Widener University
Delaware Law School

CLE EVENT COURSE MATERIALS

TUESDAY, AUGUST 4,2026

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The Black Alumni Network and the Office of Alumni Engagement
of Widener University Delaware Law School

presents

Third AnnualCLE Day

Tuesday, August 4, 2026
8 AM – 4 PM

Widener University Delaware Law School
4601 Concord Pike
Wilmington, DE 19803
6 CLE credits in Delaware, Pennsylvania, and New Jersey may self-reported CLE Agenda and Course Descriptions

7:30 a.m. – Registration Check-in opens and Complimentary Breakfast

8:30 a.m. – Welcome and Opening Remarks

- Tamisha Hopkins, Associate Director of Alumni Engagement, Widener University Delaware Law School
- Carlene Clark, Esq. '19, Emeritus Advisor, Delaware Law School Black Alumni Network
- Todd J. Clark, Esq., Dean and Professor of Law, Widener University Delaware Law School

9:00 a.m. - Session #1: ***Social Security Disability for Your Practice: Ethical Considerations*** (0.5 Substantive & .5 Ethics Credits)
Lecturer: Melissa Green, Esq.

10:00 a.m. - Session #2 ***Artificial Intelligence & the Courts Part Two*** (1.5 Substantive Credits)
Moderator: Christlynn Dornevil, Esq. '18
Panelists:

- Honorable N. Christopher Griffiths
- Honorable Lauren Hughes '14
- Brian Legum, Esq. '12
- Isaac Sommers, Esq.

11:30 a.m. - Session #3: ***Custody with Confidence*** (1.0 Substantive Credit)
Lecturer: Alexandria Crouthamel, Esq. '19

12:30 p.m. - Complimentary Lunch

1:30 p.m. - Session #4: ***Rules of Professional Responsibility While in a Non-Traditional Legal Role*** (1.0 Substantive Credit)
Moderator: Chadê Biney-Amissah, Esq. '22
Panelists:

- Rebecca Matthews, Esq.
- Courtney N. Richardson, Esq., LL.M.
- Oluwakolapo Sapara, Esq.
- Nicole Seawright, Esq.

2:30 p.m. - Session #5: ***Beyond the Courtroom: The Lawyer's Ethical Duty to Give Back*** (1.5 Ethics Credits)
Moderator: Shahirah Brown, Esq. '17
Panelists:

- Danielle Gardner, Esq.
- Kadeem Morris, Esq.
- David Trevaskis

4:00 p.m. -Law School Update-

- Dr. Stacey Robertson- Widener University President
- Todd J. Clark, Esq., Dean and Professor of Law, Widener University Delaware Law School

Event Concludes

Third Annual CLE Day: Course Descriptions

Aug 4, 2026 | Delaware Law School, Black Alumni Network

Social Security Disability for Your Practice: Ethical Considerations

This CLE program provides attorneys with a practical overview of the Social Security Disability system, including the eligibility requirements, application process, and appeals for both Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI). The presentation focuses on the ethical and professional issues that arise when disability benefits intersect with other practice areas—such as personal injury, workers' compensation, family law, estate planning, and employment law—highlighting common pitfalls involving work credits, benefit offsets, inheritance planning, unemployment compensation, settlements, and reporting obligations. Attendees will gain the knowledge needed to identify when Social Security Disability issues may affect their clients, recognize situations requiring timely action or referral, and provide informed, ethical guidance that helps protect clients' rights and benefits.

Artificial Intelligence & the Courts: Part Two

Artificial Intelligence (AI) is rapidlyevolving acrossthe country and has penetrated many aspects of daily life. In the legal profession, AI has touched how law enforcement approaches investigation, influenced how attorneys conduct research and writing, and altered how the courts operate. This year is a Part Two discussion on artificial intelligence & the courts. Speakers will review the purpose and implementation of the Pennsylvania and Delaware Supreme Courts' policies on the use of generative AI.

Rules of Professional Responsibility While in a Non-Traditional Legal Role

This CLE session examines how the ABA Model Rules of Professional Conduct apply to attorneys whose careers have moved outside the traditional advocate or advisor model. As JD-holders increasingly take on roles in government administration, judicial operations, corporate compliance, and other non-traditional capacities, the Rules' assumptions about clients, representation, and the practice of law don't always map cleanly onto the work. This session brings together attorneys whose careers span court administration, public sector DEI leadership, and global corporate compliance to explore a shared through-line question: *Am I acting as a lawyer right now? Through moderated discussion grounded in specific Model Rules, panelists will unpack how conflicts of interest, confidentiality, client identification, and professional independence play out when "lawyer" isn't the job title on the door.*

Thank you to our sponsors.

Custody with Confidence

Custody with Confidence is an intensive, practice-oriented continuing legal education program designed for attorneys handling custody litigation. This course provides a comprehensive examination of effective litigation strategy, courtroom advocacy, and client management in the evolving landscape of Pennsylvania custody law. Particular emphasis is placed on Pennsylvania's updated custody factors, the implementation and practical impact of Kayden's law, and the strategic presentation of evidence in high-conflict custody disputes. Participants will learn how to build persuasive custody cases from intake through trial, including theme development, witness preparation, evidentiary considerations, and effective cross-examination techniques.

Beyond the Courtroom: The Lawyer's Ethical Duty to Give Back

As members of the legal profession, we recognize that informed and engaged citizens are crucial to sustaining a democratic government. A "government of the people, by the people, for the people" is only possible when the public is equipped with the knowledge and resources necessary to participate meaningfully in civic life. As lawyers, we have taken an oath to support, obey, and defend the Constitution of the United States. Whether through pro bono service, civic education, policy advocacy, or community outreach, legal professionals are uniquely positioned to advance democratic participation, promote educational equity, and strengthen public confidence in the rule of law.

In an era of declining civic literacy and public trust in institutions, lawyers are uniquely positioned to advance civic understanding, promote meaningful participation in democratic processes, and strengthen confidence in the justice system. This program explores both the opportunities and ethical obligations that accompany that role.

Third Annual CLE Day: Speaker Biographies & Headshots

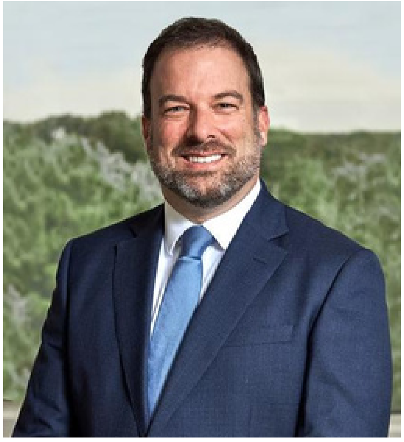
Aug 4, 2026

Alexandria Crouthamel, Esq. is a tenacious and empathetic advocate known for her unwavering dedication to her clients and her deep commitment to justice. As the founder of Crouthamel Law Offices, Alexandria has built a reputation for her fierce representation, compassionate counsel, and ability to guide clients through complex legal challenges in both criminal and family law.

With a strong background in litigation and a passion for protecting her clients' rights, Alexandria's practice is rooted in customer service. "I'm a single attorney, but I have several associates and staff under me, and we're all devoted to answering clients' questions in a timely manner and moving their cases forward. If it matters to you, it matters to us."

Alexandria earned her undergraduate degree from Alvernia University and her law degree from Widener University Delaware Law School. Before founding her firm, she gained valuable courtroom experience working in the Northampton County Public Defender's Office. Known for her preparedness and determination, she is especially adept at navigating high-stakes, emotionally charged cases involving custody, divorce, PFA (Protection from Abuse) orders, and other serious legal matters.

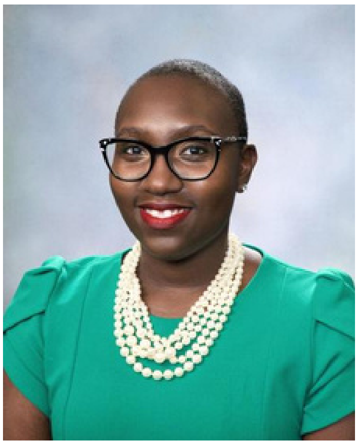
She doesn't sugarcoat her advice—clients value her honesty and direct communication. "Whether it's a divorce or a criminal matter, my clients are dealing with serious issues," she says. "Nobody calls my office happy. They need answers, strength, and solutions—and that's what I provide."



Brian S. Legum, Esq. is a partner in the Newark office of Kimmel, Carter, Roman, Peltz & O'Neill, P.A. His practice is focused primarily on car accidents, wrongful death, workers' compensation, and products liability.

Mr. Legum goes above and beyond to get his clients the compensation they deserve. He understands the stress experienced by those who have been injured, whether in a car accident, on private property or on the job. He works to put clients at ease, while maintaining a clear focus on how to build a strong case against those responsible for their injuries. He is a committed advocate and a skilled negotiator.

Bilingual in Spanish and English, he works one on one with Spanish-speaking clients from their initial consultation to the closing of their case, alongside his fully bilingual support staff. Mr. Legum is honored to be able to use his Spanish language skills to ensure that his clients have a deep understanding of their cases, while educating the community at large on their workers' compensation and personal injury rights.



Chadê Biney-Amissah, Esq. '21 didn't enter education through the courtroom — she started in a North Philadelphia classroom, teaching African American History to ninth graders who had already learned that school wasn't always built with them in mind. That early work shaped everything that followed. Over more than a decade in education — as a teacher, school leader, curriculum designer, and now attorney — Chadê has built a career around one belief: students deserve systems that protect them, not punish them.

Today, she serves as Assistant General Counsel for the School District of Philadelphia, where she represents the district in special education due process hearings and advises leadership on everything from discipline and Section 504 to Title IX and school climate. She's a trusted voice on how to navigate law and policy while keeping students at the center. Before that, she worked as a Special Education Associate at Wisler Pearlstine LLP, representing public school entities across Pennsylvania and negotiating solutions in some of the most high-stakes education disputes in the state.

But Chadê's legal career has always been shaped by her time in schools. She spent over ten years in the classroom and in district leadership, including as Assistant Director of Literacy at Mastery Charter Schools and Master Teacher at Simon Gratz High School, where she led restorative practices, DEI initiatives, and coached leaders across networks. She knows what it's like to sit in an IEP meeting with a student and their parent — and now, she brings that insight into policy development, legal strategy, and systemic reform.

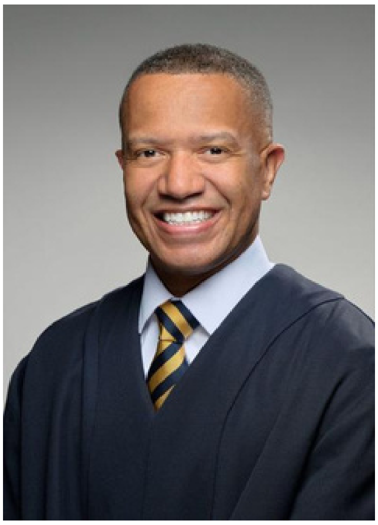
Chadê also teaches graduate students at Arcadia University (School of Law) and Bryn Athyn College (African American History), and she's been invited to speak across the region — including at the Pennsylvania School Solicitor's Symposium and multiple university panels on special education, race, and student advocacy.

She holds a J.D. from Widener University Delaware Law School, an M.S.Ed. in Urban Education from the University of Pennsylvania, and a B.A. in English from Temple University. She is admitted to practice law in Pennsylvania and New Jersey.

