

A 74-Year-Old Needed a Lawyer, So He Used an AI Avatar in Court. It Didn't Go Well.

A New York courtroom came face-to-face with artificial intelligence last month when a plaintiff attempted to use an AI-generated avatar to present a case.

Jerome Dewald, a 74-year-old plaintiff in an employment case, submitted an AI-generated video for his argument without telling judges beforehand.

The video featured an AI-created person who didn't exist and was used to speak in his place.

On March 26, the video played before five baffled New York State judges who were listening to the case at the New York State Supreme Court Appellate Division's First Judicial Department. The judges expected Dewald to speak on video, but the video he presented to them showed a young man in a button-down shirt and sweater.

"May it please the court," said the AI-generated avatar. "I come here today a humble pro se before a panel of five distinguished justices."

One of the judges, Justice Sallie Manzanet-Daniels, interrupted the presentation immediately before the avatar could speak another word.

"Okay, hold on," she said. "Is that counsel for the case?"

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Dewald confirmed that it was and said that he had generated the person using AI. Manzanet-Daniels called for the video to be turned off.

"I don't appreciate being misled," she said, noting that Dewald had not stated beforehand that he would be using AI to present his argument.

Dewald was still allowed to make his argument himself, and he later wrote a letter of apology to the court explaining that he didn't have a lawyer and turned to AI to deliver his argument in a polished way, without stammering or pausing.

"The court was really upset about it," Dewald told the Associated Press. He said that he had used a program from a San Francisco company to create the avatar.

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This isn't the first time AI has made an appearance in the courtroom. In June 2023, a federal judge leveled a \$5,000 fine on two lawyers and their New York-based firm, Levidow, Levidow, & Oberman, P.C., for using ChatGPT in their arguments. The AI chatbot made up quotes, cases, and citations, creating a fake legal history.

However, AI technology has also been allowed to help courts function. In June 2023, the Eleventh Judicial Circuit of Florida released an AI digital chatbot, Sandi, so that anyone who visits the Miami-Dade Courts website can receive assistance from the bot in either English or Spanish.

The Arizona Supreme Court introduced two AI-generated avatars in March named Victoria and Daniel. The court tasks the AI

personas with delivering news of rulings and opinions in the
state through YouTube videos.
<https://www.entrepreneur.com/business-news/ny-state-court-judge-shuts-down-attempt-to-use-ai-avatar/489799>