Artificial Intelligence and Georgia's Courts

Findings and Recommendations
of the Judicial Council Ad Hoc Committee

June 2025

NCSC

Contents

Executive Summary

Artificial intelligence (AI) and related advanced technologies offer promising opportunities for judicial systems, but also significant risks and challenges. Recognizing the potential impact of these technologies and the speed of their adoption, the Judicial Council of Georgia established the Ad Hoc Committee on Artificial Intelligence and the Courts. Comprised of a diverse group of internal and external stakeholders, the Committee's charge was to examine potential positive and negative impacts of AI on judicial processes and administrative operations and provide clear, actionable recommendations.

Over a review period of 10 months, the Committee conducted research, implemented surveys, held subcommittee discussions, and analyzed national and international best practices. The Committee identified key areas of concern and opportunity, including but not limited to the ethical application of AI, data security, procedural integrity, education, and information technology (IT) and vendor management.

The Committee's findings underscore the need for a prudent but proactive collaborative and human-centered approach to AI that emphasizes transparency, impartiality, and oversight to maintain and potentially improve public confidence in the judicial system that at the same time includes continual education and adaptive policies to effectively navigate a rapidly evolving AI landscape.

Specific recommendations include establishing long-term leadership and governance, identifying dedicated AI resources, engaging stakeholders, continually reviewing and establishing guidelines and rules as needed, providing education and training, establishing statewide business and technical architectures, and creating and mandating an AI inventory to improve communication, collaboration, and transparency about the use of AI within the Georgia Courts. Considering the large number of courts and diverse judicial, business, and technology structure, it is suggested these recommendations be implemented over the course of three years as described within the roadmap included in Appendix A.

Introduction

The advent and rapid advancement of artificial intelligence (AI) technologies brings with it transformative potential for the judicial system. AI can enhance efficiency, aid decision-making, and broaden access to justice. However, AI also brings ethical, legal, and practical challenges that must be addressed proactively to maintain integrity, impartiality, and public trust in judicial processes.

Recognizing the potential and challenges of AI, Chief Justice Michael P. Boggs (ret.) issued an order on August 13, 2024, establishing the Judicial Council Ad Hoc Committee on Artificial Intelligence (AI) and the Courts.[1] The Judicial Council of Georgia Administrative Office of the Courts sought the assistance of the National Center for State Courts (NCSC) for their expertise in analyzing the impact of advanced technologies on courts over the past two years.

Led by Justice Andrew A. Pinson (Chairperson) and Judge Stephen D. Kelley (Vice-Chairperson), the Ad Hoc Committee on AI and the Courts was charged with examining and articulating strategies for responsibly addressing the use and implementation of AI technologies in the state's judicial system. The Committee's work, findings, and recommendations are detailed in this report.

The Committee's approach emphasized stakeholder engagement, evidence-based analysis, and best practices drawn from national and international experiences. The recommendations presented are designed to inform policy and practice, ensuring that AI technologies will enhance rather than compromise the quality, efficiency, and fairness of Georgia's justice system.

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Methodology

The Committee's work began with a kick-off meeting on October 23, 2024, in which members were introduced, and NCSC delivered a foundational presentation on AI and other advanced technologies. The work of the Committee unfolded over a series of structured phases governed by a project timeline developed with the assistance of NCSC and was supported by forming subcommittees focused on specific areas of analysis.

To begin, the Committee established three subcommittees: Access to Justice and Community Engagement, AI and Court Proceedings, and Adoption and Implementation of AI. These subcommittees were charged with exploring targeted topics, identifying emerging risks and opportunities, and reporting findings back to the full Committee for discussion and feedback.

An early priority was education. To build a shared base of knowledge around AI and related technologies, members were presented with AI primers, presentations from subject matter experts, and guest speakers who shared insights on topics ranging from human-centered design to data governance. These topics are listed in Appendix C.

Subcommittees operated in overlapping cycles of research, analysis, and refinement. They reviewed best practices of other jurisdictions and industries, gathered input through surveys, and evaluated Georgia-specific court infrastructure, IT governance, and legal and ethical responsibilities.

Subcommittee findings were discussed, revised, and iterated upon at full Committee meetings, allowing members to vet ideas across stakeholder groups and court classes. Throughout this process, the Committee focused on identifying practical, right-sized strategies that would be tailored to Georgia's diverse courts and communities. The methodology centered on the principle that emerging technologies like AI must be approached not as a one-size-fits-all solution, but as a tool which, when used responsibly, can enhance Georgia's Courts' capacity to serve the public efficiently and equitably.

DEFINITIONS

For the purpose of its work, the Committee developed the following working definitions:

- **Adoption of AI:** The implementation of artificial intelligence technology including thoughtful stakeholder review and suggestions for methods to measure its successful use in the courts.

- **Advanced Technology:** A broad category of emerging digital tools and systems that include but are not limited to artificial intelligence, machine learning, robotic process automation, natural language processing, and other forms of intelligent or automated software used to enhance, augment, or replicate tasks traditionally performed by humans. These technologies are often designed to increase efficiency, improve accuracy, support decision-making, and streamline workflows across administrative, operational and service-related functions, such as data analysis, document review, case management, language access and public engagement.

- **Artificial Intelligence:** Technologies simulating human cognition, including natural language processing, predictive analytics, and robotic process automation.

- **Court Proceeding:** Any activity in any class of court presided over by a judicial officer, whether litigants appear in person or virtually.

- **Access to Justice:** The opportunity to secure one's legal rights within an applicable system of justice. Efforts to make the justice system more understandable, to encourage timely and affordable access to the appropriate level of legal assistance, to secure an outcome that is consistent with the applicable justice system, and to inspire confidence in individuals' ability to navigate their legal matter to resolution are all ways to help improve and optimize access to justice.

- **Administration of Justice:** How a legal system operates, with the goal of ensuring individuals are able to secure their legal rights within that system of justice.

Georgia and the Structure of its Courts

The State of Georgia is the 24th largest state by area and the eighth most populous with a 2024 population of just over 11 million. With 159 counties, the second most of any U.S. State after Texas, approximately 59 counties are considered urban or suburban while the remaining 100 are considered rural. 57 percent of the population (6.3M people) reside in the Atlanta metropolitan area.[2] In the administration of justice, rural counties often experience additional challenges due to geographic isolation (long distances to courthouses or services), declining population, aging infrastructure, and limited legal resources,[3] all of which must be considered as the courts assess the impact of AI technologies.

CLASSES OF COURTS

Georgia's judicial system includes the Supreme Court, the Court of Appeals, Superior Courts, State Courts, a Statewide Business Court, Juvenile Courts, Probate Courts, Magistrate Courts, Municipal Courts, and specialized Accountability Courts. Each class of court has specific jurisdictional responsibilities and varied operational needs that impact the adoption of AI. Georgia's court structure presents challenges for the assessment and equitable implementation of AI.[4] Figure 1. Illustrates the classes of court and the different paths a case may take.

Figure 1. The Georgia Court System

(showing appellate routes)

SUPREME COURT

9 justices.

Jurisdiction:
- Appellate jurisdiction over cases in which the Supreme Court has no exclusive jurisdiction.
- Certified questions and certiorari from Court of Appeals.

No jury trials

Constitutional issues.

Capital felonies.
Constitutional issues.

COURT OF APPEALS

15 judges (5 divisions).

Jurisdiction:
- Appellate jurisdiction over trial courts in cases in which Supreme Court has no exclusive appellate jurisdiction.

No jury trials

Civil cases in counties with a population over 90,000 where the probate judge is an attorney practicing at least seven years.

Jury trials

SUPERIOR COURT

50 circuits, 220 judges.

Jurisdiction (general):
- Civil law actions, misdemeanors, and other cases.
- Exclusive jurisdiction over cases of domestic relations, title to land, equity.
- Appellate review of limited jurisdiction courts in certain circumstances.
- Exclusive felony jurisdiction.

Jury trials/bench proceedings

STATE-WIDE BUSINESS COURT

1 judge.

Jurisdiction (limited):
- Select cases involving corporate litigation, contract violations, mergers, and other complex business lawsuits.

Jury trials/bench proceedings

STATE COURT

73 courts, 133 judges.

Jurisdiction (limited):
- Civil law actions except cases within the exclusive jurisdiction of superior court.
- Traffic, all criminal cases below felony grade.
- Appellate review of magistrate court civil cases.

Jury trials/bench proceedings

JUVENILE COURT

159 courts, 98 judges, 18 Assoc. Judges.

