

COPILOT AND THE BENCH

DISTRICT COURT JUDGES FALL CONFERENCE

OCTOBER 7, 2026



SECTION 01

COPILLOT IN THE GCC ENVIRONMENT

Understanding Enterprise Data Protection, Access Controls, and Security Boundaries



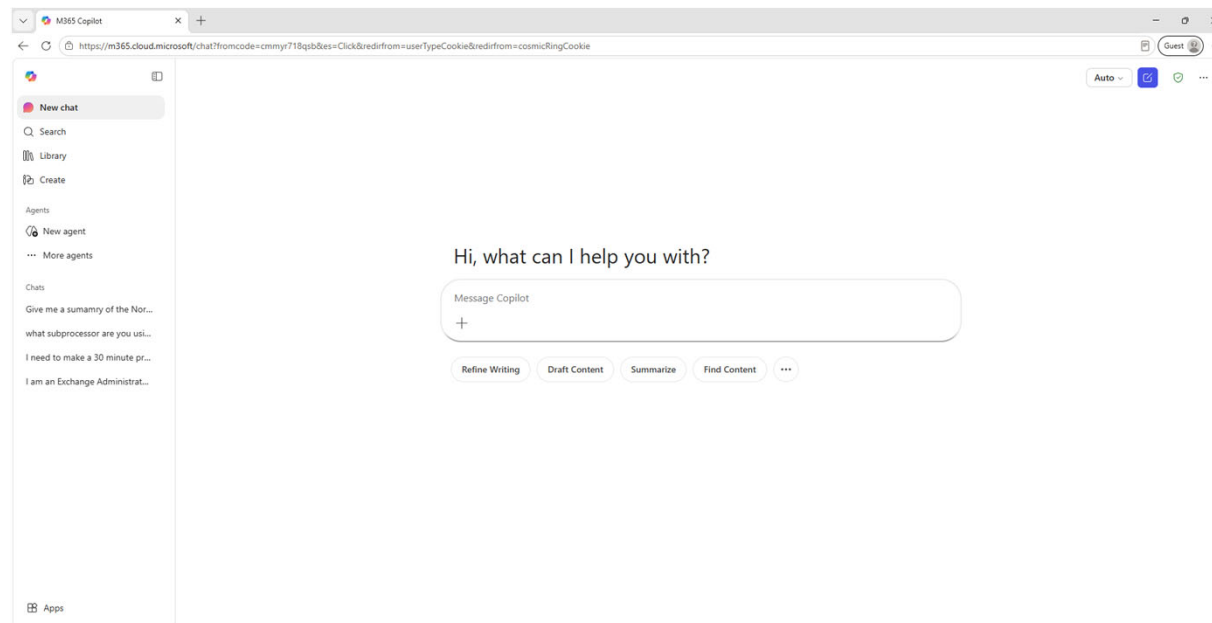
WHAT IS MICROSOFT 365 COPILOT CHAT?

- ❖ Copilot Chat is an AI-powered assistant available to you through the Microsoft 365 environment you already use.
- ❖ It can help summarize documents, draft correspondence, generate timelines, and handle other routine tasks using plain-language prompts.
- ❖ Copilot does NOT replace Lexis or Westlaw. Always independently verify any case citation, statute, quotation, or legal authority provided by Copilot.



HOW DO I ACCESS COPILOT CHAT?

<https://m365.cloud.microsoft/chat>



Slide 4

ABO

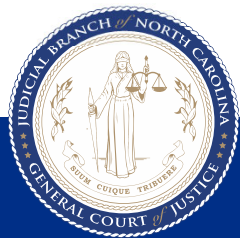
I would recommend screenshots of Edge rather than screenshots of the chart.

Also, would recommend that the screenshots be done to make the relevant parts as big as possible for visibility to audience.

Brown, Andrew D., 2026-09-01T15:38:36.750

ENTERPRISE DATA PROTECTION (EDP)

- ❖ **Protected Environment:** Operating within U.S. Government Community Cloud under the Judicial Branch enterprise M365 agreement.
- ❖ **No AI Model Training:** Your prompts, attached files, and outputs are strictly private and never used to train Microsoft models.
- ❖ **The Green Shield Mandate:** ALWAYS verify the green shield icon in the top right corner before submitting work data.
- ❖ **Access Protocol:** Access via Edge browser at m365.cloud.microsoft/chat signed in with your official @nccourts.org credentials.



