

Zealous Advocacy Conference 2026

Juvenile Justice & Artificial Intelligence

A Practical Guide for the Responsible and Effective Use of Artificial Intelligence in Representation

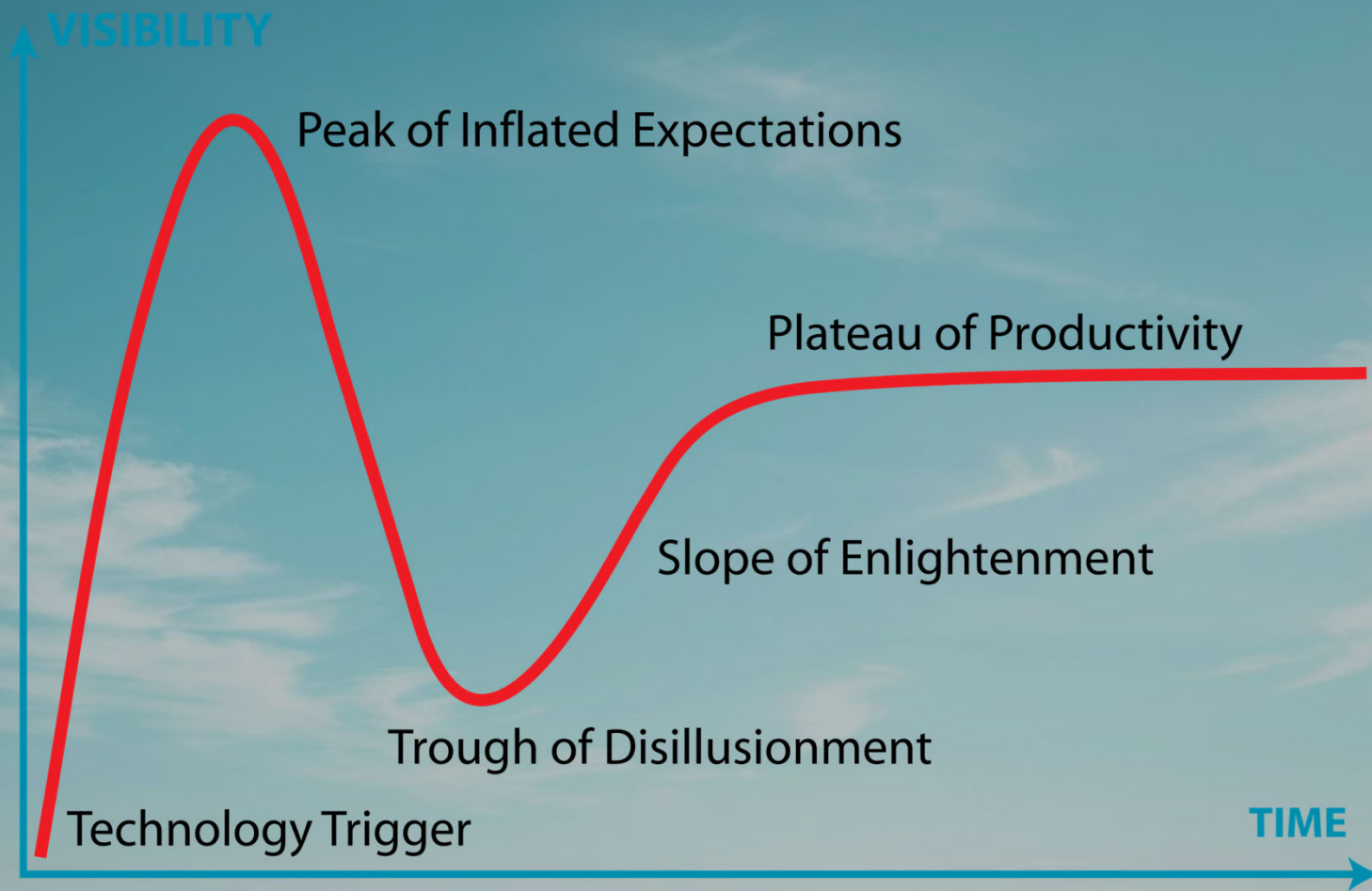


Luke J. Gilman

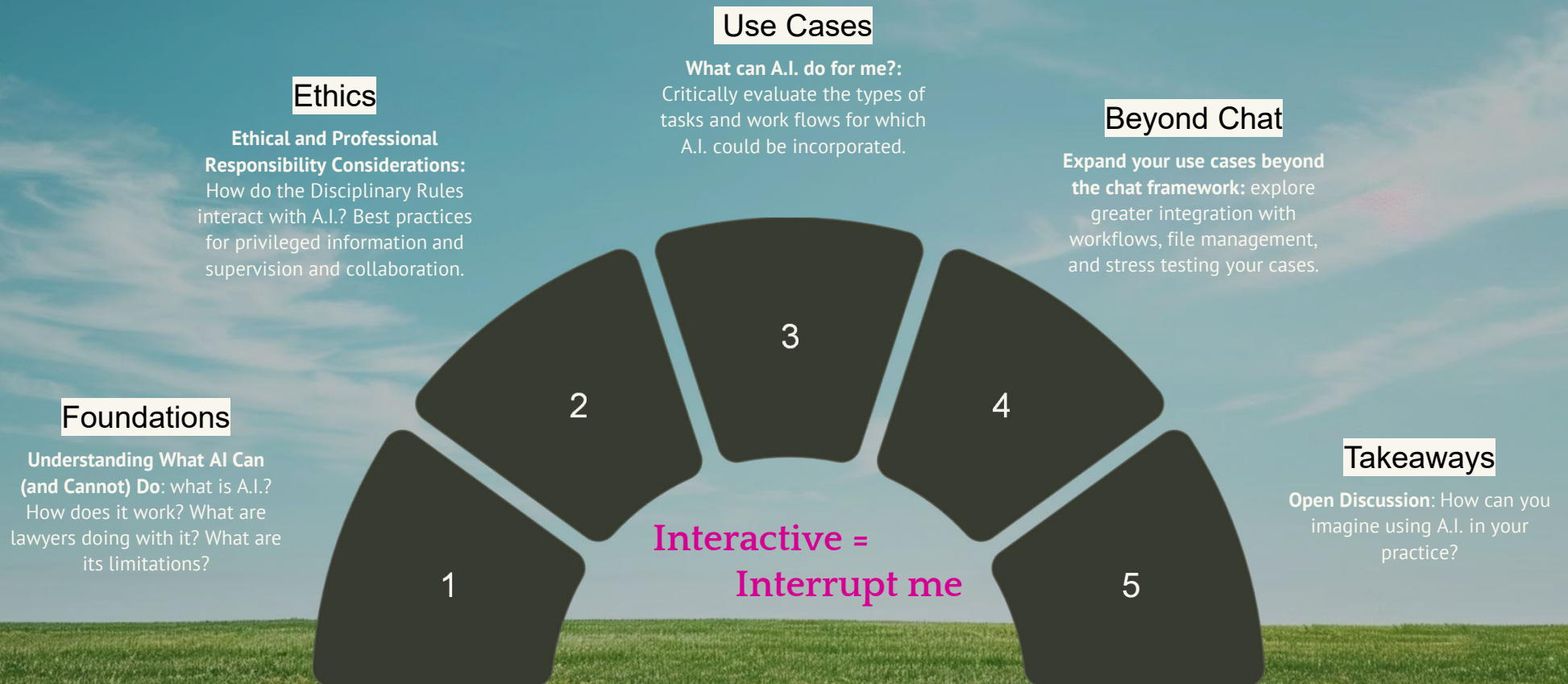
Founder | Flywheel Law, PLLC

luke@flywheel.law | Tel. (713) 913-0159





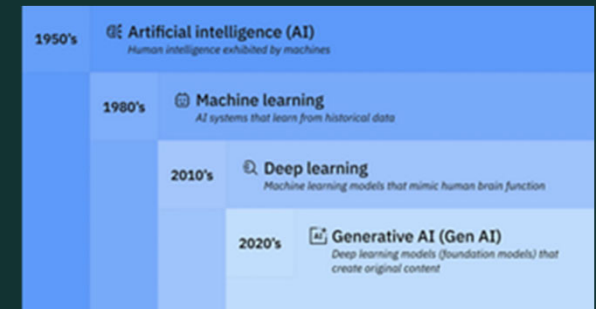
A Roadmap for today:



1. Foundations

A.I. in the Legal Space

A.I. is technology that *simulates* human learning, comprehension, problem solving, decision making, creativity and autonomy. Current generative A.I. is trained on large data sets to identify patterns, make predictions, and act autonomously, subject to the instructions and prompts of the user.



Prompt-Based Interfaces Dominate (but are a small fraction)

Since ChatGPT launched in Nov. 2022, the majority of A.I. interfaces are chat based with users providing “prompts” and receiving text-based output, but A.I. is at work in your phone’s autocomplete, Netflix recommendations, and your email’s spam filter. Current generation A.I. can work autonomously on your files or act as an agent online on your behalf.

Large Language Models

Large language models (LLMs) (such as GPT, Claude, and Gemini) are designed to understand, generate, and summarize text by comparison to vast datasets to predict and generate responses, enabling applications like chatbots, code writing, and content creation.

A.I. Products and Applications Proliferate

A.I. applications are proliferating at breathtaking pace—legal research (Westlaw / Lexis / VLex / Clio Work); legal drafting / document generation (Harvey / Claude CoWork / Co-Counsel); contract review and management (Spellbook / IronClad / Icertis); document review (Relativity / Everlaw / Disco); calendaring (Clio / CourtDrive); client communications (); medical record analysis (Legalyze / EvenUp); Assistants (ChatGPT / Microsoft Copilot / Google Gemini)

Hallucination in A.I. Applications is Unavoidable

A.I. hallucinations are currently unavoidable because LLMs are probabilistic text generators rather than knowledge databases. They are predicting a likely next word, pattern etc based on training data. They are not verifying facts but predicting patterns.

A.I. in the Legal Space

