

Ethics for Generative AI Use

A Voluntary Code of Ethics for Law School Trial Competition Teams¹

Drafted by Faculty, Students, and Generative AI²

Preamble

Generative artificial intelligence tools offer law school trial competition teams powerful capabilities for research, drafting, and case analysis. However, the use of these tools carries ethical responsibilities that mirror those imposed on practicing attorneys by the ABA Model Rules of Professional Conduct, state bar ethics opinions, and emerging judicial directives. This voluntary code draws on the principles articulated in ABA Formal Opinion 512 (2024) and Florida Bar Ethics Opinion 24-1 (2024) to provide practical guidance for student advocates and their coaches.

The following directives are intended to foster responsible AI use that upholds the integrity of trial competition, protects sensitive information, and—above all—preserves the educational mission of advocacy training. Teams and coaches are encouraged to adopt, adapt, and build upon these principles as generative AI technology continues to evolve.

Directives

1. Always understand and verify GAI outputs as advocates.

Trial team members and coaches should invest time learning the capabilities and limitations of any GAI tool they plan to use. This includes understanding how the tool processes prompts, the sources of its training data, and its known tendency to produce inaccurate or fabricated content. GAI tools are known to fabricate language and produce plausible but incorrect legal analysis. Every drafted argument and case theory produced by a GAI tool must be independently confirmed through an advocate's independent legal analysis. A team member does not need to become a technical expert but should know enough to use the tool responsibly and recognize when its output may be unreliable. Consulting with faculty, IT professionals, and/or knowledgeable peers is always a valued supplement to individual learning.

¹ This document is intended as voluntary guidance and does not constitute legal advice or a binding rule of any competition or organization.

² Professor Kirsten Davis, Professor Katherine Donoghue, Brianna Barron '27, Kaylyn Fox '26—Stetson University College of Law—in conjunction with Anthropic's Claude in May 2026.

2. Never submit generative AI output as your own original work without substantial independent analysis, revision, and professional judgment.

Trial advocacy demands personal judgment, creativity, and persuasive reasoning that no GAI tool can replicate. Because GAI cannot appreciate courtroom dynamics, jury perception, or the strategic considerations unique to a particular case problem, team members must critically evaluate all AI-assisted work product rather than accept it uncritically.

Team members should not delegate to GAI any function requiring advocacy judgment—selecting a case theory, deciding which witnesses to call, or framing a closing argument. Where GAI is used, its output must be tested against the advocate's own reasoning, refined to reflect their voice and strategic choices, and understood well enough to be defended independently. Submitting AI-generated work without that meaningful personal contribution undermines the educational purpose of competition and misrepresents the origin of the work. After all, the tool should be used to train future lawyers, not replace them.

3. Disclose the use of generative AI to coaches and teammates when it materially contributes to case preparation.

Open communication about GAI use within a team promotes accountability and ensures that coaches can provide appropriate oversight. If a team member uses a GAI tool to help draft an opening statement, develop cross-examination questions, or research legal theories, that use should be shared with the team so that the output can be collectively reviewed and refined. Transparency also helps the team evaluate whether the AI-assisted work product meets the team's quality standards as to, for example, accuracy and avoiding bias, removing the stigma that leads to secret and unethical use, and achieving competitive goals.

4. Protect the confidentiality of proprietary case materials, team strategies, and competition-sensitive information when using generative AI tools.

Many free or even low-cost GAI tools retain, process, or learn from user inputs, meaning that confidential case theories, witness statements, or competition strategies entered into a tool could be exposed to third parties or surfaced in responses to other users. Before inputting any sensitive information, team members should review the tool's data retention and privacy policies, as well as any relevant AI usage policies from the packet's authors or competition. Where possible, teams should use tools that do not retain input data; or should anonymize information before submission. Faculty, Directors, and/or Coaches should establish clear guidelines about what categories of information may and may not be entered into GAI platforms.

5. Comply with all competition rules and tribunal directives regarding the use of generative AI.

Many trial competitions and governing organizations are developing specific rules about permissible AI use. Team members must familiarize themselves with and follow any such rules applicable to their competitions. Where rules require disclosure of AI use, or prohibit it entirely, compliance is mandatory regardless of the team's own internal policies. Unless explicitly allowed by the competition rules, GAI should never be used during competitions to adopt, or adapt to, opposing teams' material or arguments.

6. Faculty, Directors, and/or Coaches should establish and communicate clear policies governing the team's permissible use of generative AI.

Just as law firms must create policies for AI use under supervisory responsibility rules, trial teams benefit from written guidelines that define how and when GAI tools may be used. These policies should address permissible tasks, data protection expectations, verification requirements, and disclosure obligations. Establishing expectations at the outset of competition season helps prevent misunderstandings and ensures all team members approach AI use consistently. Policies should be revisited as GAI tools and competition rules evolve.

Optional Certification for Team Members

I agree to the above Ethical Guidelines as they relate to my use of GAI.

Name: _____

Acknowledgment

This ethical guideline is informed by the principles set forth in ABA Formal Opinion 512 (July 29, 2024), issued by the ABA Standing Committee on Ethics and Professional Responsibility, and Florida Bar Ethics Opinion 24-1 (January 19, 2024), issued by the Florida Bar Board Review Committee on Professional Ethics. These sources address lawyers' duties of competence, confidentiality, communication, candor, supervision, and reasonable billing as they relate to generative AI. The guidelines above adapt those principles for the unique context of law school mock trial competitions.