SYSTEM BOUNDARIES & ACCESS CONTROLS

✔ WHAT COPILOT CHAT CAN ACCESS

Direct Uploads: Files directly attached to active chat (PDFs, Word docs, transcripts, briefs).

Pasted Text: Text manually copied into the "Message Copilot" box during your session.

Protected Web Search: Secure web queries where full prompts remain private and encrypted.

✖ WHAT COPILOT CHAT CAN'T ACCESS

Court Repositories: Zero connection to Enterprise Justice (eCourts) or internal case management systems.

Unopened M365 Files: Does not reach into your Outlook email, Teams chats, OneDrive, or SharePoint files automatically.

Other Consumer AI Tools: Public ChatGPT, Gemini, or unauthenticated Copilot are not referenced to ensure your data stays within our environment.



Slide 6

ABO

Would change to “direct” uploads. “explicit” can be a loaded term...

Brown, Andrew D., 2026-09-01T15:40:07.945

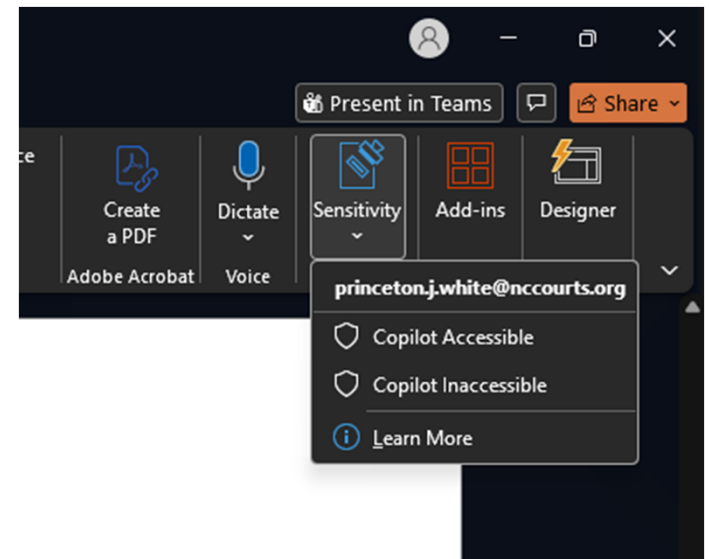
WHAT ARE SENSITIVITY LABELS?

- ❖ Sensitivity labels help classify and protect data according to Judicial Branch security requirements.
- ❖ Labels can grant or remove permission for Copilot Chat to access data.
- ❖ They help ensure confidential or restricted materials are handled correctly across your files.



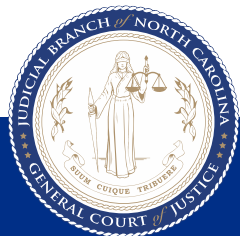
HOW SENSITIVITY LABELS AFFECT COPILOT CHAT

- ❖ Copilot Chat can only analyze content you upload, and only if your account has permission to access that content.
- ❖ Files labeled as **Copilot Inaccessible** will block Copilot access automatically.
- ❖ If you do not have permission to open a file, Copilot cannot read it—even if you try to upload it.
- ❖ Any document that does not have a sensitivity label is treated that same as being labeled **Copilot Accessible**



APPROVED VS. PROHIBITED USE CASES

APPROVED USES	PROHIBITED USES
Summarizing case files, briefs, motions, or evidence bundles that you upload within the secure M365 environment	Processing sealed records, juvenile files, or commitment cases
Generating a chronology of events from uploaded documents	Inputting PII, SSNs, financial records, or confidential employee data
Transcribing and cleaning up dictated draft orders and documents	Using Copilot as a research tool without independently verifying any case citation, statute, quotation, or legal authority it provides.
Drafting routine administrative correspondence (letters, scheduling notices, internal memos, etc.)	Delegating legal reasoning, final rulings, or judicial judgment
Summarizing notes or transcripts from recorded virtual meetings	
Creating an outline of issues in dispute to aid hearing preparation	



SECTION 02

EFFECTIVE AI PROMPTING STRATEGY

Mastering the GCSE Framework & Crafting Precise Instructions for Appellate Tasks



THE GCSE PROMPTING FRAMEWORK



G - GOAL

Define the specific task clearly in the first sentence.

Example: "Draft a bulleted executive summary..."



C - CONTEXT

Provide background, target audience, and purpose.

Example: "This summary is for internal review..."



S - SOURCE

Explicitly point Copilot to the source materials.

