



DC Courts Guide to Artificial Intelligence

Why all the fuss?

The technology landscape is evolving faster than ever due to the growth of artificial intelligence (AI). From revolutionizing industries to reshaping the way we work and interact, AI is no longer science fiction but rather an awesome force driving real-world change.

The DC Courts are committed to the prudent exploration and adoption of innovative AI solutions. As we navigate this fast-paced evolution, the work of the Artificial Intelligence Task Force plays a pivotal role in our ongoing mission to facilitate peaceful, fair, and timely case resolution and ensure justice for all.

➞ What is AI?

- **AI** refers to technology that enables computer programs to appear to learn, reason, and otherwise mimic human intelligence.
- An **AI tool** refers to any AI product, solution or application whether standalone or embedded in another program. Examples of an AI tool include ChatGPT, Microsoft Co-Pilot, Claude, and Westlaw AI Search.

➞ What is generative AI?

- **Generative AI** refers to AI tools that can create new content through machine learning based on data input, which could include documents, images, audio, or video.
- **Large Language Models (LLMs)** are a type of generative AI that are trained on vast amounts of data, allowing them to process, understand, and generate human language.

THE AI USE POLICY



**It's time to provide
guidance for the safe and
ethical use of AI.**

WHY?

Although AI and especially generative AI technologies offer tremendous potential, they introduce new risks to the privacy and security of our data and can also provide information that is biased or inaccurate (like hallucinations).

The world of AI is growing and changing rapidly, and we all have a lot to learn. An interim internal AI use policy will allow the courts to enable use of AI while providing guardrails that minimize risk to the organization.

TWO KEY TAKEAWAYS

- You must never delegate decision-making responsibilities to any AI tool.
- You must never enter court information into any non-sequestered or unapproved tool.

QUESTIONS OR FEEDBACK

Contact the Engagement & Transparency Committee of the AI Task Force at AITaskForce@dccsystem.gov.



Distinguishing Between Sequestered and Non-Sequestered AI Systems

When using AI, it is critically important to understand whether you are using a sequestered (or “closed”) system or a non-sequestered (or “open”) system to ensure that confidential, sensitive, or personally identifiable information is protected.

Sequestered Systems

- A sequestered AI system is one in which the vendor purports to protect the confidentiality of data and prompts entered by the user.
- **Real-World Scenario:**
A hospital uses a sequestered AI system that runs completely inside the hospital’s secure computer network.
 - It cannot connect to the internet.
 - It only uses the data already stored inside the hospital.
 - It doesn’t send anything out to other systems or people.
 - Even though it sees personal identifiable information (PII), that private information stays safely inside the system. Nothing leaves unless a doctor takes action.
- An example of a sequestered system would be DC Courts Licensed AI tools or Microsoft CoPilot available for Government Community Cloud Tenants.

Non-Sequestered Systems

- A non-sequestered AI system is one in which the confidentiality of data and prompts entered by the user may not be private to the user. Data entered by the user and the user’s feedback could be used to train the system, among other potential purposes.
- **Real-World Scenario:**
A hospital uses a non-sequestered AI system that connects to the internet to look things up or ask for help from outside tools (like cloud-based services).
 - It might send part of a patient’s data to another server to get a faster answer.
 - This means PII could accidentally leave the hospital’s system, depending on how it’s set up and protected.
- An example of a non-sequestered system is free versions of ChatGPT or Microsoft Copilot Chat.

CAUTION:

- Never enter court information into any non-sequestered system or unapproved tool.
- Do not use a court email address or user id to register for access to a non-sequestered system.

Do's & Don'ts for AI Use in the DC Courts



Do Fact Check Before Disseminating

Verify the accuracy and relevance of all AI outputs before sharing them, including cross-checking with credible sources and staying alert to AI hallucinations.



Don't Use AI for Decision-Making

Do not delegate decision-making responsibility to any AI tool. Generative AI tools are not a substitute for judicial, legal, or other professional judgment or expertise.



Do Be Cognizant of Potential Bias and Prejudice

Carefully review all material to ensure it is fair and unbiased as AI may generate content that incorporates biases and prejudices.



Don't Use Court Email/ID in a Non-Sequestered System

Do not use a court email address or user ID to register for access to a non-sequestered system. Never enter court information into any non-sequestered system or unapproved tool.



Do Report Security Issues or Confidentiality Breaches

If a security breach occurs, immediately notify your manager, report the breach to the IT security team, change your password, and report disclosures of personally identifiable information to the General Counsel's Office.



Don't Cause a Confidentiality Breach

Do not enter any court information, whether public or confidential, into a non-sequestered system. Do not share confidential, sensitive, or personally identifiable information with any AI tool. Judges/judicial staff should avoid sharing information with any AI tool that could disclose internal deliberations.



Do Comply with Rules Governing Users

As an AI user, be aware of and comply with all applicable laws, rules, codes of professional conduct, and court policies, including ethics rules relating to the use of AI and the work you are using AI to support.



Don't Use an AI Tool without Adequate Training

As an AI user, you are responsible for reviewing and ensuring the accuracy and dependability of AI-derived work product. AI users must take mandatory court-offered AI training and are encouraged to seek further training.

Examples of AI Use to Maximize Efficiency in the DC Courts



Assisting in Legal Research

AI can streamline legal research by rapidly analyzing caselaw, statutes, and regulations to identify relevant legal precedents and insights.



Drafting Meeting Minutes

AI can transcribe discussions in real-time and summarize key points, decisions, and action items.



Summarizing Documents

AI can quickly identify key concepts, themes, and important details, generating concise document summaries.



Managing Projects

AI can help manage projects by organizing tasks, setting timelines, and identifying dependencies to ensure efficient resource allocation and execution of project goals.



Creating Job Interview Questions

AI can generate job interview questions by analyzing job descriptions, required skills, and industry standards to create tailored, role-specific queries.



Organizing Information and Analyzing Data

AI can organize and analyze large amounts of information and data, and identify relevant insights, trends, and sources.



Brainstorming

AI can help users brainstorm, outline projects, and generate initial drafts, providing a useful starting point for organizing thoughts and ideas.



Drafting Emails

AI can draft emails, generating clear, context-appropriate messages based on user input and communication style.