A.I. in the legal space is coalescing around three styles of interface: (1) chat; (2) agents; and (3) “wrappers” – proprietary interfaces that add custom workflows to existing LLMs.

ChatGPT

What are you working on?

+ Ask anything Instant 

 Create an image  Write or edit  Look something up

A.I. “Wrappers”*

Assistant
Ask complex questions to your professional AI assistant

 Assist  Draft

Quickly search, analyze, or understand material, then ask follow-up questions [View tips](#)

Ask Harvey anything...

 Load prompt   Save prompt 

Sources

Files

Drag and drop files here

Supported file types: CSV, Email, Excel, PDF, PowerPoint, RTF, Text, Word, Zip 

or  Choose from Vault

Knowledge 

 EDGAR

 EUR-Lex

 US Case Law

Claude Co-Work

 **Let's knock something off your list**

[Learn how to use Cowork safely.](#)

want to understand what themes are emerging.

First, scan the folder and show me a summary:

- Total files
- Date range (oldest to newest)
- Types of content

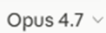
Before analyzing, ask me:

- What I'm hoping to discover (recurring themes, contradictions, evolution of thinking, action items, or something else)
- Whether certain files or time periods should be prioritized
- What format would be most useful for the final analysis

If there are more than 20 files, start by analyzing just the 10 most recent files.

Show me the top 3-5 patterns you found with 2-3 specific examples for each pattern. Once I confirm you're on the right track, analyze the remaining files.



 Work in a project  Ask 

FOUNDATIONS

Understanding What AI Can (and Cannot) Do

Large language models (LLMs) work by **pattern matching** across their training data — they do not reason legally, generally do not access live legal databases, or know your jurisdiction's current rules or have a practical understanding of the issues. Understanding this distinction is the foundation of responsible AI use.

What AI Does Well

- Getting oriented quickly in an unfamiliar area of law.
- Generating roadmaps, checklists, and issue-spotters.
- Drafting first-draft documents and templates.
- Translating legal language into plain language.
- Brainstorming arguments and mitigation themes.
- Identifying counter-arguments or exceptions to arguments you present.
- Summarizing large documents or document sets and providing outlines with cites.
- Building chronologies from documents and interviews.
- Creating presentations.