Jurisdiction (limited):
- Children in Need of Services (CHINS); dependency, delinquency, juvenile traffic offenses, special proceedings, and more.

No jury trials

PROBATE COURT

159 courts, 159 judges.

Jurisdiction (limited):
- Exclusive jurisdiction over probate of wills, administration of estates, appointment of guardians, involuntary hospitalizations, marriage licenses, weapons carry licenses.
- Traffic, elections, and vital records in some counties.

Jury trials in some cases

MAGISTRATE COURT

159 courts, 350 chief magistrates, 507 total magistrates.

Jurisdiction (limited):
- Search and arrest warrants, felony and misdemeanor preliminaries, county ordinances.
- Civil claims of $15,000 or less, dispossessories, distress warrants

No jury trials

MUNICIPAL COURT

370 courts, 378 judges.*

Jurisdiction (limited):
- Ordinance violations; criminal preliminaries; traffic

No jury trials

*Includes Associate Judges and a small number of special courts, authorized by the Georgia Constitution, have limited civil or criminal jurisdiction throughout a designated county.

Adapted from April 2022 update.

Georgia IT Support and Governance Structure

At its core, AI is a technology that uses hardware, software, data, networks, and people to perform seemingly human-level automation and advanced tasks. AI operates in a complex environment of processes, policies, procurement, vendor management, and varying internal and external user needs. As a result, to properly address the order and charge of the Judicial Council Ad Hoc Committee on Artificial Intelligence and the Courts, Georgia's court systems' information technology (IT) support, its availability and accessibility, and its governance structure must be considered. This is especially important in the areas of confidentiality, security, education and training (again, these are systems that run on technology), and the successful implementation and adoption of AI technologies.

TECHNOLOGY SUPPORT

Technology requires a support infrastructure to function reliably and securely, and to meet the needs of the courts and the users they serve. In a judicial system, technology infrastructure includes but is not limited to software and hardware procurement, installation and configuration, cybersecurity, integrations and interfaces, vendor relations, IT policy development and enforcement, ongoing maintenance, and end user support.

Georgia's judicial system operates in a mixed/hybrid technology infrastructure services environment where capabilities and services are provided by both state and local entities, and, in some courts, services are contracted through a third party. State entities include but are not limited to the Georgia AOC IT Division, Georgia Superior Court Clerks Cooperative Authority (GSCCCA), and the Georgia Technology Authority. Courts located in rural locations may have limited, shared IT resources while those in urban, highly populated locations may have robust and dedicated resources. General information about IT support providers for the various classes of courts and justice partners is provided below and summarized in Table 1.

Table 1. Georgia Court System IT Providers

| Court	IT Support Providers
Supreme Court of Georgia	Georgia Supreme Court IT Department
Court of Appeals of Georgia	Georgia Court of Appeals IT Department
Georgia State-wide Business Court (GSBC)	Georgia Business Court IT Team (State-Level)
Superior Courts	County IT Departments, Georgia AOC IT Division
State Courts	County IT Departments, Georgia AOC IT Division
Juvenile Courts	County IT Departments, Georgia AOC IT Division, Contracted IT Services
Probate Courts	County IT Departments
Magistrate Courts	County IT Departments, Contracted IT Services
Municipal Courts	City IT Departments, County IT Departments
Fulton County Business Court	County IT Department
Clerk of Court	County IT Departments, Georgia Superior Court Clerks Cooperative Authority (GSCCCA)

Accountability Courts	IT Support Providers
Adult Drug Court	County IT Departments, Georgia Criminal Justice Coordinating Council (CJCC)
DUI Court	County IT Departments, Georgia AOC IT Division
Mental Health Court	County IT Departments, State Mental Health Agencies
Veterans Treatment Court	County IT Departments, VA IT Services, Georgia AOC IT Division
Family Treatment Court	County IT Departments, Child Welfare Agencies
Juvenile Drug Court	County IT Departments, Juvenile Justice IT
Juvenile Mental Health Court	County IT, Juvenile Justice IT

Justice Partners	IT Support Providers
Public Defender Council (PDC)	State-funded IT teams managing defense-related systems.
Prosecuting Attorneys' Council (PAC)	Centralized IT services managed by the Prosecuting Attorneys' Council of Georgia.
District Court Administration	Local district IT teams (or no IT teams) with oversight from County
State Bar of Georgia	Internally managed IT department for attorney records.
Judicial Council Standing Committee on Court Reporting Matters	Georgia AOC IT Division (Judicial Council IT)

TECHNOLOGY ACCESSIBILITY AND AVAILABILITY

To ensure that AI and other advanced technologies can be made available across the judicial system, including in rural and underserved areas, bandwidth and network infrastructure must be considered. While data and bandwidth needs for a specific AI application can vary based on a number of factors, for example a chatbot can typically operate in environments with very little bandwidth (almost anywhere with data in Figure 2) whereas an application that handles speech synthesis and real time translation service may require significant bandwidth and only function well in areas with significant bandwidth (those purple areas in Figure 2).[5]

**Figure 2. 2024 Georgia Broadband Availability Map**
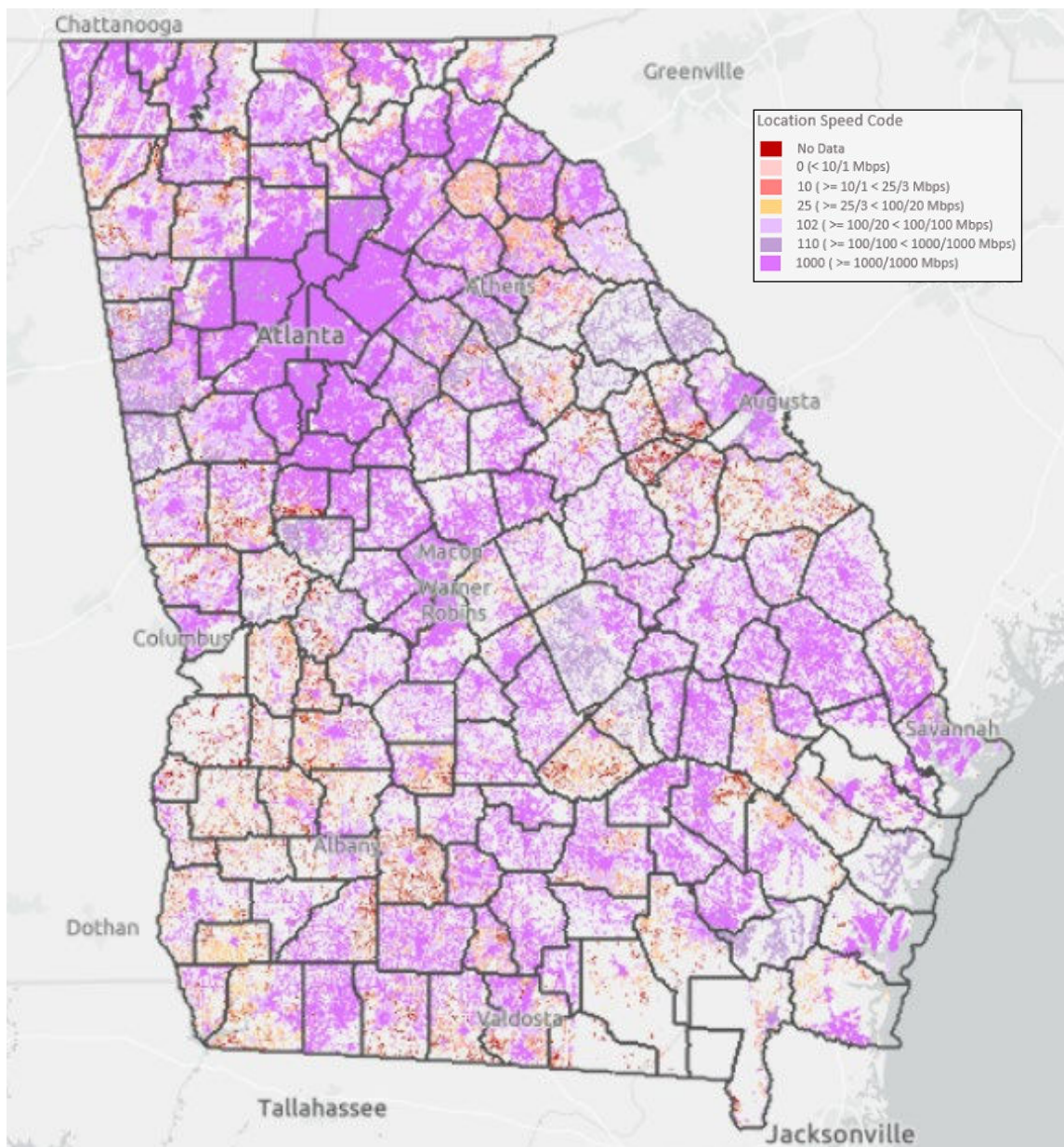
broadband.georgia.gov/2024-georgia-broadband-availability-map

Public internet access in Georgia could help mitigate any potential digital divide if it provides citizens with access to useful internet connectivity for AI-based applications. Figure 3 below shows areas with significant public Wi-Fi and areas where residents could struggle to access online services and AI-based applications.

