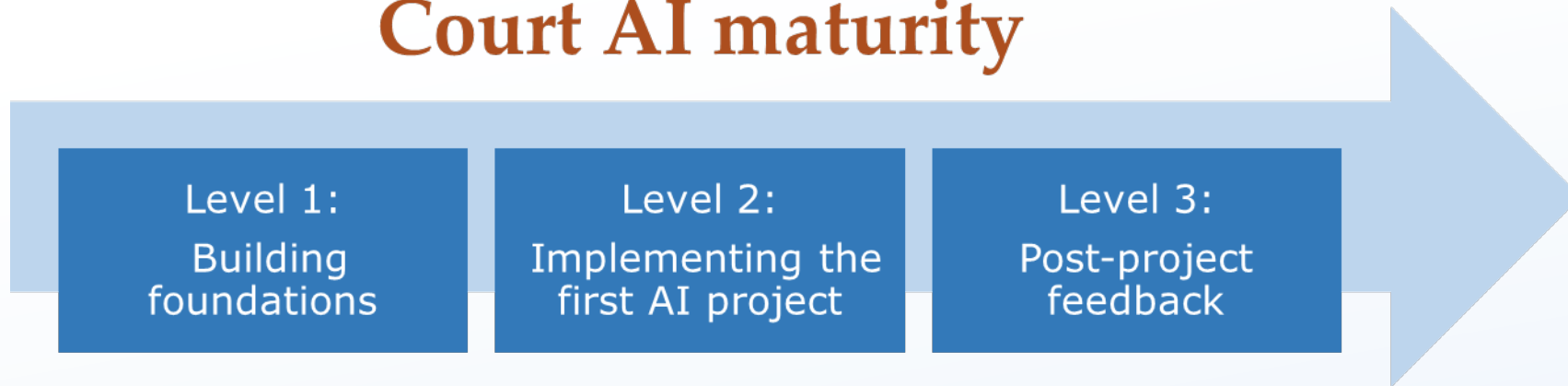
<https://www.ncsc.org/resources-courts/ai-foundations-courts>

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AI Readiness for the State Courts

Resources to help state courts successfully integrate AI into their operations

Court AI maturity



Developed under grant number SJI-23P038 from the State Justice Institute

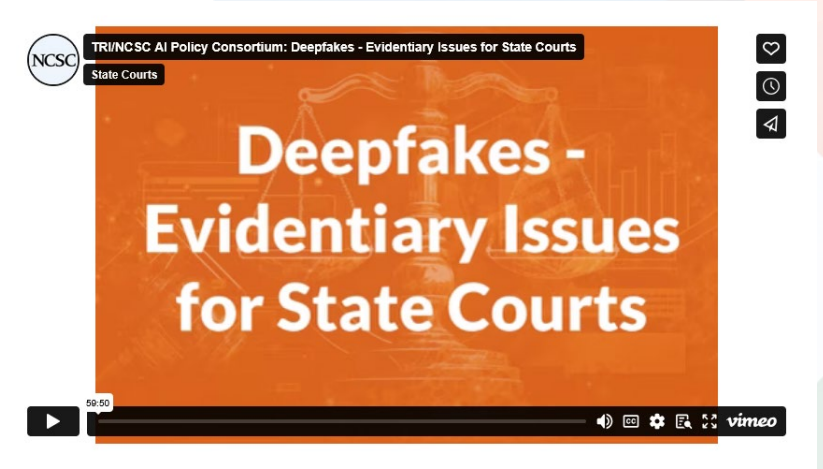
ncsc.org/ai-readiness



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Evidence

- Acknowledged use of AI
- Unacknowledged use of AI
- Volume
- Effect on unrepresented litigants
- AI Consortium products
 - Bench Card for Acknowledged AI
 - Bench Card for Unacknowledged AI
 - Policy Paper: Evidentiary Issues Raised by Artificial Intelligence
 - Webinars

