

## NOTICE TO THE BAR

### RESPONSIBLE USE OF ARTIFICIAL INTELLIGENCE (AI) AND RELATED TECHNOLOGIES – BENEFITS OF AI POLICIES

Artificial intelligence (“AI”) tools are increasingly integrated into the practice of law, including legal research, drafting, document review, and case management. Many commonly used platforms now include embedded or background AI features that may not always be obvious to users.

The Supreme Court of New Jersey encourages attorneys and law firms to develop, adopt, and periodically update internal policies and practices governing the use of AI and related technologies as part of maintaining professional competence and ethical compliance.

Well-designed AI use policies can help attorneys and firms:

- Understand the capabilities and limitations of AI tools they choose to use
- Recognize and remediate the risks presented by third-party use of AI
- Protect client and other confidential information
- Ensure that all AI-assisted work is reviewed for accuracy
- Provide appropriate guidance and training
- Revisit and update internal practices as technology evolves

Attorneys remain fully responsible for their work product and professional obligations under the Rules of Professional Conduct (including RPCs 1.1, 1.6, 5.1, 5.3, and 3.3).

For additional guidance, attorneys may consult resources from the [New Jersey Courts](#), American Bar Association, New Jersey State Bar Association, and other reputable organizations. Further, attorneys may consult the attached template as a starting point for a basic AI firm policy.



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Hon. Michael J. Blee, J.A.D.

Acting Administrative Director of the Courts

Dated: March 30, 2026

The attached starter template is offered to help law firms as they adopt basic policies relating to the firm's use of AI. Adopting a policy is encouraged, but it is not a "safe harbor." A document alone does not mitigate, remove, or prevent mistakes, confidentiality lapses, or professional consequences -- only careful implementation, training, supervision, and verification can reduce those risks.

\* \* \*

## Example -- Starter AI Use Policy for [FIRM NAME]

**Effective Date:** \_\_\_\_\_

**Owner (name/role):** \_\_\_\_\_

**Review schedule (pick one):** at least  every 6 months  annually  other:

\_\_\_\_\_

### (1) Purpose

Authorized AI tools may be used to improve efficiency and quality, provided that the Firm protects confidentiality and ensures accuracy of all AI-generated output through human review before such output is used.

### (2) Scope

Applies to all lawyers, staff, contractors, law clerks, interns, and others working on Firm matters.

### (3) Core rules

**A. Lawyers remain responsible.** The Firm and the supervising lawyer(s) remain responsible for (i) all work product incorporating output from AI tools and (ii) compliance with professional obligations under the Rules of Professional Conduct (including RPCs 1.1, 1.6, 5.1, 5.3, and 3.3). See also New Jersey Supreme Court, [\*Preliminary Guidelines on the Use of Artificial Intelligence by New Jersey Lawyers\*](#) (Jan 2024)

**B. AI is a tool, not a decision-maker.** AI may assist with drafting or summarizing, but it does not replace lawyer judgment.

### C. Confidentiality rule (pick ONE).

- **No use of any AI tools.** We do not use AI tools on any client information or matters.
- **No client info in public AI.** We do not enter any client or matter information into public AI tools.
- **Only if de-identified.** We may use public AI only after removing client names and other personal identifiers (e.g., ID numbers, account numbers, etc.) and any facts that could identify or lead to the identification of the

## Example -- Starter AI Use Policy for [FIRM NAME]

client, matter, or protected information. If we cannot safely and completely de-identify it, we do not use public AI.

- **Only use approved vendor tools.** Client information may be entered into an approved vendor AI tool that the Firm has contracted with, provided that the Firm is satisfied with the vendor's confidentiality protections, including through reasonable diligence regarding the vendor's privacy, retention, security, and data-use practices.

**D. Human review is required, always.** No AI-assisted content or work product incorporating output from AI tools may be sent to a client, opposing counsel, or the court without lawyer review and editing to ensure its accuracy and validity. AI-generated content must also be reviewed before it is relied on internally for legal, factual, strategic, or client-matter work.

**E. Case citations, etc.** Any case law, statute, rule, quotation, or pinpoint citation included in a draft prepared with AI assistance must be verified by law firm personnel using an official source before it is relied on or filed. If a citation cannot be verified, it must be removed. Other material factual assertions, procedural descriptions, record references, and client-specific statements generated with AI must also be checked for accuracy before reliance or use.

**F. Tool settings must be checked.** Before using any AI tool or AI feature for Firm work, the responsible lawyer or other law firm personnel must review and understand the tool's privacy and sharing settings. The responsible lawyer or other law firm personnel must take reasonable steps to ensure the tool is configured to minimize sharing, retention, and reuse of Firm information, including by manually turning off any settings that allow prompts, documents, recordings, emails, or other content to be shared, used to improve the tool, or accessed by others. This applies not only to stand-alone AI products, but also to built-in AI features in everyday systems (e.g., email and document platforms, virtual meeting platforms, transcription tools, browsers, and mobile apps).

### **(4) Transcription tools (if used)**

If the Firm uses AI transcription:

## **Example -- Starter AI Use Policy for [FIRM NAME]**

- Transcripts generated by AI are considered drafts and must be checked against the original recording for accuracy.
- AI-generated transcripts may not be used as an official transcript or recording.
- Confidential recordings should not be uploaded or stored using AI transcription tools unless the Firm has reviewed the tool's privacy settings and terms and has taken reasonable steps to ensure confidentiality.

### **(5) Staff/contractors/others supervised by lawyers.**

Non-lawyers subject to lawyer supervision, including staff and contractors, may use AI for Firm work only with the supervising lawyer's direction and consistent with this policy. The supervising lawyer remains responsible for the activities of the non-lawyer, supervision of the use of AI tools, and the final work product incorporating content or output from AI tools.

### **(6) Client communications regarding AI use (pick ONE or MORE)**

- The Firm will inform clients about its use of AI tools when clients inquire.
- The Firm will inform clients about its use of AI tools before AI tools are used in any material way on their matter.
- The Firm will advise clients of potential consequences, including possible impacts on privilege, if the client inputs information into AI tools.
- The Firm understands that these options are examples only and that additional disclosure or consent may be appropriate depending on the client, matter, tool, or applicable law or ethics guidance.

### **(7) Issues and updates**

Questions or concerns about AI use should be directed to: **[name/role/contact]**. This policy will be updated as tools, risks, and guidance evolve.