The Georgia Broadband Program[6] provides useful tools for evaluating areas of need and for use in implementing AI and related technologies. It should also be noted that satellite-based internet services such as HughesNet or Starlink may offer high speed broadband in areas where the physical infrastructure may not exist.

Figure 3. 2024 Georgia Free Public Wi-Fi Availability Map
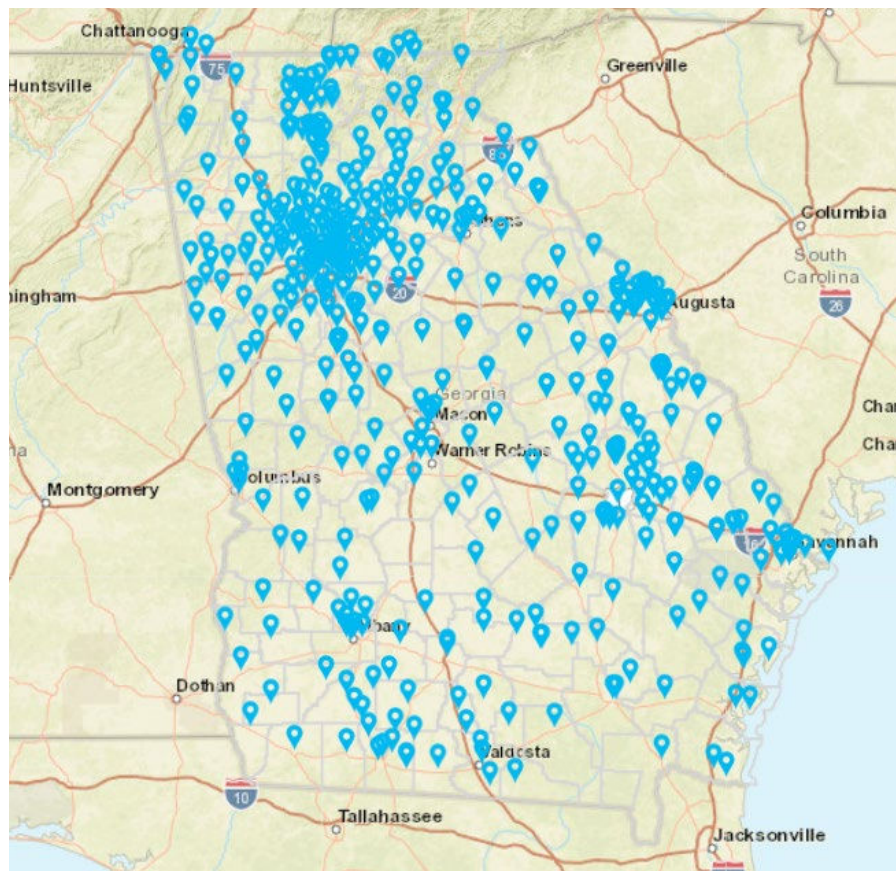
broadband.georgia.gov/free-public-wifi

TECHNOLOGY GOVERNANCE

Technology governance refers to the structures, processes, and policies used to ensure the responsible, effective, and ethical use of technology within an organization. Within Georgia's judicial system, this governance structure includes the JC/AOC Standing Committee on Technology,[7] and although it falls within a separate branch of government and does not directly govern the judicial system, the Georgia Technology Authority.[8]

To ensure the successful adoption and implementation of AI within Georgia's judicial system while also mitigating the real risks of bias, misuse, and data security, it is important to examine the technology governance structure. Governance is especially critical given the number of different courts, the mixed/hybrid technology environment, and the diversity in bandwidth availability and internet accessibility across the judicial system. While some states, such as Virginia[9] and Montana[10] have enacted legislation requiring human oversight for any AI used in criminal justice decisions or limiting the government use of AI systems, as of the date of this report, there are no well-established regulatory environments with respect to the adoption of AI technologies by judicial systems.

Areas of Study and Analysis

The Chief Justice's order establishing the Ad Hoc Committee charged the group with ten suggested areas of examination and inquiry. The Committee's work within these areas is summarized below.

1. Survey of National and International Best Practices

To inform Georgia's approach to integrating and managing AI in judicial settings, the Committee conducted a review of national and international practices around AI. Case studies and AI applications across multiple jurisdictions were analyzed. Although AI remains in its relative infancy, the Committee examined current and potential implementations, including virtual assistants for administrative tasks, AI-driven analytics for case management, automated document processing systems, and AI-enabled tools to assist self-represented litigants. The use cases for court systems include, but are not limited to:

- Budget and Finance
  - » Invoice Processing
  - » Data Analysis

- Human Resources
    - » Authoring job descriptions
    - » Developing performance improvement plans

- Employee Training

- E-Filing Automation

- Court Proceeding Transcription

- Translation

- Legal Research

- Document and Case Summarization

The Committee's assessment provided insights into effective AI deployment strategies, potential pitfalls, and mechanisms for maintaining transparency and accountability. The Committee highlighted successful practices such as robust stakeholder involvement (user-centered design), pilot testing, continuous monitoring, and adaptability to local court cultures.

The Committee recognized certain use cases as generally acceptable, those acceptable only after significant analysis and testing, and those that are considered unacceptable. These insights were crucial for guiding Georgia courts in effectively harnessing AI technologies while mitigating risks and safeguarding judicial integrity.

2. Impact of AI on Trial Evidence

The Committee examined how AI technologies affect the admissibility, reliability, and authentication of trial evidence. AI-generated evidence, including deepfakes and algorithmically enhanced audio, visual, and textual content, introduce significant challenges to traditional evidentiary standards. The Committee reviewed current practices for addressing these concerns, emphasizing the need for clear guidelines and robust authentication procedures.

Recommendations include developing comprehensive judicial training programs to ensure accurate evaluation of AI-generated evidence, creating standardized procedures for evidence authentication, and maintaining transparency regarding AI involvement in evidence preparation. Courts are encouraged to use clear labeling and disclosure practices to help judicial officers, attorneys, and jurors understand the context and origin of AI-generated materials.

The Committee also recommends third-party review of evidence in instances where the authenticity of the evidence is challenged as having been modified or even fully produced by artificial intelligence. Courts could potentially partner with neutral third parties such as

educational institutions with relevant resources to help with this kind of evidentiary review. Where possible, collaboration with external stakeholders to standardize review of challenged evidence is encouraged.

3. Adequacy of Court Rules, Practices, Procedures & Security of Data

The Committee evaluated the sufficiency of existing court rules, procedures, and practices in the context of emerging AI technologies, particularly concerning data security and evidence.

The committee determined that the current court rules are generally sufficient for the use of AI technologies. Specifically, evidentiary rules which were last revised in 2013 do not require modifications to accommodate AI-related technologies.

The Committee review considered areas where current IT frameworks might be reinforced to better prepare courts for AI-related challenges. Existing best practices in secure data handling, protection against unauthorized access, and maintaining confidentiality and integrity of sensitive information should be reviewed and if necessary updated to ensure readiness for advanced technologies.

The Committee recommends evaluation of current data security standards and cybersecurity protocols with consideration of the impact of AI systems. The Committee also recommends continuously updating practices to adapt to evolving technologies.

4. Adequacy of Current Attorney Ethical and Professional Standards

Early in its work, the Committee was notified that the State Bar of Georgia Board of Governors had formed a Special Committee on Artificial Intelligence & Technology to address the adequacy of current ethical and professional standards. The State Bar of Georgia's Special Committee was charged with examining whether the Georgia Rules of Professional Conduct (GRPC) and Bar policies are sufficient regarding a lawyer's technology-related actions, omissions, or other conduct. This review has been completed, and the State Bar of Georgia Special Committee's findings are provided in this report as Appendix D.

5. Adequacy of Current Code of Judicial Conduct Standards

The Committee examined the Georgia Code of Judicial Conduct through the lens of the ethical obligations of judicial officers considering the use of AI in their judicial and administrative duties. The Code of Judicial Conduct was evaluated to identify areas where judicial officers could encounter risks tied to AI, such as the unintentional use of biased algorithms, improper delegation to automated tools, or misuse of AI-generated data in judicial decision-making.

