



**National Association
for Court Management**
Strengthening Court Professionals

COURTING AI

UNDERSTANDING ARTIFICIAL
INTELLIGENCE IN COURTS

2024 NACM GUIDE

Facilitator: Giuseppe Fazari
Professor, Monmouth University

Mission



The mission of the National Association for Court Management (NACM) is to be an inclusive member organization dedicated to developing all court professionals as leaders, providing community, sharing information, and advocating on important court and justice system topics.

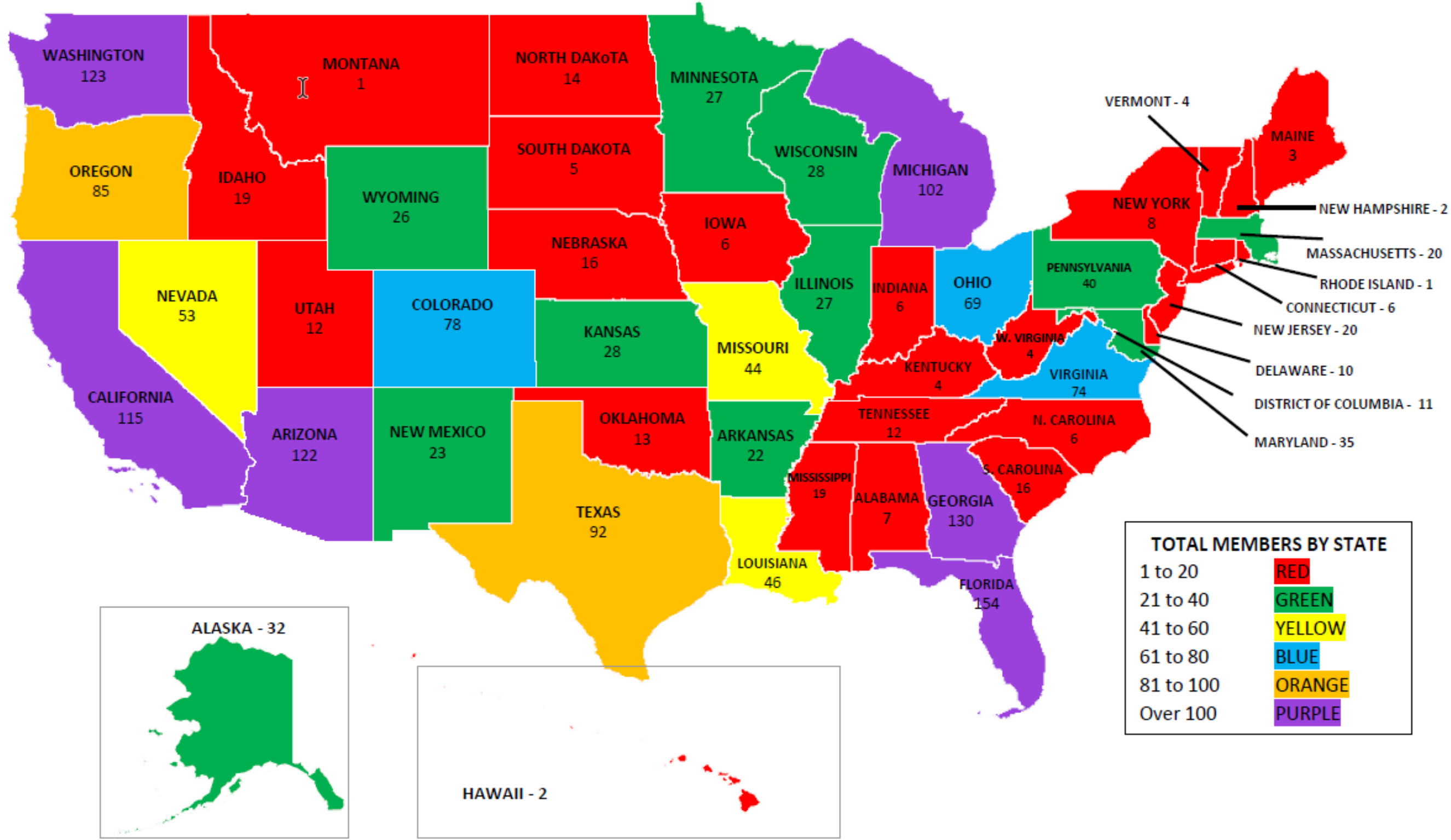
Vision



The National Association for Court Management will continue to be a global leader in the achievement of an independent, interdependent, inclusive, accessible and forward-looking Judicial Branch that is committed to excellence. NACM will provide outstanding service to its members through quality professional development, relevant publications, collegial fellowship, and opportunities to participate in the organization. The core values of integrity, diversity, visionary leadership, innovation, and collaboration will be reflected throughout NACM.

Membership

CURRENT MEMBERS: 1,865



TOTAL MEMBERS BY STATE

1 to 20	RED
21 to 40	GREEN
41 to 60	YELLOW
61 to 80	BLUE
81 to 100	ORANGE
Over 100	PURPLE

“Committed to Excellence”

Membership Benefits



- Continuing education opportunities
- Networking opportunities
- Publications
 - Court Manager
 - Court Express
 - Guides
- CORE® Champion Certification
- Mentoring Opportunities
- Access to ICM courses
- Conference videos and webinars
- Reduced conference fees

NACM Webinars



Recent Webinars offered:

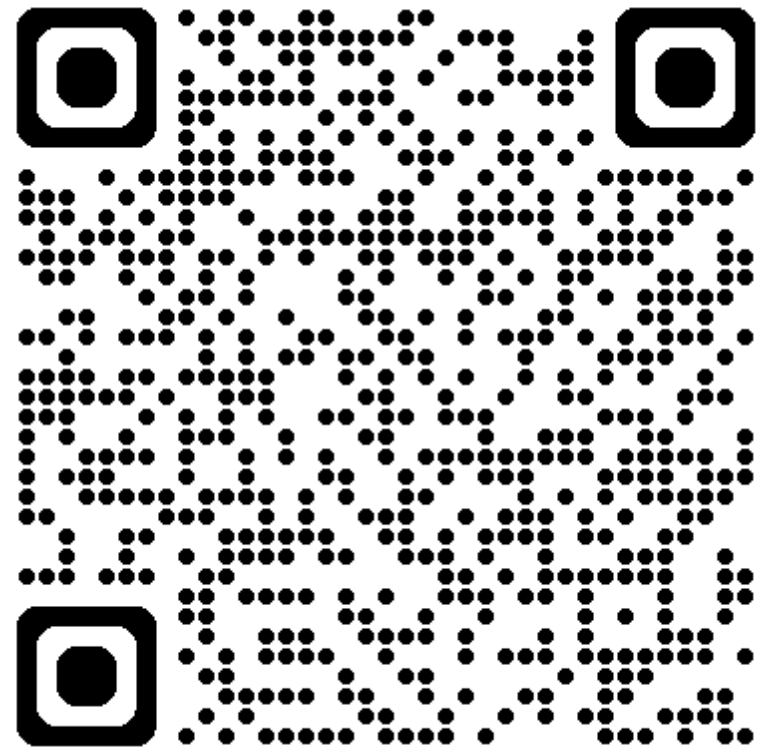
- **Landmark SCOTUS Decisions: Haaland v. Brackeen (2/24)**
- **From Parchment to Pixels: How AI Can Turbocharge Court Data Accuracy and Efficiency (3/24)**
- **CORE Leadership (4/24)**
- **Increasing Court Appearance (6/24)**
- **DEI: Evolution of Terms, Concepts, and Strategies (9/24)**
- **Real World Success in Analyzing E-filing Data (11/13/24)**
- **Understanding AI in Courts (11/24)**



NACM Webinar Page

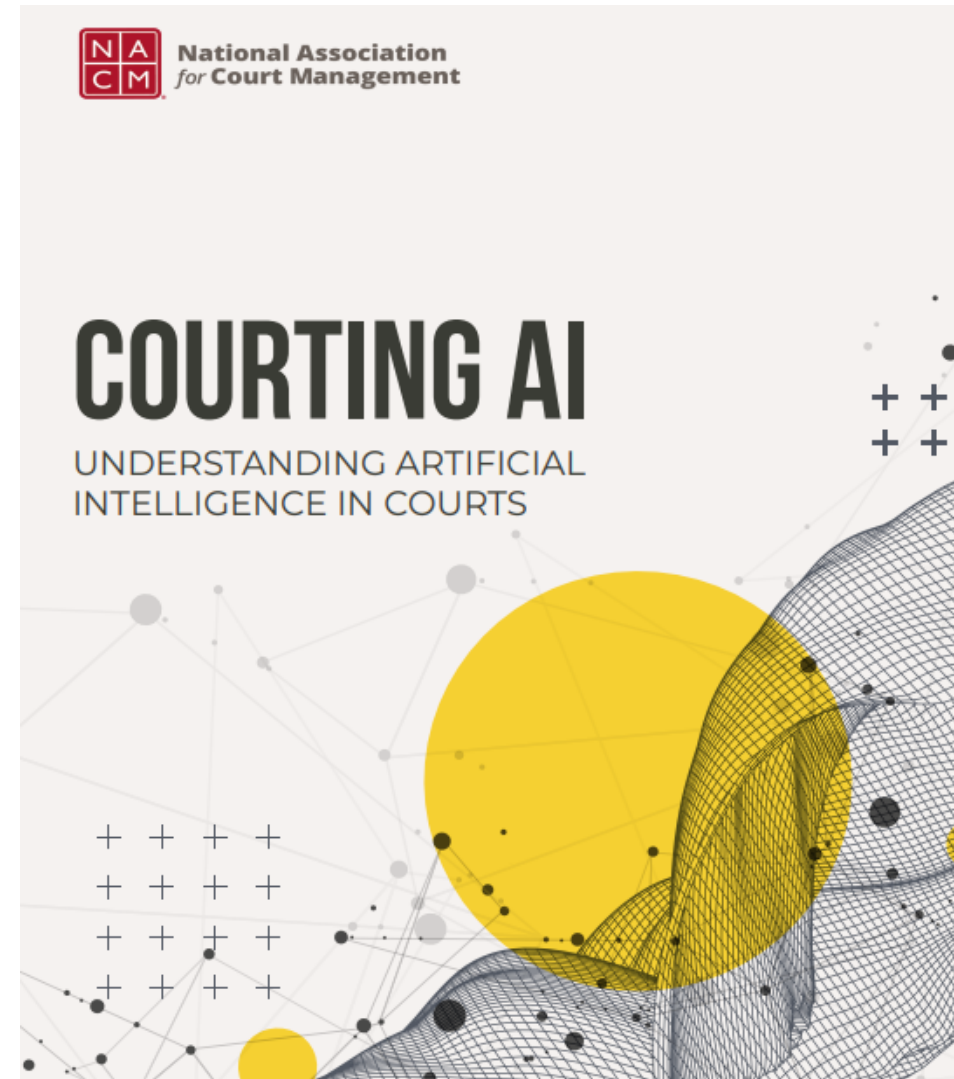


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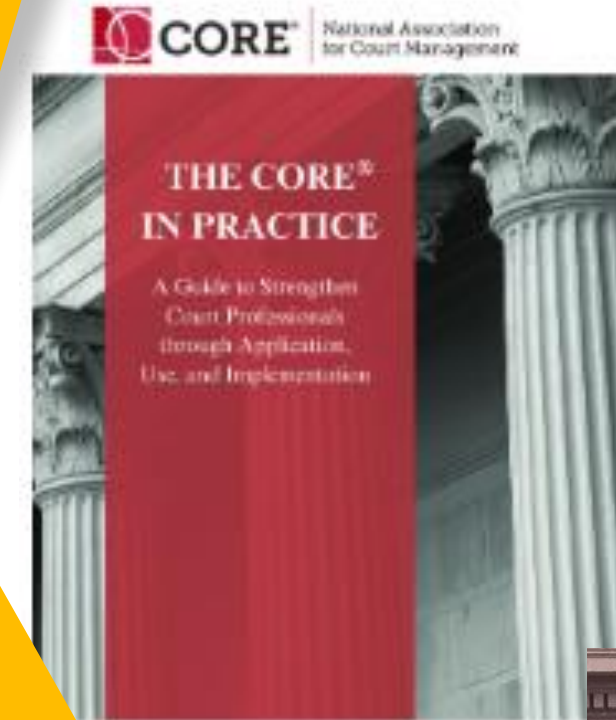


