AI and the Courts: Getting Started

To understand and ultimately benefit from the use of generative AI technologies, courts should consider experimenting with AI tools in ways that minimize risk and maximize learning.

Select a Few Simple 'Low Risk' Tasks

Select tasks that exclusively utilize public data and information such as in the area of civil cases. Examples could include using a generative AI chatbot like ChatGPT or Google Gemini to summarize lengthy documents, draft internal communications, or conduct basic legal research. Start with internal facing tasks and documents before using AI tools on external facing items.

Use a "Human-in-the-Loop" Approach

Generative AI technologies and the use of them in courts are new, and therefore AI-generated output should not be relied upon until it has been reviewed by a human subject matter expert (called "Human-in-the-Loop"). Presume it will contain errors and likely bias and carefully review every AI generated document for accuracy and completeness. Once more comfortable with the technology (and depending on the task), reevaluate to determine if a "Human-on-the-Loop" approach can be taken, which entails a human periodically spot-checking the generated information to ensure accuracy, as opposed to checking every document.

Note that the approach may vary with an AI tool from a reputable vendor having a model that was developed/trained for a specific purpose vs. free or low-cost public tools.

Ensure Permission and Understand the Terms of Use

Before using any generative AI technology, ensure the organization and policy makers are comfortable with the tasks it will be used for and can accept any terms and conditions that are attached to the use of the technology (e.g. data being sent back to the model). (See the "Platform Considerations" Interim Guidance publication.) If one does not already exist, consider creating an internal policy that allows for AI technology use with some guidelines. (See the "AI Policy Considerations" Interim Guidance publication.)

Train Staff and Judges on AI Systems

To effectively utilize generative AI technologies, provide training and education to staff and judges. This helps them understand how to interact with the AI tool, interpret generated outputs, and effectively review and validate the AI- generated documents or results.

Prepare for Advanced Tasks

As court personnel become more comfortable with utilizing generative AI for basic tasks, consider how it can be used for more advanced tasks, such as data extraction and entry, external facing chatbots for customer service, or automated drafting of orders. Conduct pilot projects to test the feasibility and effectiveness of the technology in each specific context. This allows for a controlled testing environment where the technology impact, benefits, and risks can be assessed.

Engage in Knowledge Sharing

Share what is learned with other courts that are also experimenting with generative AI. This allows for the exchange of experiences, best practices, and lessons learned, enabling courts to make informed decisions and avoid potential pitfalls.

A great way to do this is to sign up for the **[NCSC Court AI Implementer's Forum.](#)**

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