Policy for Court Staff and Judicial Officers on Using Artificial Intelligence at the Alaska Court System

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What is AI and Generative AI?

Artificial Intelligence (AI) is technology that enables computers to simulate human comprehension and problem-solving while processing data at a scale exceeding what humans could ordinarily analyze. You likely already use AI in everyday tools like search engines, digital assistants, streaming platforms, online shopping, social media, ride sharing apps, navigation apps, or email. Generative AI (GenAI) is a newer form of AI that can create original text, images, audio, and more, just from a simple prompt. Some examples of GenAI tools are ChatGPT, Gemini, Copilot, Claude, and Llama.

Who is Covered by the Policy?

This policy applies to all court staff and judicial officers.

Why Have a Policy?

This policy outlines the responsible use of AI and GenAI within the Alaska Court System. Used correctly, these tools can increase court efficiency and improve access to justice. Used incorrectly, they can harm our customers, promote bias, and reduce public trust. Using AI and GenAI systems does not replace your professional judgment.

Can You Use AI and GenAI at Work?

Yes. Use of AI and GenAI is authorized when the use complies with the requirements contained in this policy. You can use these tools if they help you with your work and support the court's mission to provide an accessible and impartial forum for the just resolution of all cases that come before it, and to decide such cases in accordance with the law, expeditiously and with integrity. The use must be of a nature and tone consistent with an appropriate workplace standard of conduct. Deviation from this policy may constitute a violation of workplace policies.

Can You Use AI and GenAI for Legal Research?

Yes. However, only AI and GenAI trained to answer legal issues with access to legal authorities should be used for legal research. The Alaska Court System has access to Westlaw Precision. This program is appropriately designed for use on legal work. Quick Check can analyze cited authority in uploaded briefs. The AI-Assisted search function in Westlaw Precision can jumpstart your research using simple prompts. (e.g., "What factors are used to evaluate whether someone is an employee or contractor in Alaska?")

You Are Accountable when using AI and GenAI:

You must review and verify all outputs produced by AI or GenAI before you use it. You should treat these tools as assistants rather than a replacement for your human judgment. You are responsible for your submitted work or email even if AI helped draft

it. Making sure a person oversees the outputs of an AI tool is called having a "human in the loop." Acting as a human in the loop doesn't require any technical understanding of AI; instead, use your expertise and experience to evaluate if the output makes sense for your purpose and can be appropriately verified. This ensures that the essential human elements of justice remain at the center of our court system.

Rules for Use of AI and GenAI:

1. **Other Court Policies Still Apply**: The *Policy on Use of Court System Information Technology Resources*, found in Administrative Bulletin 62.1, applies to the use of AI and GenAI**.** For example:
    - Do not use AI or GenAI to violate a law of the United States or the State of Alaska.
    - Do not use AI or GenAI to violate Administrative Bulletins, court rules, personnel rules, or court system employment contracts.
    - Do not use AI or GenAI in a way that could damage the court's reputation.

2. **Confidential Data Management Rules Still Apply:** Some AI and GenAI systems are trained on the questions and information that users enter into the application. This means that information you enter as part of your prompt could be inappropriately saved or shared outside the Alaska Court System. Court personnel are responsible for identifying the nature and content of information they enter into AI and GenAI applications. You must notify a supervisor immediately if confidential or personal information is mistakenly entered.
    - **ONLY ENTER** information suitable for distribution to the public into AI and GenAI applications.
    - **NEVER ENTER** confidential, privileged, or personally identifiable information into AI and GenAI applications.
        - For example, do not enter names, dates of birth, Social Security numbers, credit card numbers, financial account information, APSIN data, CJIS data, competency records, information from any confidential files (i.e., involuntary commitment records, CINA records, juvenile records, health records), juror information, draft opinions, and any confidential data set out by court rules or law.

3. **Westlaw Precision:** While the Alaska Court System has a contract with Westlaw Precision, **you must still remove confidential or identifying information from anything uploaded to this program.** After removing the confidential or identifying information, it is ok to upload drafts, decisions, and opinions. The court system has had a limited number of users testing Clearbrief which is also an AI program. The same information regarding uploading confidential and identifying content to Westlaw Precision applies to Clearbrief.

4. **Should You Change GenAI Default Settings?** Yes. You must configure the GenAI settings to limit how your data is used by the GenAI company. Be aware that changing these settings **will not** make the GenAI tool confidential.

   To change default settings, access the GenAI settings menu. In the settings menu look for controls related to system data, training, activity, or improving the product. Select the most restrictive settings. For example, turn off "improve the model for everyone" in ChatGPT, "keep activity" in Gemini, and "model training" in Copilot.

