Panelists

Chief Judge Anna Blackburne-Rigsby, Court of Appeals for the District of Columbia

Judge J. Michelle Childs, U.S. Court of Appeals for the District of Columbia

Chief Justice Matthew J. Fader, Supreme Court of Maryland

Moderator

Michael L. Buenger, Executive Vice President, NCSC

Our Agenda Today

Context Setting

The Challenge of Public Trust & Confidence
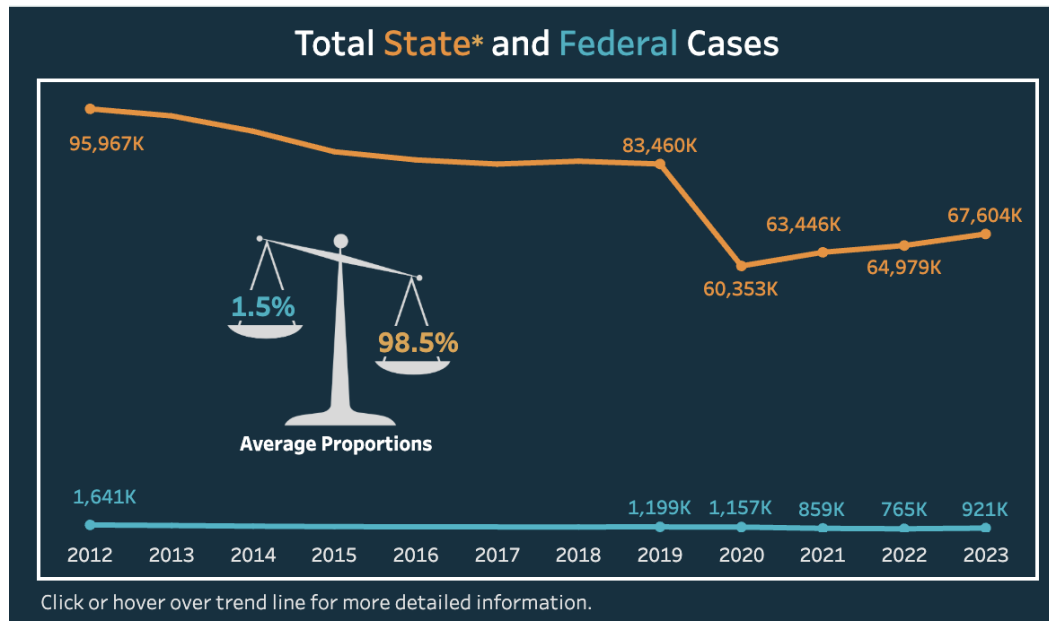
AI and the Courts

The Conversation

Understanding Courts Today

Setting the Context

Federal and State Caseloads (2012-2023)