Example: "Rely exclusively on the attached appellant brief..."



E - EXPECTATIONS

Set clear constraints, formatting, and tone rules.

Example: "Limit to 1 page. Do not include legal conclusions..."



GOOD VS. BAD AI PROMPTS

👎WEAK / VAGUE PROMPTS

- ✗ *"Summarize this case file for me."*
Too vague; lacks structural parameters and risks generalities.
- ✗ *"Generate a timeline based on this document."*
Lacks specifics and can lead to output that excludes necessary information.
- ✗ *"Clean up this draft order and make it sound judicial."*
Lacks clear boundaries regarding legal substance vs editing.

👍PRECISE / EFFECTIVE PROMPTS

- ✓ *"Summarize the attached transcript. Identify: (1) nature of claims, (2) disputed facts, (3) relief sought. Use bullet points."*
- ✓ *"Create a chronological timeline from the attached record. Include dates, parties involved, and exhibit page numbers."*
- ✓ *"Clean up the dictated notes below for grammar and clarity. Do NOT alter substantive meaning or add legal conclusions."*





“Generate an image of a kid cleaning a messy room in the painting style of Michelangelo.”

HEARING PREPARATION EXAMPLES

SUMMARIZE A CASE FILE

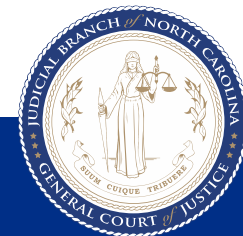
Summarize the attached file(s). Identify: (1) the nature of the claims or charges, (2) the facts in dispute, (3) the relief sought by each party, and (4) any procedural history I should be aware of. Use plain language and bullet points.

★ Tip: Add “Limit your summary to one page” if you want a concise overview rather than a detailed breakdown.

BUILD A TIMELINE OF EVENTS

Based on the attached documents, create a chronological timeline of the events in this case. Include dates, the parties involved in each event, and the source document for each entry. Flag any gaps or inconsistencies in the timeline.

★ Tip: Useful for complex civil cases, custody disputes, or any matter where the sequence of events is in dispute.



DRAFTING ORDERS & CORRESPONDENCE EXAMPLES

GENERATE A DRAFT ORDER FRAMEWORK

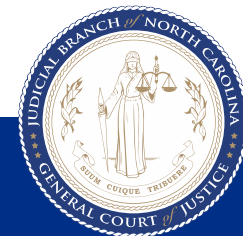
Based on the attached hearing notes, generate a draft order framework for [case number]. Include sections for: findings of fact, conclusions of law, and the order itself. Leave placeholders where I need to fill in specific findings. Do not supply any legal analysis as I will complete those sections.

★ Tip: Ask for placeholders explicitly so you aren't tempted to rely on Copilot Chat's suggested legal conclusions.

DRAFT A SCHEDULING NOTICE OR ADMINISTRATIVE LETTER

Draft a [scheduling notice / administrative letter] to [recipient] regarding [topic]. Use a professional, formal tone appropriate for official court correspondence.

★ Tip: For routine scheduling and administrative matters only — not for substantive rulings or orders.



ASK FOR HELP BUILDING YOUR PROMPT

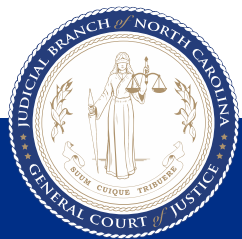
USE THE PROMPT BUILDER

Act as my prompt engineer. Help me craft the best possible prompt to use with you. First, ask me what the prompt should be about. Then, based on my answer, return two sections: (1) a Revised prompt that is clear and concise, and (2) Questions about any details you still need. We'll repeat this — I add detail, you keep improving the Revised prompt — until it's ready.



GENERAL TIPS

- ❖ Be specific about the output format
- ❖ Set the scope
- ❖ Use follow-up prompts to refine
- ❖ Verify facts
- ❖ When in doubt, do not use the output



SECTION 03

HIGH-IMPACT WORKFLOWS

Practical Applications for Daily Case Preparation & Administrative Tasks



CASE BRIEFING & RECORD REVIEW

- ❖ **Case Summarization:** Quickly distill extensive record files and multi-page party briefs into concise briefing outlines.
- ❖ **Factual Chronologies:** Build detailed chronological timelines mapping key factual and procedural events across complex civil or criminal records.
- ❖ **Issue Mapping:** Extract core legal disputes from opposing briefs side-by-side to assist judges prior to oral arguments.
- ❖ **Evidence Indexing:** Generate formatted index tables of attached exhibit bundles detailing dates, submitting parties, and contents.