NACM STORE

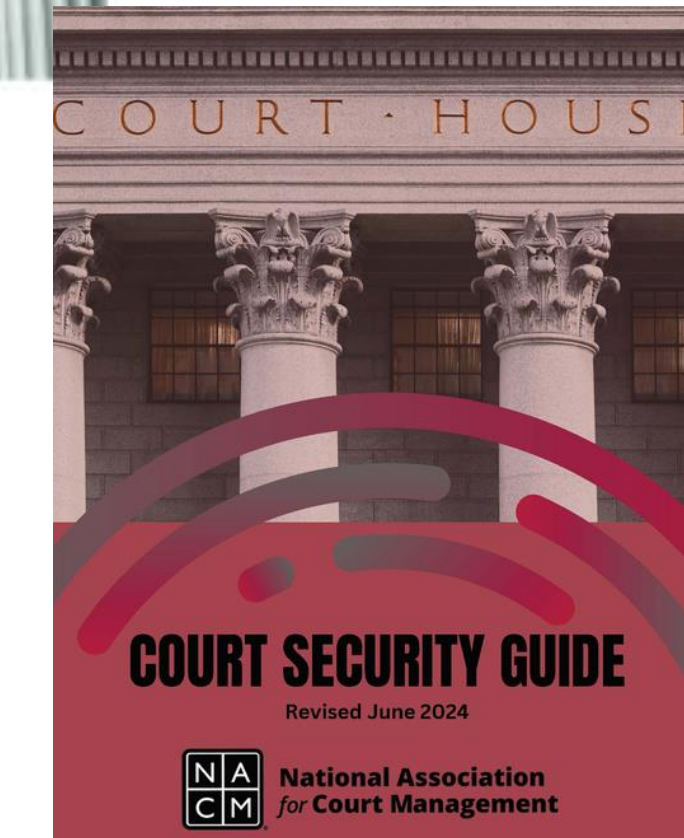
2024



2023



2024



NACM Collaborations



- National Center for State Courts (NCSC)
- National Association of State Judicial Educators (NASJE)
- American Judges Association (AJA)
- National Association of Women Judges (NAWJ)
- National College of Probate Judges (NCPJ)
- National Conference of Metropolitan Courts
- Federal Court Clerks Association
- National Conference of Appellate Court Clerks
- Justice Management Institute
- American Bar Association (ABA)
- State Judicial Institute (SJI)
- National Judicial College
- National Court Reporters Association
- Conference of Chief Justices (CCJ)
- Conference of State Court Administrators (COSCA)
- National Council of Juvenile and Family Court Judges (NCJFCJ)
- Conference of Court Public Information Officers (CCPIO)
- National Conference of Bankruptcy Clerks
- American Institute of Architects
- Bureau of Justice Assistance
- Self-Represented Litigation Network (SRLN)

NACM Committees



- Governance
 - Ethics
- Communications
 - Website
 - Social Media
- Education
 - Conference Development
 - CORE®
- Membership
 - Early Career Professionals (ECP)
 - International
 - State Associations
- Diversity, Equity and Inclusion (DEI)



Data Governance and AI Governance Policies

SHAY CLEARY

NCSC Managing Director
Court Consulting Division



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Agenda

1. AI and the Courts
2. Human Centered Integration of AI
3. NACM AI Guide and Reading Paths
4. Additional Resources
5. Q&A



About the National Center for State Courts

- The NCSC is an independent non-profit corporation with the mission to improve the administration of justice through leadership and service to state courts and to justice systems around the world. Founded by the Conference of Chief Justices in 1971, the NCSC is the pre-eminent judicial reform organization in the United States and a national and global leader in helping courts improve the administration of justice and delivery of services.
- The NCSC has been providing research, education, information, technology, and direct consulting services to state and local court systems for 50 years. The NCSC brings a broad range of resources to justice system studies, including an expert staff, a history of work with diverse jurisdictions nationally and internationally, and institutional links to other national court-related organizations. The NCSC's familiarity with the unique nature of courts and justice systems enhances its ability to work effectively and efficiently with judicial officers, administrators, court personnel, and representatives of court-related agencies.
- Learn more at <https://www.ncsc.org/>

What is AI

Merriam-Webster
Est. 1828

Dictionary Thesaurus artificial intelligence

Dictionary

Definition

Example Sentences
Word History
Related Articles
Entries Near
Show More

Save Word

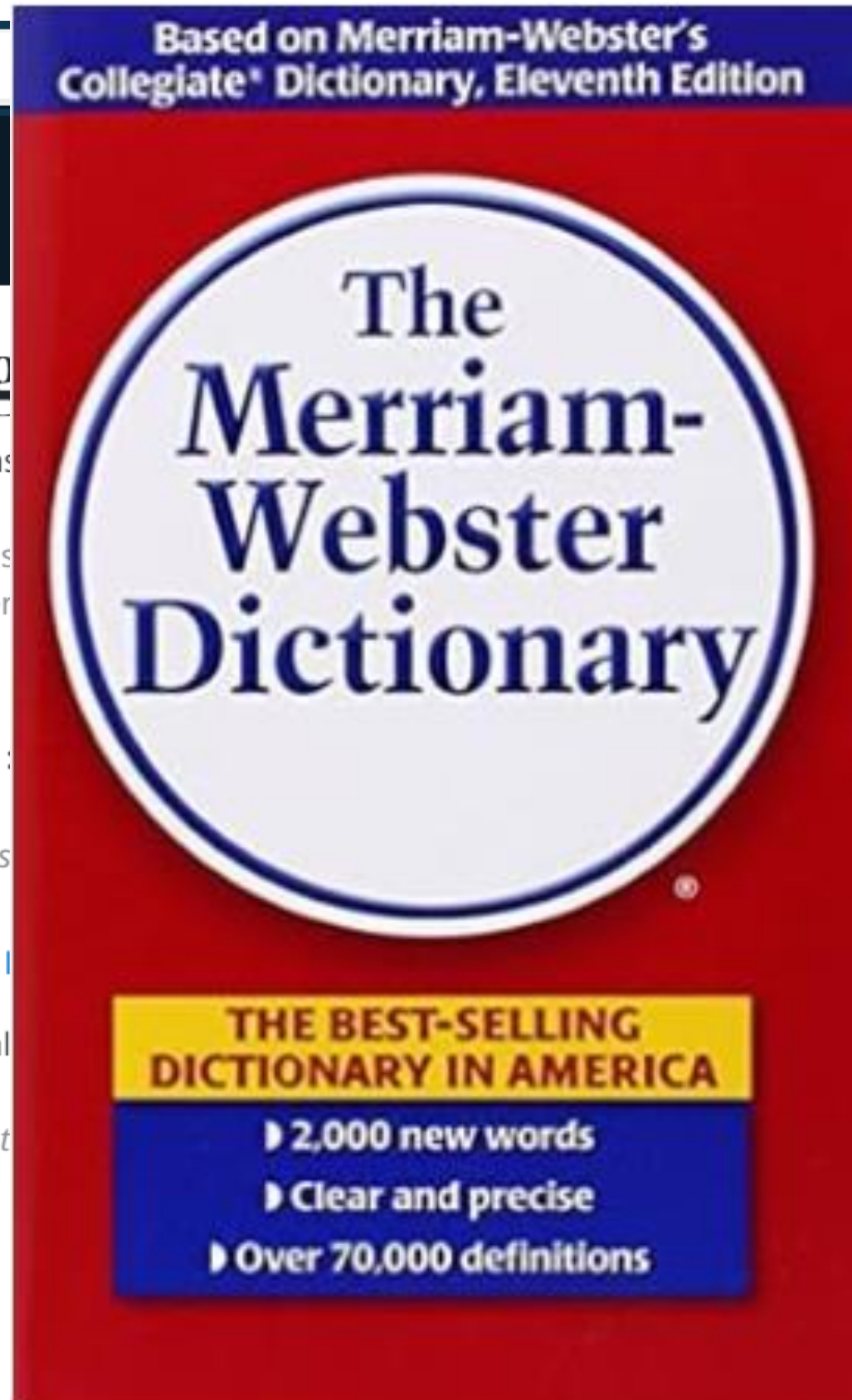
artificial intelligence

1 : the capability of computer systems to exhibit intelligent behavior
A Monmouth University poll released last week shows that 60% of Americans believed that computer technology would do more harm than good than harm to society.
— Shira Ovide

also, plural **artificial intelligences** : algorithms having this capability
Someday, our *artificial intelligences* will be able to think for themselves.
— Benjamin C. Kinney

→ see also [GENERATIVE ARTIFICIAL INTELLIGENCE](#)

2 : a branch of computer science dealing with the design of computers that can simulate or imitate intelligent human behavior
researchers working in *artificial intelligence*



noun

artificial intelligence

artificial intelligence (AI) : a branch of computer science dealing with the design of computers that can simulate or imitate intelligent human behavior
researchers working in *artificial intelligence*

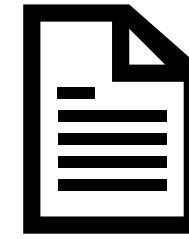
generative artificial intelligence (GAI) : a type of artificial intelligence (AI) that is capable of generating text, images, or other content in response to a submitted prompt
a large reference database of examples that can create text that sounds like it was written by a human
generative artificial intelligence (GAI) has the potential to revolutionize many industries, from marketing to customer service.

What is Generative AI and how does it work?

The keyword is “Generative”

Generative AI takes an existing set of data and “generates” new data based on the data it has been trained on.

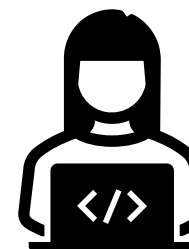
Data comes in all forms including text, video, pictures, audio. EVERYTHING is data.



Data is taken from sources. Depending on the implementation, it may be text, video, or audio, or a combination of all the above.



Developed algorithms (secret sauce) take the data and categorize it and learn from it.



Humans then provide a prompt the trained Generative AI to generate new data (text, video, images, audio).