At every step, Chadê brings together the head and the heart — using the law not just as a compliance tool, but as a lever for justice and belonging in public education.

Christlynn Dornevil, Esq. '18 is a Cyber Claim Counsel working in the cyber insurance realm. As a Cyber Claims Counsel, Christlynn makes determinations on whether certain first-party and third-party events are covered under cyber insurance policies. Christlynn also has 4 years of experience working as a Cybersecurity and Data Privacy Associate Attorney, where she assisted her clients with incident response efforts for events stemming from business email compromise to ransomware events.

Christlynn is a 2018 graduate of Widener University Delaware Law School, where she served as an Articles Editor for the Widener Law Review.



The **Honorable N. Christopher Griffiths** was sworn in for his first term as Justice of the Supreme Court of Delaware on May 22, 2023. Prior to his appointment, Justice Griffiths was a partner at Connolly Gallagher LLP where his practice focused on administrative and government law, corporate and commercial litigation, bankruptcy law, and general litigation representing municipalities and government agencies. Before joining the court, Justice Griffiths served on the Delaware Supreme Court Rules Committee, the Delaware Supreme Court Lawyers' Fund for Client Protection, and the Delaware State Bar Association Nominating Committee.

Justice Griffiths received his undergraduate degree from the University of Delaware and earned his law degree from the Villanova University School of Law.

In addition to his legal work, Justice Griffiths served on the boards of the Boys & Girls Club of Delaware, Children & Families First of Delaware, Ministry of Caring, Sacred Heart Village, the Wilmington Library, and the Delaware Law Related Education Center.

Courtney N. Richardson, Esq. serves as the Executive Director and Chief Counsel for the Pennsylvania House Appropriations Committee.

In her current role, Ms. Richardson manages a team of specialists who are critical players in the development of the $50.8 billion Pennsylvania state budget. She serves an active leadership role within the House of Representatives, providing her expertise and guidance during budget negotiations and developing public policy for the House Democratic Caucus.

Before assuming her current role, Ms. Richardson practiced municipal and real estate law, serving municipalities in Montgomery and Delaware counties.

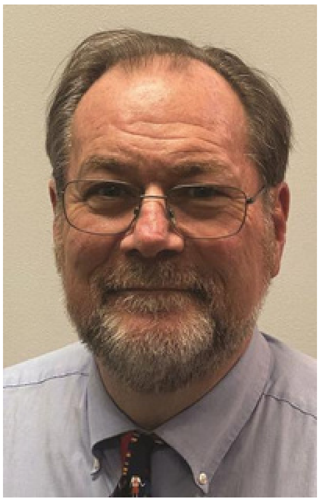
She served as an Assistant City Solicitor for the City of Philadelphia in its Law Revenue Department, focusing on the management of the City's Sheriff Sale and litigating Real Estate Assessment Value Appeals. She also served as counsel for the Pennsylvania Department of Revenue.
Ms. Richardson served for two years on the Pennsylvania Intergovernmental Cooperation Authority (PICA), which assists the City of Philadelphia with fiscal planning and budgetary practices. She has also served on the Barristers Executive Board since 2021.

Ms. Richardson's career is a shining example of her versatility and adaptability. In addition to her extensive government service, she embarked on her professional journey in the financial services sector, working for various firms, including Merrill Lynch, where she attained the title of Assistant Vice President of Wealth Management at age twenty-six.

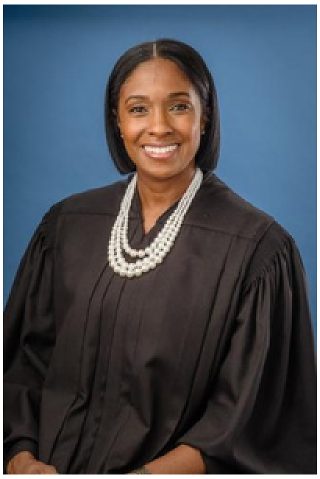
Her exceptional skills were recognized in 2022 when she was named a “Pennsylvania Super Lawyers Rising Star.”

Ms. Richardson, a proud Philadelphian, and is a member of the two hundred and forty-third (243) graduating class of the Philadelphia High School for Girls. Her academic journey took her to the University of Pittsburgh, where she earned a B.A. in Philosophy, and then to West Virginia University College of Law, where she graduated as a distinguished member of the *Order of the Barristers.* She furthered her legal education with an LL.M. in taxation from Temple University Beasley School of Law and a certificate in Estate Planning.

David Keller Trevaskis, Esq. is an attorney and former third grade teacher with a master’s degree in education. Trevaskis is the recently retired (December 2025) Director of Pro Bono Legal Services for the Pennsylvania Bar Association (PBA), once responsible for helping local bar associations, legal aid programs and other groups who offer legal services across the Commonwealth improve the access to justice for the neediest among us. Today, Trevaskis focuses his time promoting civic education through such organizations as the Rendell Center for Civics and Civic Engagement, the Pennsylvania Council for the Social Studies (PCSS), PA Civics, Law, Education and PEACE for Kids (LEAP-Kids) and the PBA.



Isaac Sommers, Esq. is a Texas native who graduated from Howard Payne University in 2018 and from Harvard Law School in May 2021. During law school, Isaac participated in the Cyberlaw and Crimmigration Clinics, served as an editor for the Harvard Latine Law Review, the Harvard Human Rights Journal, and the Harvard Journal of Law and Public Policy; and he engaged in appellate litigation brief-writing and research with various legal internships (including a Federal Public Defender's Capital Habeas Unit, the West Virginia Attorney General's Office, and a private criminal defense attorney). After graduating, Isaac clerked for the Honorable Jeremy D. Kernodle of the United States District Court for the Eastern District of Texas, after which Isaac joined Ropes & Gray's Washington, D.C. office as part of the litigation and enforcement practice group. At Ropes, Isaac has worked on a variety of trial and appellate-level civil commercial litigation matters. Isaac has also co-authored a number of articles addressing the intersection of AI and the law, has advised on best practices concerning the use of AI, and helped design and currently helps update Ropes & Gray's AI Court Order Tracker.

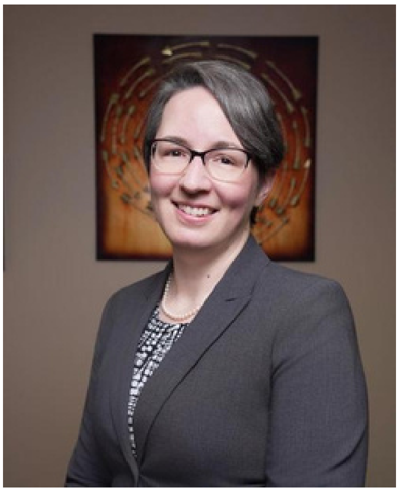


Honorable Lauren A. Hughes,'14 Born and raised in Norristown, Judge Hughes learned the values of hard work and community service from her mother, Netta, a devoted activist. After losing her father at just 11 years old, she developed a strong belief that everyone deserves respect, dignity, and equal access to justice.

A proud graduate of Norristown Area High School, Judge Hughes earned her Bachelor of Science degree in Business Administration from Florida A&M University before obtaining her Juris Doctor from Widener University Delaware Law School, all while working full-time. She began her legal career as a Public Defender in Montgomery County, where she gained invaluable experience advocating for justice and fairness. She later served as a Senior Solicitor in the Montgomery County Solicitor's Office, providing legal counsel to the Health and Human Services departments and working to protect and support some of the community's most vulnerable populations.

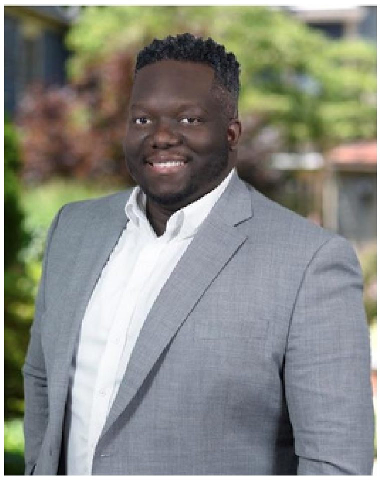
In November 2025, Judge Hughes was elected to the Montgomery County Court of Common Pleas and assumed the office in January 2026. She currently serves in the Family Division, where she presides over custody, divorce, and child support enforcement matters.
Judge Hughes is actively involved in numerous professional and service organizations, including the Pennsylvania Bar Association, the Barristers' Association of Philadelphia, and Delta Sigma Theta Sorority, Inc. She is also an active leader within the Montgomery Bar Association, where she will be the 1st Black President of the Association in 2029.

When she is not on the bench, Judge Hughes enjoys traveling, attending concerts, spending time with family and friends, and cheering on her beloved Philadelphia Eagles and college basketball teams.



Melissa Hughes, Esq. a partner with Maven Law in Hockessin, is an experienced and compassionate attorney who takes pride in helping her clients navigate the complex and bureaucratic world of Federal Social Security Disability claims.

In addition to her expertise in handling Social Security Disability claims, Melissa also represents families seeking assistance with navigating special education matters under the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act of 1973.
For many years prior to joining Maven Law, Melissa worked with Gary Linarducci, Esq. of Linarducci Law in New Castle, Delaware, focusing exclusively on helping local people win Social Security Disability and Supplemental Security Income claims.



Oluwakolapo "Kay" Sapara, Esq '20 graduated from Delaware Law School in Winter 2020 and was admitted to the New Jersey Bar after passing the July 2022 bar examination. Before joining the New Jersey Office of Attorney Ethics (OAE) in July 2024, Kay gained experience practicing in several different areas of law, developing a broad understanding of legal practice.

At the OAE, Kay works on reciprocal and final disciplinary matters, monitors post-disciplinary submissions, and assists the Chief of Readmissions, Motions, and Monitoring. Through this role, Kay contributes to the administration and oversight of the attorney disciplinary system in New Jersey.

Rebecca Amissah, Esq. joined Aflac Global Investments in 2014. As the global head of investments Legal and Regulatory, she is responsible for leading the legal, regulatory, and compliance functions of Aflac Global Investments in the U.S. and Japan. Rebecca was promoted into her current role in 2025. Previously, Rebecca served as the Deputy Head of Legal and Regulatory and Chief Compliance Officer for Aflac Global Investments, where she was responsible for oversight of the compliance program and the internal processes for promoting and ensuring Aflac Global Investments compliance with applicable laws globally. Rebecca was promoted to Managing Director in 2021.

Prior to joining Aflac, Rebecca served as the Assistant Vice President & Counsel for John Hancock Life Insurance Company, where she served as in-house counsel and was responsible for the Investment Advisory Compliance Testing Program and the Code of Ethics Program, respectively. Prior to John Hancock, Rebecca was responsible for the Code of Ethics program at TIAA and Royal Bank of Scotland.

Rebecca earned a bachelor's degree in Math from Binghamton University and a Juris Doctor from St. John's University of Law. Rebecca is a member of the New York Bar Association.

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SESSION# 1 COURSE MATERIAL

Social Security Disability ForYour Practice: Ethical Considerations

Melissa Green, Esq.
Maven Law

"I don't practice Social Security law, so why is this information relevant to me and my practice?"

