



The Legal Technology Advisory Committee

Developing AI Guidelines for the Colorado Legal System

BY MARIA E. BERKENKOTTER
AND LINO S. LIPINSKY DE ORLOV

The newest Colorado Supreme Court Committee is tackling one of the biggest challenges facing legal professionals, judicial officers, and litigants today—understanding the benefits and risks of using the generative artificial intelligence (AI) tools that are revolutionizing every aspect of our lives. As AI rapidly transforms the practice of law, courts, practitioners, and members of the public need guidance on how to deploy AI-powered tools effectively and responsibly. Without sufficient guidance, understanding how to safely and wisely use AI can be like

facing a chess grandmaster without knowing how to play the game.

AI-powered platforms are already assisting legal professionals with drafting documents, creating summaries, identifying issues, outlining depositions, preparing chronologies, and suggesting research pathways and strategies. Specialized legal AI products can review documents, streamline discovery, analyze contracts, check citations, and search large datasets.

And while judges should never use AI to decide cases, judicial officers and court personnel can benefit greatly from secure, reliable

AI tools for many purposes, including summarizing filings, helping guide legal research, organizing case records, and streamlining case management.

In addition, AI has the promise of providing meaningful assistance for Colorado litigants who cannot afford counsel. AI tools can help self-represented parties understand court processes, organize factual narratives, identify publicly available forms, and prepare coherent filings.¹

But AI also presents risks and ethical concerns. AI-generated text can include “hallucinations”—that is, fake citations to legal and other authorities.² It can also produce deepfakes—images and audio and video files that look and sound authentic but are wholly AI-generated. We have written about lawyers and litigants—and even judges and expert witnesses—whose written work product contained AI-generated errors.³ Just as concerning, the outputs of mass-market AI tools, such as ChatGPT, Gemini, Grok, and Claude, can reflect the bias of materials on which they were trained, such as Reddit posts. Further, careless use of AI can result in loss of legal protections for confidential information and work product.

As with any tool, legal professionals, judicial officers, and litigants must understand the risks and benefits of the AI resources available to them.⁴

Developing Guidelines for AI Use

Recognizing these challenges and the increasing ubiquity of AI tools, on September 15, 2025, Chief Justice Monica M. Márquez established the Legal Technology Advisory Committee with a specific initial charge: to develop practical, authoritative guidance on AI use for lawyers, judicial officers, licensed legal paraprofessionals, and the public.⁵ In forming the committee, the chief justice acknowledged a fundamental truth as we enter the second quarter of the 21st century: AI is no longer ancillary to legal work—it is central to it.⁶ The committee’s goal: help the profession safely navigate this new terrain with clarity, confidence, and integrity.

In mid-2023, the Colorado Supreme Court was one of the first courts in the nation to consider the impact of AI on the practice of

law and the work of the courts. It directed the Standing Committee on the Colorado Rules of Professional Conduct and the Advisory Committee on the Practice of Law to make recommendations to the court about whether its rules needed to be amended to address the use of AI.⁷ Over time, these committees, along with the CBA Ethics Committee, all took steps to address AI's impact on the practice of law, professional ethics, the rules governing the unauthorized practice of law, and closing the access to justice gap.⁸

But no entity in the Colorado legal ecosystem was equipped to assume the challenge of crafting guidelines that more broadly address legal professionals' use of AI. For these reasons, when the Standing Committee unanimously recommended that the chief justice form a Legal Technology Advisory Committee, like those created by several out-of-state courts and bar associations,⁹ she agreed.¹⁰

The chief justice charged the committee with drafting and recommending "guidance materials on the use of technology, including AI, for attorneys, licensed legal paraprofessionals, other legal professionals, judicial officers, and members of the public who interact with Colorado's courts."¹¹ The committee's overall objectives are to "safeguard the integrity of the legal system, promote competent client service, protect client confidences, support access to justice, and encourage innovation, consistent with the Colorado Rules of Professional Conduct."¹²

The chief justice directed that the committee consist of 12 members appointed by the chief justice for three-year terms. The committee chair is required to convene committee meetings at least four times per year.¹³

The committee must recommend guidance documents to the chief justice "no less than annually, with the first recommendations due by October 1, 2026."¹⁴ If the committee determines that no further guidance recommendations are needed in a subsequent year, the chair must provide the chief justice with a brief update on the committee's work to date.¹⁵

The committee will sunset on September 30, 2028, unless its term is renewed by the chief justice.¹⁶ The committee may continue

to make additional technology-related recommendations to the court after it has submitted its initial guideline document.