The Committee concluded that rules that may be implicated by the use and implementation of AI may include Rule 2.3 (Bias, Prejudice, and Harassment), Rule 2.5 (Performing Administrative Responsibilities), Rule 2.9 (Ex Parte Communications), and Rule 2.12 (Supervisory Duties). The obligations imposed by these rules already address AI concerns in some respects: for example, Rule 2.9's requirement that judges refrain from independent investigation of facts would already preclude a judge from using AI technologies to investigate facts independently. Given the speed at which AI technologies are changing, it is too early to determine with certainty that the Code requires revision to address AI technologies expressly at this time. The Committee recommends further study and monitoring, as well as consultation with the Judicial Qualifications Commission, to consider whether these rules or others should be revised in the future to account specifically for issues raised by AI and related technologies.

6. Impact of Bias, Confidentiality, and Security Issues

The Committee discussed bias, confidentiality, and security as recurring concerns in the examination of the potential use of AI tools used within judicial settings. AI technologies, especially those built on machine learning models, can inadvertently amplify social or historical biases embedded in training data, presenting real risks in judicial use cases involving decision support tools, evidence assessment, and public-facing systems.

The Committee recommends that Georgia's courts avoid fully automated decision-making at this time and instead promote a "human-in-the-loop" approach to mitigate risk and ensure accountability. Additionally, judicial officers and staff should receive training in recognizing and counteracting potential algorithmic bias.

On confidentiality and security, the Committee emphasized the importance of safeguarding personal data, judicial records, and case information against AI-enabled breaches or misuse. Establishing privacy-preserving protocols, leveraging encryption and access controls, and conducting regular AI risk assessments will ensure that AI use complies with constitutional protections, legal requirements, and public expectations.

7. Need for Improved Education and Resources

The Committee assessed the impact of AI on judicial stakeholders and identified their need for increased education on the risks, benefits, and responsible uses of AI. Judges, clerks, administrators, and legal professionals alike will need foundational knowledge to prevent stakeholders from inadvertently misusing or misunderstanding AI tools.

To address this, the Committee recommends a tiered education framework tailored to different court roles. Training should start with foundational AI literacy for all court personnel and

include more advanced modules for those involved in policy development, IT governance, and procurement. Topics should include understanding how AI systems work, how bias may manifest in outputs, how to vet vendors, and how to monitor AI performance over time.

Additionally, resource development must accompany training efforts. Bench cards, model policies, contract checklists, and plain-language guides should be made widely available. Training resources will provide courts with ongoing support beyond initial education sessions and can build a sustainable internal knowledge base.

8. Considerations for the Adoption and Implementation of AI

The Committee analyzed the prerequisites for successful adoption of AI in Georgia's courts, emphasizing that adoption must be intentional, iterative, and inclusive. Courts throughout Georgia vary in their technological capacity, funding availability, and operational demands, so a uniform rollout of AI tools is neither practical nor advisable. As a result, the Committee considered approaches to governance, policy, and user-centered design and incorporated them into the recommendations and proposed roadmap provided later in this report.

With the constant evolution and broad application of AI technologies, and the impact of work performed by courts, the Committee recognizes that AI use cases should carefully be vetted for acceptability and that some use cases may never be acceptable. For discussion purposes the Committee categorized certain use cases as generally acceptable, generally unacceptable, or acceptable only after significant analysis and testing. While each use case and AI technology needs to be evaluated to determine if it is acceptable for use, a few examples are provided in Table 2.

A "generally acceptable" designation indicates that a use case aligns with current ethical, legal, and technical standards provided it undergoes appropriate review and is implemented with safeguards consistent with IT and court best practices. Generally acceptable uses are not a blanket approval or green light to use AI in place of human input.

Uses that are "acceptable only after significant analysis and testing" applies to use cases that present moderate to high levels of risk or uncertainty. These applications are not necessarily inappropriate, but they require detailed evaluation, sandbox testing, stakeholder consultation, and governance planning prior to implementation.

AI use cases that currently pose unacceptable risks to fairness, data integrity, and/or public trust are considered "generally unacceptable". While future innovation or safeguards may alter their viability, these applications are not recommended for use under current conditions.

Table 2. Examples of Generally Acceptable and Unacceptable AI Technology Uses[11]

Current generally *acceptable* uses
AI-Powered, Closed Source Legal Research Tools (Westlaw, Lexis+, etc.)
AI powered court assistants like chatbots that curate and accurately share general public information
Court Scheduling Assistants that aid a human end-user in calendar management
Current generally *unacceptable* uses
AI-Powered Jury Selection
Black Box Sentencing Algorithms
AI Translation for Uncommon Languages/Important Events (such as plea hearings)
Currently considered unacceptable without significant analysis and testing
Commercially available secure Large Language Models (ChatGPT, Microsoft CoPilot, etc.)
AI Translation for Common Languages/Important Events
Plain language translation
Sentencing and Risk Assessment Tools

The Committee recommends beginning with pilot programs tailored to specific needs within each class of court or jurisdiction. For example, document summarization tools may be more beneficial in probate courts, while calendaring and translation tools may have a larger impact on magistrate or municipal courts. Pilot programs should be designed with user involvement and evaluation criteria from the outset to assess usability, cost-effectiveness, and risk.

The Committee believes that Georgia courts should adopt a lifecycle approach to implementation that includes stakeholder needs assessments, vendor evaluations, integration testing, training, and post-deployment review. The approach should also consider IT governance, change management, and long-term maintenance capacity.

Finally, the Committee encourages courts to adopt a cautious but proactive stance, seeking innovation while ensuring alignment with constitutional requirements, procedural fairness, and user-centered design principles. Strong governance practices and guidance throughout implementation of AI are recommended.

9. Strategies for the Use of AI in Courts

The Committee developed a set of strategic approaches for implementing AI in Georgia's courts that reflects both the diversity of court types, and the range of use cases AI may support. These strategies emphasize usability, transparency, and augmenting, not replacing human decision-making.

Examples of potential applications include:

- Language access and translation tools to assist limited English proficiency (LEP) litigants
- Plain language communication generators to improve court notices and public communication
- AI-powered self-help kiosks or virtual assistants to assist self-represented litigants (informational assistance only; not to provide legal advice)
- Calendaring and reminder systems to help manage high-volume dockets and reduce failure-to-appear rates
- Document scanning and review tools that identify filing deficiencies or organize court submissions

The Committee supports evaluation of technological readiness before adoption, ensuring compatibility with existing systems and processes. Moreover, implementation should include feedback loops to gauge user satisfaction and performance over time. By focusing AI integration on well-defined problems and aligning solutions with judicial values, Georgia courts can responsibly utilize AI to improve service delivery and public confidence.

10. Need for Vendor Standards and Roles

The adoption of AI in courts requires rigorous vendor oversight to guarantee systems are trustworthy, secure, and designed in accordance with judicial and court standards. The Committee proposes establishing uniform vendor standards that will address transparency, security, confidentiality, explainability, and accessibility.

Contracting practices must be strengthened to require detailed documentation on how an AI system functions, what data it uses, and how it is tested, and what recourse is available if the system produces an error. Vendors should also provide courts with user training, support, sandboxes, and regular system audits. Data ownership should be well-established, with the vendor ensuring that the court's data remains under its control, and that no third party or for-profit models are built from data provided by Georgia's courts without authorization.

To mitigate risks, courts must avoid vendor lock-in and insist on interoperability with existing platforms. Procurement decisions should involve IT, legal, and operational stakeholders to assess long-term feasibility, ethical compliance, and technical reliability.

By holding vendors accountable through contracts, performance benchmarks, and ongoing evaluation, Georgia's courts can protect their data and preserve public trust while modernizing their operations.

Summary of Recommendations

Based on their review and examination of areas identified in the Chief Justice's Order, the Committee recommends the following actions to prepare Georgia's courts to benefit from AI technologies, mitigate risks, and ensure that the use of AI does not erode public trust and confidence in the judicial system. These recommendations are also summarized within the proposed three-year roadmap included in Appendix A.

ESTABLISH LEADERSHIP AND LONG-TERM GOVERNANCE

Either within the existing JC/AOC Standing Committee on Technology, or through the creation of a new committee, a group representative of the various classes of Georgia's courts and judicial partner agencies should be selected to provide leadership, decision-making, and actionable direction for the adoption and use of AI technologies within Georgia's judicial system. A charter or set of guiding principles should be established that charges the group with ensuring that AI technologies are available to courts across Georgia, that their use does not erode public trust or confidence in the judicial system, and that these technologies are implemented in ways that can improve access to justice.