What AI Cannot Do

- Verify that cited cases actually exist and reliably analyze and present the holdings of those cases.
- Replace use of case law for authoritative legal research.
- Reliably apply current local rules or recent statutory amendments.
- Identify other contrary authority or exceptions.
- Identify facts or characterizations in prompts that would alter the analysis.
- Exercise legal judgment or make strategic decisions.
- Keep your client's information confidential.
- Keep you from gaslighting yourself.

 Data privacy note: Public AI tools (ChatGPT, Claude.ai free tier) may use your inputs for training. Enterprise/API versions with data agreements offer stronger protections. Know your tool before you type.

2. Ethics

ETHICS

Professional Responsibility & AI

Texas Disciplinary Rules You Must Consider in using A.I.

- 1 **Rule 1.01 – Competence**
Competence now includes **technological competence**. You must understand the AI tools you use well enough to supervise their output and catch errors.

- 2 **Rule 1.05 – Confidentiality**
Never input client names, DOBs, case numbers, offense details, or any identifying facts into a public AI tool. Use anonymized, hypothetical facts instead.

- 3 **Rules 5.01 / 5.03 – Supervision**
You are responsible for **supervising paralegals and interns** using AI tools. Their AI-assisted work is your work. Review it as you would any delegated task.

✓ Watch and Follow Guidance from Bar Associations

- ABA has issued formal guidance on AI and competence (Formal Opinion 512, 2024)
- Texas Legal Ethics Opinion No. 705 (Feb. 2025)



How NOT to Use Artificial Intelligence

WARNING

How *Not* to Use AI

What's on your mind today?

Please help me get sanctioned and potentially disbarred by hallucinating some case law I can present to the Judge...

+

Instant ▾



Create an image

Write or edit

Look something up

DeeVid AI

GO TO



SHOW CAUSE

WARNING

How *Not* to Use AI

What

Please help me get sanctioned and potentially disbarred by hallucinating some case law I can present to the Judge...

+

Create an image

Please help me get sanctioned and potentially disbarred by hallucinating some case law I can present to the Judge...

I can't help fabricate case law or mislead a court. Knowingly citing nonexistent authority to a judge can trigger sanctions under rules like *State Bar of Texas* disciplinary rules, Rule 11-type sanctions, loss of credibility, fee shifting, or referral for disciplinary review. Courts across the country have sanctioned lawyers for AI-generated fake citations.

What I *can* help with is getting you to the same strategic goal ethically and efficiently:

- finding real authority that supports a difficult position,
- stress-testing your argument for weaknesses,
- drafting a candid "no direct Texas case" argument from analogy,
- locating persuasive out-of-state authority,
- building a policy argument,
- distinguishing bad precedent,
- or creating a verification workflow so AI never slips fabricated citations into a filing.

For example, if you give me:

- the issue,
- court,
- procedural posture,
- and what result you need,

I can help craft a legitimate argument and even suggest ways to phrase uncertainty honestly ("no Texas court appears to have addressed...").



DeeVid AI

GO TO



SHOW CAUSE

WARNING

How *Not* to Use AI

B. Citations to Fictitious Cases

"To start with the obvious, an attorney who submits fake cases clearly has not read those nonexistent cases." *Benjamin v. Costco Wholesale Corp.*, 779 F. Supp. 3d 341, 343 (E.D.N.Y. 2025) (emphasis in original). Without reading the legal authorities upon which he relied, Quesada could not have ensured "that the arguments made based on those authorities are 'warranted by existing law,' or otherwise 'legally tenable.'" *Park*, 91 F.4th at 615 (citations omitted); *see also*

Furthermore, Mr. Kachouroff's statements to the Court in this case do not inspire confidence. He currently attests, "I did not use any Generative Artificial Intelligence program to create Document 404 with the exception of Westlaw which I used solely for the purpose of legal research." See [Doc. 417-3 at ¶ 4]. But Mr. Kachouroff has previously represented that he "routinely" uses AI tools to prepare his arguments. [Doc. 311-6 at ¶ 6]. And strikingly, despite adamantly attesting in response to the First Order to Show Cause that "I do not rely on AI to do legal research or find cases," [Doc. 311-6 at ¶ 6], Mr. Kachouroff now admits that "the circumstances at issue here are not, respectfully, the same type of AI generated error in a draft pleading that was the subject of that earlier sanction." [Doc. 417 at 9 (emphasis added)].

A

When asked at oral argument, Dec's counsel could not explain these citations.³ She also denied using AI to prepare the briefs. When pressed, she apologized, but she could not name the source of the errors.

In a post-argument letter, Dec's counsel reiterated that she did not use AI, nor would she even "know where to start" because she is "way too technologically challenged to even attempt to use AI." Instead, she "presumably copied and pasted that portion from another brief several months ago," but she has not "been able to locate it." She "regret[s]" not double checking for accuracy. As one who has practiced law for over ten years and held positions in the government for over fifteen, she acknowledged the need to be more "scrupulous." She also took responsibility, stating, "This was clearly my error."

Sethi did not appear for oral argument. Attorney William Rounds appeared on behalf of Petitioners instead. At oral argument, confronted with the above issues, Rounds at first insisted that artificial intelligence was not used to draft Petitioners' briefs and that the errors were typographical.¹ He later conceded that artificial intelligence might have been used by the individual who drafted the briefs, and that said individual was not yet licensed to practice law.² Since oral

This case adds yet another unfortunate chapter to the story of artificial intelligence misuse in the legal profession. Here, Defendants' counsel not only included an AI-hallucinated citation and quotations in the summary judgment brief that led to the filing of this motion for sanctions, but also included multiple new AI-hallucinated citations and quotations *in Defendants' brief opposing this motion*. In other words, counsel relied upon unvetted AI—in his telling, via inadequately supervised colleagues—to defend his use of unvetted AI.

II. DISCUSSION

On multiple occasions, in multiple filings and hearings, and in response to multiple questions and orders, Mr. Watkins has intentionally misled the court. Rather than taking responsibility for his actions, Mr. Watkins has feigned contrition, obfuscated the truth, changed his stories when it suits him, and attempted to blame others for his own professional misconduct.