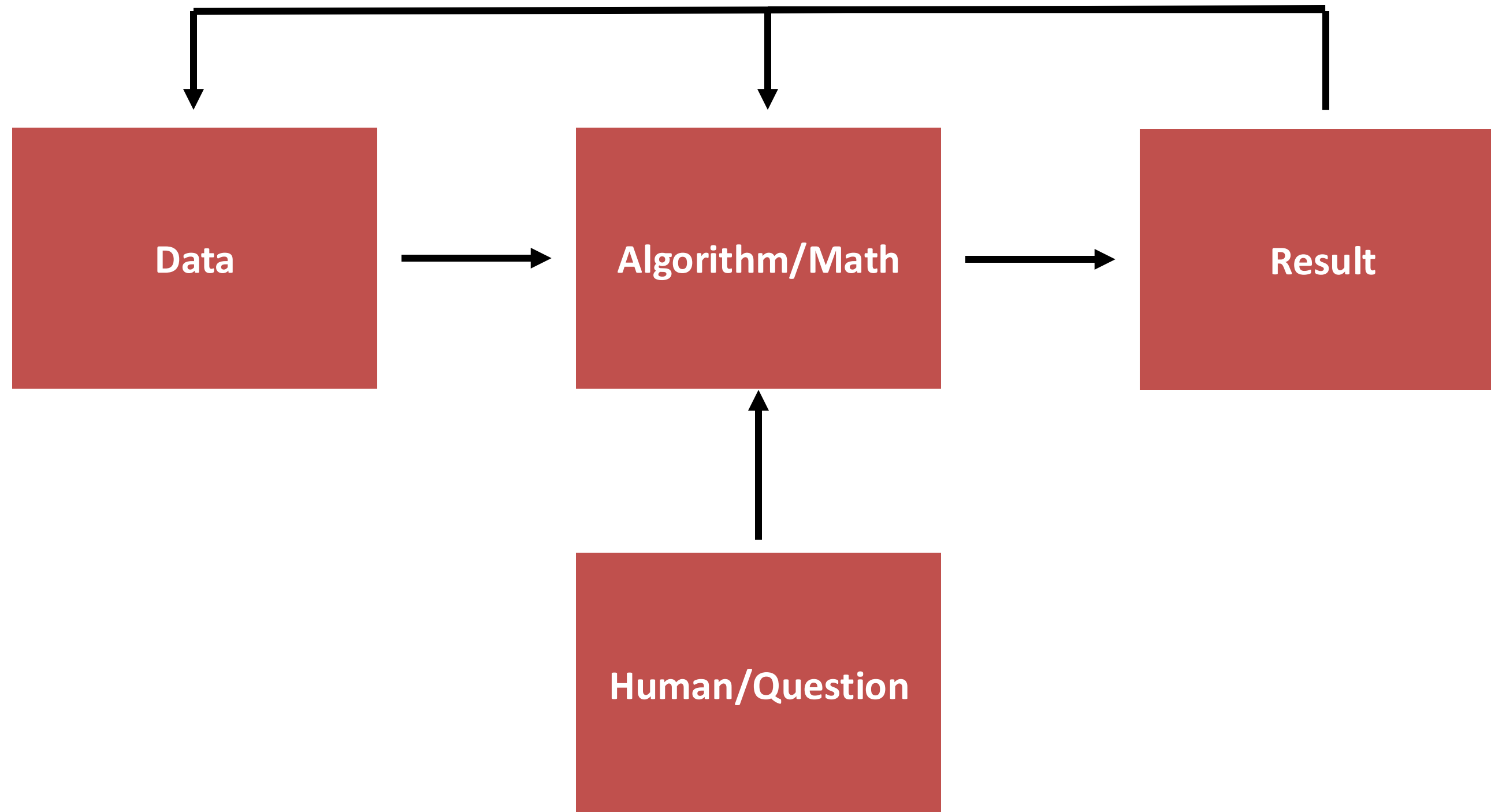


The Generative AI then produces original content based on the source training data.

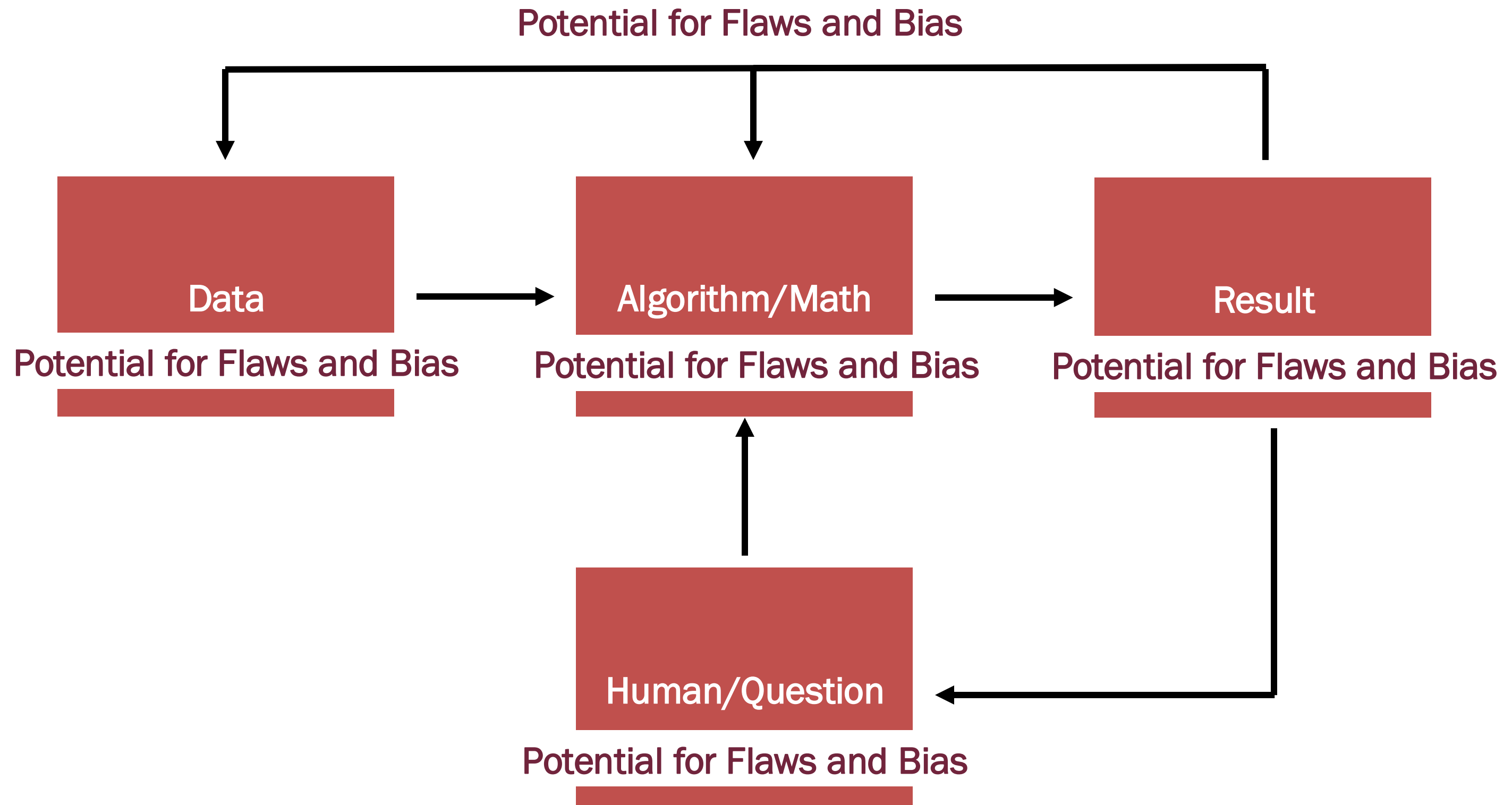
AI is Just Math Doing Things with Data



AI is Just Math Doing Things with Data

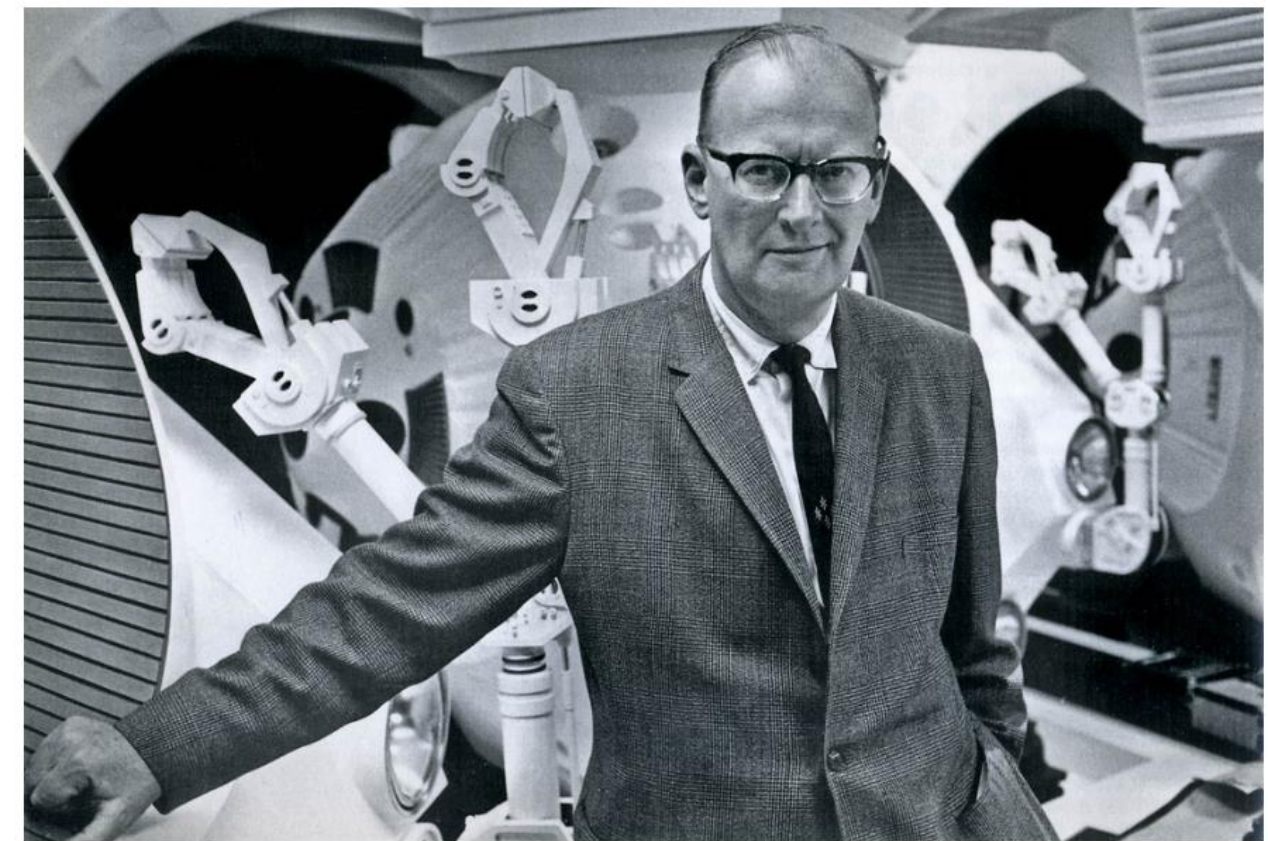


AI is Just Math Doing Things with Data



“Any sufficiently advanced technology is indistinguishable from magic.”