The Committee Begins Work

The committee comprises judicial officers, lawyers, law professors with expertise in AI, and the developer of a leading legal AI tool. Together, they bring substantial expertise in fields such as privacy law, cybersecurity, AI governance, intellectual property, alternative dispute resolution, domestic relations, criminal law, and legal innovation. The current committee members are listed below.

- **Judge Lino Lipinsky**, chair, has served on the Colorado Court of Appeals since January 2019. He also chairs the Standing Committee on the Colorado Rules of Professional Conduct and serves on the Colorado Access to Justice Commission, the Commission's Technology and Delivery Committees, the Appellate Courts Technology Committee, and the Colorado Court of Appeals' Self-Represented Litigant and Governance Committees. He was a member of the Standing Committee's AI Subcommittee.
- **Katina Banks** is a knowledge attorney at Gibson, Dunn & Crutcher, LLP, where she leverages her expertise in intellectual property, technology transactions, and corporate law to lead initiatives at the intersection of law, legal technology, and practice innovation.
- **Jill D. Dorancy**, a district court judge in the Second Judicial District since 2020, brings private sector experience regarding energy-related regulatory matters and litigation. As a trial judge, she sees firsthand how rapidly technology is shaping the practice of law and the administration of justice.
- **Stacy Guillon**, a district court judge in the 23rd Judicial District since 2025, previously worked as an arbitrator and mediator. As a member of the American Arbitration Association's AI working group, she piloted a variety of AI tools in arbitration and mediation and spoke nationally about opportunities to use AI

to increase arbitrator effectiveness and efficiency.

- **April Jones**, the founder and CEO of Jones Law Firm, PC, focuses her work on complex domestic relations matters. She serves on the Standing Committee on the Colorado Rules of Professional Conduct and was a member of its AI Subcommittee.
- **Margot Kaminski**, the Moses Lasky professor of law at the University of Colorado Law School and the director of the Privacy Initiative at Silicon Flatirons, specializes in the law of new technologies, focusing on information governance, privacy, and freedom of expression. Recently, her work has focused on AI law; she is currently drafting a leading co-authored casebook in the field.
- **Lois R. Lupica**, the director of the Legal Innovation Lab at the Community Economic Defense Project, previously served as director of the University of Denver Sturm College of Law Legal Innovation Lab. She is an affiliated faculty member of the Harvard Law School Access to Justice Lab and is a member of the Standing Committee on the Rules of Professional Conduct. She served on the Standing Committee's AI Subcommittee.
- **Julia Martinez** is a former federal prosecutor who served in the US Attorney's Offices for the Eastern District of Virginia and the District of Colorado. Most recently, Martinez was the chief of the Cybercrime and National Security Section for the District of Colorado. She is a member of the Standing Committee on the Rules of Professional Conduct and chaired its AI Subcommittee.
- **Colin Moriarty** is a partner at Moriarty Underhill LLC, a commercial litigation and transactional firm. He regularly presents classes on the use of generative AI and recently authored a series of articles on generative AI for *Colorado Lawyer*.¹⁷
- **Damien Riehl** is a lawyer and technologist with experience in complex litigation, digital forensics, and software development. He is co-chair of the Minnesota Governor's

Council on Connected and Automated Vehicles and chair of the Minnesota State Bar Association's AI Committee, which oversees an AI Sandbox to promote access to justice. At Clio—which includes Vincent, Fastcase, NextChapter, and Docket Alarm—he helps lead the design, development, and expansion of various products integrating AI-backed technologies.

- **Michael Siebecker**, the Maxine Kurtz faculty research scholar and professor of law at the University of Denver Sturm College of Law, conducts research into the intersection of AI, corporate law, and political theory. His scholarly work has appeared in leading journals, treatises, and books; most recently, he authored a chapter in the forthcoming *Elgar Companion to Artificial Intelligence Governance*.¹⁸
- **Thomas Ward**, a district court magistrate in the 20th Judicial District, is responsible for civil and domestic relations matters. He is an adjunct professor at the University of Colorado Law School, where he teaches legal ethics and professionalism.

In addition, **Justice Maria E. Berkenkotter** is the Colorado Supreme Court's liaison to the committee. One of Justice Berkenkotter's law clerks, **Justin Jin**, and two of Professor Siebecker's students, **Nick Ballou** and **Amelia Schubert-Zhang**, assist the committee with research. Supreme court staff attorney **Kathryn Michaels** provides administrative support and serves as the committee secretary.

