AI Task Force Efforts

Model Policy for Use of Generative AI

Published in February 2025; updates forthcoming

Rule 10.430: Generative AI use policies

Recommend council adoption; effective date Sept. 1, 2025

Standard 10.80: Use of generative AI by judicial officers

Recommend council adoption; effective date Sept. 1, 2025

Rule 10.430: Overview

- Requires courts that do not prohibit the use of generative AI to adopt a use policy by December 15, 2025

- Applies to use of generative AI by:

  - Court staff for any purpose

  - Judicial officers for any task outside their adjudicative role

- Does not require courts to permit the use of generative AI

- Model policies available

Rule 10.430: Use Policy Requirements

Confidentiality and Privacy

- Prohibits submission of confidential, personal identifying, or other non-public information to public generative AI systems
- Does not include internal court AI systems or court-operated systems such as a chatbot

Supervision and Accountability

- Requires users to take reasonable steps to:
  - Verify accuracy of any generative AI material used
  - Correct any erroneous or hallucinated output

Rule 10.430: Use Policy Requirements

Bias and Discrimination

- Prohibits use of generative AI to unlawfully discriminate
- Requires users to take reasonable steps to remove any biased, offensive, or harmful content from any generative AI material used

Transparency

- Requires disclosure, watermark, or statement if the final version of a written, visual, or audio work provided to the public is made up entirely of generative AI outputs

Standard 10.80: Overview

- Applies to judicial officers using generative AI in their adjudicative role

- Provides guidelines for addressing confidentiality, accountability, bias, and transparency

Standard 10.80

Confidentiality and Privacy

- Should not submit confidential, personal identifying, or other non-public information to public generative AI systems

Accountability

- Should take reasonable steps to:
    - Verify the accuracy of any generative AI material used
    - Correct any erroneous or hallucinated output

Standard 10.80

Bias and Discrimination

- Should not use generative AI to unlawfully discriminate
- Should take reasonable steps to remove any biased, offensive, or harmful content in any generative AI material used

Transparency

- Should consider whether to disclose the use of generative AI if used to create content provided to the public

Next Steps

- Improving self-help services for court users

- Evaluating generative AI's impact on evidentiary submissions in court proceedings

- Continuing to monitor the ever-changing AI landscape