IDENTIFY DEDICATED AI RESOURCES

To ensure that Georgia's courts benefit from the work of the Committee and continue to prepare for both the benefits and risks of AI, dedicated resources should be identified to execute AI-related activities. Initial recommendations include hiring or designating personnel in positions to include a director/chief AI officer role to staff and execute the vision of the committee charged with governance; a project/program manager role to work with courts across the state as they implement AI technologies; an analyst role to understand and catalog the ongoing efforts to vet and implement AI technologies; and an educator/trainer role to provide education and training on AI concepts, technologies and AI-related policies.

ENGAGE STAKEHOLDERS STATEWIDE

The Committee is cognizant that its charge and limited duration did not provide for a broad survey of AI uses and needs across Georgia's diverse judicial system. As a result, it is recommended that shortly after long-term AI governance is established (and dedicated resources identified), Georgia's judicial and court system stakeholders are engaged through a combination of listening sessions, surveys, and focus groups to understand current uses of AI tools and identify needs, challenges, and aspirations. As part of stakeholder engagement, the Committee also recommends developing and executing an organizational change management (OCM) and communication strategy to support awareness, adoption, and acceptance of AI within Georgia's courts-initially and on an ongoing basis.

ESTABLISH GOVERNING INSTRUMENT AND REVIEW PROCESS

The Committee concluded that, at the time of this report, existing court rules, evidentiary rules, and the Code of Judicial Conduct were generally adequate to address issues arising from the current uses of AI. The Committee also identified the lack of established and well-recognized or adopted technology standards for the use of AI technologies within court systems. The Committee suggests that a process be established to create and continually review and update governing instruments such as rules, codes of conduct, policies, template terms and conditions for AI contracts, and other items to keep pace with the anticipated increased adoption and evolution of AI and other advanced technologies. The Committee also recommends establishing interim and eventually permanent policies governing the use of AI in Georgia's judicial system. Guidelines for consideration in creating an interim AI use policy are found in Appendix B.

PROVIDE EDUCATION AND TRAINING

The Committee recommends developing and providing education and training on AI within Georgia's judicial system. Education and training should focus first on building basic AI literacy and progress to more advanced topics to educate on both the benefits and risks of AI technologies. This should include education and training on any AI policies or other guidelines governing the use of AI.

ESTABLISH STATEWIDE AI TECHNICAL ARCHITECTURE

Given the diverse mixed/hybrid technology infrastructure services environment within Georgia's judicial system, the Committee recommends establishing a representative group of IT support providers from various classes of court to share, review, develop, and adopt technology standards for AI related technologies. Standards could include data security standards, interface standards, vendor requirements, and technical agreements/memos of understanding. This group should work closely with AI business architecture groups to select initial AI projects and use cases that are low-risk, high-impact, likely internal, and then scale to more complex uses cases as experience and knowledge are gained. The Chief AI officer could be charged with leading the group.

ESTABLISH STATEWIDE AI BUSINESS ARCHITECTURE

Given the importance of user-centered design to successful implementation and adoption of AI technologies, the Committee recommends establishing a representative group of users and subject matter experts from various classes of courts to identify use cases that would most benefit from AI technologies and to document and understand the impact of those technologies on business processes and users. This group should work closely with AI technical architecture groups to select and prioritize initial AI projects and use cases that are low risk, high impact (likely first internal facing and later external facing), and then scale to more complex uses cases as experience and knowledge are gained. The program/project manager or analyst could be charged with leading the group.

CREATE AND MANDATE THE USE OF AN AI INVENTORY

To ensure visibility, improve communication, and increase oversight of AI technologies utilized across Georgia's courts, the Committee recommends the development of an "AI and Use Case Technology Inventory" and a requirement that all AI technologies utilized within Georgia's courts be added to this catalog. Fields for this catalog could include: Use Case, Product Name, Class(es) of Court, Location(s), Internal or External Use, Users, Vendor (if applicable), Approved Uses, Unapproved Uses, Date Implemented, Security of Data, Mitigation of Bias, Decision Making (yes/no), Training Materials (link or location), Support and Maintenance Responsibility, Banned Application (yes/no) as shown in Figure 4. Individual courts may be encouraged to create their own inventory that will later roll up into a larger judicial system wide inventory to support communication, transparency, and continuous improvement.

Figure 4. Example of Court AI Technology Inventory

Sample Court AI Technology Inventory

Table 1: Core Attributes & Usage

Use Case	Product Name	Class(es) of Court	Location(s)	Internal/ External Use	Users	Vendor	Date Implemented
Digital Evidence Organizer	CaseClarity	District, Family	Easton County	Internal	Clerks, Judges	Lexview Systems	2023-08-12
Virtual Hearing Assistant	CourtBot+	Civil, Small Claims	Statewide	Internal	Court Staff, Litigants	NexaLogic Inc.	2024-01-22
Predictive Sentencing Tool	SentMax AI	Criminal	Westburg District	Internal	Judges	IntelliGov AI	2022-04-05
Facial Sentiment Detection	DeepSeek	All	Not Implemented	External	Unknown	NeuralContext Ltd.	N/A

Table 2: Compliance, Use, and Risk

Product Name	Approved Uses	Unapproved Uses	Security of Data	Mitigation of Bias	Decision Making	Training Materials	Support & Maintenance	Banned App
CaseClarity	Organizing/ tagging evidence files	Auto-filtering/hiding evidence based on AI	AES-256 encryption	Human review team	No	Link	Easton County IT	No
CourtBot+	Scheduling and general hearing info	Giving legal advice/interpreting court orders	SOC 2 Certified	Rule-based guardrails	No	Link	NexaLogic Support Team	No
SentMax AI	None	Sentencing recommendation without oversight	Basic HTTPS only	None	Yes	N/A	Discontinued – Ethics Office	Yes
DeepSeek	None	Analyzing facial expressions to infer credibility/ truthfulness	Unknown	None	Yes	N/A	Not authorized for any use	Yes

Conclusion

A key challenge the Committee faced during its work is the rapidly evolving nature of a technology new to courts and organizations across the country. In the ten months the Committee met, there were multiple advances and developments in the use of AI technologies and their corresponding impact on and potential for courts and their stakeholders. Notable examples include attorneys sanctioned for filing briefs with fake citations generated by AI,[12, 13] a court piloting the use of AI to expedite the creation of transcripts,[14] changes in approaches regulating the use of AI at state and national levels,[5, 6, 15] courts establishing policy or court rules around AI,[16,17] a supreme court using AI avatars to make opinions more acceptable,[18] and a family using an AI generated video to provide a victim impact statement from the deceased.[19]

While these developments did not influence the Committee's conclusions or recommendations, they illustrate the need for a proactive, collaborative and adaptable approach with comprehensive guidelines for the adoption and use of AI across Georgia's courts.

As charged by the order, the Committee assessed the risks and benefits of using AI and developed a set of recommendations that should prepare Georgia's courts to realize the benefits of AI, mitigate risks, and establish the State as a leader in effectively using AI in the administration of justice, as well as to improve access to justice. The Committee commends the former Chief Justice and the Judicial Council for creating and supporting this group.