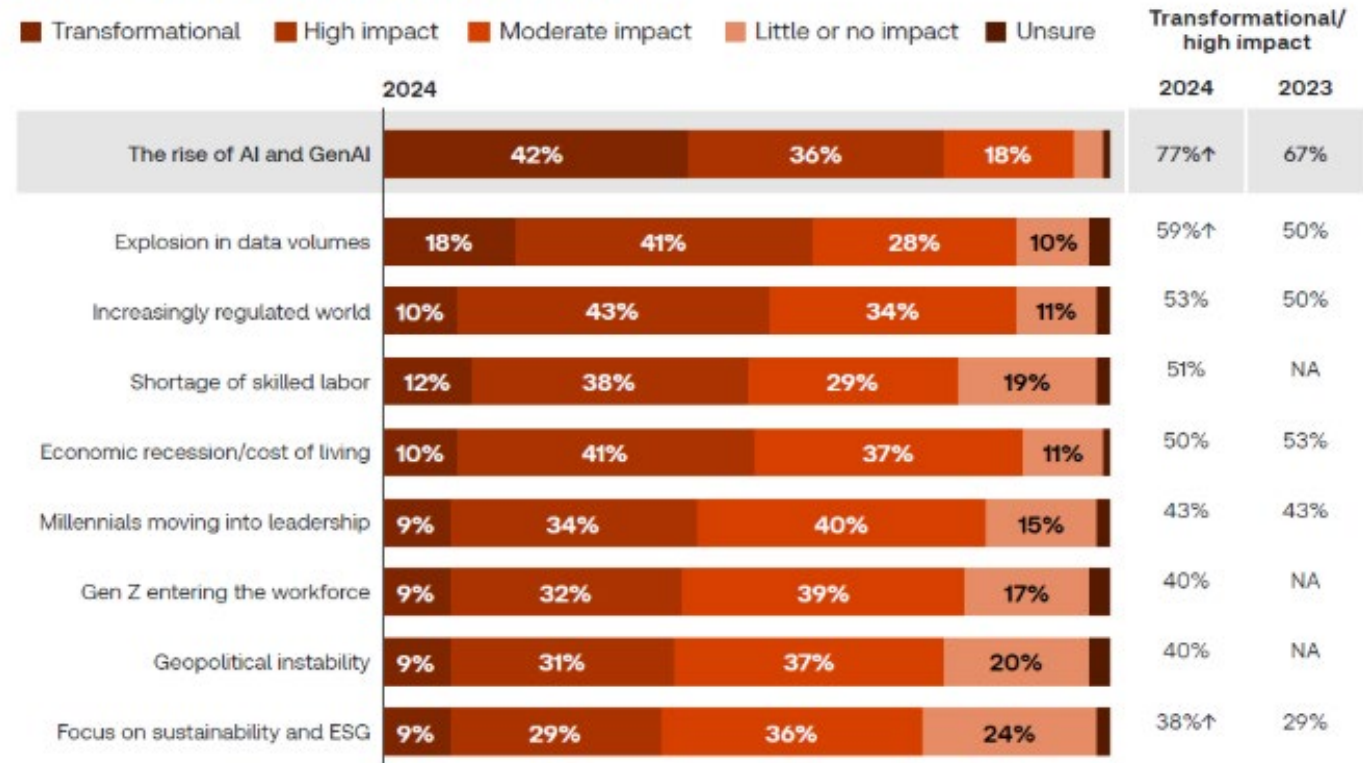


<https://www.ncsc.org/resources-courts/ai-generated-evidence-guide-judges>

Workforce Issues

78% of respondents believe AI will have a **high or transformational impact** on their work by the next five years. That's an increase of 10 percentage points over the 2023 report's responses.

To what extent do you think the following trends will impact your profession over the next five years?



Source: Thomson Reuters 2024

Workforce Issues

Role-Based Learning

Please log in or sign up to take a course.



AI Literacy for Law Clerks / ...



AI Literacy for Judges



AI Literacy for Court Adminis...



AI Literacy for Court Reporte...



<https://ncsc.courtllms.org/ai-literacy>

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Access to Justice

If You Use AI In Your Court Case

What is AI?

Artificial intelligence (AI) is a broad term for technology that can perform tasks people usually do, such as recognizing speech, suggesting music, or even playing games like chess. Not all AI works the same way. This guide focuses on Generative **AI** tools like ChatGPT or Gemini that produce text and answer questions in a conversational way. These tools may sound human, but they do not think, reason, or understand the law. They generate answers based on patterns in data, not true legal knowledge.

It is important to know the difference between:

- **Court-provided AI tools** - The court or legal aid websites that may have AI chatbots on their website that are more reliable than public platforms. These are designed for limited purposes and are more likely to have information about that court. [\[Include list if available\]](#)
- **Public AI tools** – Tools like ChatGPT, Gemini, or other public AI tools are made for general use. They don't know the rules in [state] or your court. Public AI tools may give you answers that have errors, are incomplete, or even include made-up information

AI Safety Check: Important Considerations for AI Use for Court Information



[\[Court Name\]](#) has rules about AI [use](#), you must follow them. [Read the rules](#) or ask the clerk for information. www.exampleurl.com

Important: You are responsible for everything you file, say, or do in court. If AI gives you wrong or misleading information, the court may hold you accountable for those errors. **Do**

Double Check Everything – Always confirm details with official court websites, rules, or staff. Make sure the information is correct, complete, and matches what the court requires.

