CORE® Champion Achievement Program

National Association *for* Court Management

CORE® | Strengthening Court Professionals

What is the CORE®:

Set of curriculum designed by NACM

Contains 13 competencies/topics

These 13 competencies are divided into three modules

Vision

Leadership
Strategic Planning
Court Governance

Principle

Public Trust and Confidence
Purposes and Responsibilities

Practice

Caseflow and Workflow
Operations Management
Public Relations
Educational Development
Workforce Management
Ethics
Budget and Fiscal Management
Accountability and Court Performance

Purpose of CORE® Champion Achievement Program:

Strengthen court professionals

Increase exposure to the CORE®

Recognize attendance through certificates

Attend or view a qualified session

Complete the structured response form for each curriculum you attend

NACM

5 Certificates of CORE® Champion Program

CORE® Explorer:	One competency from each module
CORE® Principle Specialist:	All competencies with the Principle module (2)
CORE® Practice Specialist:	All competencies within the Practice module (8)
CORE® Vision Specialist:	All competencies within the Vision module (3)
CORE® Champion:	All thirteen competencies of the CORE®

CORE® Champion Achievement Award

Article/Application

Review/Award

Possible Publication

Recognition

NACM

AI and Ethics:
Can We Harness Artificial Intelligence?

A CORE® Session on Ethics

Karl Thoennes III
Peter C. Kiefer

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AI and Ethics

NACM MODEL CODE OF CONDUCT FOR COURT PROFESSIONALS
(Summary of Draft Canon 5)

Canon 5 Summary – *Social Media and the Internet*

- **Using the internet to research applicants, employees, and vendors is still an emerging issue**

- **The credibility of information published on the internet can vary widely**

- **there can be no expectation of privacy of internet information**

- **court managers may sometimes be compelled by law and/or public policy to disregard what they discover on the internet**
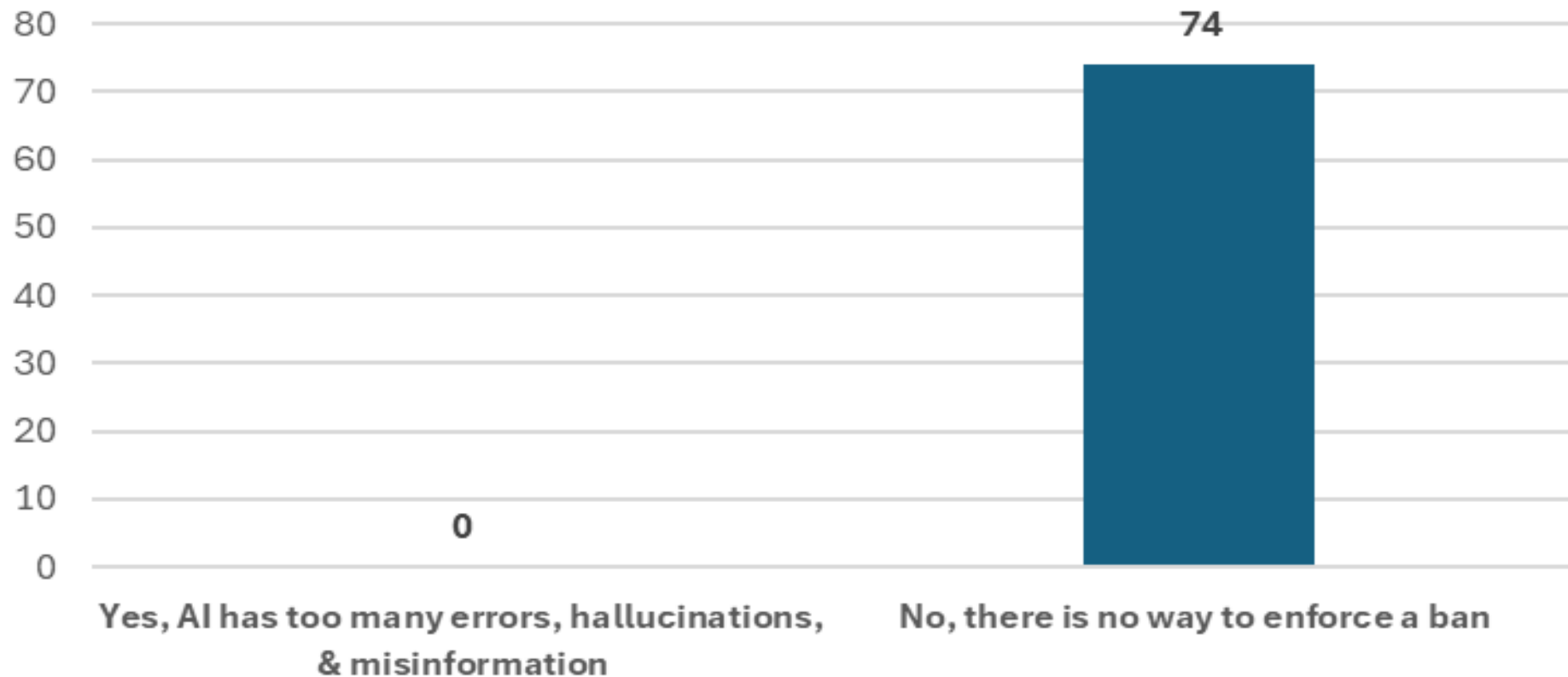
Question Number One

Can We Say "No" To AI?