Arthur C. Clarke



Arthur C. Clarke, 1965 | ITU Pictures | CC BY 2.0

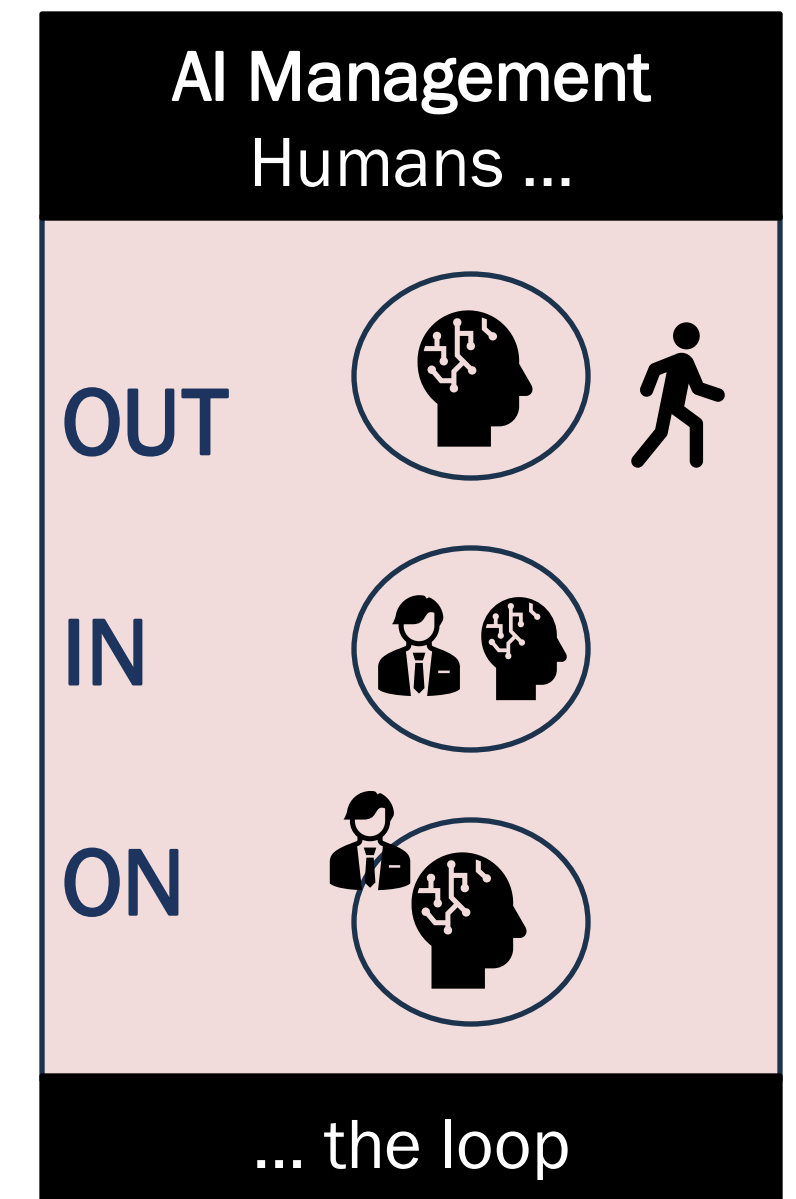
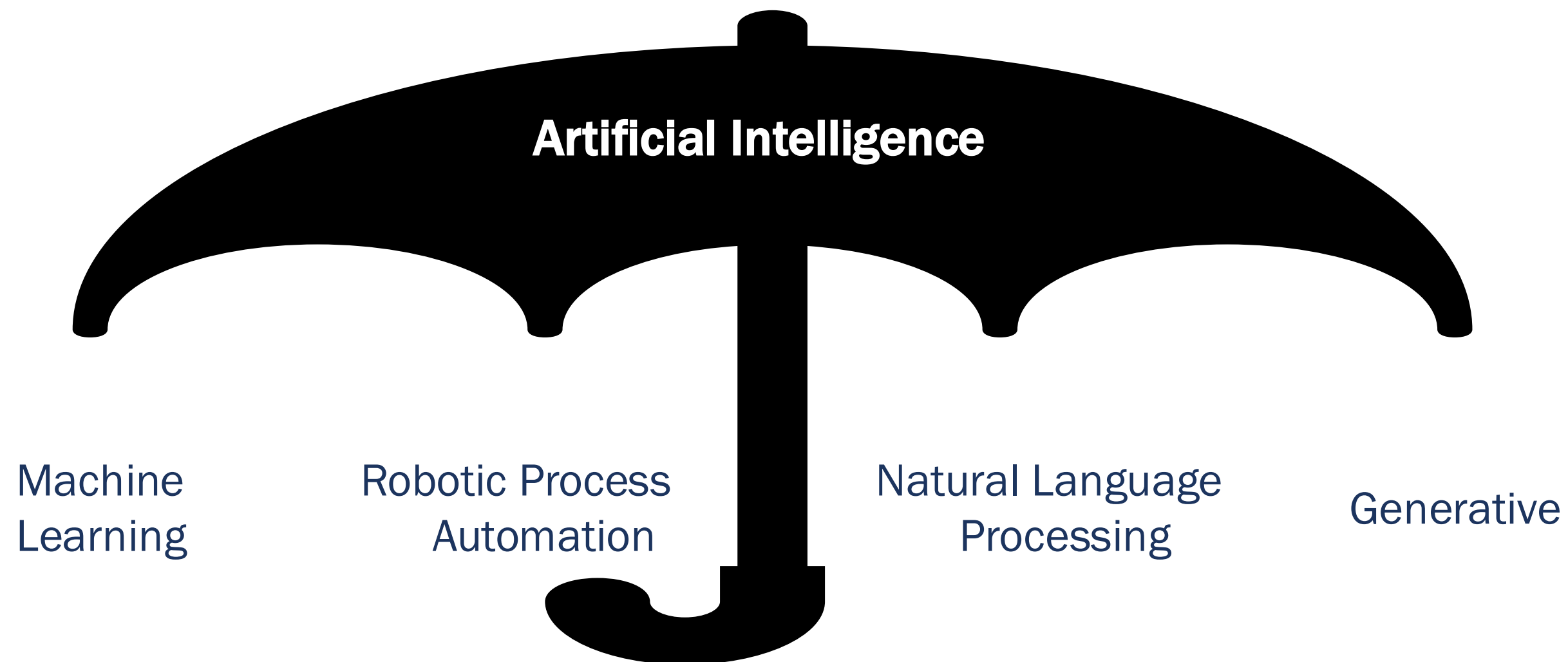
Generative AI

The potential impact on
courts



The AI Umbrella of Technologies

The term Artificial Intelligence (AI) is used in many ways. AI is a family of different technologies, much like there are many different case types under civil or criminal.



An Important Consideration

Generative AI is advancing all traditional AI Technologies

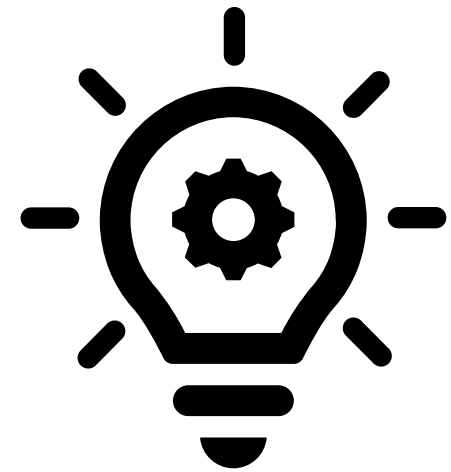
Includes things that typically fall under the AI umbrella such Machine Learning (ML) Natural Language Processing (NLP), Large Language Models (LLM) and the tools such as Robotic Process Automation (RPA), big data tools, chatbots, etc. that use them

Benefits of Generative AI



SPEED

Can handle larger and more complex data sets than a human.



IDEA/CONTENT CREATION

Can generate new ideas and content that was previously not considered by humans.



RESOURCE GENERATION

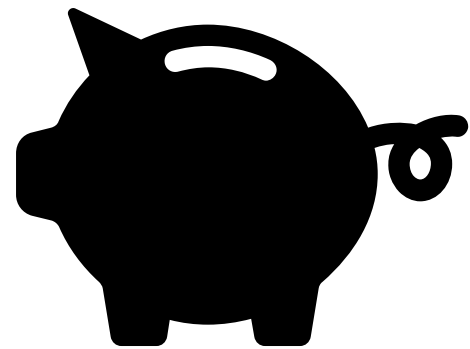
Can be used for data set generation, modeling, forecasting.



INTERFACE

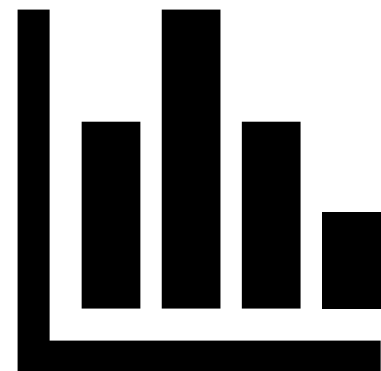
Can provide the ability to interact via voice, chat, or images via multiple languages.

Challenges, Limitations, Legal/Ethical Concerns



COST

- Cloud-hosted ongoing costs.
 - High compute costs.
- Environmental costs (climate).
- Labor displacement considerations.



DATA

- Not enough data.
- Bias built-in to existing data.
- Only public data should be used.
- Scrutiny of processes around data generation.



RELIABILITY

- Must be human supervised.
- AI hallucinations may occur.
- Even Generative AI detection tools may not be accurate.
- Rising need for “Prompt Engineering”



OWNERSHIP

- Who owns the generated content?
- Should people disclose the use of Generative AI?
- How to manage Generative AI in the vendor space?