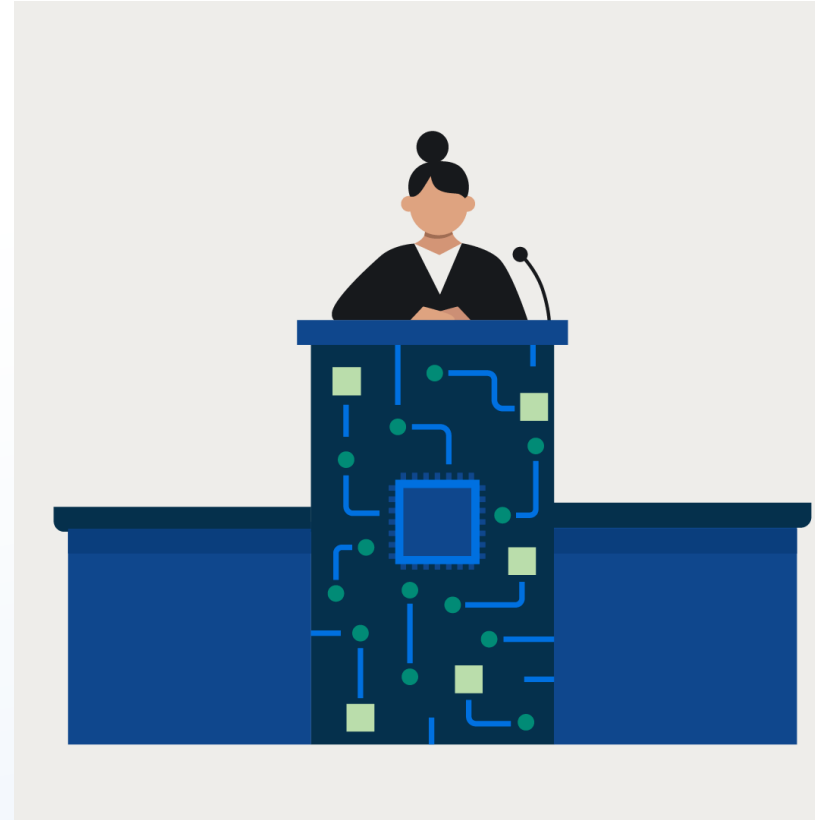
Don't

Don't assume AI is always right – AI can make mistakes, get confused, provide outdated information, or make up information that is not real. AI tools may include made-up facts, cases, laws, or quotes mixed with real ones.

Use Cases

Benefits of AI in Courts

- Increased efficiency in operations – case processing, document review
- Improved access to justice through AI-powered chatbots
- Enhanced public engagement and transparency



Types of AI Use Cases in the Court

- Case Management
- Public Facing
- Administration/
Operations



Small Claims Filing Automation

Seminole County Florida

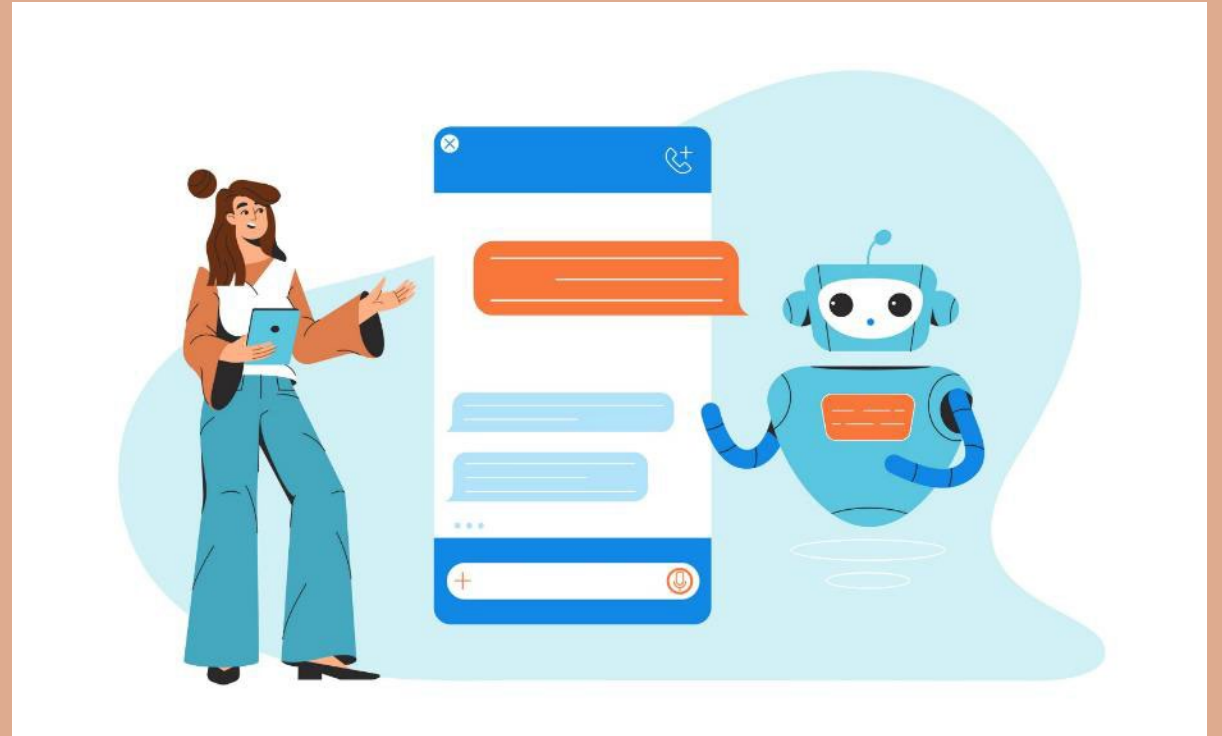
- Had to review every filing to determine if “Rules of Civil Procedure” were invoked
- AI solution reduced review time from 15 hours a week to 2-3 hours