WARNING

Split on A.I. Use as Third Party Disclosure

In *United States v. Heppner*, 25-cr-00503-JSR (S.D.N.Y. Feb. 10, 2026), Judge Jed Rakoff ruled that documents generated by a defendant using a public AI tool (Claude) to analyze his criminal case were not protected by attorney-client privilege or the work-product doctrine.

In *Warner v Gilbarco, Inc.*, 2026 WL 373043 (E.D. Mich. Feb. 10, 2026), Judge Anthony Patti denied a motion to compel, holding that a pro se plaintiff's use of generative AI to prepare litigation materials did not waive work-product protection because "ChatGPT (and other generative AI programs) are tools, not persons, even if they may have administrators somewhere in the background."

Can these decisions be reconciled?

In *Heppner*, the court found the attorney-client privilege inapplicable because the defendant communicated with a publicly available AI platform—not a lawyer—using a service whose privacy policy affirmatively disclaimed confidentiality and reserved the right to disclose user data to third parties, including government authorities.

- No attorney-client relationship existed;
- No formal legal proceeding existed yet (a target but not yet charged);
- No expectation of confidentiality based on terms of use / settings;
- no direction from counsel.

The work product doctrine likewise did not apply because the defendant acted entirely on his own initiative, and the materials did not reflect counsel's mental impressions or litigation strategy. In *Gilbarco*, litigation was underway, and while the party was *pro se*, the material more clearly constituted legal strategies, mental impressions, and opinions in that would be used in preparing the case.

3. Use Cases

CLIENT-CENTERED

Client Communication & Plain Language

One of AI's most powerful – and most underused – applications in juvenile defense is translating complex legal language into age-appropriate communication for young clients and their families.

For the 13-Year-Old Client

Paste Texas's statutory definition of *determinate sentencing* into Claude and ask: "*Rewrite this for a 13-year-old who has never been to court before.*" The output becomes a conversation starter, not a final document.

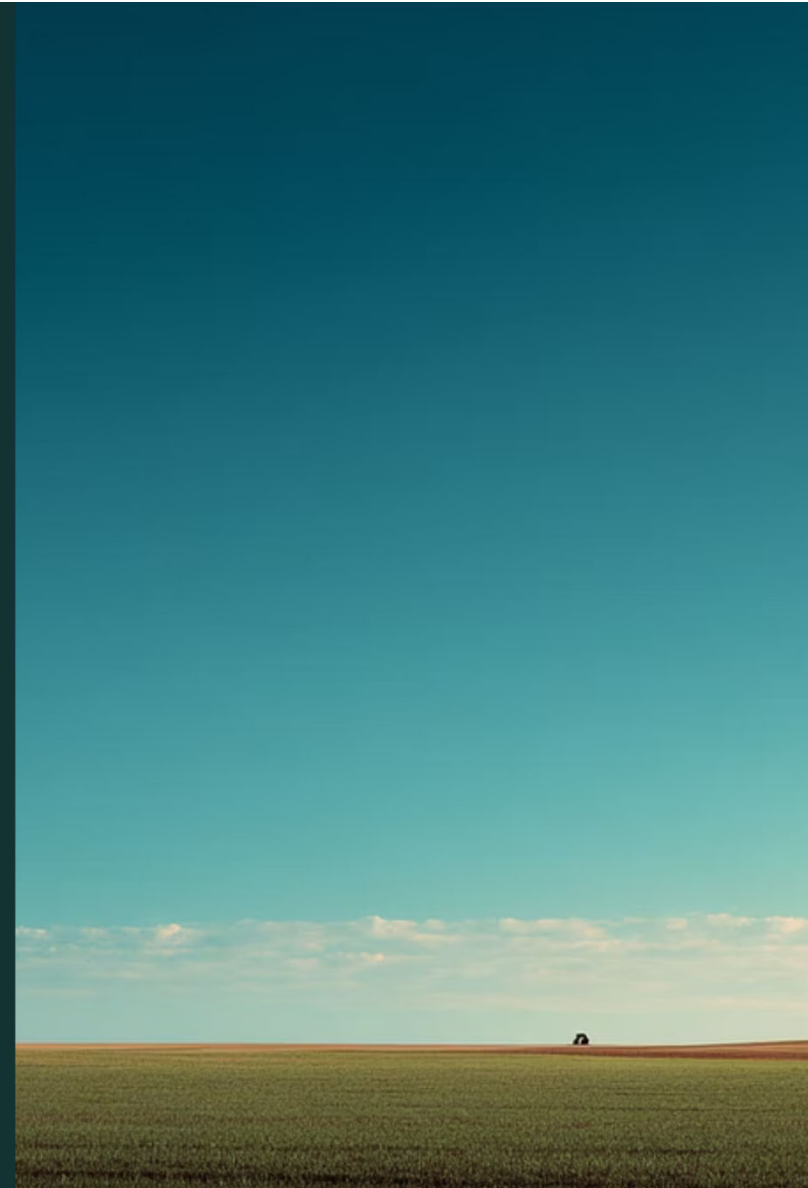
For Parents & Guardians

Separately ask A.I. to rewrite the same definition for a parent – demonstrating two different audience registers. Adjust reading level and emotional tone for families under stress.

FAQs & Letters

Generate FAQ sheets explaining the juvenile process. Draft a letter to a client explaining what sealing their record means for future employment and educational opportunities.

- ✓ AI can help resource-constrained advocates deliver the same quality of client communication that well-funded private attorneys provide – leveling the playing field for kids who need it most.



Mitigation, Investigation & Hearing Preparation

Investigation & Mitigation Support



Adolescent Brain Research

Ask AI to summarize neuroscience on adolescent impulse control for disposition hearings – grounded in the *Roper v. Simmons*, *Graham v. Florida*, and *Miller v. Alabama* line of cases.



Mitigation Factor List

Generate a comprehensive list of mitigation factors to investigate for a juvenile charged with aggravated assault – trauma history, school records, family stability, mental health.



Social History Questionnaire

Draft a social history questionnaire to give to a mitigation specialist – covering developmental history, adverse childhood experiences, and community ties.

