



# *TJAG Sends*

A Message from The Judge Advocate General



## **Generative Artificial Intelligence and the Army Legal Practice**

Maintaining our edge is a fundamental part of Our Practice. Modernizing our practice and embracing technology are the keys to our edge. As we look to bring our unique practice of law into the next generation of providing premier legal services to all our clients, we aim to explore the capabilities and limitations of Generative Artificial Intelligence.

Generative Artificial Intelligence (GenAI), defined as models that autonomously create new content, have emerged as exceptionally powerful tools in the legal profession. The Army JAGC is leaning forward in determining responsible ways to leverage these tools to deliver the best legal support to our Army clients in a prompt, efficient, accurate, and ethical manner.

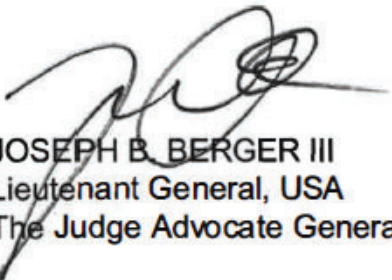
Guidance and policies to govern the use of approved GenAI programs in our legal practice will be forthcoming. This guidance will incorporate previously issued guidance by the DoD Chief Information Officer and the Army Chief Information Officer but will be tailored for our unique practice of law. All JALS personnel are expected to know and follow this guidance, particularly the Army's prohibition of conducting official business on unauthorized GenAI platforms.

Foundationally, JALS personnel must remain cognizant of the intersection between the use of GenAI and the Rules of Professional Conduct for Lawyers (AR 27-26). These rules include the duty to provide competent representation to a client (Rule 1.1); the duty to inform and consult with the client (Rule 1.4); the duty to not reveal information relating to the representation of a client unless the client gives informed consent, the disclosure is impliedly authorized in order to carry out the representation, or the disclosure is required or permitted (Rule 1.6); the duty to bring forth meritorious claims and contentions (Rule 3.1); and the duty to present complete candor toward the tribunal (Rule 3.3). Supervisory lawyers must make reasonable efforts to ensure all personnel within their office use approved Gen AI platforms and conform to the Rules of Professional Conduct (Rule 5.1). Failure to do so increases the chance of non-compliance.

It is the responsibility of all members of our Regiment—attorneys, legal administrators, paralegals, and administrative assistants—whether officers, enlisted, or civilians, to know and adhere to these professional responsibility rules. We ensure our commitment to both innovation and ethical integrity by aligning our practice with these professional standards.

In FY 2025, all JALS personnel will receive a block of instruction as part of their annual professional responsibility training on the legal guidelines for using GenAI. Training materials will be disseminated to JALS senior supervisory judge advocates for further dissemination to their team. This training may be used to fulfill the overall ethics training requirement as promulgated in TJAG Policy Memorandum 22-01.

This We'll Defend!



JOSEPH B. BERGER III  
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The Judge Advocate General