

Artificial Intelligence in Accountability Courts:

Risks, Opportunities, and Guardrails for Multidisciplinary Teams

Judge Gayle Williams-Byers (Ret.)
Associate, Justice Speakers Institute

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A Realistic Accountability Court Scenario

A participant

1 Misses counseling

2 Violates curfew

3 Misses medication appointments

An AI enabled system:

1 Flags relapse risk

2 Generates a participant summary

3 Recommends increased supervision



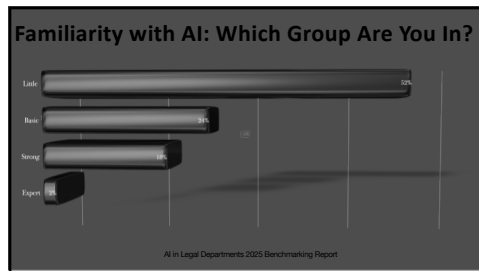
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Discussion Question:

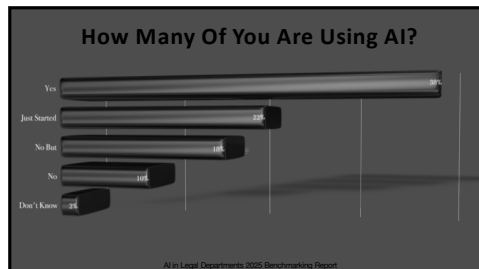
Would your team Accept the recommendation?



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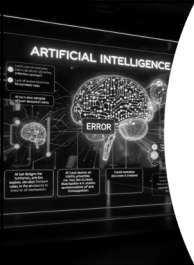
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All Of You Are Using AI

AI is no longer theoretical in accountability courts.

01	Case management
02	Supervision
03	Treatment communication
04	Participant monitoring
05	Documentation
06	Judicial workflow

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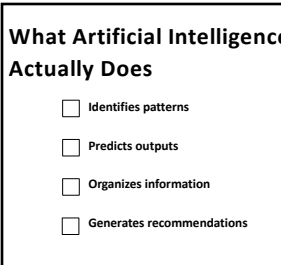
AI Is Not intelligent

AI does not exercise legal judgment or human reasoning

AI generates outputs based on patterns and follows human-designed rules

Impact depends on design, data, and use

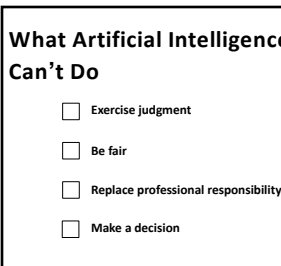
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What Artificial Intelligence Actually Does

- ☐ Identifies patterns
- ☐ Predicts outputs
- ☐ Organizes information
- ☐ Generates recommendations

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What Artificial Intelligence Can't Do

- ☐ Exercise judgment
- ☐ Be fair
- ☐ Replace professional responsibility
- ☐ Make a decision

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Three Functional Categories

- ☐ Administrative Systems
- ☐ Monitoring & Perception Tools
- ☐ Decision-Shaping Systems



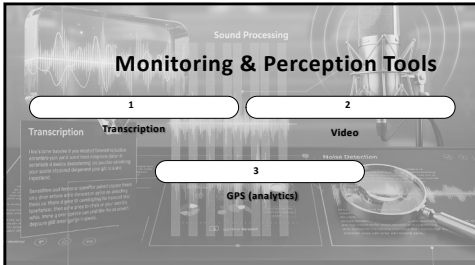
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Administrative systems

- Scheduling
- Documentation
- Workflow

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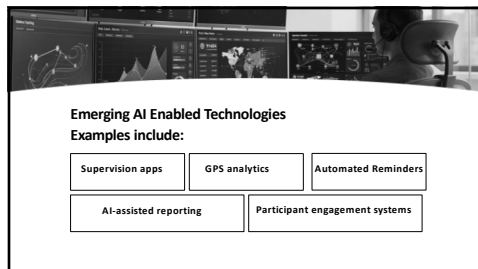
Monitoring & Perception Tools

- Transcription
- Video
- GPS (analytics)

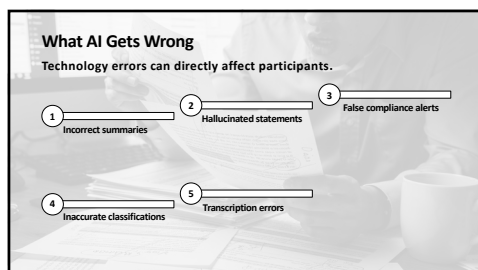
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Ethical Hypothetical

An AI generated staffing summary states:
"The participant admitted relapse."

The participant never said it.

Who catches the mistake?
What if nobody does?
Does the team trust the summary?





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Why AI Feels Authoritative

Scores appear:

- Objective
- Scientific
- Neutral
- Precise

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Automation Bias

- The tendency to place too much trust in machine-generated recommendations.
- The Risk
- Technology can narrow discretion before meaningful discussion occurs.
- Appearance of certainty may exceed actual reliability.



