

AI in Chambers: A Framework for Judicial AI Use

Using Generative AI for Iterative Legal Drafting

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Purpose and Disclaimer: This internal-use guide reflects one judge's evolving approach to incorporating generative AI tools into chamber's workflows. The goal is to leverage AI while preserving the essential human elements of judicial decision-making, wisdom and independent, human judgment. It is not official policy, nor a substitute for court-approved protocols. Those interested in leveraging GenAI in chambers should consider this a starting point for thoughtful experimentation.

Confidentiality Requirements

Critical Security Notice

Sealed or confidential filings should never be uploaded to a public AI platform. The best practice is to use an enterprise-grade generative AI with robust privacy and audit controls if you are going to use GenAI in your chambers.

Most court filings are public record, so if you decide that using a commercial-grade GenAI tool (e.g., ChatGPT Plus, Claude Pro & Gemini Pro) is sufficient, ensure the following precautions are taken:

- Toggle "Improve the model for everyone" off in settings. This ensures your content is not used to train future models.
- Use "Memory" only in single-user accounts. It can improve tone and workflow alignment for a consistent user but should be disabled or reset in shared environments.
- "Reference Chat History" can remain on, allowing the AI to carry context across chats. This does not affect model training.
- Make sure to never share a link to your chats. It was reported that shared chats in ChatGPT were (at least temporarily) available in Google searches, compromising confidentiality and privilege.

Note: These specific setting instructions reference ChatGPT, but similar privacy and data handling options should be reviewed and configured appropriately in Claude Pro, Gemini Pro, and other commercial AI platforms.

Maintaining Judicial Independence

Judges do much more than review filings. We interpret the law. We exercise discretion. We weigh and assess credibility. And we make decisions that carry real consequences. Generative AI can help with timeliness, clarity, and speed, but it cannot replace judgment. Generative AI tools often sound confident even when they are wrong. That is why we must stay in control. Every citation must be checked, and every conclusion must be ours. Remember, a GenAI tool may be able to help us write, but it cannot decide for us. "Human in the loop" is an essential component in maintaining judicial independence.

The 2025 Sedona Conference Guidelines on AI in the Judiciary make this clear. We caution against overreliance, automation bias, and the illusion of accuracy. Most importantly, we reaffirm that the final responsibility belongs to the judge and cannot be delegated.

Reference: Hon. Herbert B. Dixon, Jr., et al., Navigating AI in the Judiciary: New Guidelines for Judges and Their Chambers, 26 SEDONA CONF. J. 1 (February 2025).

We can use GenAI, but we cannot outsource our judgment.

Note: Although this guide is written with appellate review in mind, it can be readily adapted for trial court judges, particularly for routine motions with limited filings. The goal is to start small and scale thoughtfully.

Nine-Phase Implementation Framework

PHASE 1: INITIAL HUMAN REVIEW

Goal: Understand the filings and relief sought and then determine the analytical direction. No AI should be used during this phase.

Steps:

- Read the complete record
- Identify the assignments of error and the responses to those claims of error
- Conduct preliminary legal research
- Clarify the intended direction and scope of judicial review
- Document specific legal questions that will NOT be submitted to AI
- Assess the case to determine if AI assistance is appropriate

PHASE 2: NEUTRAL AI BENCH MEMO PROMPTING (No Conclusions)

Goal: Use AI to scaffold a neutral bench memo by summarizing facts, issues, and procedural posture without requesting any legal conclusions or directional analysis.

Sample Prompts:

- Draft a neutral bench memo summarizing the appellants/elator's arguments and the appellee's/respondent's opposition. Do not take a position.
- Summarize the procedural posture and key facts. No legal conclusions.
- List the appellant's/elator's assignments of error verbatim from the appeal/writ application.
- Create a timeline of facts based on the filings.
- Identify any facts that are disputed versus those that appear undisputed by the parties.
- List each exhibit referenced and summarize what each party claims it proves.

PHASE 3: AI ALIGNMENT TEST

Goal: Evaluate whether the AI has captured the legal context and factual nuance.

Steps:

- Once a position is set, request AI to prepare an initial draft
 - Focus on clarity, accuracy, and neutral tone
 - Provide editing and feedback to align with chambers' style
- Sample Prompts:**
- Draft a writ disposition granting/denying (affirming/reversing) the relief sought for the following reasons: _____.
 - Insert a paragraph summarizing the trial court's oral and written reasons.
 - This is too conclusory, add citations or clarify and expand the factual basis.
 - Reframe this: the facts aren't relevant for _____, they are relevant because _____.
 - Check whether each assignment of error has been addressed in this opinion. If not, then please list those that were missed, and then address them.