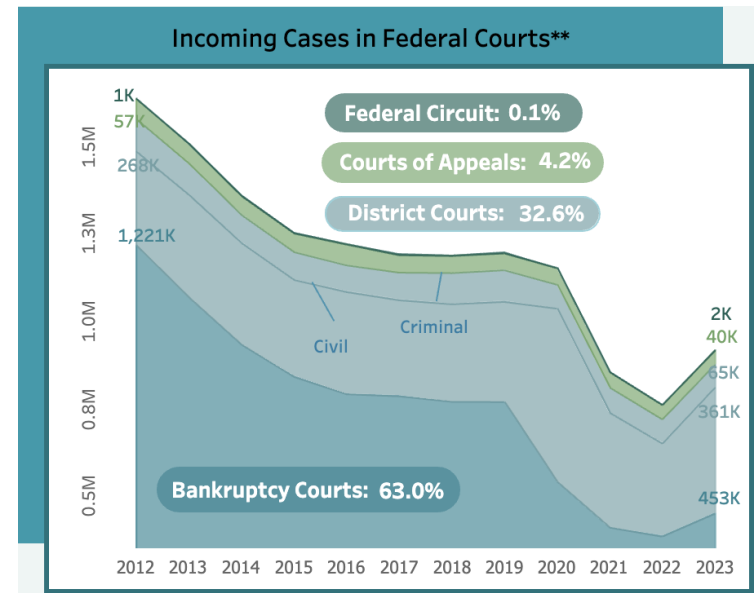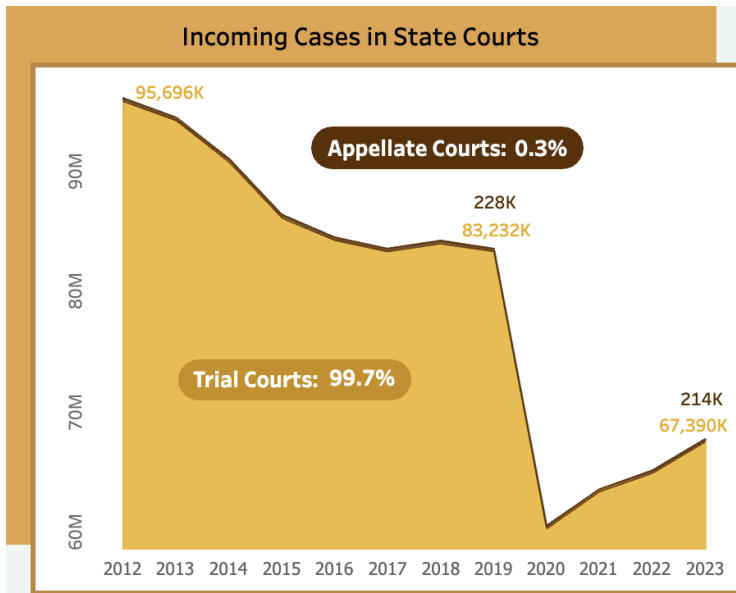**An average of 98.5% of U.S. court cases were filed in state courts since 2012**

Total State* and Federal Cases

95,967K

83,460K

63,446K

67,604K

60,353K

64,979K

1.5%

98.5%

Average Proportions

1,641K

1,199K 1,157K 859K 765K 921K

2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023

Click or hover over trend line for more detailed information.

920,611

Cases Filed in Federal Courts in 2023

67,604,164

Cases Filed in State Courts in 2023

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Appellate Cases, State and Federal (2012-2023)

Incoming Cases in State Courts

- 95,696K
- Appellate Courts: 0.3%
- 228K
- 83,232K
- Trial Courts: 99.7%
- 214K
- 67,390K

Incoming Cases in Federal Courts**

- 1K
- 57K
- 268K
- 1,221K
- Federal Circuit: 0.1%
- Courts of Appeals: 4.2%
- District Courts: 32.6%
- Civil
- Criminal
- 2K
- 40K
- 65K
- 361K
- Bankruptcy Courts: 63.0%
- 453K

Total Incoming Cases & Composition, 2023

National Estimate

TOTAL INCOMING EST.
66,418,000*

Traffic	Criminal	Civil	Domestic Relations	Juvenile

| 46% | 24% | 22% | | |

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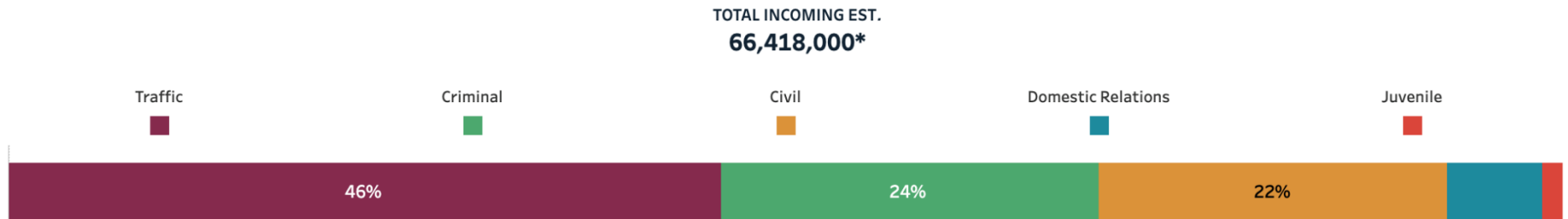
Incoming Civil Cases, 2023

Approximately **14,899,000** Civil cases were reported in 2023,

making up **22%** of incoming state court cases.