Endnotes

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3   Conference of State Court Administrators. (2018). *Courts need to enhance access to justice in rural America. National Center for State Courts.* https://cosca.ncsc.org/resources-courts/courts-need-enhance-access-justice-rural-america

4   https://jcaoc.georgiacourts.gov/wp-content/uploads/2024/04/Your-Guide-2022_.pdf

5   https://www.datasciencecentral.com/heres-how-much-data-gets-used-by-generative-ai-tools-for-each-request/

6   https://live-itos-dca-broadband.pantheonsite.io/

7   https://jcaoc.georgiacourts.gov/wp-content/uploads/2024/05/Order-on-Technology-Standing-Committee_FINAL.pdf

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9   Legislative Information System. (2025). *HB 1642 – Artificial intelligencebased tool; definition, use of tool. Virginia General Assembly. Retrieved June 12, 2025, from* https://lis.virginia.gov/bill-details/20251/HB1642

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19 NPR. (2025, May 7). *Family shows AI video of slain victim as an impact statement — possibly a legal first. NPR. Retrieved from* https://www.npr.org/2025/05/07/g-s1-64640/ai-impact-statement-murder-victim

Appendices

Appendix A. Proposed Roadmap

Provided below is a proposed three-year roadmap to implement the recommendations of the committee. While the tasks and timeframes proposed in the roadmap consider the complexity and diversity of the GA Courts, it should be further reviewed and analyzed before being formally adopted and executed by the GA/AOC.
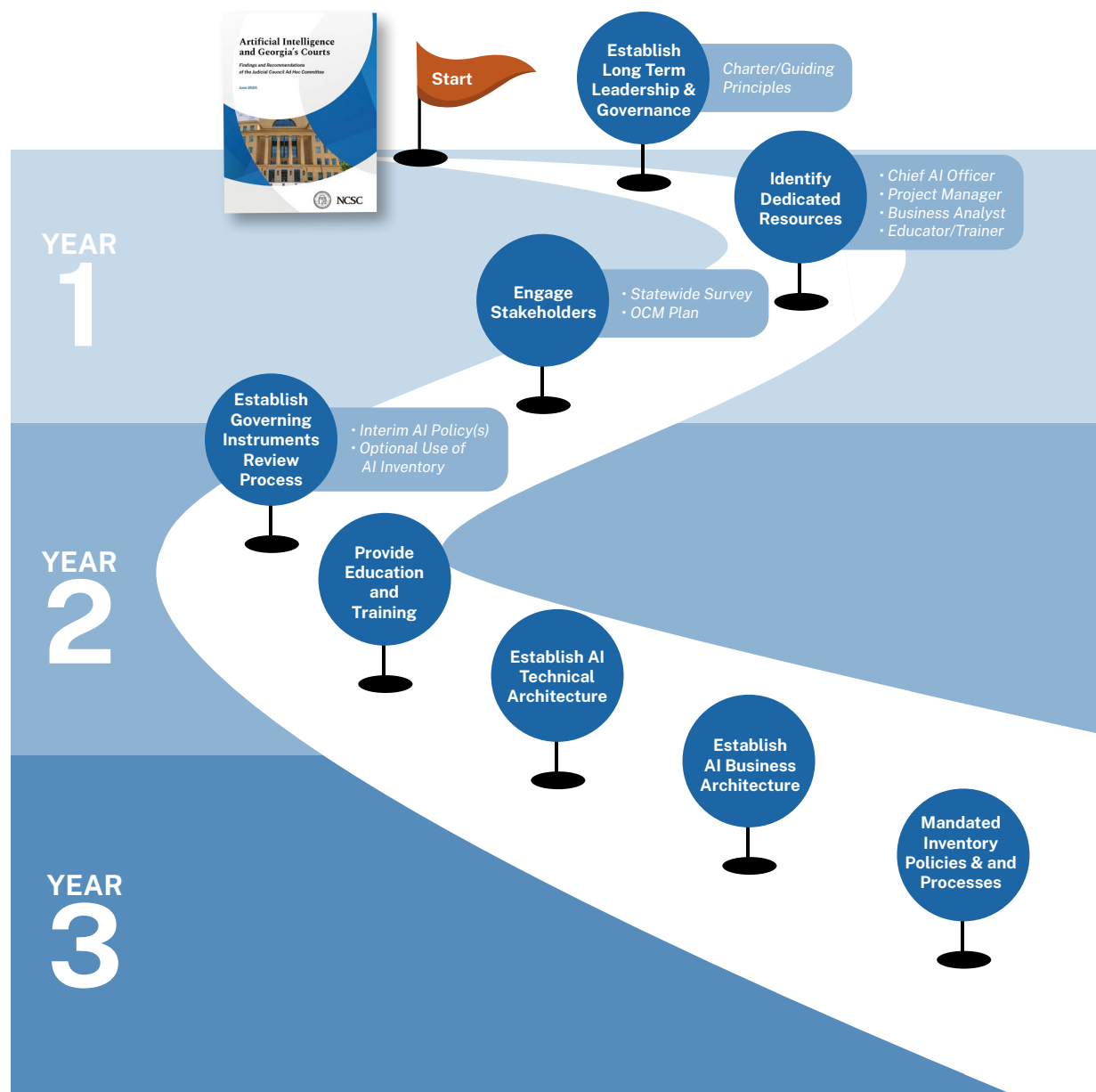
Appendix B. Interim Court AI Use Policy Considerations

An important first step in evaluating and adopting new or emerging technologies is to provide permission for use with guardrails that minimize risk to the organization and the people it serves. An approach that starts first with an interim policy followed later by a more permanent policy enables education and learning before regulation.

An additional rationale for this approach is that at the time of this report, while a handful of frameworks and sample court policies exist (see Additional Resources section), there is no well-established or adopted standard on which to model or build a court AI policy.

RECOMMENDATIONS FOR AN INTERIM AI POLICY

The following are some recommendations for developing an Interim AI Policy which consider the mixed/hybrid technology infrastructure services environment that Georgia's judicial system operates in — that is, an environment in which courts may receive their technology and related support services from a variety of different state and local entities.

- Establish a policy working group that includes representatives from your court as well as any who provide IT support to your court.
- Clearly identify who is subject to the policy (judicial officers, court staff, etc.).
- Identify existing IT or HR policies that the AI policy must interact with (for example acceptable use or information security policies). This may include how the court/county provided email address can be used, what can be done with court/county provided equipment, etc.
- Include definitions for AI terminology that users may not yet be familiar with.
- Identify both acceptable and unacceptable uses of AI.
- Distinguish between different types of AI systems:
  » Open vs. closed (or non-sequestered vs. sequestered) AI applications.
  » Court/county provided/authorized AI applications vs. those provided by outside vendors/software providers.
  » Paid vs. free AI applications.

- Identify if AI use cases and AI applications need to be tracked in an inventory or use case log (recommended).
- Clearly specify that confidential or sensitive data never be entered into non court/county provided or authorized AI applications.
- Clearly specify that judicial decision making never be delegated to an AI application.
- Clearly specify a human-in-the-loop approach to any new AI application.
- Identify if use of AI in accordance with the policy needs to be disclosed to a direct supervisor.
- Identify how the accidental or intended use of AI contrary to the policy should be reported.
- Identify consequences for repeated violations of the policy.
- Require training on AI applications and the AI policy.
- Put the policy out for review to those subject to it prior to adoption to understand where there may be questions or points of confusion.
- Consider and state authority for the policy.

Draft Interim Court AI Policy Template
COURT ARTIFICIAL INTELLIGENCE (AI) POLICY TEMPLATE

Draft Version – [Insert Date]

[Add or remove sections below as appropriate]

I. Purpose and Scope

This policy governs the use, development, procurement, and oversight of artificial intelligence (AI) technologies within [Court Name]. It is designed to ensure responsible, ethical, and lawful use of AI.

This policy applies to: [Add or remove below as appropriate]

a) Judicial officers
b) Court staff and administrators
c) Contractors and vendors providing IT or AI services
d) Any individual using AI tools on behalf of or in the work of the court

II. Definitions

[Add or remove below as appropriate]

The policy adopts the following definitions to support understanding:

a) Artificial Intelligence (AI): A machine-based system that can generate outputs such as summarizations, predictions, recommendations, or decisions.
b) AI System: Any software or tool that uses machine learning, natural language processing, or other AI techniques.
c) Open (Non-Sequestered) AI Systems: Publicly accessible AI platforms not controlled by the court.
d) Closed (Sequestered) AI Systems: Court-managed or authorized AI environments with controlled access.
e) Human-in-the-Loop: AI usage where humans maintain oversight, decision-making, or validation responsibility.

III. Governance Structure

[Add or remove below as appropriate]

a) An AI policy working group shall be established and include:
    i. Judges and magistrates
    ii. Court administrators
    iii. Information technology staff (internal or county-provided)
    iv. Legal counsel and privacy/security officers

b) The AI policy working group shall:
   i. Review and revise the AI policy
   ii. Maintain a log of approved AI use cases and applications
   iii. Evaluate new AI proposals

IV. Policy Relationships

This AI policy complements and must align with:

a) Court's/County's Acceptable Use Policy [List Policy Number/Info]
b) Information Security Policy [List Policy Number/Info]
c) Email and Device Usage Policy [List Policy Number/Info]
d) Personnel (HR) Policies [List Policy Number/Info]
e) Public Records and Confidentiality Rules [List Policy Number/Info]

V. Acceptable vs. Unacceptable Use

[Edit as appropriate]

a) Examples of Acceptable Uses:
   i. AI tools that summarize legal texts for internal review
   ii. Document drafting aides (with human verification)
   iii. Scheduling and administrative support tools

b) Examples of Unacceptable Uses:
   i. Uploading confidential case information into public or unauthorized AI systems
   ii. Relying on AI-generated output for final judicial decisions

VI. AI Inventory and Documentation

[Edit as appropriate]

The court shall maintain an AI Use and Inventory Log that includes:

a) Approved applications and vendors
b) Type (open vs. closed, paid vs. free)
c) Approved use case descriptions.
d) Unapproved use case descriptions.
e) Department lead
f) Risk and data sensitivity classification

VII. Confidentiality and Restrictions

[Edit as appropriate]

a) No confidential, sealed, or sensitive data may be entered into AI tools that are not court/county authorized.

b) Judicial decisions shall never be delegated to AI.
c) A human-in-the-loop approach must be applied in all AI-supported processes.
d) Expunged data may never be entered into AI tools.