5. **Verify Responses and Use Good Judgment:**
   - **Accuracy and Verification:** All outputs generated by AI and GenAI must be closely reviewed before use. You must check legal citations, verify factual claims, and critically analyze any conclusions or recommendations provided by the AI or GenAI tool.
   - **Bias:** AI and GenAI tools may produce outputs that reflect bias from its underlying training data. This can result from stereotypes, racial, cultural, or gender bias. You must thoroughly review the output to ensure it is free from bias and prejudice, to the best of your ability. Be aware that it may be challenging or impossible to definitely identify bias because users don't have access to the underlying training data that causes it. If you have any concerns about an output from AI or GenAI, don't use it.
   - **Mistakes or Hallucinations:** AI and GenAI can give wrong answers that seem authoritative at first glance. AI and GenAI systems will likely not tell you that they are guessing at an answer. AI and GenAI can also make things up (called a "hallucination"), like a court case that does not exist. You should independently verify all AI and GenAI responses.
   - **Confusion:** Even specially designed AI and GenAI get answers wrong. When using these programs for legal research make sure you do more than simply checking that a case exists. While the case may actually exist, the system may make more complex mistakes such as confusing dicta for a holding.

6. **Copyright and Plagiarism:** Do not enter copyrighted or protected material into AI or GenAI systems. Similarly, before using anything generated by AI or GenAI check that the response does not contain copyrighted material or verbatim text pulled from the training data. For example, when making a poster for ACS, the AI generated images should not contain copyrighted cartoon characters.

7. **Can You Use Your Court Email to Sign Up for Free GenAI Tools like ChatGPT, Gemini, or Copilot?** Yes. You can use your court email address to create a free GenAI account if you want to use it at work. Work email addresses may not be used to create accounts requiring paid subscriptions. The account created with your work email must only be used for work purposes.

8. **Can You Use Personal AI and GenAI Subscriptions for ACS Work?** No. Personal AI and GenAI accounts may not be used for work purposes. You can use your court email address to create a free account if you want to use AI and GenAI at work.

9. **Can You Download AI Programs?** No. Downloading an AI and GenAI program is different than using one online. Just like any other downloaded program, it is possible AI tools contain malicious or unintended functions. Some programs may be able to scan the device after they are downloaded. This is particularly dangerous because the Alaska Court System regularly handles sensitive data.
    - **Downloading AI Programs on ACS Owned Devices:** You may not download AI programs on ACS devices. Information Services controls what software is downloaded and available on ACS devices.
    - **Downloading AI Programs and Apps on Personal Devices:** Use caution downloading AI and GenAI programs and applications on personal devices. If you have received approval to telework or have ACS email access on your personal device, you must be careful with what you choose to download. You must also be careful about what permissions you grant the downloaded software so that it does not impact your work accounts. There are known apps to optimize your phone that could inappropriately access ACS information by reading your emails, calendar and contact list. Make sure to carefully read the terms and conditions before loading any apps to your phone or device. **You are responsible to make sure that you do not compromise your work account when downloading applications to your personal devices that are linked to your work account.**

10. **Can You Use AI and GenAI to Create Transcripts or Log Notes of a Court Hearing?** No. You may not independently use AI and GenAI to generate notes or transcripts of live or recorded court hearings. For example, court clerks may not use Zoom's AI transcription feature to contemporaneously generate text for use on a log note. Hearings may contain confidential or personal information that could not be removed from the AI system even if a party objected or a hearing was later sealed.

    ACS staff and judicial officers will soon have access to transcripts for all court hearings. These transcripts are generated automatically by CourtSmart as part of our court recording system. These transcripts should be available by fall 2026. These transcripts are AI generated and are not the official court record. However, they will provide useful links to the official audio record for review. **These transcripts are restricted to internal ACS use and may not be shared with the public.**

11. **If an AI Assistant Joins a Court Hearing Should You Remove It?** Yes. AI and GenAI assistants should be removed from court hearings. Parties are generally not allowed to independently record court proceedings. Parties may use form TF-304 to request official audio recordings of court hearings for later review.

12. **Are You Programming or Creating Code for ACS as Part of Your Job in IS?** AI and GenAI may be used to generate code. All code must undergo a standard review and testing process before being implemented to preserve the safety and confidentiality of the ACS network, data, and software. All code review and testing must be completed by a human. Direct copy-pasting of AI and GenAI outputs into production systems is prohibited without validation.

13. **Are You Preparing Work for a Judge?** Talk to your judge about any AI and GenAI tool you want to use for your work. You do not need to seek approval for standard programs that utilize AI and GenAI such as Westlaw Precision, Microsoft Outlook email, or Microsoft Word spellcheck and grammar check.