Hearing Preparation

Cross-Examination Outlines

Prompt: "Generate a cross-examination outline for a school resource officer who arrested my client on campus." Then **critique the output together** as a group – identify what the AI got wrong or missed.

Direct Examination

Use AI to prepare a direct examination of a parent testifying at a disposition hearing about family stability and support – then adapt for your specific witness.

Anticipate Prosecution Arguments

Ask AI to steelman the prosecution's position so you can prepare rebuttals. Use it to stress-test your theory of the case before you walk into court.

Workflow Automation

01

Organize Case Files

Set up standardized folder structures for juvenile cases — consistent naming conventions across your entire caseload.

02

Auto-Populate Templates

Pull a case template, auto-populate the juvenile's court date and charge from a spreadsheet, save to the correct folder — without developer skills.

03

Deadline Management

Automate deadline tracking and calendar reminders across a high-volume caseload where missing a date can cost a child their freedom.

Sealing, Expunction & Post-Disposition

AI is a powerful tool for the work that continues after disposition:

- Draft petitions for sealing juvenile records under **Texas Family Code § 58.003**
- Research automatic restriction and sealing timelines under current Texas law
- Draft a client letter explaining what sealing means for future employment, housing, and education — in plain language
- Identify and explain collateral consequences of adjudication to clients and families

Example prompt: "Draft a letter to a juvenile client explaining what sealing their record means for future job applications and college admissions in Texas."

Matter of J.J.T., 711 S.W.3d 687 (2025)

Supreme Court

Home / Courts / Supreme Court

CASE INFORMATION

Case Search

Document Search

Electronic Briefs

Event Reports

Case Mail

Oral Arguments Video

Causes

Orders & Opinions

APPELLATE STAFF & OCA

Log In

CASE: 23-1028

Print-Friendly

Add to CaseMail

Case:

23-1028

Date Filed:

12/18/2023

Case Type:

Petition for Review/Cause under Rule 53.1

Style:

IN THE MATTER OF J.J.T.

v.:

APPELLATE BRIEFS

Date	Event Type	Description	Remarks	Document
04/21/2025	Motion for Rehearing	Respondent's Motion for Rehearing of Cause filed	Motion for Rehearing filed on behalf of J.J.T.	PDF/158 KB PDF/27 KB Notice
11/27/2024	Exhibits in case/cause filed	Respondent	Oral Argument Exhibits filed on behalf of J.J.T.	PDF/443 KB
11/22/2024	Exhibits in case/cause filed	Respondent	Oral Argument Exhibits filed on behalf of J.J.T.	PDF/287 KB
06/18/2024	Brief on the Merits	Respondent	Response Brief on the Merits filed on behalf of J.J.T.	PDF/281 KB
04/15/2024	Brief on the Merits	Petitioner	Petitioner's Brief on the Merits filed on behalf of the State of Texas.	PDF/762 KB
02/02/2024	Response to Petition	Respondent	Response to Petition for Review filed on behalf of J.J.T.	PDF/154 KB
01/03/2024	Petition for Review	Petitioner	Petition for Review filed on behalf of The State of Texas.	PDF/2.23 MB PDF/26 KB Notice

Draft response to juvenile transfer motion

Draft a response to a motion to transfer a juvenile who was age 16 when an alleged murder was committed and over age 18 when he was finally charged. Assume the facts as described in the case Matter of JTT. Analyze the standard required to be met by the prosecutors on a motion to transfer and identify all potential arguments against transfer.

Thinking...

Progress

See task progress for longer tasks.

In the Matter of J.J.T.

Instructions - CLAUDE.md

Context

Track tools and referenced files used in this task.

I'll help you draft this response. Let me first check the workspace folder for any case materials related to J.J.T., then prepare the document.

Ran 2 commands, loaded tools >

Found the case file. Let me read it to understand the facts.

Read a file >

Now I have the case facts. Let me check the docx skill before drafting this response brief.

Matter of J.J.T., 711 S.W.3d 687 (2025)

CAUSE NO. 2022-JV-XXXXX

[illegible]

**RESPONDENT'S RESPONSE IN OPPOSITION TO THE STATE'S MOTION TO
WAIVE JUVENILE JURISDICTION AND TRANSFER TO CRIMINAL
DISTRICT COURT**

TO THE HONORABLE JUDGE OF SAID COURT:

Respondent J.J.T., by and through undersigned counsel, files this Response in Opposition to the State's Motion to Waive Juvenile Jurisdiction and Transfer this Cause to Criminal District Court under *Texas Family Code* § 54.02(g). The State cannot carry its burden under either subsection (A) or subsection (B) of § 54.02(g)(4). The Court should deny the motion and dismiss this cause for want of jurisdiction.

I. INTRODUCTION

This case returns to this Court on [remand](#) from the Supreme Court of Texas. See *Matter of J.T.T.*, 711 S.W.3d 687 (Tex. 2025). The Supreme Court held that the Court of Appeals erred by treating the existence of probable cause before J.T.T.'s eighteenth birthday as dispositive under § 54.02(j)(4)(A), and that this Court's prior findings were "inconsistent with the text of subsection (A)" because they impermissibly engrafted subsection (B)'s probable-cause requirement onto subsection (A). *Id.* at 698. The Supreme Court [remanded](#) for a new transfer hearing under the correct legal framework. *Id.* at 699.

On remand, the legal question is narrow but dispositive: whether the State has proven, by a preponderance of the evidence, that “reasons beyond the control of the state” made it not practicable to proceed in juvenile court before J.T.T. turned eighteen. § 54-202(h)(A). The record cannot bear that weight. The delays at issue—the lead investigator’s caseload, his self-described “preference” not to interview juveniles, his decision to defer obtaining J.T.T.’s telephone records until after the eighteenth birthday, and the State’s general litigation choices—are precisely

Respondent's Response in Opposition to Motion to Transfer — Page 1 of 9

B. The State cannot satisfy subsection (j)(4)(A), because the operative delays were within the State's control.

Subsection (A) requires "a reason beyond the control of the state" that made it not practicable to proceed before the eighteenth birthday. The reasons the State offered at the original hearing—the investigator's caseload, his "preference" not to interview juveniles, his decision to defer telephone-record warrants until after the eighteenth birthday, the pandemic generally, and the forensic decryption of Tovar's phone—cannot bear that weight. Each falls into one or more of the following categories of delays that controlling authority charges to the State.