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Professional Responsibility Does Not Transfer

Responsibility remains with:

- 1 Judges
- 2 Attorneys
- 3 Clinicians
- 4 Supervision officers
- 5 Coordinators

Automation creates no ethical safe harbor

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AI Generated Recommendations and Participant Rights

Imagine an AI system recommends:

- Increased sanctions
- Inpatient placement
- Termination from the program
- Can participants challenge the recommendation?
- Is it reproducible?
- Can you explain the recommendation?

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AI Outputs May Become Evidence

- Risk scores
- Monitoring reports
- Behavioral alerts
- Compliance summaries

If it affects outcomes courts should scrutinize it.

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Traditional Evidence Rules Apply

Frye where applicable

Daubert and Rule 702

Reliability required

Judges are gatekeepers



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Proposed Rule 702 Considerations

- Reliable methodology
- Reliable application
- Sufficient data
- Disclosure



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The Five Guardrails

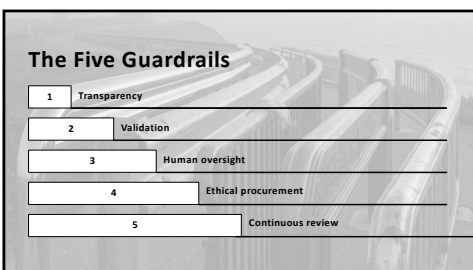
1 Transparency

2 Validation

3 Human oversight

4 Ethical procurement

5 Continuous review



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Guardrail One: Transparency

What tool is being used?

How does it work?

When was it used?



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Guardrail Two: Validation

Has it been validated?

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Has it been independently tested?

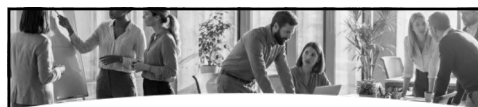
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What are the error rates?

3

Has bias been evaluated?

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Guardrail Three: Human Oversight

Professionals Must:

1 Review Outputs

2 Challenge conclusions

3 Verify information

4 Remain accountable

5 Ensure participant confidentiality

6 Check inputs

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Guardrail Four: Ethical Procurement

Questions

1	2	3
Will methodologies be disclosed?	Can outputs be Challenged by the defense?	Do trade-secret claims limit transparency?

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Guardrail Five: Continuous Review

Because systems change

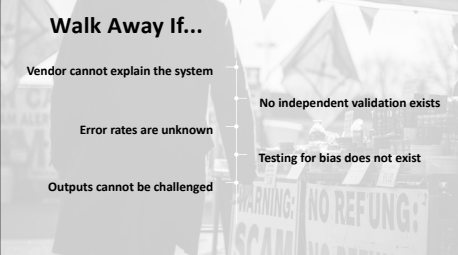
Monitor performance
Audit outcomes
Track updates

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Every Vendor Should Provide

1	Transparency
2	Validation
3	Court Oversight
4	Continuous Review

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Walk Away If...

- Vendor cannot explain the system
- No independent validation exists
- Error rates are unknown
- Testing for bias does not exist
- Outputs cannot be challenged

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Questions to Ask

TRANSPARENCY - What type of AI is this — rule-based, statistical, or hybrid? - What data was it built on, and how old is it? - What variables does it use — and exclude?	VALIDATION - Has this been independently validated? - What is the documented error rate? - Has it been tested for racial or socioeconomic bias?	HUMAN OVERSIGHT & DATA - Is participant data retained or used to train your models? - Does the system produce a full audit trail? - Who has access to the data we enter?
ETHICAL PROCUREMENT - Will you disclose your methodology to defense counsel if challenged? - Does your data-scientist policy limit our ability to contest outputs? - What is your policy if a court orders full disclosure?	CONTINUOUS REVIEW - How will we be notified if the model's updated or changed? - Who is accountable when an output harms a participant? - Under what circumstances will you suspend or recall the tool?	WALK AWAY IF ... - Vendor can't explain the tool in plain language - No independent validation or bias testing exists - Trade-secret rules would prevent any court challenge

If vendor cannot answer these questions clearly — that tool is an answer.

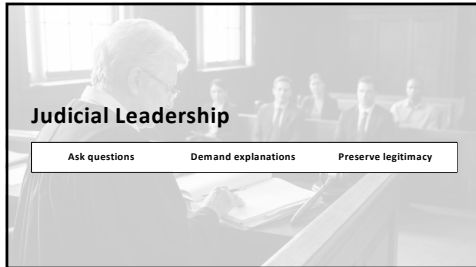
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What Courts Should Avoid

- Silent AI adoption
- Treating scores as facts
- Delegating judgment

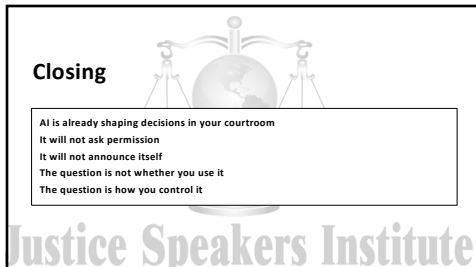
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Judicial Leadership

- Ask questions
- Demand explanations
- Preserve legitimacy

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Closing

- AI is already shaping decisions in your courtroom
- It will not ask permission
- It will not announce itself
- The question is not whether you use it
- The question is how you control it

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Thank You For Your Kind Attention

GayleB326@gmail.com

Judge Gayle Williams Byers (Ret.)

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