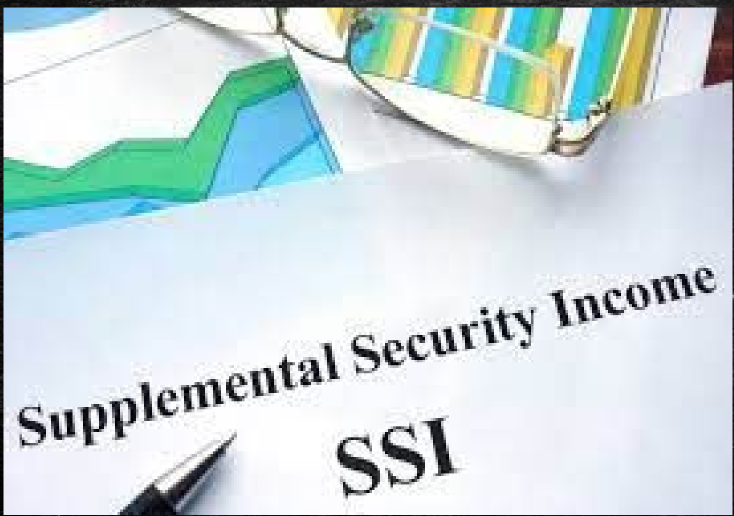
- Plaintiff Personal Injury
- Worker's Compensation
- Family Law
- Tax Law
- Trusts and Estates Law
- ERISA/Long Term Disability/Employee Benefits
- Legal advocacy for low-income/disabled individuals

Two Federal Social Security Disability Programs

- Social Security Disability Insurance (SSDI/SSD)
- Supplemental Security Income (SSI)

  *Thispresentationfocusesonlyon benefits for individuals over the age of 18 (we will not discuss children's SSI benefits, although we will briefly touch upon the Disabled Adult Child program and benefits for the minor children of SSDI recipients).

Supplemental Security Income (SSI)



- Federal SSI rate monthly maximum in 2026 = $994/individual.
- Federal SSI rates monthly maximum in 2026= $1,491/couple.
- States have option of providing Medicaid.
- Must pass screening threshold of household income and resources.
  - Resources that **do not count** include a home where a person lives and one car (usually).
  - Resources that **do count** include net worth>$2000 individual or>$3000 as a couple. Includes bank accounts, stocks & bonds, 401(k), CDs, more than one vehicle.

Advising Your Clients

-Has client been out of work or will client be out of work due to medical issues for a period of at least 12 months?

-Does client have supportive treating medical providers?

-What is client's age and what standard must be proved for eligibility accordingly?

-Consider client's work history or financial need/assets.

-Is client receiving other sources of income such as Worker's Compensation, alimony, settlement funds, inheritance?

-Does client have minor or disabled adult children?

-Does the client need to file an appeal from an SSDI/SSI denial? Strict timeframes!

Questions?

Email Anytime: melissa@mavlaws.com
Phone: (302) 304-3300

SESSION#2 COURSE MATERIAL

CRIME

Fake AI citations causes Georgia Supreme Court to vacate denial of woman's request for new trial

The issue came up before the state Supreme Court in March, when justices heard oral arguments in the murder appeal case for Hannah Payne.

Author: **Jonathan Raymond (11Alive)**
Published: **9:01 AM EDT May 5, 2026**
Updated: **11:41 AM EDT May 5, 2026**

ATLANTA — The Georgia Supreme Court has vacated a lower court's denial of Hannah Payne's request for a new murder trial, citing fake AI citations that made it into the Clayton County court order.

The decision does not grant Payne a new trial. The Court's summary notes the opinion "does not decide any of the merits of Payne’s or the State’s arguments."

2. **Informed Use.** Authorized Users should not use Approved GenAI without a working knowledge and understanding of the tools. Authorized Users should be trained in the technical capabilities and limitations of Approved GenAI prior to use.

3. **Decision Making.** Authorized Users may not delegate their decision-making function to Approved GenAI.

4. **Compliance with Laws and Judicial Branch Policies.** Use of GenAI must comply with all applicable laws and judicial branch policies.

5. **Non-Approved GenAI.** Authorized Users may not input any Non-Public Information into Non-Approved GenAI. Non-Approved GenAI may not be used on State Technology Resources.

Section 6: Policy Implementation and Enforcement

Leadership in each court shall use due diligence to ensure compliance with this Policy, including thoroughly reviewing any contract with a vendor, as well as any end user licensing agreement during the procurement process.

COMMENTARY

For those contracts and end user licensing agreements entered into prior to the effective date of this Policy, Leadership shall review them to determine if Personnel are able to continue to use the services and products. In some judicial districts where non-judicial county personnel are responsible for technology contracts, Leadership must ensure that all GenAI tools comply with this Policy before authorizing their use. Areas for consideration should include whether the AI system vendor and any subcontractors retain any data, whether the AI system is a secured or non-secured system, the security of the system transmission pathways, whether the contract permits the vendor and any downstream subcontractors to view or use the content, and whether the content is exposed to the public domain.

Appendix B: Models Used

- BriefCatch
- ChatGPT (the model mentioned most often)
- Claude
- DragonLegal
- Gemini
- Grok
- HeyGen
- Lexis AI tools
- Microsoft Suite, including Copilot
- Perplexity
- SynoAI
- Westlaw/CoCounsel
- Other bespoke court AI tools

INTERIM POLICY ON THE USE OF GENERATIVE ARTIFICIAL INTELLIGENCE BY JUDICIAL OFFICERS AND COURT PERSONNEL

Section 1: Definitions

A. "Administrative Records" includes notes, memoranda, correspondence, drafts, worksheets, and work product of Personnel of the Unified Judicial System, whether maintained in paper or electronic formats.

B. "Artificial Intelligence" ("AI") means the capability of computer systems or algorithms to imitate intelligent human behavior.[1]

C. "Case Records" are documents for any case filed with, accepted, and maintained by a court or custodian or any dockets, indices, and documents (such as orders, opinions, judgments, decrees, transcripts, and case exhibits) for any case created and maintained by a court or custodian. This definition applies equally to case records maintained in paper and electronic formats.

D. "Leadership" means the Chief Justice of Pennsylvania, the President Judge of each appellate court and judicial district, and the Court Administrator of Pennsylvania, or their designees.

E. "Personnel of the Unified Judicial System" ("Personnel") includes (1) all state-level court employees including contractors of the Administrative Office of Pennsylvania Courts ("AOPC"), (2) all judicial officers of the Unified Judicial System as defined in 42 Pa.C.S. Section 102, including those granted senior status, and their staff, (3) all employees of boards, committees, and court-related panels established by the Supreme Court of Pennsylvania, and (4) all county-level court employees who are under the supervision and authority of the President Judge of a judicial district of Pennsylvania.

F. "Generative Artificial Intelligence" ("GenAI") means algorithms and/or computer processes that use artificial intelligence to generate text, audio, or images based on user prompts. These systems may be (and, presently, mostly are) trained on sets of data from the Internet or proprietary sources.

G. "Non-Public Information" includes any and all information that is restricted by federal law, state law, policy, and other relevant legal authority. For examples, see Sections 9.0 and 10.0 of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*, and Section 3.00 of the *Electronic Case Record Public Access Policy of the Unified Judicial System of Pennsylvania*. For further

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[1] "Artificial intelligence." Merriam-Webster.com Dictionary, Merriam-Webster, https://www.merriam-webster.com/dictionary/artificial%20intelligence. Accessed 10 Mar. 2025.

information on restrictions to public access of Unified Judicial System case records, please refer to the *Limits on Public Access to Unified Judicial System Case Records* posted at the Unified Judicial System Webpage.

H. “Non-Secured AI System” means an AI system that does not protect and guarantee the confidentiality of data or documents entered into the system by users. This includes a system that retains user documents or data, and a system that may use user documents and data to train an AI system or may release user documents and data to third parties.

I. “Secured AI System” means an AI system that protects the confidentiality and privilege of all data and documents entered in the system by users. Secured AI Systems do not retain any such data or documents entered into the system, do not transfer or sell such data or documents to third parties, and do not expose such data or documents to the public domain. A “Secured AI System” may include a vendor’s use of a subcontractor if all data and documents entered into the system remain subject to the requirements and limitations specified in this paragraph.

J. “UJS Technology Resources” means any and all computer equipment, mobile devices, software, network systems, telecommunications equipment and systems, email and messaging systems, data storage, hardware, peripherals, and other electronic systems and devices owned, leased, provided, and/or used by the Unified Judicial System (“UJS”). For purposes of this Policy, this term includes a personal device used by Personnel for work related purposes.

Section 2: Statement of General Policy

A. This Policy applies to Personnel using GenAI on UJS Technology Resources. The purpose of this Policy is to promote and ensure the safe and appropriate use of GenAI by Personnel.

B. Leadership is responsible for ensuring Personnel of the Unified Judicial System who fall under their supervision and authority comply with this Policy.

Section 3: Authorization and Use of GenAI Tools

A. Personnel are authorized to use GenAI for work only as set forth in this Policy.

B. Personnel may only use or install GenAI tools approved by Leadership on UJS Technology Resources.

C. Although use of a GenAI tool may be approved by Leadership, Personnel may be required to seek supervisory approval for the use of a GenAI tool or at a minimum disclose use of a GenAI tool in their work product.

D. Personnel are permitted to use their work email or word-processing accounts to use approved GenAI tools.

E. Personnel may only use GenAI as permitted by this Policy if the use does not violate other policies, rules, regulations or statutes. Permitted uses of GenAI by Personnel include, but are not limited to, the following:

i. to summarize documents;
ii. to conduct preliminary legal research, provided the GenAI tool used was trained on a comprehensive, up-to-date collection of reputable legal authorities;
iii. to draft initial versions of documents, such as communications, and memoranda;
iv. to edit and assess the readability of public documents; and
v. to provide interactive chatbots or similar services to the public and self-represented litigants.

Section 4: Responsibilities of Personnel

A. When using GenAI, Personnel shall comply with all ethical and professional conduct rules and UJS policies, including but not limited to: the Code of Judicial Conduct, the Rules Governing Standards of Conduct of Magisterial District Judges, the Code of Conduct for the Employees of the Unified Judicial System, and the Rules of Professional Conduct.

B. When using GenAI, Personnel shall comply with all applicable laws (*e.g.*, Personnel must ensure that copyrighted material is fairly used and properly attributed).

C. Personnel must become proficient in the technical capabilities and limitations of GenAI tools before using them and must maintain competence to continue to use them.

D. Personnel are responsible for the accuracy of their work and for compliance with this Policy.

COMMENTARY

Regarding Subsection A, Personnel shall observe high standards of conduct when they use GenAI so as to safeguard the judiciary's integrity and independence.

When using GenAI, Personnel must be cognizant that the systems may not consider nuances humans take into consideration. In addition, GenAI systems may be trained on biased material and generate biased content or harmful material. Furthermore, GenAI tools merely predict a probable outcome. Some of those predictions may be inaccurate because they have little or no basis in fact or reality (commonly referred to as "hallucinations").

Personnel must understand the limitations of GenAI tools and review GenAI output for accuracy, completeness, and potentially biased or inaccurate content. To repeat: humans must review GenAI output and Personnel are responsible for the accuracy of any GenAI information incorporated into their work.

Section 5: Permitted Use of GenAI

A. Personnel may share with a secured AI system any case records, administrative records, or information provided that the shared information will be treated in a confidential and privileged manner. This means the secured AI system provider and its vendors will not use the records or information to train an AI system, share the records or information with unauthorized third parties, or expose the records or information to the public domain.