DRAFTING & ADMINISTRATIVE ASSISTANCE

- ❖ **Dictation Cleanup:** Transform raw dictated audio transcriptions into polished, grammatically sound text while strictly preserving original meaning.
- ❖ **Draft Order Skeletons:** Generate structured order frameworks with designated brackets [insert finding] for judicial completion.
- ❖ **Administrative Notices:** Rapidly compose formal scheduling letters, administrative notices, and staff memos.



KEY TAKEAWAYS & SUPPORT

Copilot Chat is a powerful drafting and summarization assistant—**NOT** a legal authority or decision maker.

 **Human-in-the-Loop:** You remain 100% accountable for all final work products. Independently verify every fact and quote. “Copilot drafted it” is not a defense to an error.

 **AOC Help Desk:** 919-890-2407 (Technical & Access Support)

 **Ethics Questions:** Judicial Standards Commission





THANK YOU

Princeton J. White

Technical Services Division

M365 Administrator

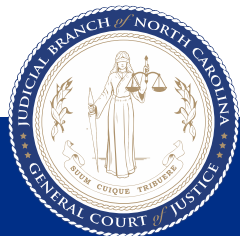
princeton.j.white@nccourts.org

910-890-2237

USE GENERATIVE AI RESPONSIBLY



- Only use Copilot, sign in, and look for the green shield
- Do not include PII or upload confidential records (e.g., sealed, juvenile, or IVC case records)
- Review, revise, and fact check all AI-generated output
- Review complete sources of information rather than relying on Generative AI-generated summaries
- Avoid ex parte information and independent factual investigations via AI



PROTECTING PRIVILEGE



- Any record made or received by a government official or employee “in connection with the transaction of public business” is a public record subject to disclosure upon request, unless an exception applies (N.C. Gen. Stat. § 132-1)
- Judicial privilege provides an exception to the public records law and should be protected
- Case law addressing AI in the context of privilege is in its infancy
- Two early cases analyze the use of AI and privilege very differently



ATTORNEY-CLIENT PRIVILEGE AND WORK PRODUCT DOCTRINE



United States v. Heppner, 820 F. Supp. 3d 292
(S.D.N.Y. Feb. 17, 2026)

Key takeaways:

- Using the publicly-available version of Claude is treated as a disclosure to an unprivileged third party, generally resulting in loss of attorney-client privilege
- Emphasized the platform's privacy policy, which allowed AI model training on user data
- AI prompts and responses were not work product because prepared on a party's own initiative, not at the direction of counsel



WORK PRODUCT DOCTRINE



Warner v. Gilbarco, Inc., Case No.
2:24-cv-12333 (E.D. Mich. Feb. 10, 2026)

Key takeaways:

- Treated AI as a tool, not a person
- Explicitly stated: “ChatGPT (and other generative AI programs) are tools, not persons... Disclosure to a tool is not disclosure to a third party.”
- Pro se party so attorney involvement not needed for work product protection



PRACTICAL TAKEAWAYS



- Privilege is more likely **waived** –
 - When a publicly-available, consumer AI tool is used
 - Contract terms do not protect confidentiality
 - Prompts and other input are used to train public models
- Privilege is more likely **preserved** –
 - With enterprise AI systems that operate within secure, controlled environments (i.e., Copilot when logged into the Judicial Branch's Microsoft environment – indicated by the green shield)
 - Confidentiality is required by contract
 - No use of prompts or other input to train public models



IMPLICATIONS FOR JUDICIAL USE OF AI



- Early case law suggests risk arises **not from using AI itself**, but from **where** the deliberative content is sent
- Public, third-party AI tools have been considered as outside the confidential environment, raising concerns for privilege
- Court-controlled AI systems with confidentiality safeguards may reduce these risks, though doctrine is still developing
- Traditional privilege principles continue to guide analysis:
 - Confidentiality
 - Control of the environment
 - Use of AI as an internal tool supporting the deliberative process





DEMO - USING COPILOT IN THE JUDICIAL BRANCH'S PROTECTED MICROSOFT ENVIRONMENT





THANK YOU

Elizabeth B. Croom

Deputy Legal Counsel

North Carolina Administrative Office of the Courts

Elizabeth.B.Croom@nccourts.org

910-890-1312