Where AI technologies will be used

Key

H = High Impact
 M = Medium Impact
 L = Low Impact

Inside Your Court



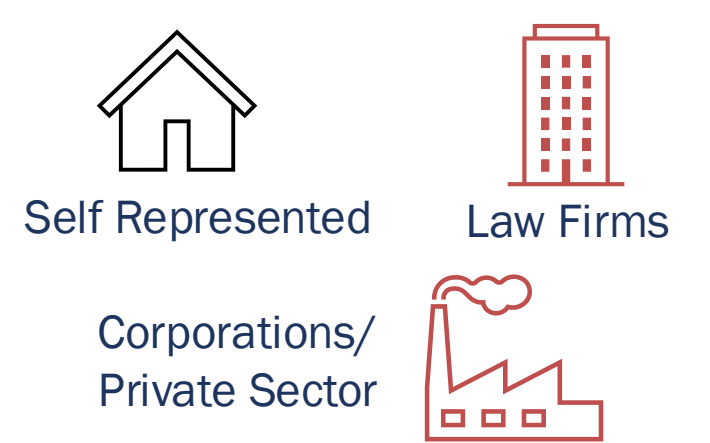
Court Administration Bench
 Self Help IT

Justice Partners



Prosecutors Public Defenders
 Law Enforcement Human Services

Outside Your Court

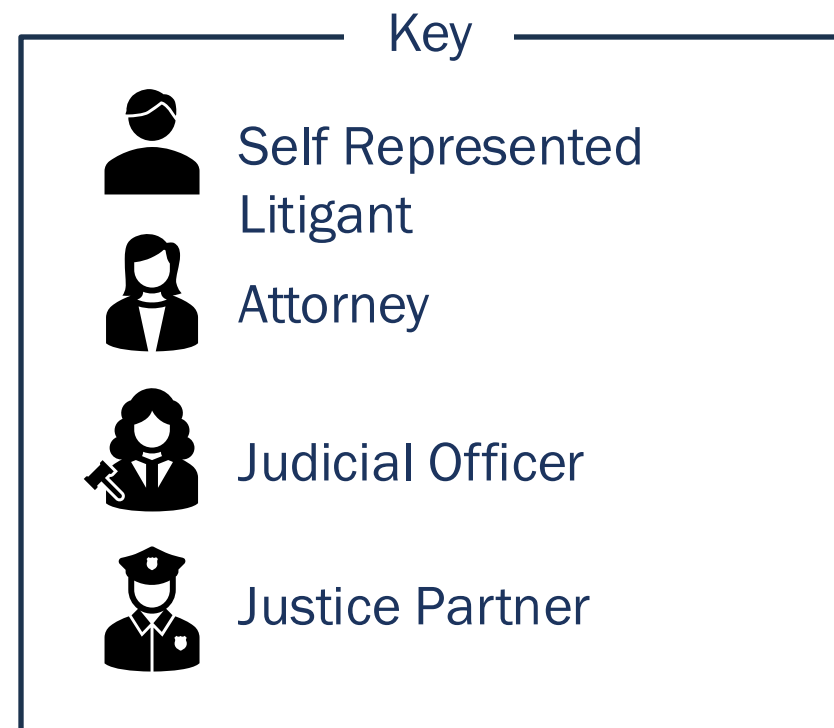


Self Represented Law Firms
 Corporations/
 Private Sector

Automated entry, docketing & case processing	H	H	M
AI assisted creation of court documents	H	H	M
AI assisted resolution of data quality issues	H	H	M
AI assisted identification of complex cases	H	M	M
New methods & channels for serving litigants	H	M	H
New insights into court data	H	H	M
New internal tools for working more efficiently	H	L	L
Increased access to public records	H	M	H

Possible Misuses in the Justice System

This is why we can't have nice things.



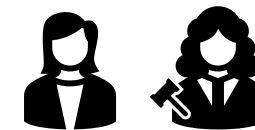
Fake Exhibits

Using Generative AI to create fake photos, videos, and audio of something that did not take place.



Lazy Lawyering

Using Generative AI to create legal documents and filing them as-is with no professional review.



Lazy Legal Researching

Using Generative AI to review legal documents and make suggestions based on a Judge's previous rulings.



Fake Judicial Work Products

Using Generative AI to create a realistic, but fake judicial opinion, order, or decree.



Poorly Designed/Unmanaged Tools

This could include Self-Represented Litigant tools, unsupervised bulk filing tools, or any application proclaiming to use AI.





Don't Be Fooled by A.I. Katy Perry Didn't Attend the Met.

Images of the pop star were convincing enough to trick plenty of people on social media, including Ms. Perry's own mother.

▶ Listen to this article · 2:34 min [Learn more](#)

📄 Share full article



This image of Katy Perry, which was generated using artificial intelligence tools, tricked many people into believing the pop star was at the Met Gala on Monday night. Even Ms. Perry's mother believed the image was real.



No sign of slowing down



BY [ALEXA ST. JOHN](#) AND [JENNIFER MCDERMOTT](#)

Updated 9:56 PM CDT, October 16, 2024

Amazon on Wednesday said that it was investing in small nuclear reactors, coming just two days after a similar announcement by Google, as both tech giants seek new sources of carbon-free electricity to meet surging demand from data centers and artificial intelligence.

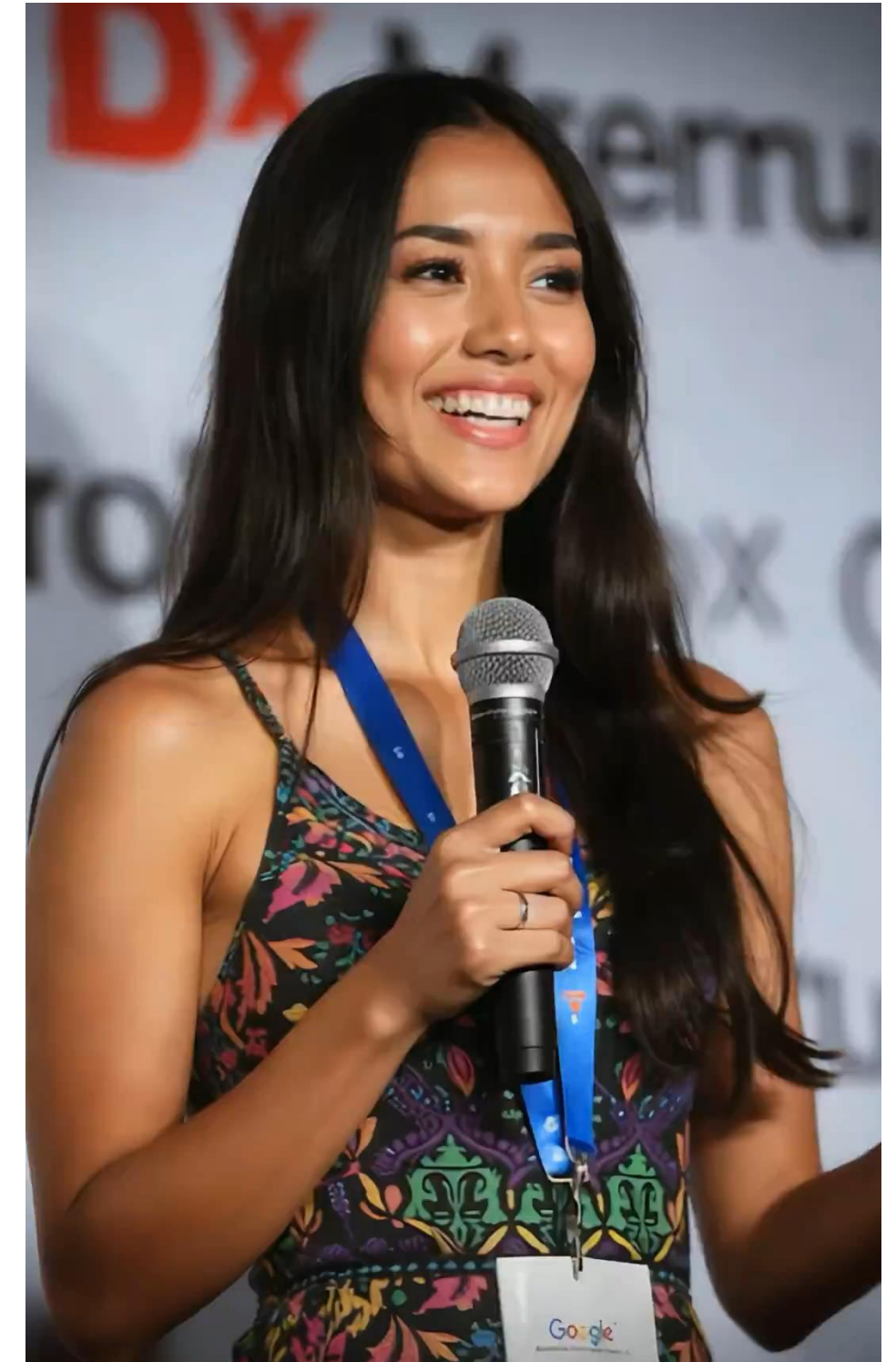
The plans come as the owner of the shuttered [Three Mile Island nuclear power plant](#) said last month [it plans to restart the reactor](#) so tech giant Microsoft can buy the power to supply its data centers. All three companies have been investing in solar and wind technologies, which make electricity without producing greenhouse gas emissions. Now they say they need to go further in the search for clean electricity to meet both demand and their own commitments to cut emissions.

Amazing Progress



August
2023

August
2024





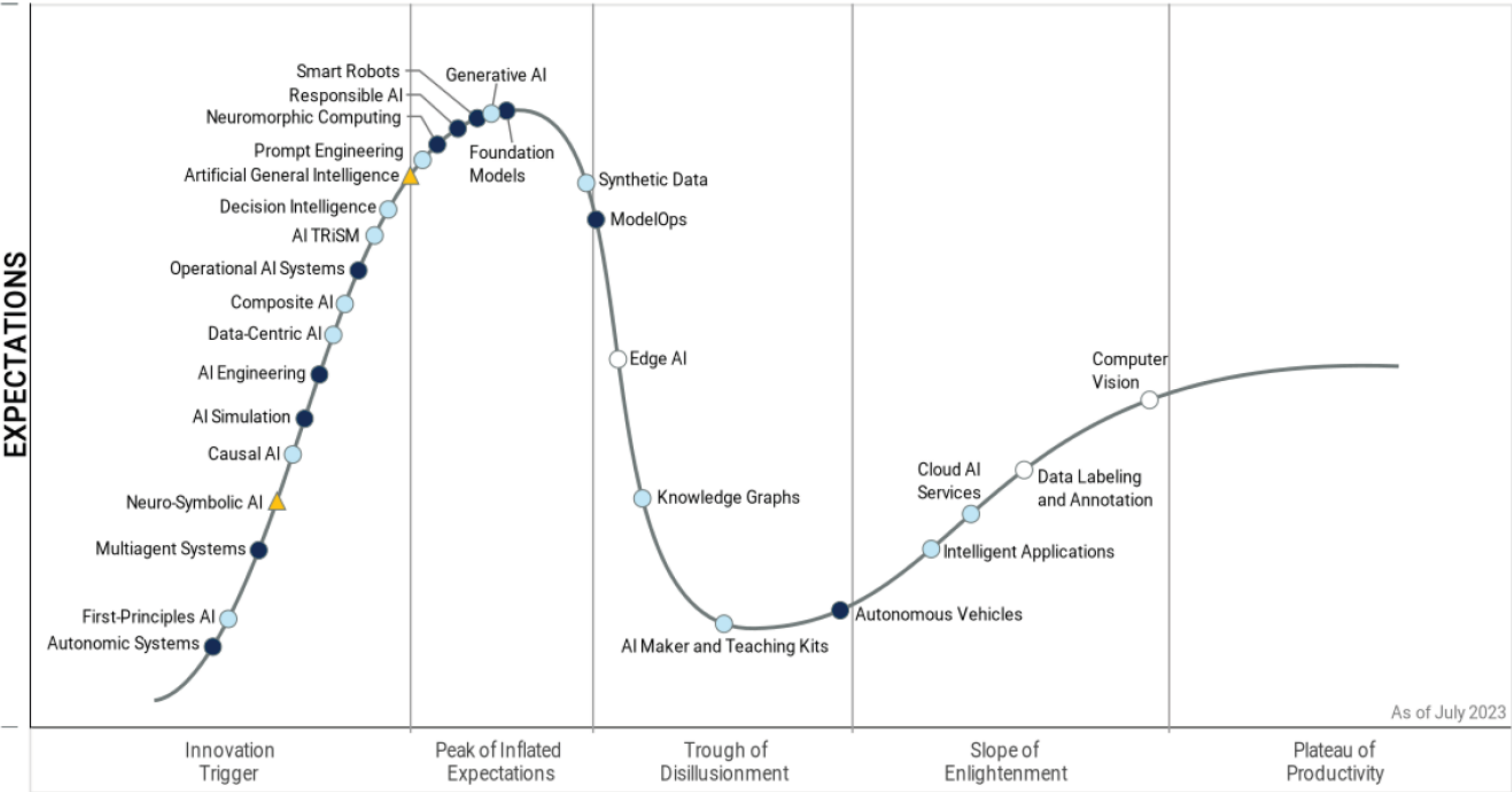
Immediate Policy Considerations

- **Data governance rules still apply. Don't give a generative AI tool access to non-public data via training or prompts.**
- **Generative AI output should still be reviewed/edited by humans.**
- **What/when/where is AI acceptable to be used by judicial officers and staff?**
- **What criteria apply to that decision? (Purpose, Impact, Tool User Agreement, Liability Assignment)**



When you need to prepare for the impact of AI

Hype Cycle for Artificial Intelligence, 2023



Plateau will be reached: ○ <2 yrs. ● 2-5 yrs. ● 5-10 yrs. ▲ >10 yrs. ⊗ Obsolete before plateau

Gartner.