At the committee's inaugural meeting on February 10, 2026, the members reviewed the chief justice's charge and unanimously approved an action plan to guide its efforts through the October 1, 2026, deadline.¹⁹ The plan divides the committee's work into three phases—planning, drafting, and completion—and identifies key substantive areas for the final guidance document.²⁰

Consistent with the action plan, the committee formed subcommittees focusing on the following areas: research; fundamentals of AI technology; transformational aspects of generative AI; generative AI resources; gener-

ative AI's implications for professional ethics and the Unauthorized Practice of Law Rules; generative AI and self-represented litigants; and generative AI and legal professionals.²¹

The committee anticipates reaching out to stakeholders before submitting the final version of the guideline document to the chief justice.²²

Conclusion

The formation of the Legal Technology Advisory Committee represents a forward-looking and necessary step for Colorado's legal system. As the

legal profession navigates the numerous ways AI impacts the practice of law and the judiciary, the committee's work will help ensure that AI strengthens—rather than compromises—the integrity of the legal process.

The committee is poised to produce a comprehensive and practical AI guidance framework that will shape how legal professionals, judges, and the public engage with AI while reinforcing the Colorado judiciary's commitment to fairness, impartiality, the rule of law, and access to justice in a rapidly changing legal world. CL



Maria E. Berkenkotter is a justice on the Colorado Supreme Court. A frequent speaker and thought leader regarding the promise and peril of AI, AI and legal and judicial ethics, and emerging issues in the law related to AI, she serves as one of the court's two liaisons to the Standing Committee and is the supreme court liaison to the Legal Technology Advisory Committee. **Lino S. Lipinsky de Orlov** is a judge on the Colorado Court of Appeals. He serves as chair of the Standing Committee on the Colorado Rules of Professional Conduct and the Legal Technology Advisory Committee, and he is a member of the Colorado Access to Justice Commission, the Commission's Technology Committee, and the Appellate Courts Technology Committee.

Coordinating Editor: Joseph G. Michaels, joseph.michaels@coag.gov

NOTES

1. Berkenkotter and Lipinsky de Orlov, "Can Robot Lawyers Close the Access to Justice Gap?," 53 *Colo. Law.* 40 (Dec. 2024), <https://cl.cobar.org/features/can-robot-lawyers-close-the-access-to-justice-gap>.
2. Hallucinations are AI-generated "citations to totally fabricated court decisions bearing seemingly real party names, with seemingly real reporter, volume, and page references, and seemingly real dates of decision[.]" *Al-Hamim v. Star Hearthstone, LLC*, 2024 COA 128, ¶ 30, 564 P.3d 1117, 1123–24 (quoting Caton, "Lawyers: Rely on 'Generative AI' at Your Peril," 39 *Me. Bar J.* 48, 49 (2024)). See also *Jones v. Kankakee Cnty. Sheriff's Dep't*, 164 F.4th 967, 969 (7th Cir. 2026) (explaining that a hallucination is "a circumstance where an AI large language model generates an output that is fictional, inaccurate, or nonsensical").
3. Berkenkotter and Lipinsky de Orlov, "Artificial Intelligence and the Code of Judicial Conduct," *Jud. Conduct Rep.* 28 (Spring-Summer-Fall 2025), <https://bit.ly/432ljXM>; Berkenkotter and Lipinsky de Orlov, "Artificial Intelligence and Professional Conduct," 53 *Colo. Law.* 20 (Jan./Feb. 2024), <https://cl.cobar.org/features/artificial-intelligence-and-professional-conduct>.
4. See Colo. RPC 1.1 and cmt. [8] (noting lawyers should keep abreast of changes in the law, including technology and the "benefits and risks associated" therewith).
5. See Colorado Supreme Court, Office of the Chief Justice, Charge Establishing the Legal Technology Advisory Committee (Sept. 15, 2025), <https://www.coloradojudicial.gov/sites/default/files/2026-01/Charge%20Establishing%20Legal%20Technology%20Advisory%20Committee.pdf> (hereinafter Supreme Court Charge); "Chief Justice Márquez Launches Initiative to Form Legal Technology Advisory Committee" (Sept. 15, 2025), <https://www.coloradojudicial.gov/media/press-release/chief-justice-marquez-launches-initiative-form-legal-technology-advisory?topic=76&wrap=true>.
6. See generally "Chief Justice Márquez Launches Initiative to Form Legal Technology Advisory Committee," *supra* note 5.
7. Martinez et al., "The 2026 AI-Related Amendments to the Colorado Rules of Professional Conduct," 55 *Colo. Law.* 40 (May/June 2026), <https://cl.cobar.org/features/the-2026-ai-related-amendments-to-the-colorado-rules-of-professional-conduct>.
8. See *id.* In addition, in response to the Advisory Committee on the Practice of Law's discussions regarding the impact of the state's unauthorized practice of law rules on developers' incentive to create AI tools to assist self-represented litigants in Colorado, the Office of Attorney Regulation Counsel (OARC) adopted, as a pilot program, a non-prosecution policy that outlines when nonlawyers may provide legal assistance to self-represented persons. See OARC, Non-Prosecution Policy Regarding the Unauthorized Practice of Law by Nonlawyers (Sept. 2025), <https://perma.cc/>