B. Personnel shall not share any non-public information with non-secured AI systems.

COMMENTARY

Personnel are responsible for identifying non-public information. Personnel shall assume that case records, administrative records, and information will not be treated as confidential and privileged once entered into a non-secured AI system.

Any questions by Personnel regarding the use of GenAI should be raised through appropriate supervisory channels.

Section 6: Policy Implementation and Enforcement

Leadership in each court shall use due diligence to ensure compliance with this Policy, including thoroughly reviewing any contract with a vendor, as well as any end user licensing agreement during the procurement process.

COMMENTARY

For those contracts and end user licensing agreements entered into prior to the effective date of this Policy, Leadership shall review them to determine if Personnel are able to continue to use the services and products. In some judicial districts where non-judicial county personnel are responsible for technology contracts, Leadership must ensure that all GenAI tools comply with this Policy before authorizing their use. Areas for consideration should include whether the AI system vendor and any subcontractors retain any data, whether the AI system is a secured or non-secured system, the security of the system transmission pathways, whether the contract permits the vendor and any downstream subcontractors to view or use the content, and whether the content is exposed to the public domain.

IN THE SUPREME COURT OF THE STATE OF DELAWARE

IN RE:	§
INTERIM POLICY ON THE USE OF	§
GENERATIVE AI BY JUDICIAL	§
OFFICERS AND COURT PERSONNEL	§

ORDER

This 21st day of October 2024, it appears to the Court that:

WHEREAS, in 2013, the Court established the Delaware Commission on Law and Technology ("DCLT") to provide Delaware lawyers with guidance and education when using technology in the practice of law;

WHEREAS, in 2023, the Court expanded the mission of the DCLT to assess developing technology and to identify critical needs and gaps;

WHEREAS, the DCLT has recommended adoption of the attached interim policy for the use of Generative Artificial Intelligence ("GenAI") by judicial officers and court personnel;

WHEREAS, the Interim Policy is intended to ensure the safe and appropriate use of GenAI by judicial officers and court personnel, but not be used as a substitute for judicial, legal, or professional expertise.

NOW, THEREFORE, IT IS ORDERED that:

1. Judicial officers and court personnel using GenAI in their official duties shall comply with the Interim Policy on the Use of Gen AI Policy by Judicial Officers and Court Personnel ("the Interim Policy"), attached

as Exhibit A.

2. The Interim Policy shall be added as Appendix O-1 to the Judicial Branch Operating Procedures, available at https://courts.delaware.gov/aoc/operating-procedures/index.aspx.

3. The DCLT shall monitor the Interim Policy and report to the Court when further changes are needed.

4. The Interim Policy shall go into effect on October 21, 2024.

BY THE COURT:

/s/CollinsJ.Seitz, Jr.
Chief Justice

EXHIBIT A

Interim Policy on the Use of GenAI by Judicial Officers and Court Personnel

Purpose:
This Interim Policy on the Use of GenAI by Judicial Officers and Court Personnel (this "Interim Policy"), reviewed and approved by the Delaware Commission on Law and Technology, is offered for consideration by the Chief Justice of the Delaware Supreme Court as the Administrative Head of all Delaware Courts. This Interim Policy is intended to ensure the safe and appropriate use of GenAI by Authorized Users. Generative AI tools are intended to provide assistance and are not a substitute for judicial, legal or other professional expertise.

Scope:
This Interim Policy applies to the use of GenAI by Authorized Users in the course and scope of their official duties and on State Technology Resources.

Definitions:
"Approved GenAI" means GenAI tools that have been approved by the Administrative Office for use by Authorized Users in the performance of their duties and using State Technology Resources.

"Artificial Intelligence" or "AI" means technology that enables computers and machines to reason, learn, and act in a way that would typically require human intelligence.

"Authorized Users" means all judicial branch judicial officers, employees, law clerks, interns, externs, and volunteers.

"Generative AI" or "GenAI" means Artificial Intelligence trained on an existing set of data (which can include text, images, audio or video) with the intent to "generate" new data objects when prompted by a user. Generative AI creates new data objects contextually in response to user prompts based only on the data it has already been trained on.

"Non-Public Information" means information to which an Authorized User has access to as a result of their official position and not otherwise publicly available through action of the Authorized User.

"Non-Approved GenAI" means GenAI that is not Approved GenAI.

"State Technology Resources" include any and all computer systems, software, network systems, telecommunications equipment and systems, email and messaging systems, data storage, hardware, peripherals and other electronic systems and devices owned, leased, and/or provided by the State of Delaware.

Policy:

1. **Authorized User Remains Responsible.** Any use of GenAI output is ultimately the responsibility of the Authorized User. Authorized Users are responsible to ensure the accuracy of all work product and must use caution when relying on the output of GenAI.

2. **Informed Use.** Authorized Users should not use Approved GenAI without a working knowledge and understanding of the tools. Authorized Users should be trained in the technical capabilities and limitations of Approved GenAI prior to use.

3. **Decision Making.** Authorized Users may not delegate their decision-making function to Approved GenAI.

4. **Compliance with Laws and Judicial Branch Policies.** Use of GenAI must comply with all applicable laws and judicial branch policies.

5. **Non-Approved GenAI.** Authorized Users may not input any Non-Public Information into Non-Approved GenAI. Non-Approved GenAI may not be used on State Technology Resources.

Judicial Use of Generative AI: Lessons Learned

LEAD AUTHORS: **AMY B. CYPHERT,[1] RABIHAH BUTLER,[2] DR. JENNIFER ELEK,[3] AND DR. DIANE ROBINSON[4]**

Use Statement

This document summarizes how judges across the United States are using generative AI, outlining key benefits, risks, and considerations for courts. It is intended to help judicial officers and court leaders understand emerging practices, support responsible and ethical use of AI, and inform the development of court policies and training.

Intended Audience

- Judicial officers
- Court administrators
- IT departments

AI Policy Consortium for Law & Courts

NCSC Thomson Reuters Institute

March 2026

About the AI Policy Consortium

NCSCand the ThomsonReuters Institute (TRI) havepartnered to develop tools, trainings, and recommendations to help courts respond to the opportunities and challenges created by the rapid advances in AI and GenAI solutions. The consortium has attracted leading innovators representing technology, legal, court, and academic fields, and is specifically examining AI impacts on governance and ethics, rules and practices, access to justice, and workforce readiness in our webinars, resources, and tools.

[1] Associate Professor of Law, West Virginia University College of Law. Professor Cyphert's involvement in this White Paper was supported by a Hodges Faculty Grant.

[2] Lead Content Strategist for Risk, Fraud & Government, Thomson Reuters Institute.

[3]Principal Court Research Associate, National Center for State Courts.

[4] Former Principal Court Research Associate, National Center for State Courts.

Introduction

Generative artificial intelligence (GenAI) models are revolutionizing the way peoplein many fields do their work, and the judiciary is no exception. To explore how judgesin the USA are considering and using GenAI tools, in 2025, the TRI/NCSC AI Policy Consortium on Law and Courts' Governance and Ethics Working Group embarkedonan interview-based research project.[1] This report summarizes key findings from thateffort.

Background

InOctoberand November of 2025, 13 interviews of approximately 60 minutes in duration were conducted with state and federal judges serving in 10 different states. Interviewees reflected a cross-section of the judiciary in the USA, with participation from justices (including chiefs) of courts of last resort, judges of intermediate appellate courts, and trial judges. Judges in specialty courts like bankruptcy and probate were also interviewed, as well as judges of general jurisdiction courts.

Interview questions focused on judicial officers' past, current, and contemplated use of GenAI tools. (For the complete list of interview questions used in this project, see **Appendix A: Interview Questions**.) To encourage open discussion about the issues, judicial participation was anonymous and confidential.

To begin each interview, participating judges were asked three background questions about their years on the bench, the size of their staff, and the GenAI tools they used. Interviewees reported having served between 5 and 25 years on the bench to date, or an average of 12.76 years overall, and were supported by staff of a range of sizes. For example, some interviewees reported having very limited staff support, whereas others described working with large staffs that may have included dedicated, full-time judicial assistants and law clerks in addition to general support from a diverse pool of shared resources (such as from the clerk's office, law librarians, and more). Finally, judges reported experience using a wide assortment of bespoke and commercially available GenAI tools, which are listed in **Appendix B: Models Used**.

[1] Working Group members developed the methodology for the project, which was submitted for and received Institutional Review Board approval from the National Center for State Courts (NCSC) IRB (on June 30, 2025) and the West Virginia University (WVU) IRB (on August 8, 2025). Working Group members recommended candidates for the interviews, who were then contacted by National Center for State Courts staff with an invitation to participate. Snowball sampling produced additional referrals. Professor Amy Cyphert of WVU led the interviews.

Main Takeaways

The judicial interviews producedarange of insights about GenAI, including use cases, perceived risks and benefits, current support for and potential future impact of GenAI on judicial work. Three main takeaways are described below.

1. GenAI can support, but not supplant, the essential work of judges as human decision makers

Every judge who participated in the interviews was using GenAI in their own individual way. But there was unanimous consensus among the judges that, regardless of how they are using GenAI, judges must always remain "the deciders" who determine the ultimate outcome of any legal decision before them. Indeed, several of the judges noted that they do not even turn to GenAI until they have already decided the outcome of a case, lest they be unduly influenced. More than one noted that outsourcing actual judicial decision-making would be unethical, though they were divided on whether the existing judicial ethics rules are already sufficient to promote ethical use or if they should be updated to more specifically provide GenAI guidance. A popular analogy used by multiple judges was that they treat GenAI like a judicial intern, and only "delegate" questions where they already know the general answer and are just looking for additional support.

The judges were clear that they take pride in their work and that they take it seriously, and that the human element they bring to the process of judicial decision making is essential. Even when it might take a judge longer than a GenAI model to complete certain tasks, many noted that this could be a worthwhile tradeoff when those tasks involve the heart of judicial work, namely deciding cases and controversies. Several of the judges noted that they were the ones who were developing the judicial GenAI use policies for their courthouses, and that this concept of preserving judicial independence was a key part of those policies.

2. Early adopters are using GenAI in a variety of ways to save time, improve access to justice, and more

The judges who participated in the interviews were identified as early adopters of GenAI, and they are using that technology in novel and innovative ways. As is discussed further below, the top benefit the judges identified in their use of GenAI was increased efficiency, and their use of GenAI to help streamline certain tasks is saving them time. When GenAI helps a judge brainstorm ideas for an upcoming speech or prepare a table of speakers in a lengthy transcript, this frees the judge up to focus their attention on applying the law to the facts and ensuring a just outcome. This concept of GenAI as a "force multiplier" came up in nearly all of the interviews, though judges took a nuanced approach and noted that less informed use of GenAI can actually decrease efficiency, as when a judge has to spend time reviewing a document summary to see if there are any hallucinations.

As is discussed below, several of the judges who were interviewed also noted that they and/or their court systems are exploring ways to leverage GenAI to help improve access to justice. Certain judges and court systems are also exploring how to use GenAI to improve communication with the public.