Gartner Predictions

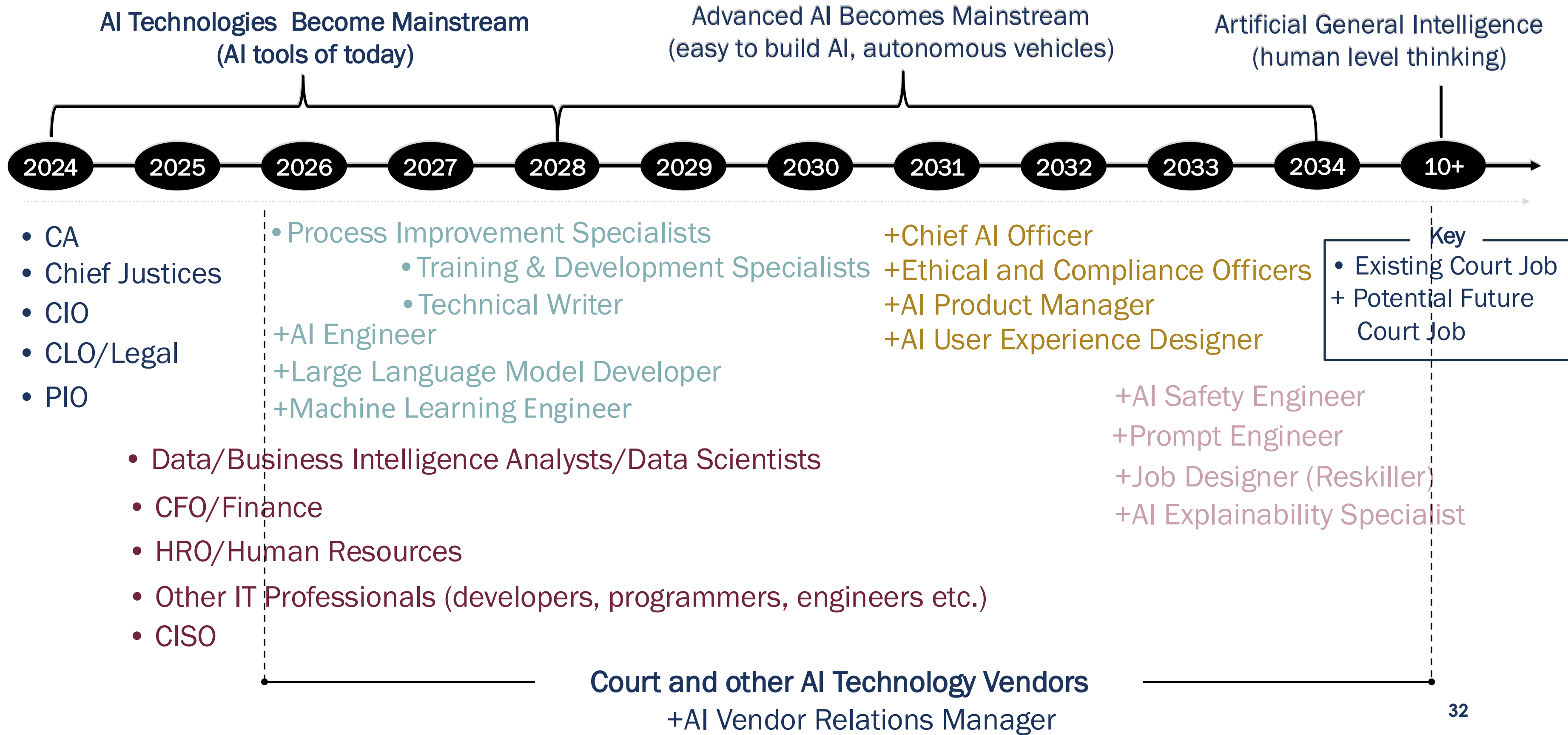
- 2 to 5 years most of today's AI technologies mainstream
- 5 to 10 years advanced AI
- ▲ 10+ for human level AI

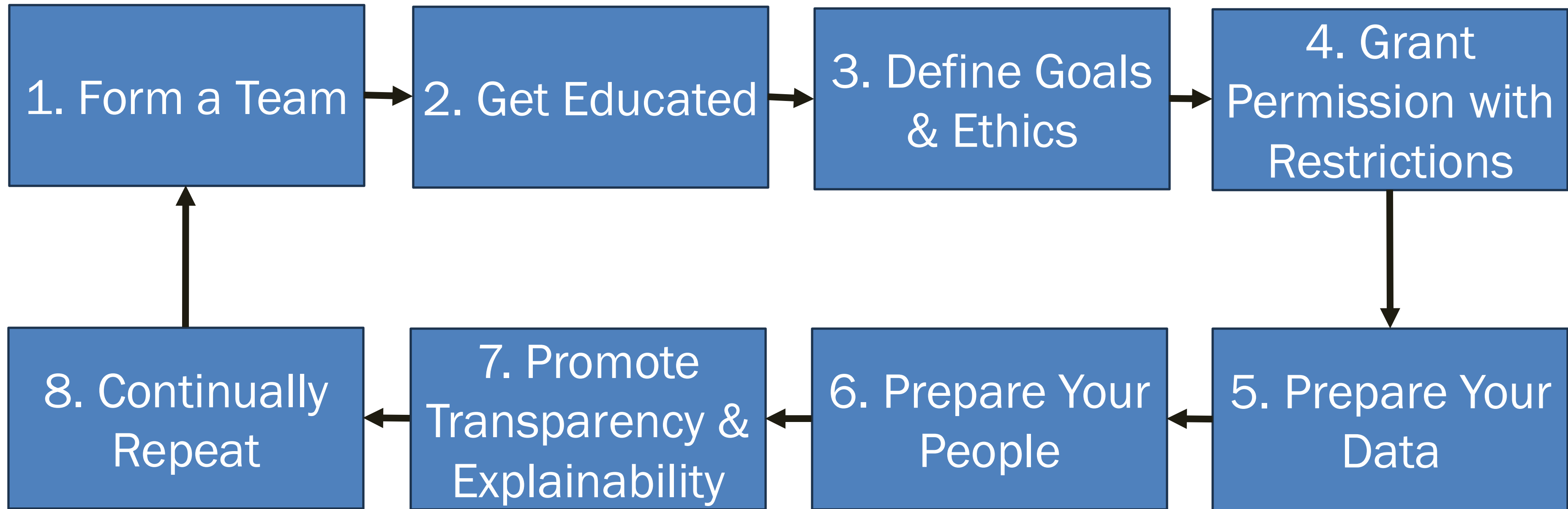
courts should



PREPARE NOW!

Who in your court should prepare for AI







HUMAN-CENTERED INTEGRATION OF GENERATIVE AI

Preparing Courts for an Era of Co-Intelligence

Jennifer Leonard, Esq.
**Founder & Principal of Creative
Lawyers**



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State of Civil Justice Crisis



86% of the civil legal problems reported by low-income Americans receive inadequate or no legal help.



Three out of four civil cases in state courts involve at least one party without a lawyer, often due to the inability to afford legal representation.



The average cost for a lawyer in the United States is between \$100 and \$300 per hour, making legal representation unaffordable for many.



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+
“We’re not going to volunteer our way across the justice gap.”

- Hon. Dino Himonas, Former Justice, Utah Supreme Court



The state of the American civil legal system is a five-alarm fire, and we’re fighting it with a bucket brigade — with tools developed for a different world... Technology allows us to push out information to the public that was previously accessible only to lawyers.

- Jim Sandman, President Emeritus, Legal Services Corp.



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Why is this so different from previous tech advancements?



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A technology designed in the image of humans demands a human response

GENERATIVE AI IS...

1

AGENTIC

Acts

2

ADAPTIVE

Learns

3

AMIABLE

Befriends

4

ARCANE

Mystifies

Many things that once seemed exclusively human will be able to be done by AI. So, by embracing this principle, you can view AI's limitations as transient, and remaining open to new developments will help you to adapt to change...and remain competitive in a fast-paced...world.

