

A Practical Guide for Understanding and Using AI in Your Court



How to Prepare Your Court for the Future

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Introduction

Information overload has become a very real problem, especially with AI's rise in popularity over the last several years. Every day it seems like there's new information being thrown at you and it's challenging to make sense of it all. Researching the latest AI trends is doable, but it's still hard to find the most accurate information with so much available online.

equivant has worked to stay at the forefront of the justice space. We've engaged in lots of industry-wide conversations about AI and how it can be used securely in courts and justice agencies. In this practical guide, we outline actionable steps you can take to prepare for AI, secure ways you can explore AI now, and reputable resources you can use daily to help navigate information overload.

Security, Trust, and Humans are Essential for Using AI in the Justice Industry

The justice industry is always slower to adopt new technologies because security is a top priority. It takes time to implement security measures and policies, which are essential to keeping protected justice data and personally identifiable information (PII) private. Here at equivant, we've been working on a secure, self-made AI tool that's being used internally to help inform future development and plans. We recognize the importance of courts and justice agencies being able to trust the AI tools they use and have let that knowledge guide our AI strategy.

There is still a lot that needs to happen (policies written, security implemented, etc.) for AI to be widely used across the justice industry. In your court alone, you need to establish policies and regulations around AI use, develop a strategy, and create a plan for AI governance and adoption as part of the implementation process. However, we are already seeing a couple of major AI uses in the justice space:

- Generative AI is being used to improve access to justice for underserved communities. Generative AI can serve as an **assistant to community members via online portals** to help them look things up and find the correct information they need for their specific court case.
- AI is being used to **catch mistakes, correct documents, and ensure redactions are correct** and private information is safe and protected.
- Machine learning (a type of AI) is being used to **analyze data and help improve operations and processes** as well as identify patterns.



However courts choose to implement AI, they must prioritize security and the protection of data. This includes establishing clear policy and governance procedures to make sure it is used responsibly.

The following risks should be carefully managed in accordance with local, state, and federal data security policies:

1. Accuracy and Reliability

If the AI system makes errors in guiding filers or validating submissions, it could lead to incorrect filings/procedures being accepted or accurate ones being rejected, potentially causing legal issues or delays.

2. Data Privacy and Security

Handling sensitive legal documents and Personally Identifiable Information, as well as protection of Intellectual Property requires stringent data privacy and security measures. Any breach or misuse of data could have serious legal and ethical implications. Any AI tools and customer or proprietary data accessed, hosted, or used with these tools must be fully controlled.

3. Transparency and Accountability

AI decisions need to be transparent and explainable. If the AI makes a decision that affects a filing, it should be clear why that decision was made, and there should be a mechanism for human review and appeal.

4. Dependence on Technology

Over-reliance on AI could lead to a reduction in human oversight and expertise. It's important to maintain a balance where AI supports human clerks rather than replacing them entirely.

5. Legal and Ethical Considerations

The use of AI in legal processes must comply with existing laws and ethical standards. This includes ensuring that AI systems are used responsibly and do not infringe on individuals' rights.

As you begin establishing plans for AI use in your court, it's important to keep all of these risks in mind.

Long-Term AI Planning for Your Court

Security should be the top priority for all courts, but planning for AI involves a lot more than security considerations. Every court should start with long-term planning. Ask yourself, "What would my ideal court look like in the future?" You should take the time to really think about how you'd like things to look like 10 to 15 years out with the understanding that you can't predict everything.

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**What would my ideal
court look like in the
future?**

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As you start planning, perhaps your vision involves blending technology and tradition. You envision an evolving court that offers a more efficient, inclusive, and accessible justice system. You start brainstorming specific things you'd like to accomplish, and put together a list that includes things like:

- **Flexible scheduling options** that reduce delays and increase participation.
- **Advanced video conferencing** enhanced with virtual and augmented reality that creates immersive experiences for remote participants and promotes digital inclusivity.
- **AI-powered tools** that revolutionize court processes, like real-time transcription and translation services that break down language barriers and make the legal process more accessible to non-native speakers.
- **Enhanced online services** that make it easier for individuals to access and complete necessary legal processes online, reducing the need for physical presence.
- **Reimagined court spaces** that increase online and virtual services. For example, buildings would be reallocated to provide technology-forward spaces such as participant booths, court services kiosks, and mediation rooms. These spaces would support the needs of all court users, creating a more welcoming and efficient environment.