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Incoming Family Cases, 2023

Approximately **4,043,000** Domestic

Relations cases were reported in 2023,

making up **6%** of incoming state court cases.

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Methodology

What: NCSC Online Survey

When: December 9-12, 2024

Who: Conducted by GBAO Strategies

Polled: 1,000 Registered Voters

Margin of Error: +/= 3.1% (19 times out of 20)

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Key Findings

Public trust in state courts is showing **small gains** for the second year in a row.

For the fourth year in a row, state courts are earning a **stronger job approval rating.**

Few see state courts providing help for self-represented litigants (SRLs), with most respondents supporting a proposal to license Allied Legal Professionals (APLs).

Respondents expressed a **hunger for justice system innovation –** ranging from the use of AI to more problem-solving dockets

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Some attributes provoke positive responses...

Q: "Please indicate whether you agree or disagree with the statement."

Committed to protecting individual and civil rights
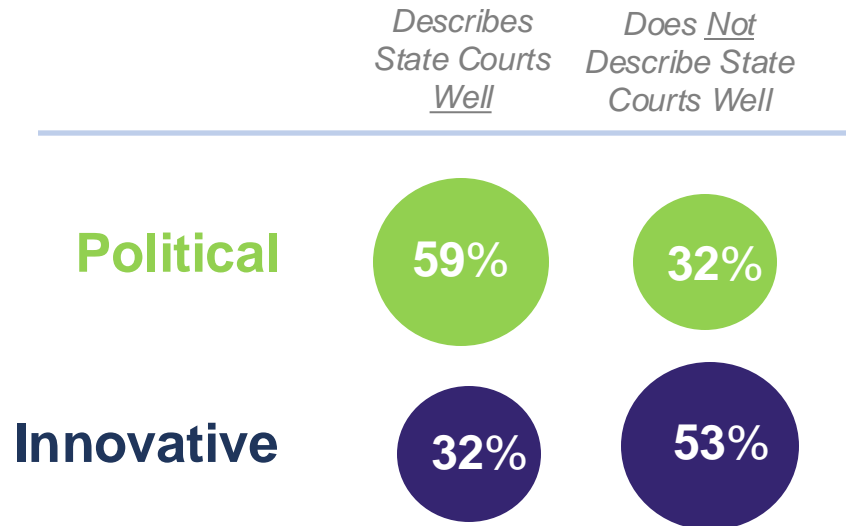**63%** **31%**

Treat people with dignity and respect
59% **34%**

Provide equal justice to all
47% **47%**

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…While other attributes provoke negative reactions.

Q: "Please indicate whether…each of the following words or phrases describes (state) courts well/not well"

	Describes State Courts Well	Does Not Describe State Courts Well
Political	59%	32%
Innovative	32%	53%

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…And most support a proposal to expand who can provide legal services.

Q: "Which of the following statements comes closest to your own view, even if neither is exactly right?"

