



## VERMONT SUPREME COURT

Pursuant to the Vermont Constitution, Chapter II, § 30, Administrative Directive 38 is amended as follows (new matter underlined; deleted matter struck through):

### **POLICY ON ARTIFICIAL INTELLIGENCE**

#### **I. PURPOSE**

Pursuant to the Vermont Constitution, the Supreme Court has “administrative control of all the courts of the state.” Vt. Const. ch. II, § 30.

With the increase in artificial intelligence (AI) systems, the Vermont Judiciary recognizes the growing impact AI may have on court proceedings and court operations. This policy reflects the Judiciary’s commitment to upholding the highest ethical standards while also exploring the potential benefits of AI technology. The Judiciary recognizes that AI offers a mechanism to bring value to Vermonters, increase the quality and efficiency of the Judiciary’s services, and improve access to justice for all court users. However, the integration of AI systems, in particular systems using generative AI that produce natural, engaging text and other content that appears human-generated, into court proceedings and court operations also raises reliability, bias, fraud, and ethical concerns. The Judiciary will regularly reassess its policies as these technologies evolve, prioritizing its mission to provide equal access to justice, protect individual rights, and resolve legal disputes fairly and timely.

#### **II. ETHICAL STANDARDS AND AI OUTPUT STANDARDS**

The Judiciary recognizes that court users and Judiciary employees are likely to use AI, and doing so is authorized by the Judiciary provided the use of AI systems and resulting work product comply with legal and ethical standards. All court users, including self-represented litigants, are expected to review and confirm the accuracy of AI output and related information provided to the Judiciary or used in connection with a court proceeding. In addition, all court users must ensure that AI systems do not compromise sensitive or confidential information, and that data used with AI is handled in accordance with data privacy regulations. For attorneys and judicial officers, the Vermont Rules of Professional Conduct (VRPC) and the Vermont Code of Judicial Conduct (VCJC) establish the contours of conduct that are either authorized or prohibited, and both the VRPC and VCJC apply fully to the use of AI systems and output.

### III. JUDICIARY ADOPTION AND USE OF AI SYSTEMS

All Judiciary employees are required to sign and adhere to the Judiciary’s “Policy and Procedure Regarding Electronic Communications and Internet Use.” Judiciary employees who seek to use AI systems should consult with the Judiciary’s AI Advisory Board whose function is to review and approve AI use cases and provide centralized oversight for AI implementation. In connection with adopting and deploying any technology, including generative AI applications, the Judiciary will endeavor to ensure that Judiciary users must understand both general AI capabilities and the specific tools being utilized. The Judiciary will adopt and develop AI systems with a human-centered approach that evaluates AI powered services for their impact on the public and judicial operations. Reliability assessments of AI tools must include a framework to understand risk, inputs, expected outputs, data protection, and ongoing AI system monitoring while assessing whether a system can meet the Judiciary’s needs immediately and over time. The goal of this approach is to ~~Judiciary employees must therefore~~ ensure AI systems are implemented thoughtfully, and that their adoption aligns with the Judiciary's vision to provide access to justice while maintaining public trust and confidence.

### IV. CONTINUOUS LEARNING

The Judiciary encourages ongoing learning about AI technology, use, and systems. The Judiciary’s approach to continuous learning will involve a variety of approaches, including Continuing Legal Education for attorneys, trainings for judges, trainings for court staff through in-service and on-line programs, risk assessment training, and information that will be available on the website for self-represented litigants. The Judiciary encourages the ~~development~~ implementation of systems that enhance service to all court users and promotes equitable access to justice. To facilitate this, the Judiciary will support ongoing education on emerging technologies, including AI.

### V. DEFINITIONS

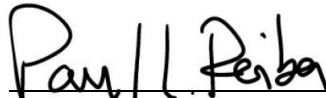
- a. **Artificial Intelligence (AI):** A machine-based system that can, for a given set of human-defined objectives, make predictions, recommendations, or decisions influencing real or virtual environments. AI systems use machine- and human-based inputs to perceive real and virtual environments, abstract such perceptions into models through analysis in an automated manner, and use model inference to formulate options for information or action.
- b. **Algorithm:** A series of logical steps through which an agent (typically a computer or software program) turns particular inputs into particular outputs.
- c. **AI System:** The ecosystem that includes AI models (themselves composed of algorithms and data), along with the humans, their organizations, and any other technologies associated with the AI Lifecycle. ~~Any system, software, sensor, or process that automatically generates outputs including, but not limited to, predictions, recommendations, or decisions that augment or replace human decision-making. This~~

~~extends to software, hardware, algorithms, and data generated by these systems, used to automate large-scale processes or analyze large data sets.~~

- d. **Generative AI:** AI that is capable of generating new content (such as images, audio, or text) in response to a submitted query or prompt by learning from a large reference database of examples.

This directive shall become effective immediately.

Dated in Chambers at Montpelier, Vermont, this 6th day of October, 2025.



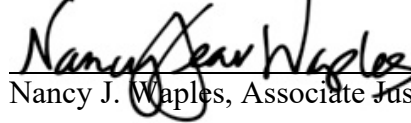
Paul L. Reiber, Chief Justice



Harold E. Eaton, Jr., Associate Justice



William D. Cohen, Associate Justice



Nancy J. Waples, Associate Justice