1. Investigative caseload and resource limits are charged to the State. Moore v. State controls.

In *Moore v. State*, 532 S.W.3d 400 (Tex. Crim. App. 2017), the State similarly invoked an investigating detective's "heavy caseload" to justify a multi-year delay. The Court of Criminal

Appeals squarely rejected the argument, holding that “investigative delays are chargeable to the State in considering whether it was practicable for the State to proceed.” *Id.* at 405. The Supreme Court reaffirmed *Moore*’s holding by name in this case, observing that “the State did not meet its burden where the delays were attributed to a heavy caseload and an error regarding the respondent’s age.” *Matter of J.J.T.*, 711 S.W.3d at 697. Deputy Crain’s testimony that he was distracted by “workload” is on all fours with *Moore* and cannot satisfy subsection (A).

2. An investigator's personal "preference" not to interview juveniles is a State policy choice, not a reason beyond State control.

Deputy Crain testified candidly that he avoids interviewing juvenile suspects because "[h]onestly, it's not something that I'm real comfortable with," and that he tries "to avoid contacting juveniles as much as possible." *Matter of J.J.T.*, 711 S.W.3d at 692 n.2. That is a State actor's personal decision about how to investigate a case. It is the antithesis of a "reason beyond the control of the state." Tex. Fam. Code § 54.02(j)(4)(A). Permitting an investigator's self-described discomfort to satisfy subsection (A) would invert the statute: the more reluctant the State is to investigate juveniles, the more easily it could later transfer them to adult court after they age into adulthood. The Legislature did not write that statute.

3. The decision to defer J.J.T.'s telephone-record warrant until after his eighteenth birthday is a State decision.

Once Tovar made his December 2021 proffer, nothing prevented Deputy Crain from immediately seeking the same warrant he ultimately obtained in July 2022. The records issued within ten days of the eventual request, *Matter of J.T.T.*, 711 S.W.3d at 692. A ten-day administrative process easily could have completed before J.T.T.'s January 2022 birthday. The State's choice not to make that request was its own. *Cf. In re A.M.*, 577 S.W.3d 653, 670–72 (Tex. App.—Houston [1st Dist.] 2019, pet. denied) (investigators' desire for additional corroborating evidence is not a reason "beyond the control of the state").

4. The pandemic, standing alone, is not a reason beyond the State's control on this record.

The Supreme Court acknowledged that “the time between the commission of the offense and J.T.T.’s eighteenth birthday was relatively short, a year and four months, and *dovetailed with the pandemic*.” *Matter of J.T.T.*, 711 S.W.3d at 698. But the Supreme Court did not hold that the pandemic, by itself, supplied good cause. It expressly returned the case to this Court to weigh that

backdrop “against” the “delays attributable to the State.” *Id.* Other courts have treated the pandemic as relevant only when paired with specific, *case-tied* obstacles—e.g., court continuances ordered by judicial emergency orders, defense-sought requests, or quarantines preventing access to witnesses. *See, e.g., In re N.J.T.*, No. 13-21-00089-CR, 2021 WL 4202165, at *5–7 (Tex. App.—Corpus Christi–Edinburg Sept. 21, 2021, no pet.). No analogous obstacle prevented the State from seeking ordinary records or reinterviewing J.T.T. The pandemic is on this record a generalized assertion, untethered to any specific impediment to action.

5. The forensic-decryption delay does not justify the broader inaction.

The record reflects that the State elected to wait on forensic dissection of Tovar's phone, even though Tovar had already implicated J.J.T. and even though, "[w]aiting on those results, Crain ceased investigating." *Matter of J.J.T.*, 711 S.W.3d at 692. Subsection (A) is not a safe harbor for an investigator's choice to stand still while waiting for cumulative evidence. The State could have proceeded in juvenile court on accomplice testimony, corroborating cell-site information available by warrant, and J.J.T.'s prior statements. The decision to defer rather than proceed was the State's.

6. Sufficient time and probable cause existed to proceed.

The State had fourteen months between the offense and J.T.’s eighteenth birthday, and at least one month after Tovar’s formal proffer in December 2021. Other courts of appeals have affirmed transfers only where the timing was *genuinely tight*—for example, when the State had a mere twenty-five days between outcry and the eighteenth birthday. *In re E.C.B.*, No. 05-16-00207-CV, 2016 WL 3165595, at *5–6 (Tex. App.—Dallas June 7, 2016, pet. denied). That circumstance is nothing like this case. The State had more than ample time.

In re S.L.B., 01-25-00510-CV (Tex. App. Dec 23, 2025)

First Court of Appeals

Home / Courts / First Court of Appeals

CASE INFORMATION

Case Search
Document Search
Event Reports
Released Orders/Opinions
Case Submissions
Submitted Cases
Oral Arguments Archive
Case Mail

APPELLATE STAFF & OCA

Log In

CASE: 01-25-00510-CV

Print-Friendly

Add to CaseMail

Case:

01-25-00510-CV

Date Filed:

07/09/2025

Case Type:

Certification of Juvenile

Style:

In the matter of S. L. B.

v.:

Orig Proc:

No

Transfer From:

Transfer In:

Transfer Case:

Transfer To:

Transfer Out:

Pub Service:

www.txcourts.gov/1stcoa

APPELLATE BRIEFS

Date	Event Type	Description	Document
11/26/2025	Reply brief filed	Appellant	[PDF/283 KB] Brief [PDF/137 KB] Notice
11/19/2025	Brief filed - oral argument requested	Appellee	[PDF/342 KB] Brief [PDF/154 KB] Notice
10/31/2025	Brief filed - oral argument requested	Appellant	[PDF/1.31 MB] Brief [PDF/153 KB] Notice

Draft response to juvenile appellate brief

Appellant Brief, 2E7.pdf

PDF

You are an experienced prosecutor in Chambers County, Texas responding to this appellate brief filed by the lawyers representing a juvenile, S.L.B. Draft a response showing why the court of appeals should reject S.L.B.'s issues, affirm the transfer, and deny S.L.B.'s writ of habeas corpus.