Allow trained legal professionals without a law degree to handle straightforward legal issues.
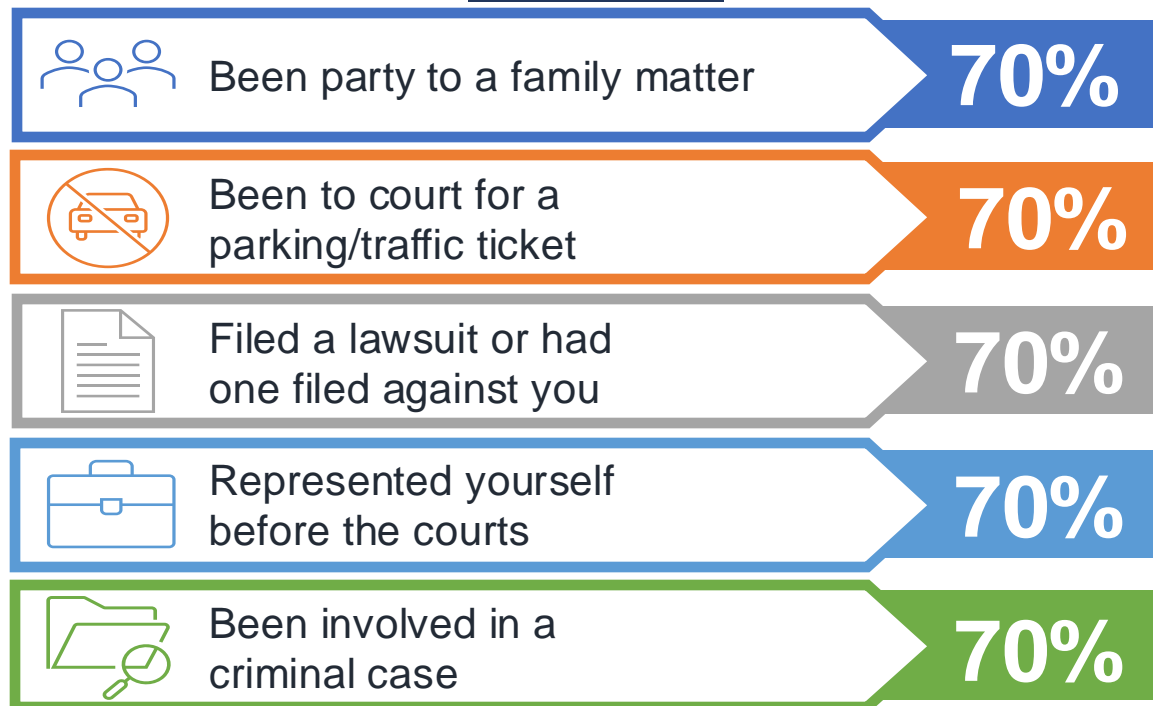
60%

Could lead to mistakes and inadequate representation.

26%

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Those with direct court experience are more likely to support a proposal to license Allied Legal Professionals.

👥 Been party to a family matter	**70%**
🚫🚗 Been to court for a parking/traffic ticket	**70%**
📄 Filed a lawsuit or had one filed against you	**70%**
💼 Represented yourself before the courts	**70%**
📁 Been involved in a criminal case	**70%**

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The public is enthusiastic about courts using AI if it increases efficiency/access.

Q: "Some court systems are considering the use of AI to increase their efficiency…please indicate if you think the (state) court system should use AI…to accomplish the following goals."

Answering FAQs through a **chatbot** — 63%

Transcription of court proceedings from an audio recording — 64%

Translation of court documents into other languages — 64%

Making information more accessible by **breaking down legal jargon** — 71%

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The use of AI in the court system is supported more by some groups than others.

Making information more accessible by **breaking down legal jargon** — **71%**

College Educated — **74%**

Non-College Educated — **69%**

Men — **77%**

Women — **66%**

Those with Direct Court Experience:

- Been to court for a parking/traffic ticket: **77%**
- Filed a lawsuit or had one filed against you: **76%**
- Been involved in a criminal case: **80%**
- Represented yourself before the courts: **77%**

AI and the Courts

State Courts are Concerned About AI

Access to Justice

Trust & Confidence in the Courts

Evidence & Accuracy

Improving Court Processes

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CCJ Approach to AI

Artificial Intelligence Rapid Response Team (AI RRT)

Est. December 2023

» Conference of Chief Justices and Conference of State Court Administrators (CCJ/COSCA)

» Guiding the state courts on Gen AI in the courts

» Representatives from several states

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AI RRT Publications

[Artificial Intelligence Guidance for Use of AI and Generative AI in Courts, August 2024](#)

[Preparing Your Court for AI: Eight Steps for Success, August 2024](#)

[Interim Guidance: Deepfakes, June 2024](#)

[Interim Guidance: Judicial and Legal Ethics Issues, May 2024](#)

[Interim Guidance: Developing an Internal Use Policy, April 2024](#)

[Interim Guidance: Platform Considerations, March 2024](#)

[Interim Guidance: Getting Started, March 2024](#)

[Interim Guidance: Talking Points, February 2024](#)

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Resource Center @ www.ncsc.org/ai

TRI/NCSC AI Policy Consortium for Law and Courts

Our mission is to inform and educate the judiciary and other legal professionals about the opportunities and challenges of evolving AI and Generative AI solutions, thereby enabling judges to make informed decisions about adoption and use. Consequently, the partnership will have a significant positive impact on the practice of law, increase access to justice to underserved communities, and position the U.S. state courts as the trusted leader on responsible judicial AI adoption.