Can We Say "No" to AI?

Should Courts Tell Litigants That They Cannot Use AI in Preparing Their Cases?

A. **Yes, AI is too fraught with errors, hallucinations, and misinformation**

B. **No, there is no way to enforce such a ban**

Should Courts Tell Litigants That They Cannot Use AI in Preparing Their Cases?

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Yes, AI has too many errors, hallucinations, & misinformation	No, there is no way to enforce a ban

Can We Say "No" to AI?
Discussion Questions

- **Do the possible misuses of artificial intelligence outweigh the benefits?**

- **How can we prevent lawyers and other parties from using artificial intelligence in preparing their cases?**

- **Are the concerns over artificial intelligence overblown?**
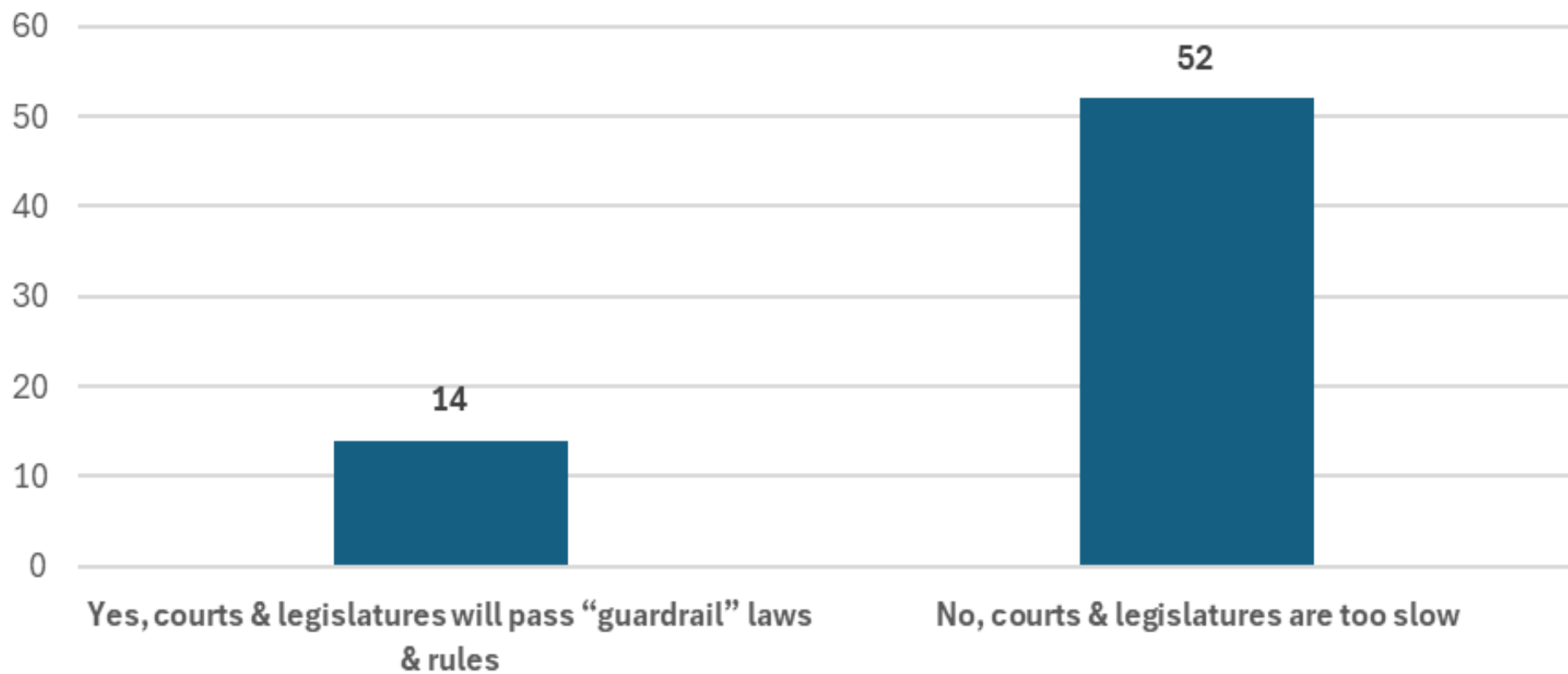
Scenario Number Two

Will Courts Keep Up With AI?