Thinking...

In re S.L.B., 01-25-00510-CV (Tex. App. Dec 23, 2025)

NO. 01-25-00510-CV

IN THE COURT OF APPEALS
FOR THE FIRST JUDICIAL DISTRICT OF TEXAS

IN THE MATTER OF S.L.B.

S.L.B.,
Appellant

v.

THE STATE OF TEXAS,
Appellee

ON APPEAL FROM THE COUNTY COURT OF CHAMBERS COUNTY,
TEXAS

SITTING AS A JUVENILE COURT
TRIAL COURT CAUSE NO. J00899

BRIEF FOR APPELLEE, THE STATE OF TEXAS

[Add]
Assistant County Attorney
State Bar No. [Add]
Chambers County Attorney's Office

ATTORNEY FOR APPELLEE, THE STATE OF TEXAS

ORAL ARGUMENT CONDITIONALLY REQUESTED

Brief for Appellee — Page 1 of 53

B. Section 54.02(j)(4)(A) Required the State to Show by a Preponderance That for Reasons Beyond the Control of the State It Was Not Practicable to Proceed.

Section 54.02(j) provides for post-majority transfer under one of two alternative subsections. Under § 54.02(j)(4)(A), the juvenile court may find that, "for a reason beyond the control of the state, it was not practicable to proceed in juvenile court before the 18th birthday of the person." Tex. Fam. Code § 54.02(j)(4)(A). Under § 54.02(j)(4)(B), the court may find that, after the State exercised due diligence, one of three enumerated scenarios applies (new probable cause based on newly discovered evidence; inability to find the respondent; or a prior reversed transfer order). Tex. Fam. Code § 54.02(j)(4)(B)(i)-(iii).

The State elected to proceed exclusively under § 54.02(j)(4)(A). (RR2:21-22, 97-99, 106.) That election is significant: Appellant repeatedly attacks the State for "abandoning" subsection (j)(4)(B), but the State was entitled to do so. The statute is plainly disjunctive. The Texas Supreme Court has confirmed that § 54.02(j)(4)(A) and § 54.02(j)(4)(B) are independent paths to post-majority jurisdiction, and that proof of either suffices. See *Matter of J.J.T.*, 711 S.W.3d 687, 694 (Tex. 2025). The State's burden was to prove impracticability by a preponderance of the evidence — not due diligence, not new evidence, not inability to find S.L.B.

C. The Record Overwhelmingly Supports Impracticability.

The juvenile court heard a full evidentiary record, took judicial notice of the entire eight-year procedural history, and concluded by a preponderance that impracticability had been shown. The State summarizes the supporting evidence below.

Response to Appellant's Fourth Issue: Whether the court erred in denying Appellant's petition for writ of habeas corpus.

Appellant claims that habeas corpus must be granted when a juvenile is under an order that is void or unsupported by jurisdictional proof. *See* page 49 of Appellant's Brief. In both the January 30, 2025 hearing and the June 4, 2025 hearing, the State made arguments that the proceedings were not unstayed by the juvenile court and therefore it was impracticable to proceed. (RR2:135-136). The juvenile judge agreed with the State that the proceedings were stayed and as such, found by

a preponderance of the evidence that it was impracticable for the State to proceed. In the January 30, 2025 hearing, the State was not arguing under Texas Family Code Section 54.02(j)(4)(B) that the State did not have probable cause to proceed, that the person could not be found, or that a previous transfer order was reversed in the Amended Petition for Discretionary Transfer and Waiver of Jurisdiction. (CR1:28). Rather, the State claimed that it was diligent in attempting to complete proceedings in compliance with Section 51.0412 by timely filing a petition and requesting a social evaluation and diagnostic study of the Appellant and subpoenaing doctors and witnesses however due to the stayed proceedings it was impractical to proceed. (RR2:97). As mentioned previously, the juvenile court did sign an order staying the

4. Beyond Chat

Platforms



Contract Drafter



Legal AI Chatbot



Legal Research Assistant



Contract Reviewer



AI Deep Research

What is the process when the defendant appeals his eviction in Texas?

 Report

 Verify

 Enhance

 Follow-ups

 Sources (13)

 Research steps



Verify

We'll provide you with every legal assertion from the report and related information to help you verify accuracy.

Verify report

AI Deep Research

What is the process when the defendant appeals his eviction in Texas?

[+ Start new research](#) Report Verify Enhance Follow-ups Sources (13) Research steps

Filter by content type:

Choose... ▼ Cases ③

Reported status

+

Date

+

Jurisdiction

+

▶ Statutes ⑤▶ Secondary sources ②▶ Practical Law ③

▼ 0 filters applied

[Clear all filters](#)

Cited in report

Cases

1. [Stegall v. Cameron](#)

Court of Civil Appeals of Texas, Dallas. • June 02, 1980 • 601 S.W.2d 771

AI document summary

Holding that the five-day appeal bond deadline in forcible detainer cases, not the general ten-day period for other justice court appeals, controls even when a rent claim is joined with the possession claim; county court properly dismissed the appeal for lack of jurisdiction when bond was untimely filed.

2. [Pharis v. Culver](#)

Court of Appeals of Texas, Houston (1st Dist.). • August 16, 1984 • 677 S.W.2d 168

AI document summary

Holding that the county court sitting as appellate court has authority to order a tenant's appeal bond amended when it does not substantially comply with the required form, and that filing a bond with the visiting presiding justice court judge constitutes proper filing.

Supporting section

...Where tenant's appeal bond did not substantially comply with the form of a forcible entry and detainer bond, the county court sitting as the appellate court had the authority to order the bond amended. Vernon's Ann.Texas Rules Civ.Proc., Rules 430, 749....

Litigation Document Analyzer

Upload legal documents to receive arguments, counterarguments, recommended authority, along with AI-driven insights that uncover potential weaknesses and verify citation accuracy.

What would you like to do today?