14. **Policy Acknowledgement and Mandatory Training:** New to version 1.2 of this policy is a mandatory training and acknowledgement form. All ACS court staff and judicial officers must complete the training course and form. The training is available in SmarterU. The form is available at the end of this policy and on the intranet.

    Current court staff and judicial officers must complete the training and form within 90 days of version 1.2 being published. New hires must complete the training and form as part of their onboarding process within the first 30 days of their start date.

Tips, Tricks, and Prompt Engineering:

Effectively using AI and GenAI may require you to think about problems differently. When using AI and GenAI your main control over the output is the prompt you submit. Better prompts can lead to better outputs. **Prompt engineering** is the art and science of crafting effective instructions for AI and GenAI applications.

- **Start by Imagining Your End Result:** Do you want the results to be presented in a table, or as a bullet point list? If you know what you want as the outcome then you should tell the GenAI tool by including it as part of your prompt.
- **Be Direct and Clear:** Remove ambiguity from your prompt. The more direct you are, the less the AI and GenAI tool will need to guess at what you want. Avoid using sarcasm, idioms, or phrases that can have multiple meanings.
- **Provide Context:** AI and GenAI systems are trained on vast amounts of information. A single prompt could produce correct answers for different purposes. Some of these are likely wrong for your intended use. Do not make AI

and GenAI guess what part of the knowledge base you are asking about. Tell the AI or GenAI tool if you are asking about a specific job type, area of law, or specific part of a brief. Think of this like using a search engine to try fixing your vehicle. You will get better results if you include the make, model, and year of your vehicle in the prompt.

- **Use the Correct AI and GenAI System for Your Task:** Certain AI and GenAI tools may be designed to address specific problems. Think about which system may be best for your desired result. For example, Westlaw Precision's AI system is geared toward performing legal tasks. While it may help uncover questionable citations in a motion, it is not the right tool to check for tone in an email or create an image for a PowerPoint presentation.
- **Not Getting the Results You Want?**
    - **Try Something New:** There is no perfect prompt. Small changes to the prompt can significantly alter the output you receive. The prompt that worked for one task may not work for the next one.
    - **Try Iterative Refinement:** You do not always need to enter a completely new prompt. Engage in back-and-forth conversation with the AI or GenAI system to continue refining the output. Tell the AI or GenAI to try again in a different way or to provide the results in a different format.
    - **Check for Extraneous Information**: Information unrelated to the core question may confuse the AI or GenAI system. This superfluous information may be treated by the AI as a required component of the final response.
    - **Consider Your Prior Questions:** Some AI and GenAI use prior prompts to provide additional context to a current prompt. While that is desirable at times consider clearing the system memory if you are starting a new task.
    - **Ask AI and GenAI how to Get Better Results:** AI and GenAI can provide prompt engineering guidance if you ask for it. Also consider reviewing the guidance provided by companies for their individual products particularly when using special use programs such as Westlaw Precision. Each AI and GenAI tool can behave differently.
    - **Check out the National Center for State Court's FAQ: *Getting the best of GenAI: How to use Prompt Engineering*.**

Ready to Try Using AI and GenAI?

A great way to become familiar with AI and GenAI is to use it on routine tasks like drafting emails or organizing information. This will allow you to easily spot incorrect responses while becoming familiar with using prompts to control the outputs. Remember to always verify the output you receive from these applications. Here are some examples to get you started:

- **Generate First Drafts:** The first draft of an email or presentation may be the hardest regardless of how well you know the subject. AI can help get the ball

rolling with a simple prompt. Use the answer as a framework and make it your own. Example: “Draft a presentation explaining what the judicial branch of government does. Include a section on checks and balances between the branches of government. The presentation should be suitable for a high school audience.”