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Consortium Design

» Working Groups
» Education/Webinars
» Products
» Resources Center
» Publications

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Working Groups

The policy consortium serves as a body for ongoing review and evaluation, via an iterative feedback loop, consisting of the following workstreams and priorities:

| AI Governance & Ethics	Rules and Practices	AI Access to Justice	Workforce Readiness

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AI Consortium Products

- » Education/Webinars
- » AI Ethics
- » AI Foundations
- » Sandbox
- » Policy Resources

Webbinars

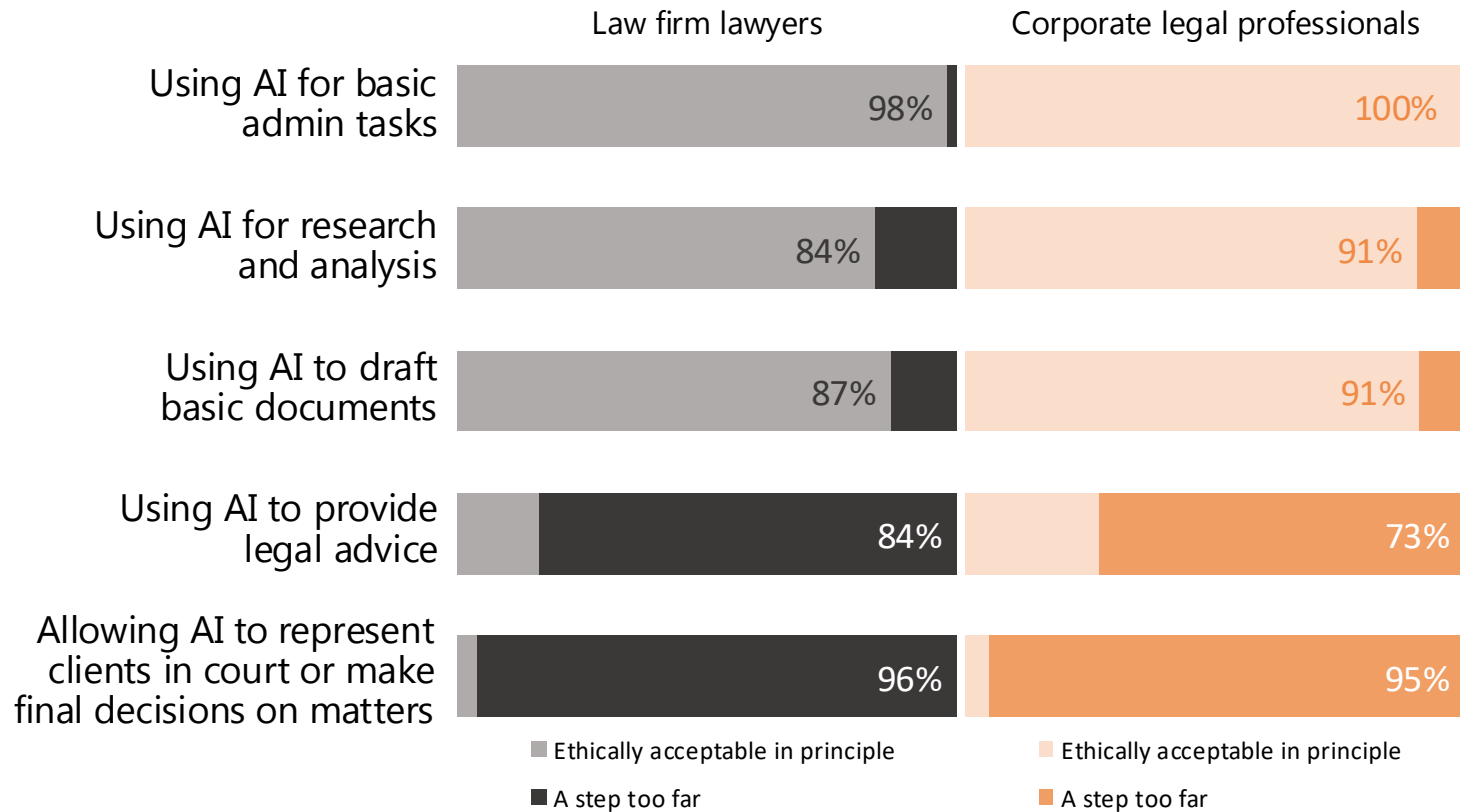|	
August 28, 2024	Fundamentals of AI in the US Court System
September 28, 2024	Ethics of Generative AI: A Guide for Judges and Legal Professionals
October 16, 2024	Navigating AI in Court Systems: Ethics, Legal Frameworks, and Practical Tools
November 6, 2024	Getting the Best of Gen AI: How to Use Prompt Engineering
December 18, 2024	AI in Action: Current Applications in State Courts
January 29, 2025	Tech for All: Applications of AI to Increase Access to Justice
February 19, 2025	Tech for All: A Deep Dive into AI-Powered Justice Chatbots
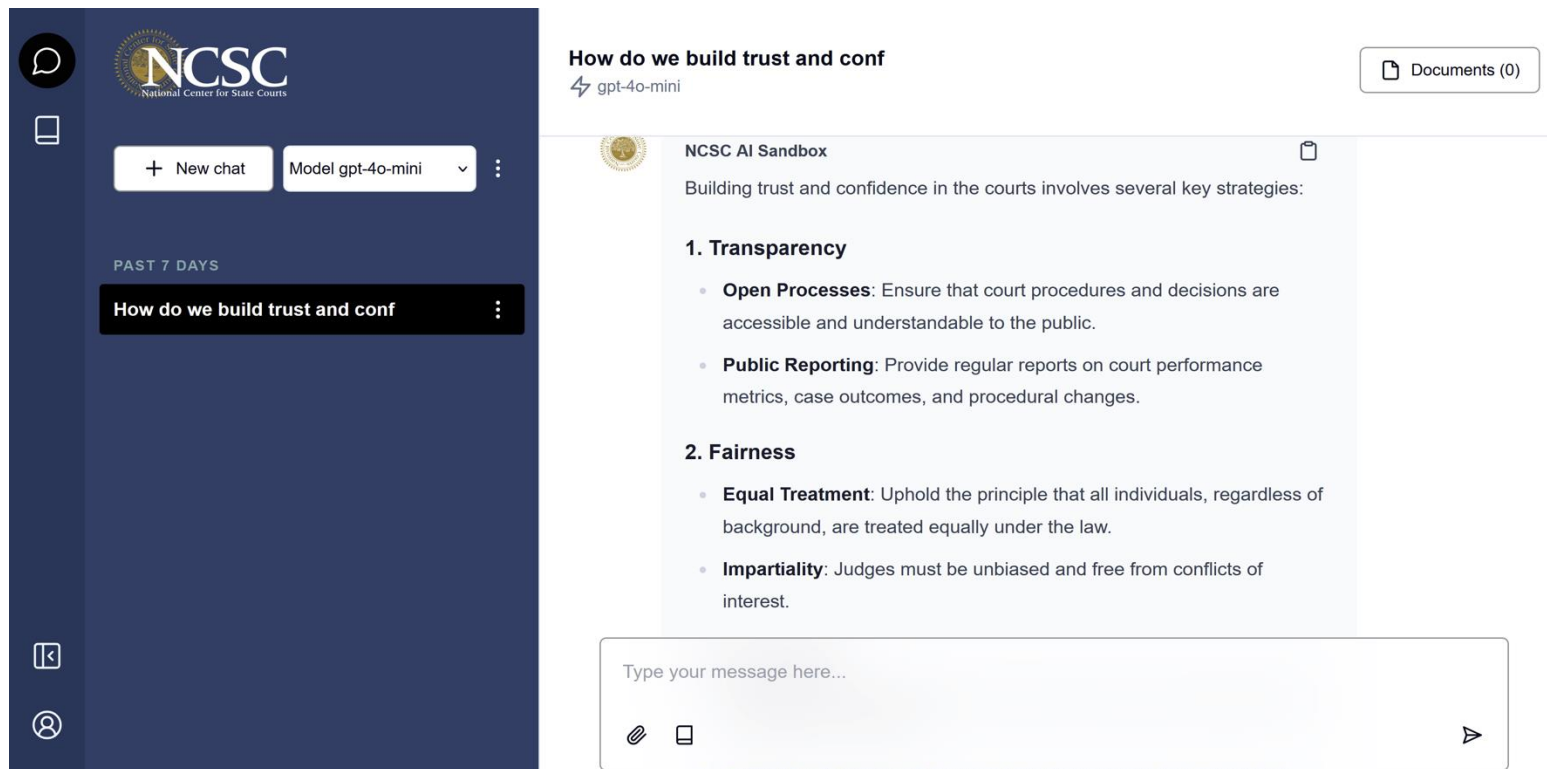
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AI Sandbox