-Ethan Mollick



CO-INTELLIGENCE

Living and
Working
with
AI

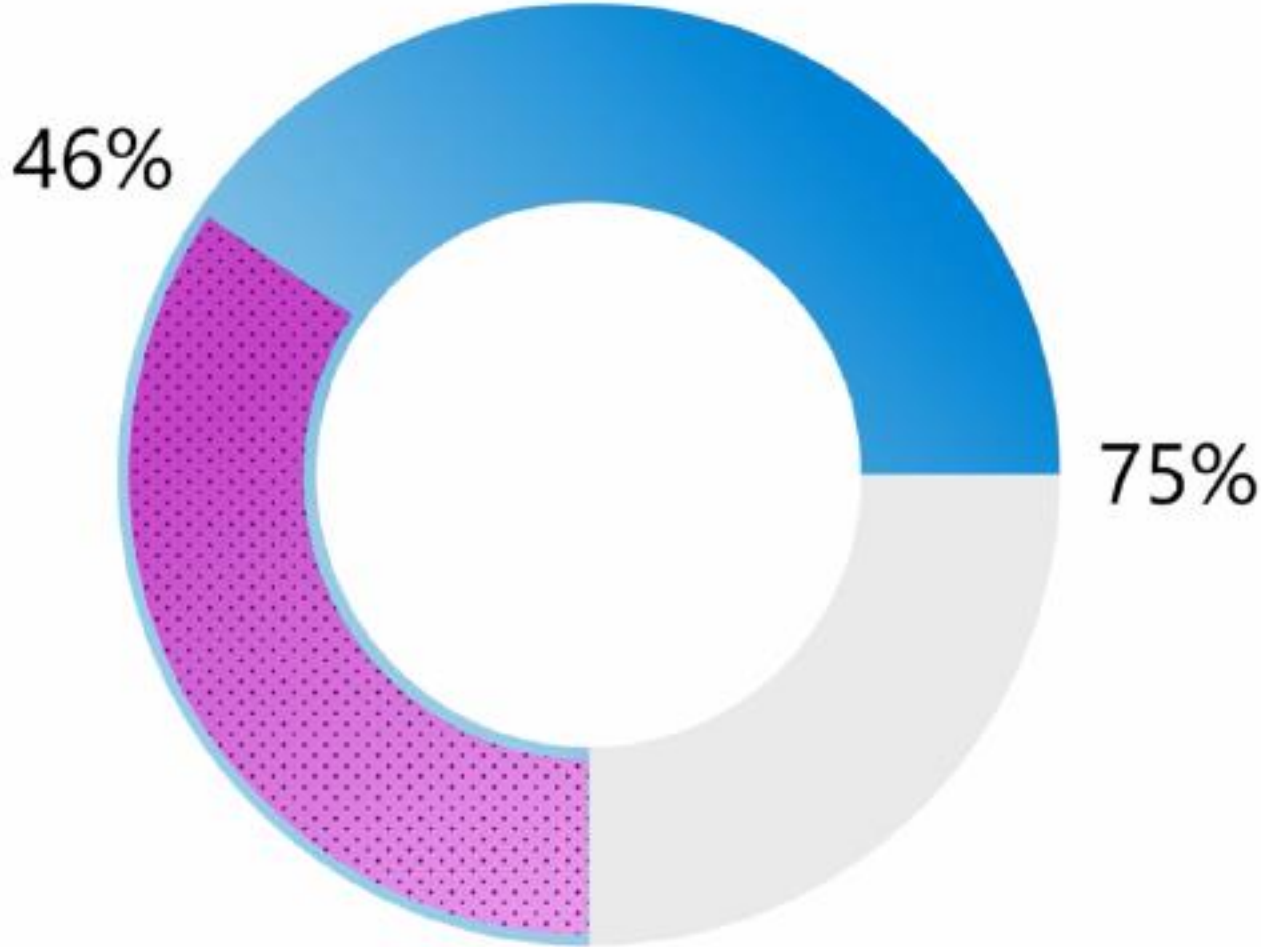
ETHAN MOLLICK

Three Out of Four People Use AI at Work

Usage nearly doubled in the last six months.

75% of people are already using AI at work

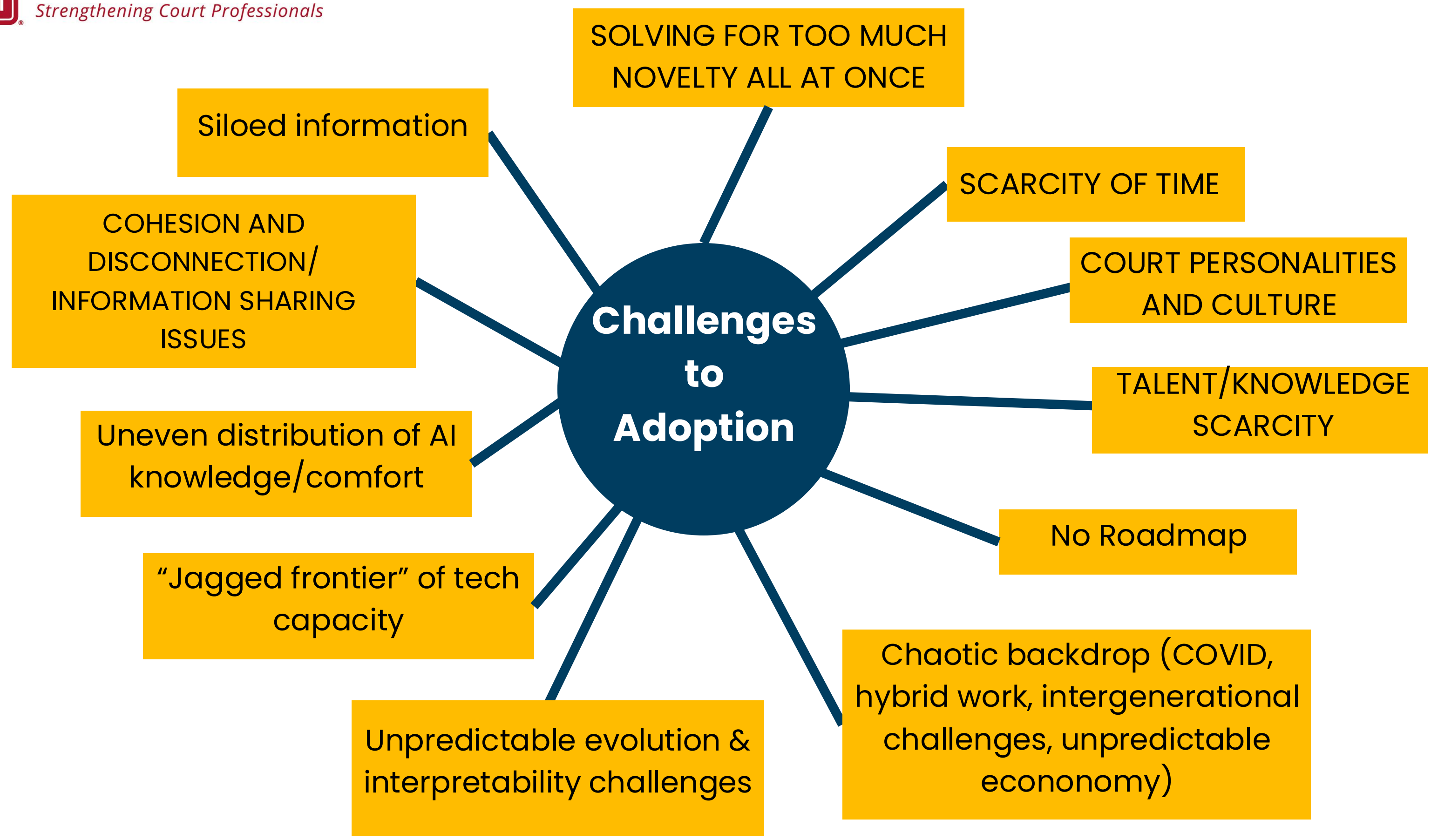
46% of them started using it less than 6 months ago



The Future is Here

Survey Questions:

- How often do you use generative artificial intelligence (AI) for your work?
- How long have you been using generative artificial intelligence (AI) at work?



A framework that integrates a set of practices to understand people -their needs, constraints, contexts, behaviors, and wants- so that you can build deep empathy with them, generate multiple ideas to help solve their problems, and arrive at a solution via rapid prototyping.

-InVision

Human-Centered Design



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THE FIVE DESIGN THINKING STEPS

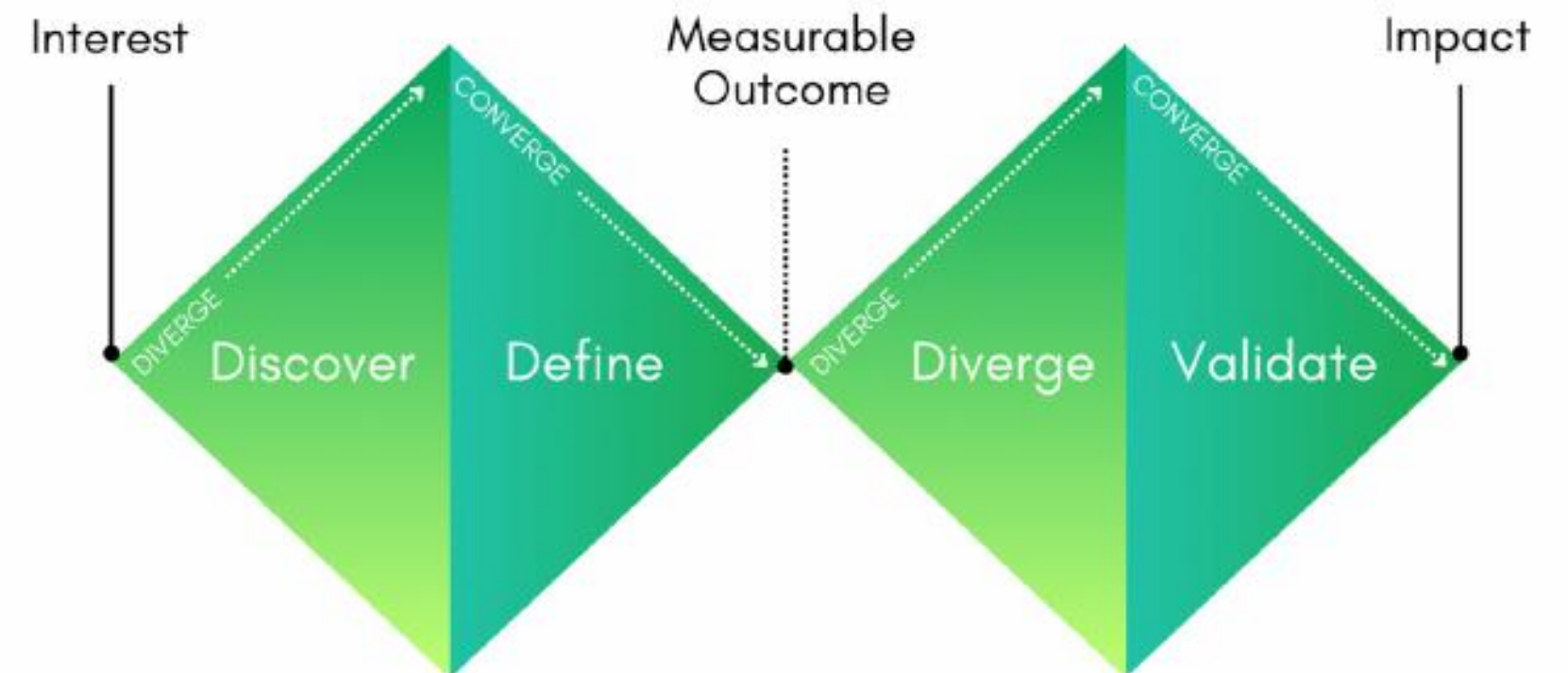
Guide Page
80!