PHASE 4: ERROR CHECK & DOCUMENTATION

Goal: Create institutional knowledge about AI reliability patterns.

Steps:

- Document any errors or misunderstandings the AI exhibited
- Note which types of arguments the AI struggled with
- Save these observations for chambers' AI knowledge base
- Identify any factual assertions that AI made that are not in the record

PHASE 5: FIRST DRAFTING PASS

Goal: Begin writing in the direction the court has chosen.

Steps:

- Once a position is set, request AI to prepare an initial draft
 - Focus on clarity, accuracy, and neutral tone
 - Provide editing and feedback to align with chambers' style
- Sample Prompts:**
- Analyze these samples for common stylistic patterns and apply them here.
 - Match the tone and cadence of these prior rulings.
 - Shorten this section and eliminate passive voice.
 - Make this sound more like a judicial ruling and less like a law review article.
 - Convert this passive voice construction to active voice while maintaining judicial formality.
 - Eliminate redundant phrases while preserving legal precision.

PHASE 6: ITERATION & TONE ALIGNMENT

Goal: Refine voice, rhythm, and clarity to match the judge's style and institutional expectations.

Steps:

- Share previous decisions as tone models
- Make adjustments to word choice and syntax
- Incorporate additional caselaw, statutory, regulation or rule language

Sample Prompts:

- Analyze these samples for common stylistic patterns and apply them here.
- Match the tone and cadence of these prior rulings.
- Shorten this section and eliminate passive voice.
- Make this sound more like a judicial ruling and less like a law review article.
- Convert this passive voice construction to active voice while maintaining judicial formality.
- Eliminate redundant phrases while preserving legal precision.

PHASE 7: FINAL REVIEW & CLEANUP

Goal: Ensure factual and legal precision before signing off.

Steps:

- Use AI for detailed final pass
- Check factual assertions against the record
- Verify quoted legal authority for accuracy
- Check for substantive logic and overstatement
- Verify jurisdictional requirements are properly addressed
- Confirm procedural prerequisites are satisfied
- Ensure standard of review is correctly applied
- Check for fabricated citations (hallucinations)

Sample Prompts:

- Review this draft and flag any citations or factual assertions that might be incorrect, misleading, or overstated. Be especially cautious with legal authority that appear too on-point.
- Review this draft and flag any potential overreliance on a single source.
- Verify that all quotes accurately match their original sources.

PHASE 8: CITE CHECK & RECORD VERIFICATION

Goal: Conduct final cites and record integrity check.

Steps:

- Upload the document to Westlaw or Lexis for citation verification
- Human review to confirm:
 - Every factual assertion is supported by the record
 - Every assignment of error is faithfully addressed
 - No citations are inaccurate, overruled, or improperly quoted
- All procedural prerequisites have been analyzed

PHASE 9: POST-DECISION REVIEW (Monthly Practice)

Goal: Create a feedback loop for continuous improvement.

Steps:

- Track efficiency metrics: Did AI assistance reduce drafting time? Were fewer revisions needed? Did organizational assistance improve clarity?
- Conduct quality assessment: Compare AI-assisted dispositions to traditionally drafted ones for consistency.
- Identify recurring AI error patterns and adjust prompting strategies.
- Refine and document successful prompts to build a chambers-specific library.

Implementation Checklist

- Interlocutory appeal/writ application, opposition, and reply reviewed
- Assignments of error identified
- Preliminary legal research conducted
- Specific legal questions documented as off-limits for AI
- Bench memo drafted neutrally
- AI comprehension tested with Socratic questioning
- AI errors documented for future reference
- Position-set draft written
- Draft iterated for tone, legal reasoning, and clarity
- Final fact/legal review conducted with AI prompt
- Jurisdictional and procedural prerequisites verified
- Human cite-check complete and record verified by a human

Important Limitations

Legal Reasoning: Generative AI should not be relied upon to resolve ambiguous legal standards or interpret controlling precedent. Its value lies in summarizing, synthesizing arguments, and aligning tone, not in substituting judicial reasoning.

Technical Constraints: Some technologists have cautioned that commercial-grade AI tools may struggle with large or complex records. These models have context limitations and are not yet reliable for synthesizing extensive filings, exhibits, or transcripts.

That's why this workflow focuses on narrower tasks like summarizing arguments, organizing facts, preparing initial drafts related to review of interlocutory rulings or aligning tone under human supervision. For broader, record-intensive matters like appeals related to final judgments rendered after trial, more advanced or enterprise-grade tools may be necessary.