- **Summarize and Organize Documents:** Sometimes a separate review can help make sure nothing is missed. Example: “Review the attached document. Create a timeline of the events listed in the document. The timeline should start January 2020 and end January 2025. Place an icon on the timeline for each event listed. Label the icon with the date of event and who was responsible for that event. Use a different color icon for each person listed.”
- **Help Brainstorm:** Sometimes it helps to see how others would approach a problem. Example: “You are a Human Resources Director. You are interviewing people applying for a job at a courthouse. The job requires professionally interacting with customers and processing large amounts of documents. What are ten questions you would ask to evaluate organizational and customer service skills? Give me this response in a bullet point format.”
- **Check Spelling, Grammar, Tone and Reading Level:** While there are many programs that can check spelling and grammar, AI and GenAI offer the possibility of rewriting documents to specified parameters. Example: “Rewrite this email to have a more conversational tone. The rewritten email should have a sixth grade reading level and should define terms that are hard to understand.”
- **Have an AI Assistant Attend Meetings:** Certain programs may allow you to record meetings and generate unofficial transcripts. You can use this transcript to help track information and tasks. Make sure everyone is aware you want to record and transcribe the meeting and ask for their consent. Check that the meeting is appropriate to provide to an AI or GenAI tool and will not contain confidential discussions. Example: “This is a transcript of a meeting on 1/9/25. Create a short summary of this meeting using bullet points. Include the main topics discussed and all dates mentioned. Also include a list of tasks that need to be completed before the next meeting and who was assigned to complete them.” Remember that AI should not be used to transcribe live or recorded court hearings.
- **Have AI Help Format Information or Create Distributable Materials:** Sometimes you already have the plan and you simply want help formatting it. AI may also help catch mistakes, like where the requested task requires fifteen more minutes than budgeted. Example: “Create an agenda for 9:30 AM - 2:30 PM that fits in the following: 15-minutes for Check In, 10-minutes for Welcome and Introduction, 75-minutes for Constitutional Cranium, 10-minutes for Group Photo, 30-minutes for You Be the Judge, 10-minutes for travel to courtroom, 30-minutes for Lunch, 60-minutes for Mock Trial Preparation, and 75-minutes for Mock Trial.” Also, we prompted a GenAI tool with a draft of this policy and asked

it to improve the formatting; the output suggested breaking some of the content into shorter FAQs which we ended up doing.

- **General Research:** Routine questions entered into a search engine can also be handled by AI and GenAI systems. They may provide it to you in an easier to digest format. Example: “How do I make an Excel spreadsheet automatically color code repeated data?” or “How do I make Word show track changes for a single user?”

Want to Provide a Citation for an AI or GenAI Output? There are several citation options to show the output came from an AI or GenAI tool. Legal writers should be aware that the most recent edition of The Bluebook now includes specific AI guidance in rule 18.3. For other options here are links to information about APA and Chicago style citations:

- https://apastyle.apa.org/blog/cite-generative-ai-references
- https://www.chicagomanualofstyle.org/qanda/data/faq/topics/Documentation/faq0422.html

Be Cautious of Translation and Interpretation: Converting one language into another seems like the perfect opportunity to use an AI application but it comes with significant risks. Translation is the conversion of written text from one language to another. Interpretation is the conversion of the meaning of spoken words from one language to another. Legal terms are complex and words can have many different meanings. Due to the importance and complexity involved in legal issues any translation or interpretation must be accurate.

- AI must not be used for important tasks like interpreting court proceedings.
- AI translation and interpretation may be used to help with minor customer service tasks like providing directions to a courthouse.
- AI translation may be used for a first attempt at translating a document, but an approved human translator should be “in the loop” to review the AI translation.
- If you need an interpreter or have a document that needs translation, please reach out to Maya Cheydleur, Interpreter Services Coordinator, with your request (mcheydleur@akcourts.gov).

Do You Have Questions?

You must make sure that all AI and GenAI usage complies with this policy. Deviation from this policy may constitute a violation of workplace policies. If you have any questions, please reach out to Case Mohr at cmohr@akcourts.gov.

Any AI and GenAI usage deviating from this policy must be approved by the Administrative Director.

Will There Be Updates to This Policy?

Yes, this policy will be reviewed and updated regularly to reflect technological advancements, emerging best practices in AI and GenAI usage within the courts, and improvements in AI and GenAI validity and reliability. The policy posted on the intranet will be the most current version, so check back often to have the most recent recommendations and rules. (Version 1.2 June 2026).

ACS Artificial Intelligence Policy Employee Acknowledgement

Instructions:

Sign this page after you read the policy and complete the mandatory AI training on SmarterU. By signing you are confirming that you read the policy, completed the AI training, and agree to comply with the policy.

After you sign this page, give it to your supervisor. This acknowledgement will be added to your employee file.

If you have any questions before signing, tell your supervisor and reach out to Case Mohr at cmohr@akcourts.gov.

Acknowledgement:

I have read and understand the Policy for Court Staff and Judicial Officers on Using Artificial Intelligence at the Alaska Court System. I agree to follow the rules and obligations contained in this policy.

I agree to review policy update emails to make sure that I keep my AI and GenAI usage consistent with the newest policy version.

I have completed the mandatory ACS AI training on SmarterU.

I understand that violations of this policy may result in discipline, up to and including dismissal. Depending on the severity of the violation there may be criminal prosecution or civil liability for my actions.

Signature _____ Date _____

Print Name _____