3. Early adopters are mindful of a variety of known risks and tailor their usage to responsibly mitigate or eliminate those risks as they understand them

Every judge who participated in the interviews stressed that it is critical that any judge who is considering using GenAI be aware of all of the potential risks of the technology in addition to the potential benefits. As described below, the judges were thoughtful about a variety of risks, some specific to the legal sector (such as specific privacy concerns with documents filed under seal) and some more general (such as the potential environmental impact of GenAI). Every judge was cognizant of the risk of hallucinations, and most also discussed worries about privacy and cybersecurity concerns. But judges were focused on mitigating against other more niche risks as well, as is discussed further below. The judges were also mindful that they were responsible for their staff's use of GenAI, and for making sure it was ethical and professional. Some of the judges have their law clerks sign acceptable use agreements and seek out training for other court staff on GenAI usage.

Benefits

Interviewed judges noted the following benefits of GenAI use.[2]

Improved Efficiency

The primary benefit that the judges saw from their use of GenAI was improved efficiency. As many noted, using GenAI on some of the "easy questions" or lower-risk tasks[3] allowed the judges to have more time and mental space available for the more

[2] Benefits summarized herein are as discussed by participating judges in the interview period only and do not necessarily reflect a comprehensive account of all possible or considered benefits.

[3] While GenAI tools can increase efficiency, they can also increase risk of harm or error. High-risk uses of GenAI are uses that may impact a person's rights. Minimal- to moderate-risk uses are those that involve a human-on-the-loop (supervisory oversight) or human-in-the-loop (verification of output accuracy and

difficult tasks associated with judging. Judges seemed especially eager to utilize GenAI to help them with their more administrative duties. For example, judges discussed using GenAI tools to help plan continuing legal education (CLE) events, to generate ideas or have assistance with drafting speeches, to help plan or update court personnel trainings, and to help create presentation aids, such as slide decks. One judge described how they used GenAI to transcribe remote committee meetings (with everyone's permission) and then create a summary and action items list to be shared with all meeting participants.

Judges have also experimented with using GenAI tools for tasks more associated with traditional "judging," including using the tools for editorial assistance with their written work. Several judges discussed using GenAI as a tool to create summaries of lengthy documents. For example, some use the technology to create summaries of filings in preparation of oral argument to help generate questions to ask, or to help generate a list of disputed or undisputed facts (though again, for all of these examples, the judges were careful to note the importance of a human checking these summaries, as tools can still hallucinate even when summarizing). One judge noted that you can also upload briefing and/or transcripts and prompt a tool to create tables, lists of who is on what side in larger cases, or to give major points in outline form.

One judge considered the possibility of using GenAI to help create first drafts of opinions, but only when the judge has already independently determined the outcome. Another judge discussed using GenAI to help produce feedback for a clerk on improving a draft, and to help generate ideas on any other arguments that strengthen the position in a draft. Again, judges were adamant that it was essential for use cases like these that a judge retain ultimate decision-making authority and that a human review all outputs carefully. Finally, another judge talked about how they use GenAI to help prepare for oral argument, including as a "brainstorm buddy" to think about and refine possible questions to ask the litigants.

Judges were so excited about the potential efficiency gains associated with GenAI use that some expressed concern that some of their judicial colleagues were not open to exploring GenAI usage at all, although one judge noted that they appreciated the perspective of their colleagues who are more skeptical about judicial use of GenAI.

quality) related to administrative productivity, research, and some drafting functions. For more information about a risk-informed approach to GenAI use, see, e.g.: [1] TRI/NCSC AI Policy Consortium for Law & Courts (February 2025), Principles and Practices for Using AI Responsibly and Effectively in Courts: A Guide for Court Administrators, Judges, and Legal Professionals. [2] TRI/NCSC AI Policy Consortium for Law & Courts (August 2025), Key Considerations for the Use of Generative AI Tools in Legal Practice and Courts: Guidelines for Safe and Effective Use of Legal AI.

Another judge described how their law clerk was much more reluctant than the judge to experiment with GenAI tools.

Increasing Access to Justice

Several judges were exploring how GenAI might help improve access to justice in their courthouse(s) and judicial systems. They discussed projects their court systems are considering, like user-friendly interfaces powered by GenAI that allow potential litigants, especially self-represented litigants, to receive guidance on topics (such as forms they may need to file). Other judges are exploring the possibility of using GenAI to facilitate automatic and retroactive sealing and expungement policies.

Improved Communication with Lawyers and Public

Although some judges were concerned that their use of GenAI could potentially be negatively perceived by the public, as is discussed below, they were also excited about the possibility of the technology allowing them to more effectively communicate about the important work they do. One judge noted that, after appellate judges had issued their ruling, they could use GenAI to help create summaries of opinions at a layperson's reading level, which the judge could then edit and modify before sharing. At least one court system is using GenAI to help assist the judges with revising court rules to improve their overall readability, and another is looking at using GenAI to help develop or update standard template forms.

Risks

The judges noted the following risks, reflecting a thoughtful, considered approach to GenAI use.[4]

Hallucinations

Instances of GenAI models making up fictitious information like cases or party names, also known as hallucinations, were top of mind for nearly every judge. Some judges were familiar with academic research into just how prevalent hallucinations are in legal research, and expressed concern about those sobering statistics. Certain judges

[4] Risks summarized herein are as discussed by participating judges in the interview period only and do not necessarily reflect a comprehensive account of all possible or considered risks.

described conducting their own experiments with prompting existing models and tools to perform legal research, and nearly every judge had experienced prompting a tool and getting back a hallucinated case (sometimes an entirely fictitious case, and other times it was a description of an actual case that was false and or misleading in that it incorrectly summarized holdings, misstated the law/background facts, or referred to outdated law). As one judge described it, when using GenAI tools to conduct legal research, sometimes you find a needle in a haystack, and other times it is a swing and a miss. Judges routinely stressed how important human oversight is, advising that judges must verify the accuracy of any GenAI output. Several judges noted that this need for oversight is in tension with the benefit of GenAI as a time saver, and that they do not use GenAI for legal research because of this: they ultimately felt it did not save them time in the end. Many judges noted that including hallucinated cases in judicial opinions could harm public confidence in the judiciary.[5]

Privacy and Cybersecurity

Judges were also sensitive to the privacy and cybersecurity risks that are raised by judicial use of GenAI. They were thoughtful about the types of documents/information they would consider uploading in the first place, noting they avoid uploading documents that are sensitive or confidential. Judges were also thoughtful about the types of models they would use, such as open, free models versus closed or private models. Many judges explained that they do not upload to free, "open" models any document that is not already public. Several judges noted that these privacy concerns can be especially acute for judges who work in sensitive areas, such as juvenile justice. Other judges noted that, even when they are not uploading documents but instead merely crafting prompts, those prompts themselves, if made public (either inadvertently or through a malicious cybersecurity attack), could reveal information about a judge's thought process as they approached the case.[6] Several judges noted that they tailor their usage of GenAI tools to help mitigate privacy/confidentiality concerns, only using, for example, private or incognito modes.

[5] In October 2025, after the interviews had begun but before they were concluded, Senator Charles E. Grassley, Chair of the Senate Judiciary Committee, sent letters to two federal judges who had docketed orders that appeared to include hallucinations. In those letters, Senator Grassley discussed how such errors can "undermine confidence in the Court's deliberative process," raising for litigants and the larger American public doubts about whether they "can trust that the Court is affording their cases the care and accuracy to which they are entitled." Letter from Sen. Charles Grassley to the Honorable Henry T. Wingate, SENATE JUDICIARY COMM. (Oct. 6, 2025).

[6] For example, some judges noted that if their prompt /query history were to be revealed, it might indicate that they were leaning a certain way prior to ruling or viewing specific arguments in a positive or negative light.

Negative Public Perception

Judges were thoughtful about the risk of a negative public perception of judicial use of GenAI. As one judge put it, even when the judge feels comfortable that his or her use of GenAI is ethical and professional, the public may object to it or feel as though it undermines the need to have actual humans in the robes (indeed, this potential negative public perception was one reason we chose to make these interviews anonymous and not identify the judges we spoke with). One area that was identified as possibly needing further policy development is whether, when, and how judges should disclose their use of GenAI to litigants, including whether any such disclosure should be on a case-by-case basis or an institutional level.

Deskilling and Job Displacement

Judges expressed fear that over-reliance on GenAI could lead to a denigration of skills for lawyers, especially young lawyers and law students who now may not get the same training experiences other more seasoned lawyers have benefited from. One judge described this potential loss of skills when outsourced to GenAI as "cognitive atrophy." Another judge worried that all legal writing would start to look the same, as too many lawyers overly relied on GenAI assistance in their work. Judges also expressed concern that some of the jobs traditionally done by recent law graduates, including summarizing depositions or drafting discovery requests, may be fundamentally changed by GenAI. Other jobs in the courthouse may also be changed by GenAI, including transcription and some clerk roles.

Consequences of Use by Self-represented Litigants

Several judges expressed unease about how self-represented litigants might use GenAI. Although, as noted above, there was excitement about GenAI increasing access to justice, there was also concern about use of the technology resulting in a flood of voluminous filings that bury judges in work and do not actually help advance justice. One judge described use by "vexatious lite" litigants and discussed "dramatic" increases both in self-represented litigants and their filings (both volume and length). The concern is that litigants might have more access to the court, but not access to justice, if such filings overwhelm the system.

Other Risks

Some judges noted that GenAI use in general could raise certain intellectual property concerns, and still others were concerned about larger ethical concerns outside of the legal space, such as the environmental impact of GenAI use.

Multiple judges noted that GenAI has a "certainty bias" where it can express things in more absolute terms and miss nuance, and that it can also be sycophantic and agree with the premise posed in a prompt more than it should. Some judges also discussed how GenAI systems can produce biased outputs that reflect bias present in their training data. The judges who discussed those kinds of risks noted it is one more reason for judges to retain ultimate discretion to decide the outcomes of cases.

Additional Use Cases

Although judges interviewed were keenly aware of the risks of GenAI, they nevertheless were finding value in GenAI tools to increase their productivity and efficiency. In addition to the use cases for GenAI discussed above, judges also reported using (or considering using) GenAI in the following ways:

- Assistance with drafting law review articles or research for law review articles
- Assistance with teaching classes at law schools
- Data analysis, such as when to hold hearings to maximize attendance
- Possible translation or transcription services in future if technology improves (though another judge said those were not good enough yet)

Future Work

As a result of these interviews, we have identified some areas for future work for this policy consortium and others in the field. When asked about the training they would welcome, the judges had many excellent ideas, including training on how to use GenAI more productively and effectively, and how to help train their staff to do the same. They were especially interested in practical training in prompt engineering and how best to spot hallucinations and errors. They want to learn how other judges and court systems across the country are using GenAI, so that they can share best practices. They would also appreciate more consideration given to how best to assess their use of GenAI: what should be the metrics for success and failure?

Appendix A: Interview Questions

Topic 1: Background Questions

1. How many years have you served on the bench?
2. Please describe the staff support you have in your work as a judge (clerks, administrative support, shared resources such as staff attorneys, etc.)
3. Please describe the technology that is available to you in your work as a judge, including research databases, editing software, etc.

Topic 2: Current Use of Generative AI

1. Artificial intelligence is notoriously difficult to define, and people often mean different things when they use the term AI. To help us contextualize your answers, what do you mean when you use the term "generative AI"?
2. Are you currently using generative AI models in your work as a judge?
3. Please describe how you are using generative AI models in your work as a judge, including the model(s) you are using.
4. Please describe any process you used to determine whether to use generative AI models in your work as a judge, including any policies you consulted, guidance you sought, or training you attended.
5. Please describe the potential benefits and risks that you considered before adopting generative AI models.
6. What factors helped you decide that generative AI was the right tool for your use case?
7. Please describe any benefits that you have experienced after adopting generative AI models.
8. Please describe any risks that you have encountered after adopting generative AI models.
9. Please describe any training or guidance that you would welcome on using generative AI models in your work as a judge.