Will Courts Keep Up With AI?

Will Courts and Legislation Keep Up With Artificial Intelligence?

A. Yes, courts and legislatures will "rise to the challenge" and pass "guardrail" laws and rules

B. No, courts and legislatures are too slow and hobbled by special interests

Will Courts and Legislation Keep Up With Artificial Intelligence?

	Yes, courts & legislatures will pass "guardrail" laws & rules	No, courts & legislatures are too slow
	14	52

Will Courts Keep Up With AI?
Discussion Questions

- **Does AI actually have to be "controlled"?**

- **What will have to occur to have courts & legislatures pass rules and laws in a timely manner to control AI?**

- **What is likely to occur if courts and legislatures do not control AI?**
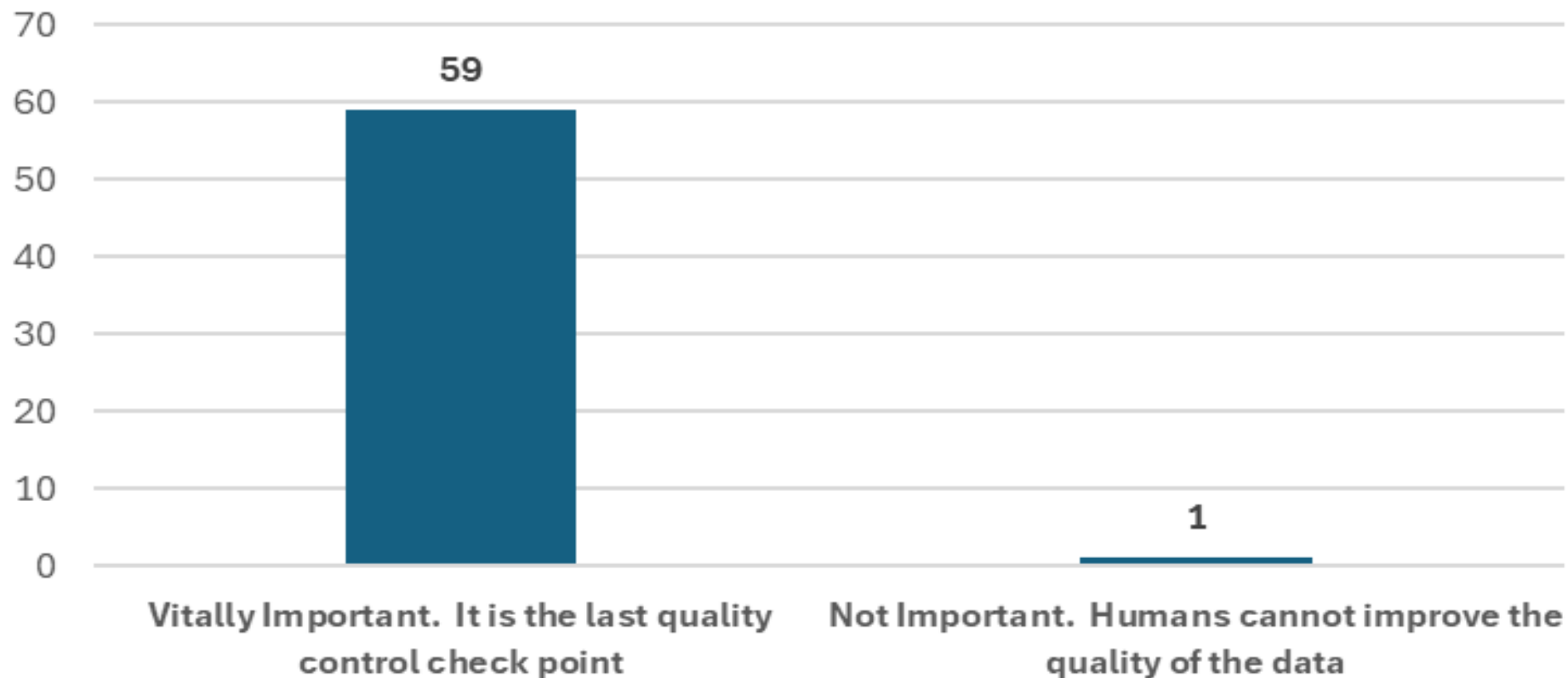
Question Number Three

Is It Important to Have a "Human in the Loop"?

How Important Is It To Keep a "Human-in-the Loop" When Using AI?

A. **Vitally Important. It is the last quality control check in making important decisions.**

B. **Not Important. Humans cannot improve the quality of the data, and when they disagree with AI on average they are wrong.**

How Important Is It To Keep a "Human-in-the Loop" When Using AI?

How Important Is Keeping a "Human-in-the-Loop?
Discussion Questions

- Can an AI algorithm be both biased and accurate at the same time?

