NEWS RELEASE

New York State
Unified Court System

Hon. Joseph A. Zayas
Chief Administrative Judge

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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.

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Effective October 2025

NEW YORK STATE UNIFIED COURT SYSTEM

INTERIM POLICY ON THE USE OF ARTIFICIAL INTELLIGENCE

I. Purpose

This interim policy on the use of artificial intelligence (AI) is designed to promote the responsible and ethical use of AI technology in the New York State Unified Court System (UCS). This document outlines important guardrails to ensure fairness, accountability, and security in the use of AI, particularly generative AI, by our workforce. Mandatory requirements and restrictions governing the use of AI are set forth below, in Section V. This interim policy is intended to evolve with technological advancements, operational necessities, and future iterations of relevant legislation, regulation, and public policy.

II. Scope

This interim policy is applicable to all judges and nonjudicial employees of the UCS. It applies to all functions performed on a UCS-owned device, and to all UCS-related work performed on any device.

III. Understanding AI

A. How Generative AI Works

The term "AI" means "a machine-based system that can, for a given set of human-defined objectives, make predictions, recommendations or decisions influencing real or virtual environments" (15 USC § 9401[3]). The term "generative AI" refers to an AI program or system that is capable of generating human-like text or other content in response to user prompts by learning from material in large reference datasets.

Generative AI tools have the potential to enhance productivity by assisting with tasks such as producing first drafts of documents, editing text, summarizing data, drafting correspondence, and developing software. Such tools may take the form of a chatbot, a computer program which simulates an online human conversation.

Most generative AI programs utilize a large language model (LLM), an algorithm that is trained on an enormous quantity of data, derived from various sources such as the internet, books, and articles, and learns to produce written communications by continually predicting the word that is most likely

to come next. Generative AI programs do not operate like traditional search engines. Although they draw upon information contained in large datasets, they are designed to generate content, not to locate information or provide authoritative answers to factual inquiries.

Rather than conducting traditional research or verifying facts, the AI program produces a document or other output, in the format and style requested in the user's prompts, by predicting patterns based on its source information. As a result, any factual assertions or citations to legal authority included in the output may be inaccurate or unreliable. In fact, generative AI programs occasionally fill in gaps in their source material by simply fabricating facts or citations. In AI terminology, such an insertion of fictitious information is referred to as a hallucination.

B. Potential Uses of AI

Generative AI tools can be used to help draft documents such as policy memos, letters, speeches, or job descriptions. AI can be useful in generating ideas, getting a document started, and suggesting suitable wording. Generative AI can also be utilized in communicating with the public. AI platforms can help users write clearly and in plain, accessible language. A user can upload content, such as text for a proposed webpage or a draft of a policy statement, and direct the AI program to modify the language to make it simpler, more concise, and easier to understand. The AI program can be prompted to write for a specific audience or at a designated reading level. Like all content produced by generative AI, the output should be carefully reviewed, and the user should ensure that the language is inclusive, respectful, and accurate.

Generative AI can also be used to summarize lengthy documents or large datasets in preparation for administrative reports or analytical legal writing. Since one of AI's most impressive features is its ability to scan and process vast amounts of data in just a few minutes, or even seconds, summarizing information may be among its most valuable uses. An AI tool can quickly generate an overview of material such as a large document, a group of documents, or a set of statistical data, providing the user with a basic understanding, or at least the highlights, of the material, where the user's own review of the material would have consumed an enormous amount of time. The AI tool can be prompted to produce the summary in a variety of formats, such as a single paragraph, a brief memo with a specified word count, an outline containing a specified degree of detail, or a bullet-point list. The AI tool could also be prompted to condense the contents of a document for clarity or brevity. However, if such a condensed version is to be submitted to and relied upon by other UCS personnel, or released to the public, the contents of the AI-generated product must be checked against the original material to ensure accuracy. Moreover, the use of an AI tool to summarize legal documents is subject to the guidance and limitations relating to confidentiality, set forth below.

C. Problems Associated with AI

Despite its potential benefits, generative AI can produce inaccurate, wholly fabricated, or biased outputs, and can jeopardize the security of data entered into the program.

1. Inaccurate or Fabricated Information

As noted above, the output produced by generative AI tools will sometimes contain hallucinations. Accordingly, the content generated by an AI program should not be used without careful editing. It is

the responsibility of every user to thoroughly review such content and to independently confirm that it contains no fabricated or fictitious material.

