Federal Appeals Courts Establish AI Committees

In a proactive move to address the implications of artificial intelligence (AI) within the legal system, two federal appeals courts have announced the formation of committees dedicated to examining the impact of AI on court proceedings.

9th U.S. Circuit Court of Appeals Initiative

U.S. Circuit Judge Eric Miller will lead an AI-focused committee for the San Francisco-based 9th U.S. Circuit Court of Appeals, the largest federal appeals court in the United States. The court, which oversees regions such as Alaska, California, Hawaii, and others, lacks specific regulations governing the use of AI technology among legal practitioners.

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The decision to establish this committee was reinforced by the appointment of A.J. Bahou, a partner at Bradley Arant Boult Cummings, renowned for his expertise in AI practices. Chief U.S. Circuit Judge Mary Murguia is spearheading the committee's efforts to evaluate suitable regulations and applications of AI within the court system.

3rd U.S. Circuit Court of Appeals Response

Similarly, the Philadelphia-based 3rd U.S. Circuit Court of Appeals, under the leadership of Chief Judge Michael Chagares, has initiated an AI committee. Joel McHugh, the court's deputy circuit executive, confirmed this development, highlighting the court's commitment to addressing AI's evolving role in legal proceedings.

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National Judicial Response

These initiatives coincide with a broader national discussion among judges regarding the swift emergence of generative AI programs and the necessity for regulatory frameworks. Chief U.S. Supreme Court Justice John Roberts, in his recent annual report, emphasized the potential benefits of AI while stressing the importance of caution and vigilance in its implementation.

Notably, the New Orleans-based 5th U.S. Circuit Court of Appeals has already proposed a rule governing lawyers' use of AI tools, signaling a proactive approach to ensuring the accuracy and integrity of legal submissions. Other circuits, such as the Richmond-based 4th U.S. Circuit Court of Appeals and the New York-based 2nd U.S. Circuit Court of Appeals, are also actively considering AI-related issues within their jurisdictions.

At the national level, the Judicial Conference's Advisory Committee on Evidence Rules plans to convene a conference focused on AI, particularly examining concerns surrounding the introduction of "deepfakes" as evidence during trials.

Don't be a silent ninja! Let us know your thoughts in the comment section below.