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JISC AI Guidelines

The Judicial Information System Committee (JISC) and the Administrative Office of the Courts (AOC) are granted significant responsibility for the Judicial Information System (JIS) in both statute and court rule. The Revised Code of Washington RCW Chapter 2.68 states that, "The judicial information system committee … shall determine all matters pertaining to the delivery of services available from the judicial information system." The JISC Rule (JISCR) 1 directs the AOC to design and operate the JIS "under the direction of the Judicial Information System Committee and with the approval of the Supreme Court pursuant to RCW 2.56." In addition, JISCR 15 states that, "Due to the confidential nature of some court information, authority over the dissemination of such information shall be exercised by the judicial branch."

The JIS is the collective term for the information systems provided by the AOC for courts in Washington. The JIS includes primary case management applications and databases, supporting applications, data exchanges, and reports that allow the courts and AOC to operate effectively. The JIS provides services to appellate, superior, juvenile, and limited jurisdiction courts. The JIS contains statewide data from all jurisdictions in Washington, including data that is sealed, confidential, sensitive, and not subject to public disclosure.

The emerging technologies referred to as Artificial Intelligence (AI) carry both promise and risk. In relation to the JIS, AI platforms offer the potential to dramatically enhance court operations and access to court information. As with every technology used in the courts, protection of the confidentiality, integrity, and availability of the JIS and its statewide person and operations data must be the greatest concern of every person accessing and using the JIS.

All AI platforms are trained using datasets, which the AI analyzes to identify patterns, establish conceptual relationships, and know facts. Not all AI datasets are sequestered, which represents a significant concern. Once data of any kind is put into an AI platform, it may no longer be under

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the control of the user who entered the data. Under some AI Platform End User Licensing Agreements, all data entered can become part of the public domain. All users must be mindful that any information entered into a publicly available AI platform could be shared or used to create responses to users not affiliated with the Washington Courts.

JIS users who utilize AI platforms for any purpose must adhere to the guidelines that follow to reduce the possibility for compromising the confidentiality, integrity, and availability of the JIS and its statewide data.

Guidelines:

- All AI platform usage must comply with court rules and applicable laws on confidentiality and data sharing, including General Rule 31, General Rule 31.1. and RCW 42.52.050.
- Sealed, confidential, sensitive, or personally identifiable information should never be entered into any AI platform.
- Statewide data should not be entered into an AI platform by any JIS user without authorization of the JISC.
- All work products produced by AI must be reviewed, fact-checked, and verified by human judgement.
    - Be aware that content generated by AI platforms could contain biases introduced by its datasets.
- The use of any work product generated by an AI platform is ultimately the responsibility of the person who uses it.
- Report any suspected JIS-related security issues, inadvertent disclosures, or confidentiality breaches to local IT and/or AOC immediately.