

REPUBLIC OF TRINIDAD AND TOBAGO**PRACTICE DIRECTION ON USE OF GENERATIVE ARTIFICIAL INTELLIGENCE (AI)**

1. This Practice Direction addresses the use of Generative Artificial Intelligence (Gen AI) in legal proceedings in the courts of Trinidad and Tobago. It applies to both closed-source and open-source large language models Gen AI. The intention is to ensure that court proceedings remain human-controlled and driven, while, at the same time, allow for the appropriate use of technology. It seeks to promote the responsible use of Gen AI in the administration of justice. The use of Gen AI must be consistent with the observance of professional ethics, fairness and the independent exercise of judgment by persons within the court system.

Introduction

2. Gen AI is a form of artificial intelligence that can create new content, including text, images or sounds, based on patterns and data obtained from training material. Gen AI includes generic large language model programs and programs specifically designed for law. Examples of Gen AI include Open AI, Chat GPT, Claude, Harvey, Google Gemini and Microsoft Copilot, among many others.
3. The key focus of this Practice Direction is to emphasise that while technology is useful in legal practice and decision making, it must be used responsibly and with care.
4. Attorneys-at-law, litigants in person (unrepresented litigants), witnesses and other court users (together referred to as “court users”) must be wary of the risks and shortcomings of Gen AI programs. These include:
 - (a) the possibility of erroneous outcomes including false cases, citations, quotations and legislation;
 - (b) the dependence of Gen AI on the quality, accuracy and reach of underlying data sets;
 - (c) the scope for biased output;

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- (d) search requests may be added to the large language model database and used to respond to queries from other users;
- (e) the lack of adequate safeguards to preserve the confidentiality, privacy or legal professional privilege that may attach to material submitted to a public Gen AI chatbot; and
- (f) data contained in a Gen AI database may have been obtained in breach of copyright.

Effective date

5. This Practice Direction comes into effect on July 8, 2026 and shall continue until superseded.

Pleadings and Applications

6. Gen AI may be used on a limited basis in drafting pleadings and applications in a similar way to the use of precedent books. Pleadings are statements of fact by the parties to a claim or case. Accordingly, the parties signing pleadings must verify that the facts within the pleadings are correct.

Affidavits and Witness Statements

7. Gen AI must not be used to generate the content of affidavits, witness statements, or other material intended to reflect the deponent's or witness' statement of facts, evidence or opinion. It may be used for formatting, spell-check and grammar-check. Affidavits and witness statements should be in the witness' own words or be words the witness understands and should reflect the witness' knowledge. The use of Gen AI is inconsistent with the purpose of these specific types of court documents. Affidavits and witness statements must remain the product of the deponent or witness, as appropriately guided by legal advisers.

Submissions on Law and Facts

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8. Gen AI may be used with care and caution in the preparation of summaries of facts, chronologies, oral submissions, written submissions and speaking notes (together referred to as “submissions”).
9. Where Gen AI has been used in the preparation of submissions, the court user must verify that all citations; quotations from statute, cases, documents and the evidence; legal authority; academic authority; case law; legislation; and principles of law referred to:
 - (a) exist,
 - (b) are accurate, and
 - (c) are relevant to the proceedings.
10. Use of Gen AI to prepare submissions does not absolve the court user of any professional or ethical obligations to the Court or to the administration of justice. Litigants in person, in particular, may consider that Gen AI will assist them to produce court documents with which they may not be familiar. However, a litigant in person has the same responsibility as other court users to ensure that documents which are produced or partly produced with the assistance of AI and submitted to the court are verified and accurate.
11. Submissions must remain fundamentally the work of the court user. Gen AI may be used as a tool to aid the court user for the limited purposes described above. The final responsibility for the accuracy of any submission rests with the court user and the content of the submission must remain the product of the court user’s own deliberate judgment. The court user is responsible for the submission.

Expert Reports and Witness Statements

12. An expert is a witness of the Court whose primary purpose is to give evidence and opinions to assist the Court. As such, like other witnesses, the content of reports and witness statements of experts must be the work of the expert. Gen AI must not be used to draft or prepare the content of an expert report, except for summarising content, generating tables, and producing visual aids, indexes and chronologies. In particular, any opinion stated must be that of the expert. The expert must verify that any content produced by AI is accurate.

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Other Uses

13. A Gen AI program may be used to:

- (a) generate chronologies and indexes; and
- (b) summarise or review documents and transcripts.

However, the court user must verify the accuracy of the information and summaries.

14. Court users and experts must refrain from inputting sensitive, confidential or privileged information into open-source Gen AI tools to avoid unintentional disclosure of confidential material.

15. Where Gen AI has been used in court documents, the court user and expert must include a certificate at the end of the document in the following terms:

“This document was prepared with the assistance of Gen AI (state, Tool and Version) as follows: (briefly describe, in less than 100 words, how it was used). All legal authorities cited have been verified by the author(s).”

Judicial Officers

16. Judicial officers may use Gen AI in the preparation of summaries of fact, summaries of evidence and chronologies, and in the identification of issues.

17. Judicial officers should not use Gen AI in the formulation of the reasons or the rationale for the judgment or in the assessment or analysis of evidence preparatory to the delivery of the reasons for judgment. Gen AI should not be used for editing or proofing draft judgments. A draft judgment should not be submitted to a Gen AI program, unless previously authorised by internal judiciary policy. There is no internal policy at this time.

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18. The product of all Gen AI generated research should be closely and carefully scrutinised and verified for accuracy, completeness, currency and suitability before making any use of it.
19. Gen AI research should not be used as a substitute for personal research by traditional methods, including online search on recognised legal databases.
20. Judicial officers should require that their Judicial Research Counsel disclose to the judicial officer if and when they are using Gen AI for research purposes or any other related purpose.
21. Where a Court of Appeal judge has used Gen AI in the preparation of a draft judgment, this must be disclosed to other judges forming part of the panel.
22. Judgments must remain the work of the judicial officer. Gen AI may be used as a tool to aid the judicial officer for the limited purposes described above. The final responsibility for the accuracy of the judgment rests with the judicial officer and the outcome and decision of any application, case or ruling rests solely with the judicial officer exercising the judicial officer's own deliberate judgment. Judicial officers are personally responsible for material produced in their names.
23. In addition to the requirement in clause 14 above, judicial officers may require court users and experts to make further disclosure on the use of Gen AI in submissions or other documents placed before the Court, and may also require an assurance that any such documents have been verified for accuracy, including an identification of the process of verification.
24. Judicial officers should be perceptive to identify any undisclosed use of Gen AI in court documents. In particular, there is no substitute for reading the cases and legislation cited by court users. In this regard, judicial officers are entitled to require that copies of all authorities cited must be submitted to the court.

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25. Judicial officers may impose any appropriate sanction deemed necessary for the misuse of Gen AI in court proceedings, which may include striking out of the document or part of it, initiating disciplinary procedures and making adverse costs orders. In certain cases, misuse of Gen AI in court proceedings may amount to contempt of court.

Conclusion

26. The Judiciary will continue to engage in training on the appropriate use of Gen AI in court proceedings by judicial officers. The Law Association of Trinidad and Tobago and the Hugh Wooding Law School are also urged to ensure that court users and law students are trained on the appropriate use of Gen AI in court proceedings.
27. Due to the rapidly developing nature of Gen AI, this Practice Direction will be periodically reviewed.

Dated this 7th day of July, 2026

Signed by:

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Ronnie Boodoosingh

Chief Justice