Future of Professionals: Legal

Top 3 issues needing definition for responsible use of AI-powered tech

Law firm lawyers

1. **Compulsory review of outputs by a human professional (68%)**

2. **Data security of response (64%)**
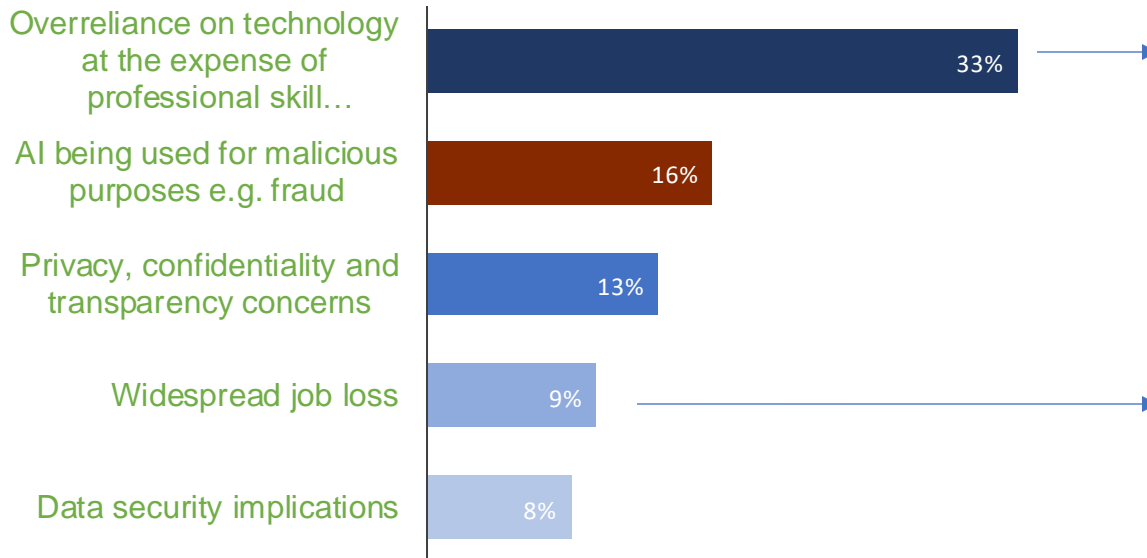
3. **Data security of prompt (62%)**

Corporate legal professionals

1. **Data security of response (71%)**

2. **Data security of prompt (67%)**

3. **Transparency in which data sources responses have been drawn from (61%)**

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Future of Professionals: Legal

Starting the training and transitioning now—what's concerning law firms

Which of the following potential negative consequences of AI are you most worried about?

Overreliance on technology at the expense of professional skill… — 33%

AI being used for malicious purposes e.g. fraud — 16%

Privacy, confidentiality and transparency concerns — 13%

Widespread job loss — 9%

Data security implications — 8%

New skills rising in demand

1. Enthusiasm for new tech
2. Adaptability to change
3. Efficiency
4. Creativity
5. Problem-solving
6. Emotional intelligence
7. Proactivity
8. Communication skills
9. Resilience

New roles required

AI-specialist legal professional

Cybersecurity specialist

IT support

AI-specialist trainer

AI-implementation manager

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