10. Please describe any concerns re: your use of generative AI.

11. To the extent you would like to use generative AI more often in your work as a judge, what are any barriers to that?

12. What, if any, additional use cases would you like to use generative AI for?

Topic 3: Ending

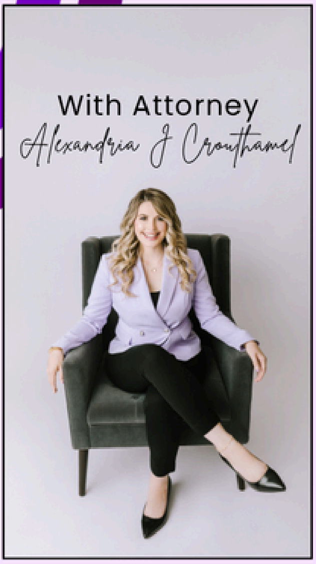
1. What, if any, AI developments do you think will affect courts in the future?

2. Is there anything else about your experience that we have not covered that you would like to share?

Appendix B: Models Used

- BriefCatch
- ChatGPT (the model mentioned most often)
- Claude
- DragonLegal
- Gemini
- Grok
- HeyGen
- Lexis AI tools
- Microsoft Suite, including Copilot
- Perplexity
- SynoAI
- Westlaw/CoCounsel
- Other bespoke court AI tools

SESSION #3 COURSE MATERIAL



CUSTODY *with* CONFIDENCE

About Me

Alexandria earned her undergraduate degree from Alvernia University and her law degree from Widener University Delaware Law School. Known for her preparedness and determination, she is especially adept at navigating high-stakes, emotionally charged cases involving custody, divorce, PFA (Protection from Abuse) orders, and other serious legal matters.

She doesn't sugarcoat her advice—clients value her honesty and direct communication. "Whether it's a divorce or a criminal matter, my clients are dealing with serious issues," she says. "Nobody calls my office happy. They need answers, strength, and solutions—and that's what I provide."

Alexandria has been widely recognized in the legal community for her accomplishments. She has been honored as one of Lehigh Valley Style's "Most Influential Women," earned a place in Marquis Who's Who Top Lawyers, and was named a 2023 "Woman of the Year" by Suburban Life Magazine. Attorney Crouthamel has appeared in the likes of Vogue, The Wall Street Journal, Forbes, The Washington Post, Super Lawyers, and Times Square. Her story has also been featured in podcasts and documentaries highlighting influential professionals in the Lehigh Valley.

Course Overview

Custody with Confidence is an intensive, practice-oriented continuing legal education program designed for attorneys handling custody litigation. This course provides a comprehensive examination of effective litigation strategy, courtroom advocacy, and client management in the evolving landscape of Pennsylvania custody law. Particular emphasis is placed on Pennsylvania's updated custody factors, the implementation and practical impact of Kayden's Law, and the strategic presentation of evidence in high-conflict custody disputes. Participants will learn how to build persuasive custody cases from intake through trial, including the development of themes, witness preparation, evidentiary considerations, and effective cross-examination techniques.

Contact Me

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Pennsylvania's Updated CUSTODY FACTORS

AS OF AUGUST 25, 2025:

In ordering any form of custody, the court shall determine the best interest of the child by considering all relevant factors, giving substantial weighted consideration to the factors specified under paragraphs (1), (2), (2.1) and (2.2) which affect the safety of the child, including the following:

(1) Which party is more likely to ensure the safety of the child.

(2) The present and past abuse committed by a party or member of the party's household, which may include past or current protection from abuse or sexual violence protection orders where there has been a finding of abuse.
(2.1) The information set forth in section 5329.1(a) (relating to consideration of child abuse and involvement with protective services).
(2.2) Violent or assaultive behavior committed by a party.
(2.3) The level of cooperation and conflict between the parties, including:
(i) which party is more likely to encourage and permit frequent and continuing contact between the child and the other party or parties if contact is consistent with the safety needs of the child; and
(ii) the attempts by a party to turn the child against the other party, except in cases of abuse where reasonable safety measures are necessary to protect the safety of the child. A party's good faith and reasonable effort to protect the safety of a child or self shall not be considered evidence of unwillingness or inability to cooperate with the other party. A party's reasonable concerns for the safety of the child and the party's reasonable efforts to protect the child shall not be considered attempts to turn the child against the other party. A child's deficient or negative relationship with a party shall not be presumed to be caused by the other party.

(3) A willingness and ability of a party to prioritize the needs of the child by providing appropriate care, stability and continuity for the child, considering the parental duties performed by the party on behalf of the child in the past and whether the party is willing and able to perform the duties in the future, and attend to the daily physical, emotional, developmental, educational and special needs of the child.

(4) The need for stability and continuity in the child's education, family life and community life, except if changes are necessary to protect the safety of the child or a party.

(5) The child's sibling and other familial relationships.

(6) The well-reasoned preference of the child, based on the child's developmental stage, maturity and judgment.

(7) The proximity of the residences of the parties.

(8) Each party's employment schedule and availability to care for the child or ability to make appropriate child-care arrangements.

(9) The history of drug or alcohol abuse of a party or member of a party's household.

(10) The mental and physical condition of a party or member of a party's household.

(11) Any other relevant factor.

23 Pa.C.S. § 5328

Kayden's Law

Background

Kayden's Law, named after seven-year-old Kayden Mancuso, was enacted in response to her tragic death in 2018 during an unsupervised custody visit with her father, who had a history of violence and mental health issues. This incident highlighted significant gaps in the family court system regarding the handling of custody cases involving allegations of abuse.

Senate Bill 55
2023-2024 Regular Session
An Act amending Titles 23 (Domestic Relations) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in child custody, further providing for definitions, for award of custody, for factors to consider when awarding custody, for consideration of criminal conviction, for guardian ad litem for child, for counsel for child and for award of counsel fees, costs and expenses; and, in Administrative Office of Pennsylvania Courts, providing for child abuse and domestic abuse education and training program for judges and court personnel.

Practical Application

prioritizing a child's physical safety over maintaining equal parental access

Framing Your Case

1. ***Development of Case Theory:***
   Position your Client as the "Safest and Most Stable Option"

2. ***Evidentiary Strategy:***
   What actually persuades a Judge vs. common misconceptions

3. ***Direct and Cross-examination Techniques:***
   Structuring testimony around the custody factors, phsyical proof

4. ***Handling Complex Issues:***
   Allegations of abuse, parental alienation concerns, mental health/susbstance abuse concerns with Kayden's Law.

HYPOTHETHICAL FACT PATTERN:

SARAH AND MIKE ARE THE PARENTS OF A 7-YEAR-OLD CHILD, AVA. THE PARTIES SEPARATED APPROXIMATELY ONE YEAR AGO AND CURRENTLY SHARE INFORMAL CUSTODY, WITH AVA PRIMARILY RESIDING WITH SARAH IN ALLENTOWN.

SARAH WORKS AS A REGISTERED NURSE WITH A CONSISTENT DAYTIME SCHEDULE. SINCE SEPARATION, SHE HAS ENROLLED AVA IN COUNSELING AND ENSURES SHE ATTENDS ALL MEDICAL AND SCHOOL APPOINTMENTS. AVA IS THRIVING ACADEMICALLY AND SOCIALLY IN HER CURRENT SCHOOL DISTRICT.

MIKE WORKS IRREGULAR OVERNIGHT SHIFTS AND FREQUENTLY RELIES ON HIS MOTHER FOR CHILDCARE DURING HIS CUSTODIAL PERIODS. OVER THE PAST YEAR, MIKE HAS CANCELED CUSTODIAL TIME ON AT LEAST SIX OCCASIONS DUE TO WORK CONFLICTS.

APPROXIMATELY EIGHT MONTHS AGO, POLICE WERE CALLED TO MIKE'S RESIDENCE FOLLOWING AN ARGUMENT BETWEEN MIKE AND HIS GIRLFRIEND. WHILE NO CHARGES WERE FILED, AVA WAS PRESENT AND REPORTEDLY WITNESSED YELLING AND PROPERTY DAMAGE. FOLLOWING THIS INCIDENT, AVA'S THERAPIST DOCUMENTED INCREASED ANXIETY AND DIFFICULTY SLEEPING AFTER VISITS WITH MIKE.

ADDITIONALLY, SARAH ALLEGES THAT MIKE OFTEN SPEAKS NEGATIVELY ABOUT HER TO AVA, TELLING AVA THAT SARAH IS "TRYING TO KEEP HER AWAY FROM HIM." AVA HAS BEGUN REPEATING THESE STATEMENTS AND SHOWS DISTRESS WHEN TRANSITIONING BETWEEN HOUSEHOLDS.

MIKE HAS RECENTLY FILED FOR SHARED PHYSICAL CUSTODY, ASSERTING THAT HE WANTS TO BE MORE INVOLVED AND HAS ADJUSTED HIS WORK SCHEDULE, THOUGH NO LONG-TERM CHANGE HAS YET BEEN DEMONSTRATED.

identify the

Three most relevant custody factors

Courtroom *Application*

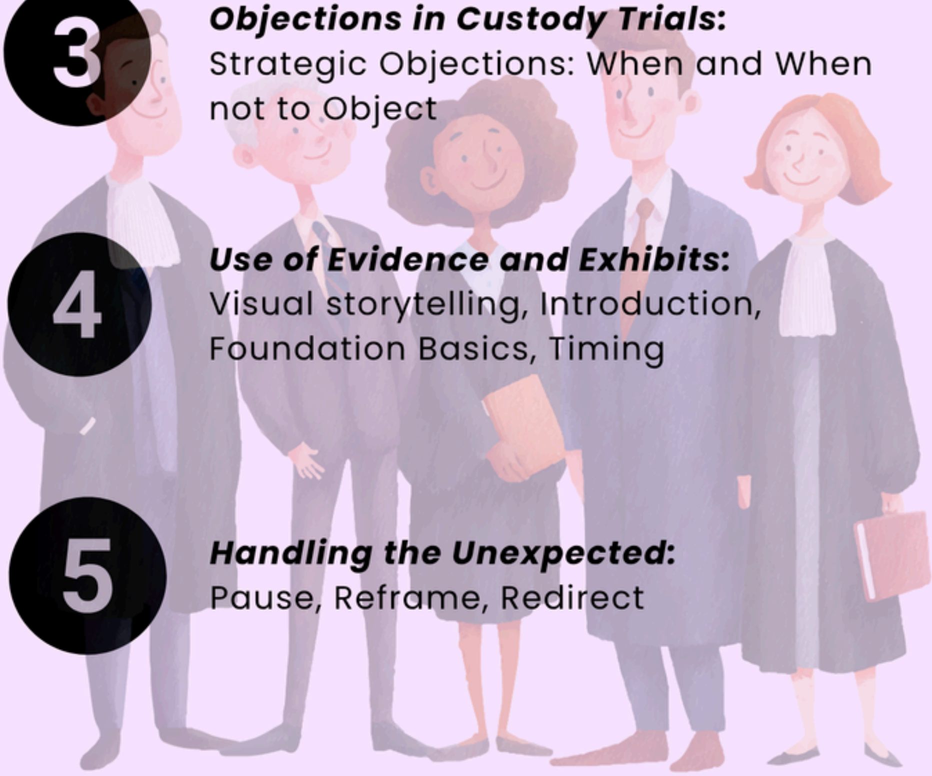
1. ***Organization:***
   Factor by Factor vs. Narrative storytelling

2. ***Settlement vs. Litigation:***
   When to push vs. when to resolve

3. ***Objections in Custody Trials:***
   Strategic Objections: When and When not to Object

4. ***Use of Evidence and Exhibits:***
   Visual storytelling, Introduction, Foundation Basics, Timing

5. ***Handling the Unexpected:***
   Pause, Reframe, Redirect



SESSION#4 COURSE MATERIAL

Rules of Professional Responsibility While In a Non-Traditional Legal Role

Description: This CLE session examines how the ABA Model Rules of Professional Conduct apply to attorneys whose careers have moved outside the traditional advocate or advisor model. As JD-holders increasingly take on roles in government administration, judicial operations, corporate compliance, and other non-traditional capacities, the Rules' assumptions about clients, representation, and the practice of law don't always map cleanly onto the work. This session brings together attorneys whose careers span court administration, public sector DEI leadership, and global corporate compliance to explore a shared throughline question: *Am I acting as a lawyer right now?* Through moderated discussion grounded in specific Model Rules, panelists will unpack how conflicts of interest, confidentiality, client identification, and professional independence play out when "lawyer" isn't the job title on the door.

