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EDITOR'S NOTE

Greetings from the Editors of *Court Review*! A judge in Colombia recently confided that he had consulted an artificial intelligence platform called ChatBot to make a decision. Should we be surprised? Artificial intelligence (AI) now dominates our everyday lives., *Court Review* now explores, in this special issue, AI and the legal system in some creative ways. As judges confront the everyday problems of ordinary Americans, we are always committed to providing valuable content and information to help ease the burden. Congratulations to you for all the hard work as we continually navigate challenging times.

Since questions regarding AI in the legal system are primary these days, our lead article is a thought-provoking guide from Katherine Forrest, former federal judge, entitled "Being Human in the Age of Artificial Intelligence." Not only does it help us understand the issue of "sentient" AI, but whether, as it becomes more like humans, it deserves legal protection like humans. Being human has a moral dimension, unlike a software program. How to draw the distinction is still largely undecided.

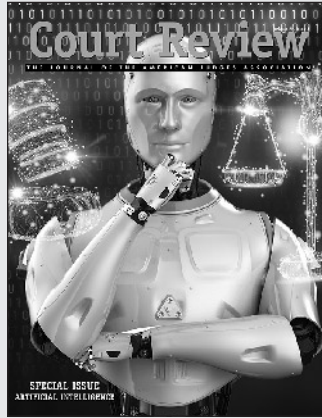
Although AI is in the spotlight as it directly affects the legal system and other institutions, it is also relevant to a wide array of related endeavors. In "Ten Tips for Getting the Most Out of an Evaluation of Your ODR Program," Professor Donna Shestowsky and researcher Jennifer Shack outline timely, helpful, and prudent approaches to managing online dispute resolution (ODR) programs. Settlement is crucially important, of course, and ODR has found its rightful place among our courts. The article features, on one hand, a simple outline for evaluating ODR efforts, and on the other hand, how AI is involved in a productive way. It will assist us judges as we continue to watch ODR and AI develop.

Clarence Okoh is senior policy counsel for the Center for Law and Social Policy, and a fellow at the Social Science Research Center. His article "The Dilemma of Black Coding: Assessing Algorithmic Discrimination Legislation in the United States" shows us a feature of AI that is often overlooked, that is, potential effects on inequality. He presents his notion of "black coding," or the AI decision-making systems that affect the legal rights, systems, and freedoms of marginalized communities. The historical lack of public oversight, he argues, threatens to reduce U.S. racial equality without adequate policy and legislative efforts.

Ron Zayas is an online privacy expert and consultant to judges and others. The growing number of online attacks and the exposure of personal information on the internet have stretched security budgets, and challenged administrators and security personnel. In "Securing The Integrity of Our Judicial System: Protecting Judges Beyond the Courthouse," he offers a prudent and practical discussion about judicial safety and what can be done to ensure it in all environments.

Finally, we always welcome Judge Wayne Gorman's regular column from the Canadian perspective. In line with the general theme of AI and other computer effects, this issue presents "Online Entrapment: A Comparison of the Approach Adopted in the United States and Other Common Law Countries," a very interesting look at a modern computer investigation technique.

Thanks for reading *Court Review*. — Judge David J. Dreyer



Court Review, the quarterly journal of the American Judges Association, invites the submission of unsolicited, original articles, essays, and book reviews. *Court Review* seeks to provide practical, useful information to the working judges of the United States and Canada. In each issue, we hope to provide information that will be of use to judges in their everyday work, whether in highlighting new procedures or methods of trial, court, or case management, providing substantive information regarding an area of law likely to be encountered by many judges, or by providing background information (such as psychology or other social science research) that can be used by judges in their work. Guidelines for the submission of manuscripts for *Court Review* are set forth on page 15 of this issue. *Court Review* reserves the right to edit, condense, or reject material submitted for publication.

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On the cover: As a relevant example of what artificial intelligence can produce, the cover is a digital production from Adobe Stock suggesting a robot judge in the midst of a legal decision. It is an image meant to represent the reality of artificial intelligence in the legal system. It is not allowed or licensed for any other use or copying than this cover. For more information, please see Adobe Stock license terms at <https://stock.adobe.com/license-terms>

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