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9. See, e.g., State Bar of California, "Practical Guidance for the Use of Generative Artificial Intelligence in the Practice of Law," <https://www.calbar.ca.gov/sites/default/files/portals/0/documents/ethics/Generative-AI-Practical-Guidance.pdf>; "Illinois Supreme Court Policy on Artificial Intelligence," <https://ilcourtsaudio.blob.core.windows.net/antilles-resources/resources/e43964ab-8874-4b7a-be4e-63af019cb6f7/Illinois%20Supreme%20Court%20AI%20Policy.pdf>; State Bar of Michigan, "Artificial Intelligence for Attorneys—Frequently Asked Questions," <https://www.michbar.org/opinions/ethics/AIFAQs>; New Jersey Supreme Court, "Legal Practice: Preliminary Guidelines on the Use of Artificial Intelligence by New Jersey Lawyers," <https://www.njcourts.gov/sites/default/files/notices/2024/01/n240125a.pdf>; "New York State Unified Court System Interim Policy on the Use of Artificial Intelligence," <https://www.nycourts.gov/LegacyPDFS/a.i.-policy.pdf>.

10. See Supreme Court Charge, *supra* note 5. See generally "Chief Justice Márquez Launches Initiative to Form Legal Technology Advisory Committee," *supra* note 5.

11. Supreme Court Charge, *supra* note 5. See also "Colorado Supreme Court Announces Legal Technology Advisory Committee Appointments" (Jan. 12, 2026), <https://www.coloradojudicial.gov/media/press-release/colorado-supreme-court-announces-legal-technology-advisory-committee>.

12. Supreme Court Charge, *supra* note 5; "Chief Justice Márquez Launches Initiative to Form Legal Technology Advisory Committee," *supra* note 5.

13. Supreme Court Charge, *supra* note 5.

14. *Id.*; "Colorado Supreme Court Announces Legal Technology Advisory Committee Appointments," *supra* note 11.

15. Supreme Court Charge, *supra* note 5.

16. *Id.*

17. Moriarty, "The Legal Challenges of Generative AI—Part 1: Skynet and HAL Walk Into a Courtroom," 52 *Colo. Law.* 40 (July/Aug. 2023), <https://cl.cobar.org/features/the-legal-challenges-of-generative-ai-part-1>; Moriarty, "The Legality of Generative AI—Part 2: I'm sorry, User. I'm afraid I can't do that.," 52 *Colo. Law.* 30 (Sept. 2023), <https://cl.cobar.org/features/the-legality-of-generative-ai-part-2>; Moriarty, "The Legal Ethics of Generative

AI—Part 3: A robot may not injure a lawyer, or, through inaction, allow a lawyer to come to harm.," 52 *Colo. Law.* 30 (Oct. 2023), <https://cl.cobar.org/features/the-legal-ethics-of-generative-ai-part-3>; Moriarty, "Generative AI and the Law: Halftime Report," 53 *Colo. Law.* 30 (Nov. 2024), <https://cl.cobar.org/features/generative-ai-and-the-law>.

18. Chandra and Feng, eds., *The Elgar Companion to Artificial Intelligence Governance: Exploring the Public and Legal Landscape* (Edward Elgar Publishing Sept. 2026).

19. See "Colorado Supreme Court Legal Technology Advisory Committee, Minutes of the February 10, 2026, Meeting," at 1–2, <https://www.coloradojudicial.gov/sites/default/files/2026-03/2.10.26%20Minutes%20Final%20%2B%20Plan.pdf>.

20. *Id.* at 6–10.

21. *Id.* at 2–4.

22. See *id.* at 7, 9.

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