Objectives:
By the end of this session, participants will be able to:

1. Identify when the Model Rules apply to attorneys working outside traditional law firm or courtroom practice
2. Recognize how Rule 1.13 (Organization as Client) and Rule 5.7 (Law-Related Services) function differently across government, judicial administration, and corporate compliance settings
3. Apply conflict-of-interest and confidentiality rules (1.6, 1.7, 1.10, 1.11) to dual-hat and embedded roles
4. Evaluate the tension between organizational/institutional loyalty and independent professional judgment (Rule 2.1, Rule 5.4)
5. Leave with at least one practical safeguard for documenting and maintaining ethical compliance in a non-traditional role

Agenda:
0:00–0:05 Welcome & Framing: Facilitator introduces panelists and the session's throughline question
0:05–0:50 Panel Discussion: Free-flowing conversation moderated by facilitator, covering:
- The blurred line between "practicing law" and day-to-day role
- Who counts as "the client" in non-traditional settings
- Where the Model Rules framework gets tested or falls short

0:50–0:55 Closing Round: Each panelist shares one takeaway
0:55–1:00 Audience Q&A

Questions:
1. If someone asked you to describe your job without using the word "lawyer," what would you say? What does that leave out?
2. Rule 5.7 assumes legal services and everything else can be cleanly separated. Can each of you talk about your experience with that line?

3. Rule 1.13 says the organization is the client. What does that actually look like in your day-to-day work?
   - **Nicole**: When does your advice get treated as legal judgment vs. policy preference that's easier to overrule? (Rule 2.1)
   - **Rebecca**: Has your independence ever actually been tested — business wanted one answer, law required another? (Rule 5.4)
4. Has there ever been a moment where following a rule and honoring its purpose felt like two different things? What happened?
5. **Rebecca**: What's it like managing legal and regulatory obligations across multiple jurisdictions? (Rule 8.5)
6. If you had to tell this room one thing the Model Rules get wrong about roles like yours, what would it be?

Applicable Rules:

Rule 5.7 — Responsibilities Regarding Law-Related Services
Rule 1.13 — Organization as Client
Rule 8.2 — Judicial and Legal Officials
Rule 2.1 — Advisor
Rule 5.4 — Professional Independence of a Lawyer
Preamble and Scope
Rule 8.5 — Disciplinary Authority; Choice of Law
Rule 4.3 — Dealing with Unrepresented Person

SESSION#5 COURSE MATERIAL

CLE Title: " Beyond the Courtroom: The Lawyer’s Ethical Duty to Give Back"

CLE Description:
As members of thelegal profession, we recognize that informed and engaged citizens are crucial to sustaining a democratic government. A "government of the people, by the people, for the people" is only possible when the public is equipped with the knowledge and resources necessary to participate meaningfully in civic life. As lawyers, we have taken an oath to support, obey, and defend the Constitution of the United States. Whether through pro bono service, civic education, policy advocacy, or community outreach, legal professionals are uniquely positioned to advance democratic participation, promote educational equity, and strengthen public confidence in the rule of law.
In an era of declining civic literacy and public trust in institutions, lawyers are uniquely positioned to advance civic understanding, promote meaningful participation in democratic processes, and strengthen confidence in the justice system. This program explores both the opportunities and ethical obligations that accompany that role.

CLE Learning Objectives:
By the end of this session, attendees will:

1. Recognize an ethical obligation to engage and educate the community in Civics.
2. Understand the ethical challenges in providing pro bono legal services for civic engagement and education-related initiatives.
3. Gain practical knowledge of how to avoid conflicts and uphold confidentiality and privacy when working with vulnerable populations or community groups.
    1. Navigate the ethical obligations when engaging with public education campaigns, nonprofit organizations, or community-based initiatives.
4. Explore meaningful opportunities for civic education advancement and demonstrate a commitment to uphold the Oath we took as attorneys.

CLE Agenda:

I. Oath and Ethical Obligation (15 min)

- Attorneys’ Oath

- Overview of The Rules of Professional Conduct and the requirement to "further the public's understanding of and confidence in the rule of law and the justice system."

- Overview of the Preamble to the Model Rules of Professional Conduct and the ethical responsibilities it outlines for attorneys, especially in light of the current challenges to the rule of law and the justice system.

- Ethical obligation to engage in pro bono. Rule 6.1.

II. Conflicts of Interest in Pro Bono and Civic Engagement Work (15 min)

- **Key Point**: When providing pro bono services attorneys must ensure they are not creating conflicts of interest through improper relationships or agreements.

- Defining conflicts of interest in the context of public service and community outreach.

    - Applicable rules: 1.7, 1.8, 1.9

- Recognizing situations where conflicts may arise (e.g., representing multiple parties, dealing with community groups vs. individual clients).

- Hypothetical ethical dilemmas involving conflicts of interest in pro bono services.

III. Ethical Concerns When Engaging in Civic Education and Pro Bono (20 min)

- Scope of Representation: Is this legal advice? "Are you my lawyer?"

    - Applicable Rules: 1.2, 1.3

- Ethical obligations regarding competence, and confidentiality when working with marginalized or vulnerable communities.

    - Applicable rules: 1.1, 1.6

- Practical advice on how to handle sensitive client information when working on educational or advocacy projects.

- Hypothetical ethical dilemma involving confidentiality.

IV. Opportunities to Get Involved (10 min)

- Discussion of pro bono opportunities available and/or one action step to take

DISCUSSION QUESTIONS

I. Oath and Ethical Obligation

Moderator to ALL:
As members of the legal profession, what does the attorney's oath mean to you personally, and how does it inform your daily practice?

- why should lawyers view civic education and community engagement as part of their professional responsibility?
- What is the lawyer’s ethical role when acting as a civic educator in addition to being a legal advocate?

Danielle Gardner Wright:
In hearing attorney’s prospective regarding their professional responsibility, in your opinion, does it align with the Preamble to the Rules of Professional Conduct and the attorney's oath?

Danielle Gardner Wright:
In reviewing the PRC, Rule 6.1 encourages attorneys to engage in pro bono service. How should attorneys think about that obligation in today's environment?

- Follow-Up: How does pro bono work advance democratic participation and confidence in the legal system?

David Trevaskis and Kadeem Morris:
David, as the immediate pass Director of pro bono services for the PA bar association...Kadeem, as the co-managing attorney for CLS and Co-chair of the Philadelphia Bar Association's Civil Gideon Task Force, do you think the legal profession is doing enough to fulfill the ethical obligation of pro bono service? Why or why not?

Moderator to ALL:
As attorneys, what are some challenges lawyers face in providing pro bono services? What are some barriers that might prevent attorneys from engaging in pro bono or civic education work?
Transition> Now that we know lawyers have an ethical responsibility to engage the public, what happens when that engagement creates risk of conflicts of interest?

II. Conflicts of Interest in Civic Engagement and Pro Bono Work

Danielle Gardner Wright:
One of the challenges that comes to mind relates to conflicts of interest in non-traditional legal settings like educational or community outreach.

- o 1.7 Before providing pro bono or community-based legal services, attorneys should determine whether existing client relationships could create conflicts with the individuals or organizations they are assisting
- o 1.8 Attorneys engaged in civic engagement, nonprofit work, or pro bono matters should be mindful of personal, financial, or organizational relationships thatcouldaffect theirprofessionaljudgment.
- o 1.9 Attorneys engaged in pro bono work, civic education, or community outreach must remain mindful of their continuing duties to former clients. Before assisting individuals or organizations, lawyers should consider whether the matter is related to a prior representation and whether any confidential information could create a conflict or limit their ability to participate.

- How might conflicts of interest arise when an attorney volunteers at a legal clinic serving multiple members of the same community, why can such conflicts be more difficult to identify in community outreach, civic education, and pro bono settings than in traditional client representation, and what steps should attorneys take to avoid or properly manage those conflicts?

David Trevaskis and Kadeem Morris:
You both are actively involved in organizations that focuses primarily on access to justice, whether through direct representation or civic education, what are some common conflict issues you have seen arise in access-to-justice or pro bono programs?

Follow-Up to David Trevaskis:
What unique challenges arise when attorneys partner with community organizations or advocacy groups and what practical steps can attorneys take to identify and avoid these situations?

Follow-Up to Kadeem Morris:
How can attorneys maintain community trust while navigating these ethical obligations?

HYPOTHETICAL FOR AUDIENCE:

An attorney volunteers at a housing-rights clinic and later learns their firm represents a landlord whose interests may be adverse to individuals who attended the clinic. What rule, if any, was violated? What additional facts would determine whether a rule violation occurred?

- A violation of Rule 1.7 could occur if a clinic attendee became a current client of the attorney or firm, and the firm simultaneously represents the landlord in related eviction matters.
- A violation of Rule 1.9 could occur if a clinic attendee was effectively a **former client**, and the firm represents the landlord in the same or a substantially related matter.

III. Ethical Concerns When Engaging in Civic Education and Pro Bono Work

Moderator to ALL:
Even when conflicts are managed, civic engagement raises another issue—how do we ensure people understand the difference between legal information and legal representation?
Danielle Gardner Wright:
As an ethics attorney, you may be use to one of the most common questions lawyers face during public education events: "Are you my lawyer?"
As we know, there is no single rule that defines "Are you my lawyer?", but there may be several rules that attorneys can keep in mind to help facilitate the issue of whether an attorney-client relationship exists and how it is formed and limited. Can you walk through these rules?

- **Rule 1.2 – Scope of Representation**
- **Rule 1.6 – Confidentiality of Information**

Kadeem Morris:
How do you clearly communicate the scope of representation in a pro bono setting or during a community legal education session?

David Trevaskis:
How can attorneys effectively educate the public while avoiding confusion about the attorney-client relationship?

Moderator to ALL:
How should lawyers manage not just actual ethical duties, but the public perception that they are acting as someone's lawyer?