VIII. Approval and Reporting

[Edit as appropriate]

a) Use of any AI tool must be reported to a direct supervisor and submitted to the working group for review.
b) Any suspected or actual use contrary to this policy must be reported to [designated official].

IX. Violations and Consequences

[Edit as appropriate]

a) First-time violations will trigger mandatory retraining.
b) Repeated or intentional misuse may lead to disciplinary action under the court's HR policies.

X. Training and Education

[Edit as appropriate]

All employees must complete AI training, including training on this policy and best practices for ethical AI use.

XI. Transparency and Review

[Add or remove below as appropriate]

a) A draft of the policy shall be distributed for review and comment prior to formal adoption.
b) The working group will review and update this policy annually or as needed.

XII. Authority and Adoption

[Edit as appropriate]

This policy is issued under the authority of the [Chief Judge/Court Administrator/Judicial Council], pursuant to [cite relevant authority]. It is effective upon approval and distribution to court personnel.

ADDITIONAL RESOURCES

AI Frameworks

- National Institute of Standards and Technology. (n.d.). *Artificial Intelligence Resource Center. U.S. Department of Commerce.* https://airc.nist.gov/

- Georgia Technology Authority. (n.d.). *Guiding principles for AI.* https://gta.georgia.gov/policies-and-programs/artificial-intelligence/guiding-principles-ai

- Future of Life Institute. (n.d.). *EU Artificial Intelligence Act.* https://artificialintelligenceact.eu/

Sample Publicly Available Court Polices

- South Carolina Supreme Court. (2025, March 25). *Interim policy on the use of generative artificial intelligence* (Appellate Case No. 2025-000043). https://www.sccourts.org/media/5vchofu5/order-re-interim-policy-on-genai.pdf

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- Dixon, H. B., Jr., Goddard, A. H., Grossman, M. R., Rodriguez, X., Schlegel, S. U., & Thumma, S. A. (2025, February). Navigating AI in the judiciary*: New guidelines for judges and their chambers. The Sedona Conference Journal*, 26, 1–20. https://thesedonaconference.org/sites/default/files/publications/NavigatingAIintheJudiciary_PDF_021925_2.pdf

- Arizona Supreme Court. (2025, January 1). Section 1-509: *Use of generative artificial intelligence technology and large language models. Arizona Administrative Code.* https://govt.westlaw.com/azrules/Document/NEA685F50EFC111EF82B1C319F2CF8C95

- National Center for State Courts. (n.d.). *AI in state courts.* https://www.ncsc.org/resources-courts/ai-state-courts

Appendix C. Subcommittee Members, Contributors, and Content

AD HOC COMMITTEE ON ARTIFICIAL INTELLIGENCE AND THE COURTS

- Justice Andrew Pinson (Chair)
- Judge Stephen D. Kelley (Vice-Chair)

ACCESS TO JUSTICE AND COMMUNITY ENGAGEMENT SUBCOMMITTEE

Members

- Judge Elizabeth Gobeil (Chair)
- Darrell Sutton, Esq. (Co-Chair)
- Judge Tricia Hise
- Sheila Studdard
- D'Andre Berry, Esq.

Areas of Exploration

- AI Primer Presentation and intro to AI sandbox
- AI Considerations for Access to Justice and Community Engagement
- Discussion on subcommittee AI Survey Results
- Discussion on IT support by class of court
- Definitions of "Access to Justice" and "Community Engagement" in regard to AI
- Presentation on human-centered design
- Challenges to Access and the Administration of Justice
- Opportunities for training and education for court staff and judges on AI

ADOPTION AND IMPLEMENTATION OF AI SUBCOMMITTEE

Members

- Judge Stephen D. Kelley (Chair)
- Judge Brenda S. Weaver (Co-Chair)
- Judge Joshua Suggs
- Judge Jason Souther
- Angie T. Davis

Areas of Exploration

- AI Primer Presentation and intro to AI sandbox
- Review of Georgia courts to AI Matrix
- Presentation on AI and Judicial Code of Conduct and State Courts
- Discussion on IT support by class of court
- Definitions of Adoption and Implementation of AI in regard to AI
- Presentation on human-centered design
- Presentation on court AI use cases
- Definitional standards and benchmarks for technology vendors
- Discussion on subcommittee AI Survey Results
- Discussion on update/recommendations for Judicial Code of Conduct
- Discussion on AI Adoption Governance & Inventory

AI AND COURT PROCEEDINGS SUBCOMMITTEE

Members

- Judge Robert McBurney (Chair)
- Judge Jaletta Smith (Co-Chair)
- Judge Lindy Moody
- Bob Nadekow
- Todd Hayes, Esq.

Areas of Exploration

- AI Primer Presentation and intro to AI sandbox
- AI and Court Proceedings/Security Presentation & Discussion
- Definition of "court proceedings" in regard to AI
- Discussion on AI Technologies in Court Proceedings
- Discussion on IT support by class of court
- Discussion on subcommittee AI Survey Results
- Information and discussion on potential risks AI technologies may pose to security and confidentiality of court networks
- Discussion on impact of AI on trial evidence
- Discussion regarding adequacy of current evidentiary rules

NCSC PROJECT TEAM

- Shay Cleary (Managing Director)
- Jawwaad Johnson (Project Director)
- Emma Maier (Project Associate)

NCSC SUBJECT MATTER EXPERTS

- Aubrie Souza (Access to Justice & Community Engagement)
- Zach Zarnow (Access to Justice & Community Engagement)
- David Sachar, Esq. (Adoption & Implementation of AI)
- Cathy Zacharias, Esq. (AI & Court Proceedings)

ADDITIONAL SUBJECT MATTER EXPERTS

Committee members received presentations or information from the following individuals:

- Matthew J. Fader, Chief Justice, Supreme Court of Maryland
- Dr. Sofía Bosch Gómez, Assistant Professor, Northeastern University College of Arts, Media, and Design
- Michael Navin, NCSC Principal Court Management Consultant

Appendix D. Final Report of the Special Committee on Artificial Intelligence & Technology to the State Bar of Georgia Board of Governors

Report to follow on subsequent pages.

FINAL REPORT OF
THE SPECIAL COMMITTEE ON ARTIFICIAL INTELLIGENCE & TECHNOLOGY
TO THE STATE BAR OF GEORGIA BOARD OF GOVERNORS
JUNE 7, 2025

Introduction

The Special Committee on Artificial Intelligence & Technology was created by President Ivy Cadle to explore and make recommendations to the Supreme Court of Georgia and the State Bar of Georgia Board of Governors about how the Georgia Rules of Professional Conduct (GRPC) cover developments in technology, particularly artificial intelligence and the practice of law.

The Committee was charged with examining whether the GRPC and Bar policies are sufficient regarding a lawyer's technology-related actions, omissions, or conduct. The committee was also charged with exploring how the State Bar of Georgia can aid its members as they integrate artificial intelligence and technological advances into their practices. This includes, as appropriate, identifying AI tools for lawyers, as well as examining methods to provide education, communication, resources, and assistance to lawyers about these tools to ensure lawyers understand the utility and convenience of embracing AI and technological advances while maintaining their duty to exercise independent judgment.

Considering this, the Committee was provided three areas of examination:

1. Explore all ethical implications for AI and other technology, as considered by the GRPC.

2. Evaluate the need for revisions to the GRPC.

3. Develop ideas and best practices for the State Bar providing assistance to practitioners implementing AI into their practices.