Hallmarks of Design Thinking Include:

- Curiosity
- Co-design
- Bias to action and experimentation
- Iterative refinement of ideas

Background: Double Diamond Framework



P

Prospection

R

Resilience

I

**Innovation &
Creativity**

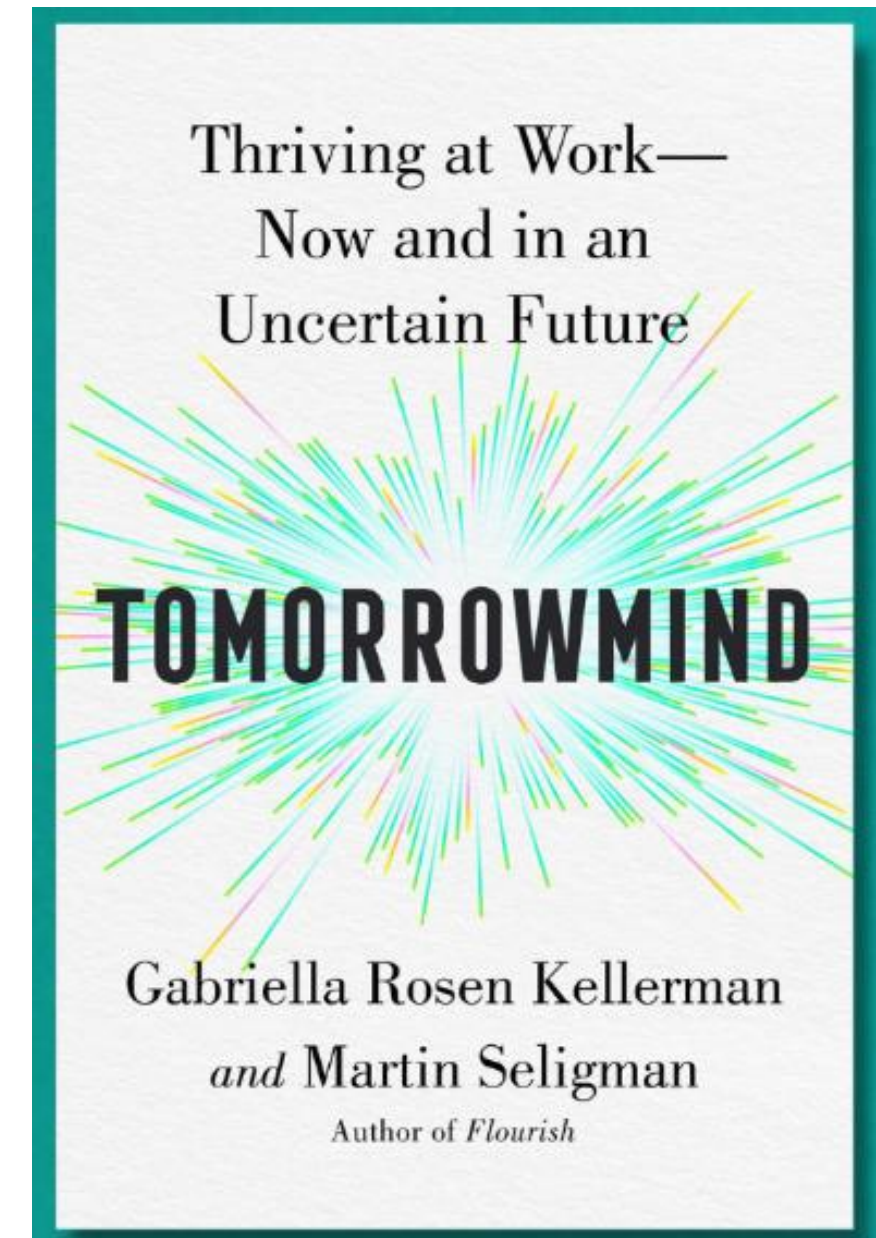
S

**Social Connection/
Rapid Rapport**

M

**Meaning &
Mattering**

Guiding internal stakeholders requires design thinking and additional leadership mindsets



VISION & MISSION

NORTH STAR OF GENERATIVE AI INTEGRATION

- What did you do that was valuable that's no longer valuable?
- What impossible things can you now do that you could not before?
- What can you democratize and deliver to the public?
- What value can you deliver to your court employees?

AI Guide Contributors Navigating the Guide AI and the NACM CORE

ROGER RAND

Multnomah County Circuit Court, IT Manager
NACM, Board of Directors, Joint Technology Committee



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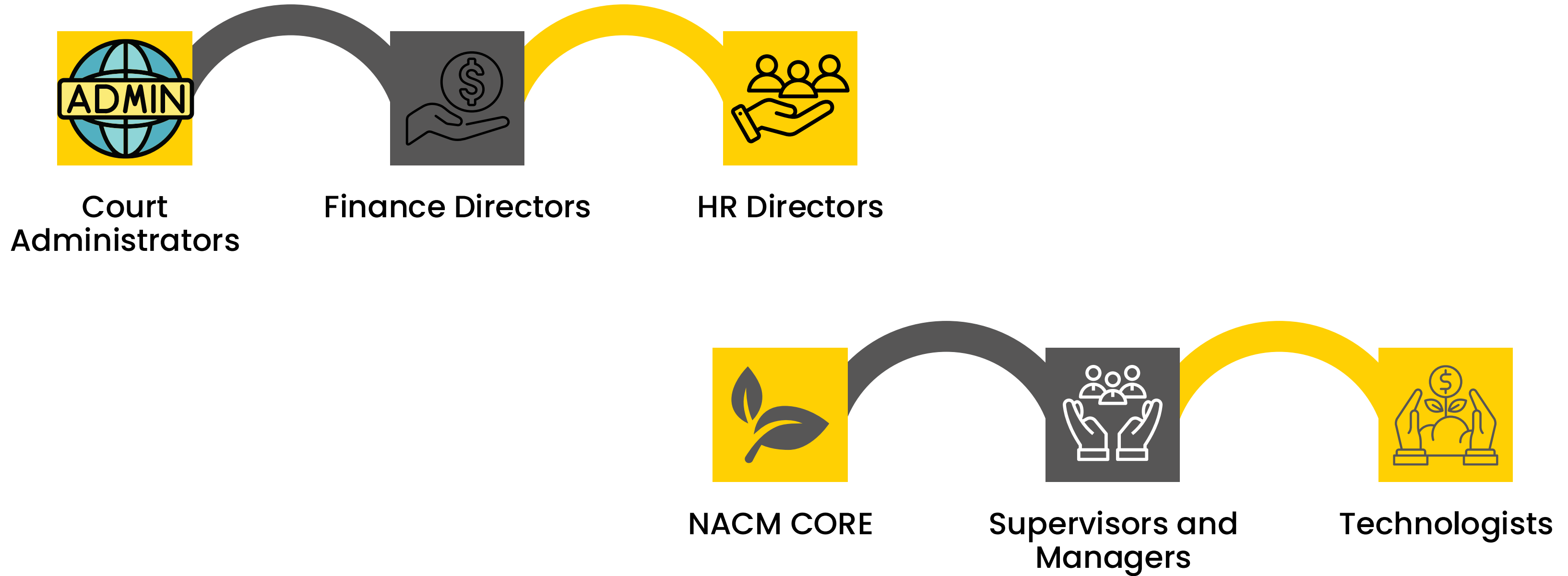
Document Assistance Provided by NCSC

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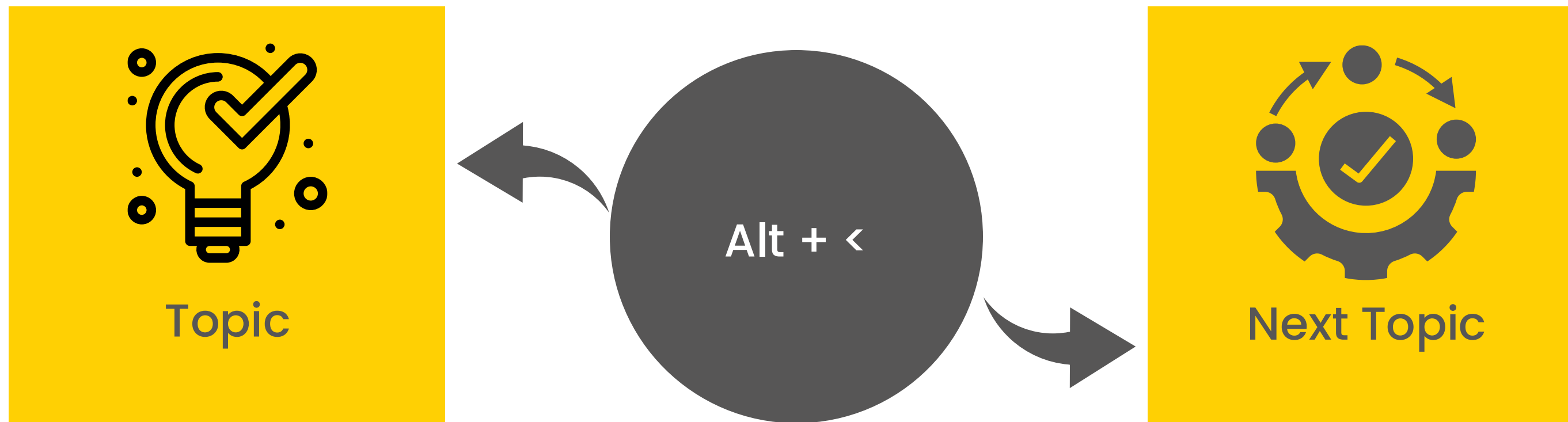
Reading Paths





Navigating the Guide

Find your path
Click a topic
Alt + (<) Left Arrow
Select next topic





CORE[®]

National Association
for Court Management

- Public Trust and Confidence
- Ethics
- Accountability and Court Performance
- Workforce Management: Change Management
- Caseflow and Workflow

- Vision

NACM CORE INTERESTED AUDIENCE

- 1. Introduction
- 2. Communication with Staff & Change Management
 - ▶ Empathetic, Human-Centric Design in the Integration of Generative AI in Court Systems
 - ▶ Leveraging the Workforce Management Competency of the NACM CORE[®]
 - ▶ AI Informed & Consent
- 3. The Promise and Peril of AI in Human Resources
 - ▶ AI-Assisted Decision-Making
 - ▶ Professional Development
- 4. Education
 - ▶ Fundamental Requirements
 - ▶ Experiment, Evaluate, & Educate
 - ▶ Education Considerations for Specific Stakeholders



Demonstration of Navigating the Guide

GUIDE UPDATES AND ADDITIONAL CONTENT

NACM COMMUNICATIONS COMMITTEE



REVIEW AND APPROVE

JOINT TECHNOLOGY COMMITTEE



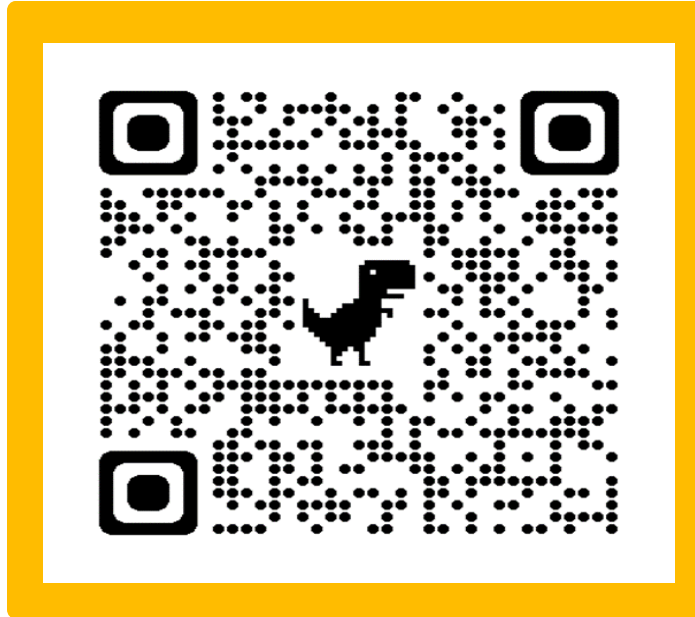
NEW CONTENT



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RESOURCES

NCSC DATA DIVES



NCSC AI IMPLEMENTER'S
FORUM



NCSC GENERATIVE AI
SANDBOX



**First Wednesday of each
month @2:30PM Eastern**



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Q&A

THANK YOU!



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