Danielle Gardner Wright:
Where is the line between civic education and the unauthorized practice of law concerns or individualized legal advice?

HYPOTHETICAL FOR AUDIENCE:

During a Know Your Rights presentation, an attendee begins sharing details about an ongoing legal matter and asks for guidance. What ethical obligations are triggered?

- In a Know Your Rights presentation, the key ethical risk is that a general education setting can quickly shift into a prospective client interaction under Rule 1.18, triggering confidentiality and conflict concerns, while Rules 1.2, 1.6, and 4.3 require the lawyer to clearly limit the relationship and avoid individualized legal advice.

Moderator to ALL:
What safeguards or intake procedures should organizations and firms put in place before lawyers engage in civic education or clinic work to prevent ethical issues from arising?
Transition options> Even when lawyers avoid conflicts and clearly definethe scope oftheirrole, civic education raises another important issue: how do we make sure lawyers are giving accurate information when they are engaging in pro bono work or civic education?

- **Rule 1.1 – Competency**
- **Rule 1.3 – Diligence**

Danielle Gardner Wright:
Can you address the PRC surrounding Competency (Rule 1.1) and how it applies in civic education and pro bono contexts?
David Trevaskis and Kadeem Morris:
How can attorneys ensure they are providing accurate, competent information when volunteering outside their primary area of practice? Discuss training and supervision in pro bono programs.
Moderator to ALL
I'm sure that in one way or another, each of you engages with the community—whether family, clients, or the public—by sharing information about the law in some form.

- Do lawyers have a unique obligation to address declining civic literacy and public confidence in institutions? Why or why not?
- How can lawyers make civic education clear, inclusive, and easy to understand for different communities, and why does that matter?

Moderator to ALL for Closing:
Are there any volunteer opportunities or one concrete action every attorney can take in the next 30 days to advance civic education, strengthen public trust in the legal system, or expand access to justice?

Rule 1.1: Competence

Alawyer shallprovide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.

Rule 1.2: Scope of Representation & Allocation of Authority Between Client & Lawyer

(a)Subject to paragraphs (c) and (d), a lawyer shall abide by a client's decisions concerning the objectives of representation and, as required by Rule 1.4, shall consult with the client as to the means by which they are to be pursued. A lawyer may take such action on behalf of the client as is impliedly authorized to carry out the representation. A lawyer shall abide by a client's decision whether to settle a matter. In a criminal case, the lawyer shall abide by the client's decision, after consultation with the lawyer, as to a plea to be entered, whether to waive jury trial and whether the client will testify.
(b) A lawyer's representation of a client, including representation by appointment, does not constitute an endorsement of the client's political, economic, social or moral views or activities.
(c) A lawyer may limit the scope of the representation if the limitation is reasonable under the circumstances and the client gives informed consent.
(d) A lawyer shall not counsel a client to engage, or assist a client, in conduct that the lawyer knows is criminal or fraudulent, but a lawyer may discuss the legal consequences of any proposed course of conduct with a client and may counsel or assist a client to make a good faith effort to determine the validity, scope, meaning or application of the law.

Rule 1.3: Diligence

A lawyer shall act with reasonable diligence and promptness in representing a client.

Rule 1.6: Confidentiality of Information

(a)A lawyer shall not revealinformation relatingto the representation of a client unless the client gives informed consent, the disclosure is impliedly authorized in order to carry out the representation or the disclosure is permitted by paragraph (b).
(b) A lawyer may reveal information relating to the representation of a client to the extent the lawyer reasonably believes necessary:

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(1) to prevent reasonably certain death or substantial bodily harm;
(2) to prevent the client from committing a crime or fraud that is reasonably certain to result in substantial injury to the financial interests or property of another and in furtherance of which the client has used or is using the lawyer's services;
(3) to prevent, mitigate or rectify substantial injury to the financial interests or property of another that is reasonably certain to result or has resulted from the client's commission of a crime or fraud in furtherance of which the client has used the lawyer's services;
(4) to secure legal advice about the lawyer's compliance with these Rules;
(5) to establish a claim or defense on behalf of the lawyer in a controversy between the lawyer and the client, to establish a defense to a criminal charge or civil claim against the lawyer based upon conduct in which the client was involved, or to respond to allegations in any proceeding concerning the lawyer's representation of the client;
(6) to comply with other law or a court order; or
(7) to detect and resolve conflicts of interest arising from the lawyer’s change of employment or from changes in the composition or ownership of a firm, but only if the revealed information would not compromise the attorney-client privilege or otherwise prejudice the client.
(c) A lawyer shall make reasonable efforts to prevent the inadvertent or unauthorized disclosure of, or unauthorized access to, information relating to the representation of a client.

Rule 1.7: Conflict of Interest: Current Clients

(a) Except as provided in paragraph (b), a lawyer shall not represent a client if the representation involves a concurrent conflict of interest. A concurrent conflict of interest exists if:
(1) the representation of one client will be directly adverse to another client; or
(2) there is a significant risk that the representation of one or more clients will be materially limited by the lawyer's responsibilities to another client, a former client or a third person or by a personal interest of the lawyer.
(b) Notwithstanding the existence of a concurrent conflict of interest under paragraph (a), a lawyer may represent a client if:
(1) the lawyer reasonably believes that the lawyer will be able to provide competent and diligent representation to each affected client;
(2) the representation is not prohibited by law;

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(3) the representation does not involve the assertion of a claim by one client against another client represented by the lawyer in the same litigation or other proceeding before a tribunal; and
(4) each affected client gives informed consent, confirmed in writing.

Rule 1.8: Current Clients: Specific Rules

(a) A lawyer shall not enter into a business transaction with a client or knowingly acquire an ownership, possessory, security or other pecuniary interest adverse to a client unless:
(1) the transaction and terms on which the lawyer acquires the interest are fair and reasonable to the client and are fully disclosed and transmitted in writing in a manner that can be reasonably understood by the client;
(2) the client is advised in writing of the desirability of seeking and is given a reasonable opportunity to seek the advice of independent legal counsel on the transaction; and
(3) the client gives informed consent, in a writing signed by the client, to the essential terms of the transaction and the lawyer's role in the transaction, including whether the lawyer is representing the client in the transaction.
(b) A lawyer shall not use information relating to representation of a client to the disadvantage of the client unless the client gives informed consent, except as permitted or required by these Rules.
(c) A lawyer shall not solicit any substantial gift from a client, including a testamentary gift, or prepare on behalf of a client an instrument giving the lawyer or a person related to the lawyer any substantial gift unless the lawyer or other recipient of the gift is related to the client. For purposes of this paragraph, related persons include a spouse, child, grandchild, parent, grandparent or other relative or individual with whom the lawyer or the client maintains a close, familial relationship.
(d) Prior to the conclusion of representation of a client, a lawyer shall not make or negotiate an agreement giving the lawyer literary or media rights to a portrayal or account based in substantial part on information relating to the representation.
(e) A lawyer shall not provide financial assistance to a client in connection with pending or contemplated litigation, except that:
(1) a lawyer may advance court costs and expenses of litigation, the repayment of which may be contingent on the outcome of the matter;

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(2) a lawyer representing an indigent client may pay court costs and expenses of litigation on behalf of the client; and
(3) a lawyer representing an indigent client pro bono, a lawyer representing an indigent client pro bono through a nonprofit legal services or public interest organization and a lawyer representing an indigent client pro bono through a law school clinical or pro bono program may provide modest gifts to the client for food, rent, transportation, medicine and other basic living expenses. The lawyer:
(i) may not promise, assure or imply the availability of such gifts prior to retention or as an inducement to continue the client-lawyer relationship after retention;
(ii) may not seek or accept reimbursement from the client, a relative of the client or anyone affiliated with the client; and
(iii) may not publicize or advertise a willingness to provide such gifts to prospective clients.
Financial assistance under this Rule may be provided even if the representation is eligible for fees under a fee-shifting statute.
(f) A lawyer shall not accept compensation for representing a client from one other than the client unless:
(1) the client gives informed consent;
(2) there is no interference with the lawyer's independence of professional judgment or with the client-lawyer relationship; and
(3) information relating to representation of a client is protected as required by Rule 1.6.
(g) A lawyer who represents two or more clients shall not participate in making an aggregate settlement of the claims of or against the clients, or in a criminal case an aggregated agreement as to guilty or nolo contendere pleas, unless each client gives informed consent, in a writing signed by the client. The lawyer's disclosure shall include the existence and nature of all the claims or pleas involved and of the participation of each person in the settlement.
(h) A lawyer shall not:
(1) make an agreement prospectively limiting the lawyer's liability to a client for malpractice unless the client is independently represented in making the agreement; or
(2) settle a claim or potential claim for such liability with an unrepresented client or former client unless that person is advised in writing of the desirability of seeking and is given a reasonable opportunity to seek the advice of independent legal counsel in connection therewith.

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(i) A lawyer shall not acquire a proprietary interest in the cause of action or subject matter of litigation the lawyer is conducting for a client, except that the lawyer may:
(1) acquire a lien authorized by law to secure the lawyer's fee or expenses; and
(2) contract with a client for a reasonable contingent fee in a civil case.
(j) A lawyer shall not have sexual relations with a client unless a consensual sexual relationship existed between them when the client-lawyer relationship commenced.
(k) While lawyers are associated in a firm, a prohibition in the foregoing paragraphs (a) through (i) that applies to any one of them shall apply to all of them

Rule 1.9: Duties to Former Clients

(a) A lawyer who has formerly represented a client in a matter shall not thereafter represent another person in the same or a substantially related matter in which that person's interests are materially adverse to the interests of the former client unless the former client gives informed consent, confirmed in writing.
(b) A lawyer shall not knowingly represent a person in the same or a substantially related matter in which a firm with which the lawyer formerly was associated had previously represented a client
(1) whose interests are materially adverse to that person; and
(2) about whom the lawyer had acquired information protected by Rules 1.6 and 1.9(c) that is material to the matter; unless the former client gives informed consent, confirmed in writing.
(c) A lawyer who has formerly represented a client in a matter or whose present or former firm has formerly represented a client in a matter shall not thereafter:
(1) use information relating to the representation to the disadvantage of the former client except as these Rules would permit or require with respect to a client, or when the information has become generally known; or
(2) reveal information relating to the representation except as these Rules would permit or require with respect to a client.

Rule 6.1: Voluntary Pro Bono Publico Service

Every lawyer has a professional responsibility to provide legal services to those unable to pay. A lawyer should aspire to render at least (50) hours of pro bono publico legal services per year. In fulfilling this responsibility, the lawyer should:

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(a) provide a substantial majority of the (50) hours of legal services without fee or expectation of fee to:
(1) persons of limited means or
(2) charitable, religious, civic, community, governmental and educational organizations in matters that are designed primarily to address the needs of persons of limited means; and
(b) provide any additional services through:
(1) delivery of legal services at no fee or substantially reduced fee to individuals, groups or organizations seeking to secure or protect civil rights, civil liberties or public rights, or charitable, religious, civic, community, governmental and educational organizations in matters in furtherance of their organizational purposes, where the payment of standard legal fees would significantly deplete the organization's economic resources or would be otherwise inappropriate;
(2) delivery of legal services at a substantially reduced fee to persons of limited means; or
(3) participation in activities for improving the law, the legal system or the legal profession.
In addition, a lawyer should voluntarily contribute financial support to organizations that provide legal services to persons of limited means.

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