- Does having a "human-in the loop" only provide a scapegoat if a decision goes bad?

Question Number Four

Can We Stop AI From Gathering Data?

Is There A "Bright Line" When Giving Data to AI?
Discussion Questions

- Is there any actual harm in AI using personal or confidential data?

- Is there any reasonable enforcement or preventing AI algorithms from using personal or confidential data?
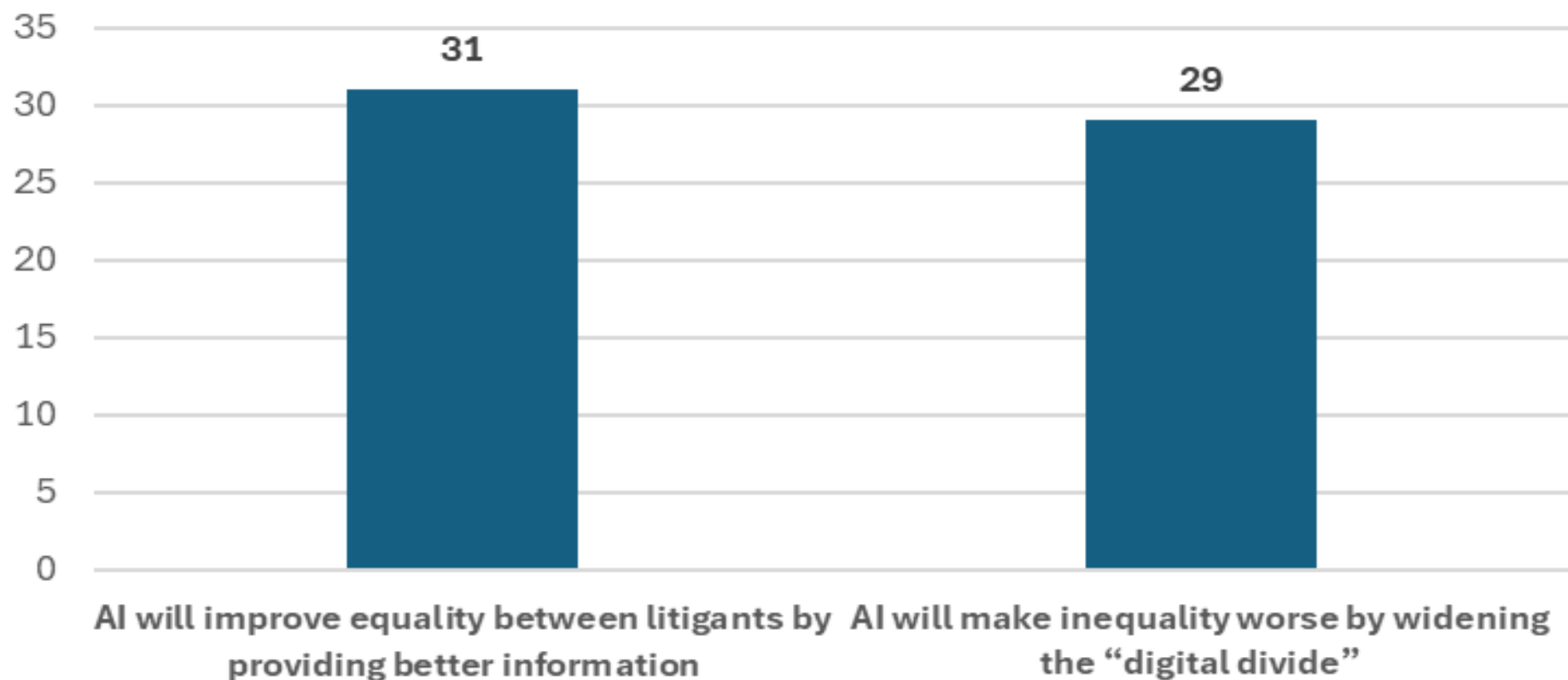
Question Number Five

Will AI
"Level the Playing Field"?

Will AI Level The Playing Field?

Will AI Help Improve Equality Between Litigants or Make Inequality Worse?

A. AI will improve equality between litigants by providing better information and advice.

B. AI will make inequality worse by widening the "digital divide" between the rich and poor.

Will AI Help Improve Equality Between Litigants or Make Inequality Worse?

Will AI Level The Playing Field?
Discussion Questions

- Is it the court's job to "level the playing field"?

- Are there specific actions a court can take to give less well-to-do litigants a more equal chance in court?

Why Look at the Ethics of AI?

- The Integrity of the Courts is at Stake

- More than Just Legislation and Court Rules

- Not Just Right or Wrong Answers

- It is Our Job to Promote Ethics, Integrity, as well as Trust and Confidence in the Courts

Questions or Comments?

Email us at ethics@nacmnet.org

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Peter C. Kiefer

Thank you!