NEWS RELEASE

Chief Administrative Judge Zayas Unveils Policy for AI Use Across All New York State Court System Functions and Devices
UCS Sets Out Ever-Evolving Guardrails for the Responsible, Ethical Use of AI Technology

NEW YORK—Chief Administrative Judge Joseph A. Zayas today announced a first-of-its-kind policy on artificial intelligence to guide the use of this emerging technology within the Unified Court System and serve as a foundation for ongoing adaptations by the courts as the breadth of AI sophistication and capabilities speeds ahead.

The *Interim Policy on the Use of Artificial Intelligence*, emanating from a committee Judge Zayas formed in April 2024 to examine the thorny issues surrounding the use of AI in the courts, provides clear guiding principles for the responsible and ethical use of AI within the Unified Court System. At the same time, the policy remains subject to revision, to ensure that the court system's use of the advancing technology hews with its operational needs, as well as relevant legislation, regulation, and public policy. The policy applies to all UCS judges, justices, and nonjudicial employees, and operates essentially everywhere a UCS-owned device is being used or UCS-related work is being performed on any device.

"Simply stated, this new policy provides a strong base, guiding the court system on how to best leverage AI's potential to help fulfill the judiciary's core mission," said Chief Administrative Judge Zayas. "The use of AI requires strict adherence to the court system's fundamental and longstanding values, relying on our integrity, attention to detail, and tireless scrutiny and fairness. While AI can enhance productivity, it must be utilized with great care. It is not designed to replace human judgment, discretion, or decision-making."

The new policy addresses both the potential benefits of, and problems associated with, AI, setting out important guardrails to ensure fairness, accountability, and security in the use of AI, particularly the use of generative AI, which can generate human-like text or other content in response to user prompts. The policy carefully outlines UCS user requirements, limiting the use of generative AI to UCS-approved AI tools, among other restrictions. In addition, the policy

mandates initial and ongoing AI training for all UCS judges and nonjudicial employees with computer access.

Describing the potential usefulness of AI tools in helping users draft documents and summarize data, the policy underscores the need to carefully review all content produced by generative AI—which may be unreliable—to ensure that all information is accurate, and all language is inclusive and respectful. The potential problems associated with AI identified in the interim policy include: fabricated information; bias and other inappropriate output; and vulnerability of confidential information. The policy further cautions that "AI technology must be used in a manner that is consistent with the ethical obligations of judges and nonjudicial employees," emphasizing that AI tools should never actually be engaged in the decision-making tasks a judge is ethically obligated to perform or used by nonjudicial employees in any way that violates their ethical responsibilities.

"With this interim policy, the court system, through the Advisory Committee on AI and the Courts' thoughtful study, is tackling head-on the responsible integration of this evolving technology in the workplace. We have a duty to carefully explore—and fully understand—AI's strengths and limitations, so that we may use it responsibly, intelligently, and optimally, in furthering the delivery of justice across the State," said First Deputy Chief Administrative Judge Norman St. George.

Judge Zayas thanked the Advisory Committee on Artificial Intelligence and the Courts, chaired by the Hon. Angela Iannacci, Stuart Levi, and Jason Schultz, and the Committee's Court Administration and Management Subcommittee, chaired by Karl Pflanz, for its work in drafting and proposing the interim policy. Other members of the subcommittee include Brian Balmes, Jason Hill, Hon. Kenneth Holder, Karen Kane, David Scher, Lauren Seiter, Christine Sisario, and Jeneen Wunder. Hon. Vito DeStefano, Chair of the Advisory Committee's Knowledge, Proficiency, and Professional Responsibility Subcommittee, who also contributed to the policy's creation.

"On behalf of my co-chairs and all the members of the Advisory Committee on AI and the Courts, I would like to thank Chief Judge Rowan D. Wilson and Judges Zayas and St. George for their vision and support in building a culture that enables our success in this transformative digital age. They have inspired us to explore the available AI tools, promoting our participation in continuous learning, which is critical in today's workplace as AI technology develops and shifts at a high velocity. This interim policy has truly been a collaborative effort to provide clear communication about this emerging technology and to address and alleviate concerns over its use within the court system," said Appellate Division, Second Department Associate Justice Hon. Angela Iannacci.

The *Interim Policy on the Use of Artificial Intelligence* is available online at https://www.nycourts.gov/LegacyPDFS/a.i.-policy.pdf.

# # #