

Appendix 1 to Reply, Petition to Adopt Rule 135, Rules of the Supreme Court

Rules of the Supreme Court

Rule 135. Use of Generative Artificial Intelligence in Core Judicial Work - Moratorium

(a) Core Judicial Work Distinguished From Adjudication-Adjacent Work. Core judicial work is drafting any document that adjudicates – drafting orders, rulings, decisions, or opinions. It also includes drafting language that will be read from the bench as an oral ruling. Core judicial work is in contrast to adjudication-adjacent work, such as analyzing sets of data for insights and performing analysis of complex materials, which are preparatory to or otherwise not part of drafting a document that adjudicates. Adjudication-adjacent work also includes using Generative AI to proofread, critique, or suggest edits to a draft already prepared.

(b) Generative AI. Generative AI means artificial intelligence technology that can create new content through machine learning based on data input. Large Language Models are a type of Generative AI that have been trained on vast amounts of data, which they use to understand prompts and produce content such as, but not limited to, text, images, videos, or sounds. Examples of Generative AI tools include Copilot, Claude, ChatGPT, Gemini (including Notebook LM), Perplexity, and Adobe AI.

(c) Prohibition. Through December 31, 2029, no judicial officer may use Generative AI in core judicial work. During this period, the Arizona Steering Committee on Artificial Intelligence and the Courts, or such other bodies acting at the direction of the Arizona Supreme Court, may study the wisdom and utility of potential uses of generative AI in core judicial work.

(d) Limits to Prohibition. Judicial officers may use Generative AI in adjudication-adjacent work to the extent approved by the Arizona Steering Committee on Artificial Intelligence and the Courts (“AISC”). Judicial officers may use Generative AI in core judicial work before December 31, 2029 to the extent AISC approves such uses, after AISC has completed studies of whether: (1) using Generative AI in drafting decisions and orders saves time; (2) the public desires or accepts the use of Generative AI in drafting decisions and orders in its cases; and (3) any particular Generative AI tool for which approval is sought to draft orders or decisions creates accurate and reliable work product.

(e) Disclosure. Any judicial work product created in part with the use of Generative AI must contain a disclosure at the end of each such document: “This content was [drafted, edited, translated] with the assistance of a generative artificial intelligence [ChatGPT, Copilot, or other aid]. The content has been reviewed and verified to be accurate and complete, and represents the intent of [judicial officer].”