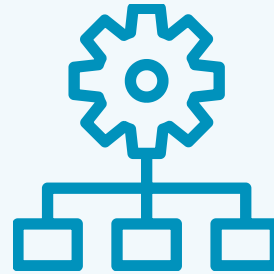
Based on the desired future-state, start building a plan that lays out actionable steps that will help you reach those goals. As you're building that plan, ask yourself questions like "Why should we use AI?" "How will we ensure safety?" and "How can we mitigate risk?" The more thorough you can be, the better.

Short-Term AI Planning for Your Court

As you're building out your long-term plan, consider the short-term steps you need to take in the immediate future to reach your goals. The short-term steps you take should be attainable within a few months and should help you make progress towards your desired state. Consider some of the following as you're building your plan:

- **Reevaluate workflow processes.**

- What's working well?
- What needs improvement?
- Identify any processes that aren't as efficient or effective as they could be. (This should take place BEFORE you start evaluating any new technology.)



- **Check the legislative and/or local rules that are in place.**

- Make sure you have a clear understanding of them and keep them at the forefront of the internal policies you develop.

- **Identify risks and come up with a plan to mitigate risks.**

- **Develop a strict policy on AI and discuss the policy with your team often.**

- Update the policy regularly as technology evolves.

- **Ensure that all vendors and in-house applications align with your AI policies.**

- If they don't, make a plan to address any discrepancies right away.

- **Set up advanced security measures like multi-factor authorization (MFA) and encryption.**

- **Implement routine security updates.**

- Security updates should be ongoing.
- Clearly lay out the schedule for security updates in your policies.

- **Upgrade your infrastructure to ensure it works with AI.**

- Depending on your tech stack, this may be a long-term step, but you should address it in the short term so you can start moving in the right direction.

How to Responsibly Explore AI to Become Comfortable with the Technology

Laying out a clear plan with actionable steps is a great way to start preparing your court for AI. However, during our conversations at conferences and industry events we have learned that many people feel intimidated by AI.



While developing a plan is a great way to start making it feel less intimidating, the best way is to dive in and start using AI. That's the only way you will truly start to feel comfortable with the technology. With that being said, we understand that the challenge here is knowing where to start.

“ While developing a plan is a great way to start making AI feel less intimidating, the best way is to dive in and start using it. ”

At equivant, we have developed an internally controlled AI platform that gives staff the opportunity to start experimenting with AI in a safe and secure way. If your court has an internal tool, start experimenting with it, but make sure that you are following any policies/regulations that were put in place.

If you don't have access to that type of tool, our best advice is to experiment with AI tools in a personal way. If you're planning a family vacation, consider using CoPilot or Apple Intelligence at home to help you decide on attractions, restaurants, and places to stay. Making your exploration of AI personal is a low-risk way to familiarize yourself and become more comfortable with the technology. Just make sure you understand the security and privacy permissions associated with the tool you choose to use. Some tools (like ChatGPT) do not protect data, and everything becomes public domain.

You may be surprised to find that you're already using AI-powered tools for everyday tasks. For example, virtual assistants like Siri and Alexa are frequently used. There are also AI-powered recommendation systems on Netflix, Amazon, and Spotify that influence users on a daily basis. Web browsers have also introduced tools that can help you answer questions and conduct research.

Reputable Resources for Understanding and Using AI

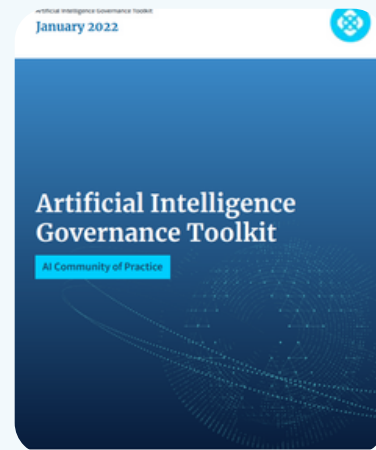
With all of the information that's available online, it can be hard to weed out the noise and track down reputable sources. To help make that process easier for you, we've curated a list of resources that you can start using now as you prepare for AI in the justice industry. Keep in mind, this list is not all-inclusive but does include some of the most useful resources we have found in recent months.