In view of their limitations, generative AI tools should not be relied upon to provide accurate information or to draft communications about sensitive topics. Moreover, general-purpose AI programs (whether operating on a public model or on a private model) are not suitable for legal writing and legal research, as they may produce incorrect or fabricated citations and analysis. Even when using the AI-enhanced features that have been incorporated into established legal research platforms, any content generated by AI should be independently verified for accuracy.

2. Bias and Other Inappropriate Output

The vast datasets on which generative AI systems are trained include material that reflects cultural, economic, and social biases and expressions of prejudice against protected classes of people. As a result, the content generated may promote stereotypes, reinforce prejudices, exhibit unfair biases, or contain otherwise undesirable, offensive, or harmful material. Accordingly, it is the responsibility of every user to thoroughly review any AI-generated content, to ensure that it does not reflect any unfair bias, stereotypes, or prejudice or contain any other inappropriate material, and to make any necessary revisions.

3. Vulnerability of Confidential Information

Many publicly available generative AI platforms (ChatGPT, for example) operate on an open training model, which means, among other things, that the input received from user prompts is collected and used as further training material for their LLMs. Since the LLM can reproduce that material for anyone using an AI program connected to it, that input is potentially accessible by the public at large. Accordingly, once a UCS user inputs information into such a platform as part of a prompt or in an uploaded document, that information is no longer under UCS control, and may become publicly available.

In contrast to AI platforms that operate on these public models, which can be accessed by anyone and may store data for use in future training, some AI platforms operate on a private model. Platforms using private models are hosted or managed by an organization, and their use is typically restricted to members of that organization or individuals who have been granted access. They may be tailored to the organization's specific needs, and they include additional security, compliance, and privacy measures.

Furthermore, users should be careful to avoid uploading copyrighted content into a generative AI program.

IV. Guiding Principles

AI is a type of tool designed to assist the user in performing certain tasks. It must not be treated as a substitute for human judgment, discretion, or decision-making. All UCS users remain accountable for their final work product.

It is critical to ensure that material that reflects harmful bias, stereotypes, or prejudice does not appear in any UCS work product.

The rules governing the security and confidentiality of court records apply fully to the use of AI technology. It should be assumed that all information entered into a public model generative AI platform, such as ChatGPT, will immediately become public. AI technology must be used in a manner that prevents the public disclosure of information of a confidential, private, or sensitive nature.

- Examples of such information include, but are not limited to, docket numbers, party names, addresses, and dates of birth.

- Documents that have been filed or submitted for filing in any court are also considered confidential, even if they are classified as public at the time of filing, since it is possible that the record of the case will be sealed in the future, or that the documents have not been adequately redacted to conceal sensitive information. Although, in these scenarios, the confidential information has already been revealed to the public, entering the information into the public model AI program makes the exposure of the information permanent.

- Intellectual property of the UCS is another type of information that should not be publicly disclosed. An example of such disclosure is internally written source code being entered into a public model AI system by software developers working either within or outside of the UCS.

AI technology must be used in a manner that is consistent with the ethical obligations of judges and nonjudicial employees. The Rules Governing Judicial Conduct (22 NYCRR Part 100), the Rules Governing Conduct of Nonjudicial Court Employees (22 NYCRR Part 50), and the Rules of Professional Conduct remain fully applicable when AI tools are being used.

- For example, judges bear the ultimate responsibility for the content of their opinions, orders, and other written materials, and may not delegate their judicial decision-making responsibilities to any other person or entity. *See* 22 NYCRR 100.2(A) (a judge must "act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary"); 22 NYCRR 100.3(B)(7) (a judge must "dispose of all judicial matters promptly, efficiently and fairly"). Thus, while AI tools can be used to assist with a judge's work, judges and court staff must ensure that such tools are never actually engaged in the decision-making tasks a judge is ethically obligated to perform.

- Nonjudicial employees must avoid using AI in any way that violates their own ethical responsibilities, such as the duty not to manifest bias or prejudice on the basis of any protected status, and the duty not to disclose any confidential information received in the course of their official duties. *See* 22 NYCRR 50.1(II)(C), (D).

- Any questions about potential ethical concerns arising from particular uses of AI technology by judicial officers should be directed to the Advisory Committee on Judicial Ethics.