Committee Members

- Darrell Sutton, Chair
- Rick Alembik, Richard S. Alembik, PC
- Kurtis Anderson, Kilpatrick Townsend
- MJ Blakely, The Blakely Firm
- James Cox, Wetherington Law Firm
- Jeff Dickerson, The Dickerson Firm
- Roy Hadley, Jr., Morris Manning & Martin
- Heather Kuhn, Baker Hostetler

- Jason Loring, Jones Walker
- Leah McNeil, Alston & Bird
- Jenny Mittleman, Attorney at Law
- Vivien Peaden, Baker Donelson
- Heather Peck, Inspire Brands
- Jennifer Romig, Emory University School of Law
- Matt Wetherington, Wetherington Law Firm
- Ivy Cadle, *ex officio*

- Ben Luke (AOC), *ex officio*
- Chris Twyman, *ex officio*
- Damon Elmore, Staff Liaison
- Nkoyo Effiong, Staff Liaison
- Megan Jones, Staff Liaison
- Andreea Morrison, Staff Liaison
- Russ Willard, Staff Liaison

<u>Timeline</u>

The Committee was given the following timeline for the completion of its work:

- No later than October 30: 1st meeting of committee to occur.
- December 2024: Second meeting to evaluate agenda and prepare report for Midyear meeting.
- January 2025: Initial update and report to Board of Governors.
- February 2025: Third meeting.
- March 2025: Update and report as part of Spring Meeting, with initial findings.
- April 2025: Fourth meeting.
- June 2025: Comprehensive report and recommendations presented to Board of Governors

<u>Meetings</u>

1. October 9, 2024

The first meeting of the committee was held October 9, 2024. After being provided an overview of the committee's mission, the committee performed a general assessment of AI – Generative Artificial Intelligence (GenAI), in particular – and its impact on the practice of law.

The committee also assessed the key issues and risks posed by Georgia lawyers' use of AI. This led to the establishment of a subcommittee to study and recommend options for the committee's deliverables.

In addition, the committee grouped into five categories the GRPC potentially impacted by Georgia lawyers' use of GenAI, with a subcommittee for each established to study and make recommendations about addressing AI's impact upon that category:

1. Technological Competence & AI Integration
2. Confidentiality & Data Protection
3. Unauthorized Practice of Law
4. Client Communication, Consent & Ethical Obligations
5. Advertising, Marketing & Public Communication

2. November 21, 2024

The second meeting of the committee was held November 21, 2024, with a report from the deliverables subcommittee provided, along with its recommendations for the committee's mission:

- Mission No. 1:
    - o Promote adoption of proposed comment 6 to GRPC 1.1.
    - o Develop and promote amendments to GRPC identified by subcommittees.
    - o Develop and promote Formal Advisory Opinions identified by subcommittees.

- Mission No. 2:
    - o Develop an AI Toolkit for Georgia lawyers.
    - o Produce AI & The Law CLE.
    - o Develop and launch webpage devoted to AI & The Law.

3. January 7, 2025

The third meeting of the committee was held January 7, 2025, with reports and preliminary recommendations from each of the other subcommittees provided.

- Technological Competence & AI Integration:
    - Promote adoption of proposed comment 6 to GRPC 1.1.

- Confidentiality & Data Protection:
    - Promote adoption of proposed amendment to GRPC 1.6(c)
    - Develop and promote best practices about
        - Obtaining client consent when inputting data to a GenAI platform.
        - Ensuring that a utilized GenAI platform employs security and confidentiality features compliant with GRPC 1.6 and 1.8.
        - Ensuring client confidential information is anonymized when input to a GenAI platform.

- Unauthorized Practice of Law:
    - Develop and promote adoption of amendment to Rule 5.3 so it encompasses GenAI tools within the definition of "non-lawyer service or tool."

- Client Communication, Consent & Ethical Obligations
    - No recommended GRPC changes.
    - Develop and promote guidance for Georgia lawyers about the development and use of GenAI within law practice (i.e. CLE (non-mandatory) and AI Toolkit).

- Advertising, Marketing & Public Communication
    - Develop and promote comment to Rule 7.1, recommending disclosure by lawyers employing AI-powered chatbots that a client's interaction with the chatbot is not interaction with a lawyer.

4. February 10, 2025

The committee conducted its fourth meeting on February 10, 2025, assessing the status of its deliverables:

- AI Toolkit[1]

Members discussed the development of the AI toolkit, expressing a preference for a regularly updated body of resources on AI and the practice of law. Law Practice Management Director Nkoyo

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[1] The committee opted for the creation of the AI Toolkit in lieu of developing and promoting a formal advisory opinion. The committee determined the ethical use of AI is not nuanced: it is ethical to use AI tools so long as the Georgia lawyer using them understands how the technology works and can apply it within the context of the existing GRPC. The AI Toolkit will provide ongoing guidance to the State Bar's membership to ensure and promote compliance with the GRPC, particularly in so far as technological advancements present lawyers with questions about whether their use of AI complies with the GRPC.

Effiong Nkoyo provided a rough sketch of the toolkit Andreea Morrison of the Office of the General Counsel was asked to assist with the ethics content. Nkoyo and Jenny Mittelman were appointed to lead the development of the toolkit with support from the members of the Technological Competence Subcommittee.

- CLEs

Members discussed potential CLEs focusing on generative AI and the ethical implications of using it in the practice of law. After determining that both the Privacy and Technology Section and the LPM Department will be hosting relevant CLEs, the committee approved promoting these rather than producing unique CLEs.

- Rules Modifications

Considering action taken by the State Bar Board of Governors during its Midyear Meeting, of the Rules changes recommended by the subcommittees, only one, an amendment of Rule 5.3 (Responsibilities Regarding Nonlawyer Assistants), remains to be developed. The committee recommended updating this Rule to add reference to services, tools, and output to more clearly cover the use of AI, and Jason Loring, Matthew Weatherington, Jenny Mittelman, and Andreea Morrison were assigned to develop this.

5. March 27, 2025 & April 28, 2025

The committee conducted its fifth meeting on March 27, 2025, and its sixth meeting April 28, 2025. At both it conducted an additional assessment of its deliverables.

- AI Toolkit

The committee received an outline for the AI Toolkit. The Toolkit will be housed on the State Bar's website and feature sections devoted to ethical and regulatory considerations, risk mitigation strategies, practical applications of GenAI, education & training, and practical resources.

- Amendment to GRPC 5.3

The Office of the General Counsel presented proposed amendments to Rule 5.3 (Responsibilities Regarding Nonlawyer Assistants) to the Disciplinary Rules and Procedures Committee during its March 21, 2025 meeting. That Committee identified edits to the proposal, which have been made, with a revised proposal to be presented at that Committee's next meeting prior to the State Bar of Georgia Annual meeting.

Recommendations

Promote the completion and launch an AI Toolkit for Georgia lawyers. Viewed by the committee as the most practical and useful guidance for Georgia lawyers utilizing AI tools, the toolkit will be a dynamic reference tool, providing guidance about the ethical application of generative AI in the practice of law. Once completed, it will provide Georgia lawyers utilizing GenAI technologies with recommendations, suggestions, and resources to ensure their use of GenAI (and other emerging technology) is appropriate, ethical, and in compliance with the GRPC.
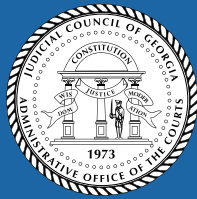
The AI Toolkit will consider a broad range of ethical and regulatory implications from the use of GenAI and provide core ethical guidelines relevant to the GRPC by way of an easy to reference chart. The AI Toolkit will also match the rapidly developing nature of AI: dynamic and subject to change and improvement as required to address the use of AI by Georgia lawyers. The AI Toolkit will be hosted by the State Bar of Georgia's Law Practice Management Program and accessible by all Georgia lawyers via the State Bar's website.

Promote adoption of an amendment to Rule 5.3 to add reference to services, tools, and output to more clearly cover the use of AI. A revised proposal for this amendment has been provided to the Disciplinary Rules Committee. Its adoption of that proposal will permit this amendment to be considered by the Board of Governors during its Fall 2025 meeting.[2]

Finally, the committee will continue monitoring emerging technologies, and considering these, perform an ongoing assessment about the need for changes to the GRPC and Bar policies to address them, as well as the need for tools to aid State Bar of Georgia members as they integrate these into their practices.

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[2] This is in addition to the committee's ongoing promotion of the adoption of proposed comment 6 to GRPC 1.1 and amendment to GRPC 1.6(c). The committee finds comment 6 to GRPC 1.1 particularly critical, because it explicitly addresses the relationship between a lawyer's competence and her or his proficiency with prevailing technology. It is the committee's assessment GenAI tools will in short order become ubiquitous. This and the power of these tools make it more important than ever before that lawyer's understand the direct relationship between proficiency with technological tools and competence.