Public Facing

Los Angeles Superior Court chatbots

- Traffic Citations
- Pay ticket
- Register Traffic School
- Schedule a Court Date
- Jury Service Inquires



Administration/Operations

District of Columbia Courts

- Bot for Invoice Processing
- Validates and lists Exceptions
- Reduced staff time from 16 hours per day between four staff to 4 hours each day, one staff
- Allows additional time for Data Analysis



Orange County California – EVA & EMI

EVA

- All Case Types except Juvenile incorporated in their Chatbot
- Reduced staff training from 2 to 3 months to 2 to 3 weeks

EMI

- Employee Resources
- How much vacation time do I have?
- How to obtain a new ID card
- Family Leave process

Commonalities of Initial AI Court Use Cases

- Low Risk – High Value
- Mostly Internal
- Reducing Error
- Scalability



NCSC AI Governance Projects

District of Columbia Courts

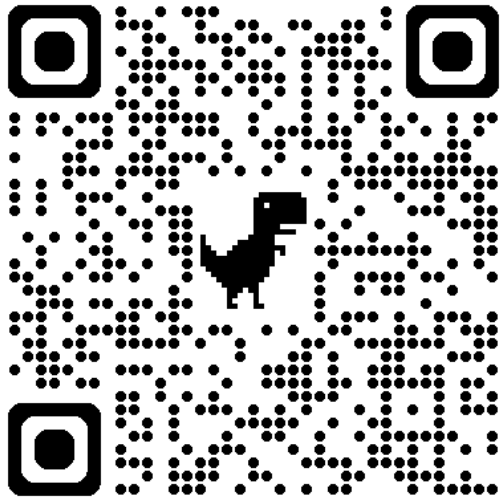
- Yearlong project developing an AI Strategy and Roadmap
- Assisted with Internal Use Policy development, Business Process review of Operations and IT, recommendations on an AI First Project

www.dccourts.gov/about/courts-and-ai

Idaho Judicial Branch

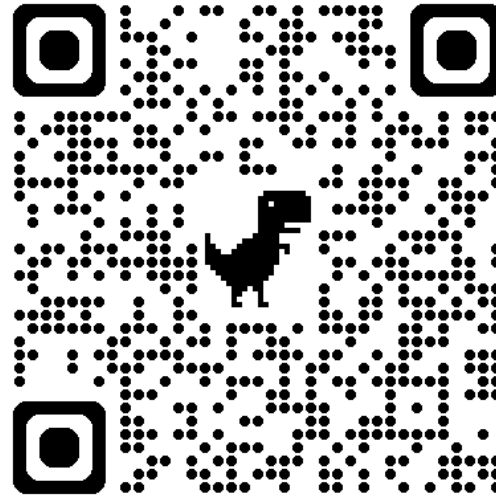
- AI Governance & Data Governance Program Development
- Based on AI Readiness Project assets

NCSC AI Resources



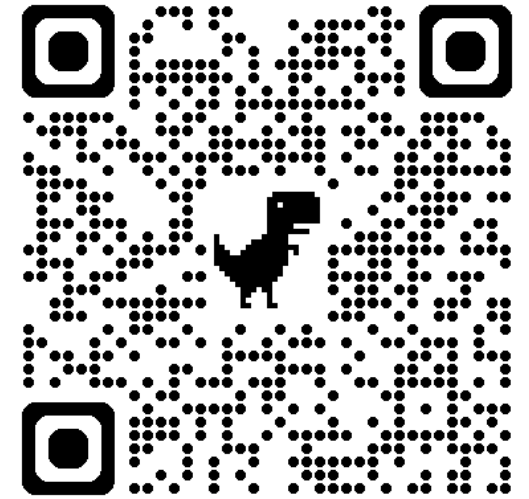
ncsc.org/ai

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NCSC AI Readiness



ncsc.org/resources-courts/ai-sandbox

NCSC AI Sandbox

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