V. Requirements and Restrictions

1. UCS users may use only those generative AI products that have been approved by the UCS Division of Technology and Court Research (DoTCR), which are identified in the attached Appendix.

2. All judges and nonjudicial UCS employees with computer access shall be required to complete an initial training course, as well as continuing training, in the use of AI technology. No generative AI product may be used on any UCS-owned device or for any UCS-related work until the user has completed the initial training course.

3. No user may input into any generative AI program that does not operate on a private model — by writing a prompt, uploading a document or file, or otherwise — any information that is confidential, private, or privileged, or includes personally identifiable information or protected health information, or is otherwise inappropriate for public release. A private model is a model that is under UCS control and does not share data with any public LLM.

4. No user may upload into any generative AI program that does not operate on a private model any document that has been filed or submitted for filing in any court, even if the document is classified as public.

5. Any user who uses a generative AI program to produce a document or any other content must thoroughly review the content produced by the program and make necessary revisions to ensure that it is accurate and appropriate, and does not reflect any unfair bias, stereotypes, or prejudice.

6. No user may install on a UCS-owned device any software that is required for the use of a generative AI program, or use a UCS-owned device to access any such program that requires payment, a subscription, or agreement to terms of use, unless access to that program has been provided to the user by the UCS.

7. AI tools may not be used on a UCS-owned device for personal purposes unrelated to UCS work.

8. The approval of a generative AI product by the DoTCR signifies that the product is safe to use from a technological standpoint, but does not necessarily mean that, for a particular task, the use of that product is suitable or appropriate. Such approval by the DoTCR does not preclude any judge or UCS supervisor from prohibiting the use of such a product for a particular task by a person under their supervision.

APPENDIX

Approved Generative Artificial Intelligence Products for New York State Unified Court System Users

Effective October 2025

Please Note: It is important that you check the following list of approved generative artificial intelligence (AI) products on a regular basis. New AI tools are released daily, and AI components are regularly added to existing products. Moreover, some AI tools that currently appear on this list may become unavailable at a later date. Therefore, the contents of this list will change and grow over time.

Approved Private Enterprise Generative AI Tools

Procured and Managed by the Unified Court System

PRODUCT	DESCRIPTION	HOSTING*	AVAILABILITY
Microsoft Azure AI Services	Azure AI services are a suite of cloud-based AI services and tools offered by Microsoft Azure. These services allow developers and data scientists to build, deploy, and manage AI solutions within the Azure cloud platform. They provide pre-built APIs and models for various AI capabilities, including speech, vision, language, and decision-making.	New York State Unified Court System Azure Government Tenant	Currently available Costs are based upon utilization and subject to DoTCR approval
Microsoft 365 CoPilot Chat	Microsoft 365 Copilot Chat is a fully private, AI-powered chat feature within Microsoft 365 designed to boost user productivity. This free, secure generative AI chat is powered by GPT-4o.	New York State Unified Court System O365 Tenant	Currently available
Microsoft 365 CoPilot	Includes a chat interface that is grounded on users' meetings, emails, chats, and documents hosted in the Azure cloud environment. It integrates into Microsoft 365 applications including Outlook, Teams, Word, Excel, PowerPoint, OneDrive, and more.	New York State Unified Court System O365 Tenant	Currently unavailable Requires paid license per account

GitHub CoPilot for Business or Enterprise	Assists developers with real-time code suggestions, auto-completion, and code explanation within development environments. Trained on a wide range of code, it helps developers write code more efficiently, saving time and reducing errors.	New York State Unified Court System O365 Tenant	Currently available to developers and data scientists Requires paid license per account, subject to DoTCR approval
Trados Studio	Trados Studio is a computer-assisted translation software tool which provides a comprehensive platform for translation tasks, including editing, reviewing, and project management.	AWS Cloud	OCA Office of Language Access

**The tools listed above are only to be used within the indicated hosting environments*

Approved Public Generative AI Tools

PRODUCT	DESCRIPTION	HOSTING	AVAILABILITY
OpenAI ChatGPT Free Version**	ChatGPT is a conversational AI chatbot developed by OpenAI. It uses large language models, like GPT-4o, to generate human-like text in response to user prompts. Essentially, it is a program that can hold conversations, answer questions, and perform various tasks like drafting text, summarizing information, and more.	Publicly available	Currently available

***Paid subscriptions are prohibited*