Recommended AI Resources:

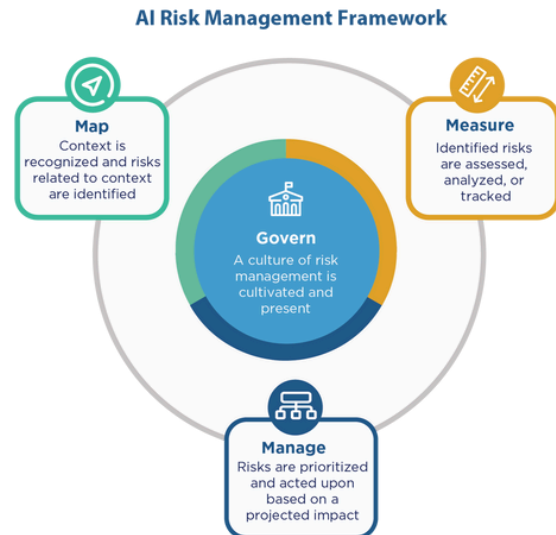
- **The National Center for State Courts (NCSC) published Guidance for Use of AI and Generative AI in Courts**. This article includes information for understanding generative AI, ethical standards for consideration, considerations when developing and internal AI Use policy, deciding whether to use open or closed AI models, and more.



- **The US General Services Administration published the Artificial Intelligence Governance Toolkit. The toolkit is intended to provide a framework that addresses privacy and governance at the organizational and system levels.**

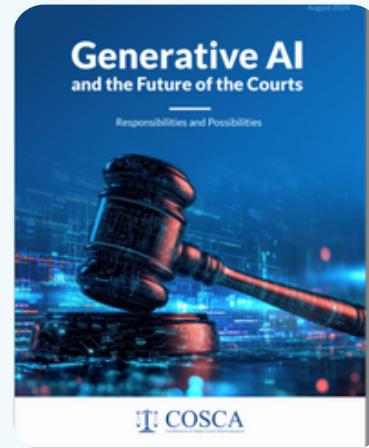


- **The National Institute of Standards and Technology (NIST) published an AI Risk Management Framework (RMF) Playbook. The playbook is designed to offer suggested actions for achieving outcomes aligned with the four AI RMF functions (Govern, Map, Measure, Manage).**



- **The Institute of Electrical and Electronic Engineers (IEEE) published the GET Program for AI Ethics and Government Standards. The standards support efforts around AI ethics and Governance literacy.**
- **The NCSC published an article called Artificial Intelligence and Judicial Ethics that summarizes the opinions published by Michigan and West Virginia in 2023 about ethical issues associated with AI that were raised by judges.**

- **The Conference of State Court Administrators (COSCA) and the NCSC published Generative AI and the Future of Courts.** This article includes information about setting standards for transparency and privacy when using generative AI, the risks associated with AI use, how to ensure AI access is fair, and more.



- **GovTech.com (an online portal to government technology) has an entire newsletter dedicated to artificial intelligence.** The newsletter is sent weekly and contains the latest updates on the AI policy landscape in state and local government. **You can subscribe for free.**
- **UNESCO.org** has published an online course called **AI and the Rule of Law: Capacity Building for Justice Systems.**
- **The IJIS Institute** published a white paper called **Artificial Intelligence in Justice and Public Safety.**

- **Our blog post, Maintaining Court Privacy During the Rise of Artificial Intelligence,** covers some actionable steps you can take in your court now to protect your data and prepare for the future.



Final Thoughts

It is our hope that this Practical Guide for Understanding and Using AI in Your Court will help reduce some of the noise and allow you to zero in on the most important steps your court can start taking now. If you have questions or would like to talk to us about updating your infrastructure to prepare for AI, [contact us](#).

About equivalent Court

equivalent delivers customer-centric solutions that simplify justice by boosting efficiency, streamlining processes, and improving communication in courts and justice agencies. equivalent's innovative technologies, including an award-winning case management system, have been developed by expert practitioners and have supported more than 350+ justice agencies in serving their communities efficiently, effectively, and equitably.



“ Innovation is the ability to see change as an opportunity, not a threat. ”
-Steve Jobs