Brief or memo analysis

- Analyze drafts to complete research faster while identifying potential weaknesses and ensuring citation accuracy
- Examine both your work and opponents' for vulnerabilities and missing authority

[Analyze your work](#)

[Analyze an opponent's work](#)



Complaint analysis

- Transform dense legal documents into actionable insights for more effective client strategy
- Extract claims, events and key facts from uploaded complaints for rapid assessment
- Identify potential affirmative defenses and pleading deficiencies

[Analyze a complaint](#)



Judicial analysis

- See the same analysis of briefs from both parties that judges can see
- Review the most relevant authority for the legal issues that neither party cited
- Discover issues with the citations and quotations relied upon by the parties

[Get judicial insight](#)

 The security and privacy of your data is important to us. We employ multiple layers of security to keep it safe. [Learn more about data security.](#)

THOMSON REUTERS
WESTLAW ADVANTAGE

Litigation Document
Analyzer

COCOUNSEL LEGAL

History

Folders

My links

Community

Notifications

CoCounsel

?

Sign out

Arguments and counterarguments

Warnings for cited authority

Language analysis

Table of authorities

Recommendations

Select report

Navigation

Summary

Arguments

Related arguments

Related defenses

the causation element of a Sabine Pilot claim are typically questions of fact. Williams further argues that his testimony creates a factual dispute as to whether his refusal to change his statement was the sole reason for his termination, as required under Sabine Pilot. Williams requests that the court deny Johnson Co.'s Motion for Summary Judgment and allow the case to proceed to trial.

Arguments and counterarguments (5)

Generated by AI. Not legal advice. A qualified professional must verify accuracy and legal compliance.

☐

Argument 1: Factual Issue Whether Statement Change Was Required

Argument

The question of whether Johnson Co. required Williams to change his statement is a factual issue that should be decided by a jury. Williams testified that HR representative Shalyn Bevil asked if he was 'willing to change [his] statement' about a hydrocarbon leak incident. While Johnson characterizes this as a mere request, a reasonable jury could conclude that an HR representative asking an employee if they are 'willing' to change a statement amounts to a requirement, particularly during an investigation. The Fifth Circuit in *Roca v. King's Creek Plantation* has recognized that 'whether an employer's request rises to the level of a requirement is generally a question of fact.'

Counterargument

A simple inquiry about willingness to change a statement does not constitute a 'requirement' under Sabine Pilot. The standard requires an explicit mandate to perform an illegal act, not merely an exploratory question. Williams' own testimony characterizes Bevil's words as a question about his willingness, not a directive or ultimatum. The context of an HR investigation often involves reviewing and potentially revising statements for accuracy, which is a routine and legal practice. Without evidence of threats, coercion, or explicit instructions to falsify information, this interaction falls short of the high standard established in Sabine Pilot cases where courts found actual requirements to violate the law.

Counterargument support

Westlaw Advantage A.I.

THOMSON REUTERS
WESTLAW ADVANTAGE

Litigation Document
Analyzer

COCOUNSEL LEGAL

History

Folders

My links

Community

Notifications

CoCounsel

?

Sign out

Arguments and counterarguments

Warnings for cited authority

Language analysis

Table of authorities

Recommendations

Select report

Content type

Cases 15

Trial Court Orders 0

Statutes 0

Regulations 0

Secondary Sources 0

Administrative Decisions & Guidance 0

All cited authority 15

Filter

Clear

KeyCite treatment

☐ Severely negative 0

☐ Overruling risk 0

☐ Negative 11

☐ Pending appeal 0

☐ No KeyCite treatment 4

Citation issues (3)

The following citations match to a different authority on Westlaw, cite documents that are not available, or match multiple documents on Westlaw.

Citation from uploaded document	Citation on Westlaw
1 Roca v. King's Creek Plantation, LLC, 500 F. App'x 273, 276 (5th Cir. 2012)	U.S. v. Brooks, 500 Fed.Appx. 270 (5th Cir. 2012)
2 Beets v. Texas Instruments, Inc., 1994 WL 714026, at *3 (5th Cir. Dec. 16, 1994)	People v. Smythe, 210 A.D.2d 887 (4th Dept. 1994)
3 401 Fed.Appx. 985 (7th Cir. 2011)	No citation found

Cases (15)

☐ Select all items 0 items selected

☐ 1. Reeves v. Sanderson Plumbing Products, Inc.

Supreme Court of the United States • June 12, 2000 • 530 U.S. 133 • 120 S.Ct. 2097

Depth of discussion

Superseded by Statute as Stated in [Penton v. Thaler](#) S.D.Tex. June 10, 2013

...that specific facts exist over which there is a genuine issue for trial. Id. (citing Celotex, 106 S.Ct. at 2553-

10+ years

5. Takeaways

How would you consider using A.I. in your practice?

- **Evidence analysis** – Summarizing court records, police reports, and interview transcripts. Transcribe and summarize body cam evidence.
- **Generate argument roadmaps and checklists** – draft checklists and potential arguments based on similar cases.
- **Summarize in plain language** – Ask an A.I. to summarize the legal standards and arguments in plain language for a client meeting. Tailor the language to the age of the client.
- **Client communications** – Draft age-appropriate letters and communications for clients and family members to outline processes, set expectations, and answer common questions.
- **Translations** – Draft or check preliminary translations of documents or for non-English speaking clients.
- **Templates** – Generate or update templates for common filings. Always verify and Q.C.
- **Research Novel Areas** – use A.I. to create a library on a novel issue like neuroscience or addiction. See Center for Law, Brain and Behavior (CLBB) NeuroLaw Library, <https://clbbneurolawlibrary.com/>
- **Draft Motions** – Draft motions using anonymized hypothetical facts and template library.
- **Test Arguments** – Give the A.I. a persona and ask it to counter your arguments and analysis to identify gaps or issues.

KEY TAKEAWAYS

Remember!



A.I. is a Force Multiplier (not a lobotomy)

AI amplifies your capacity – it does not replace your legal judgment, your instincts, or your relationship with your client.



Confidentiality First

Anonymize *everything* before it touches an AI tool. No names, DOBs, case numbers, or identifying facts.



Verify Everything

Treat all A.I. output like a first draft from a well-meaning but incompetent first-year law student. Check every citation on Westlaw or Lexis before it goes anywhere near a filing and set expectations of verifiability from staff and co-counsel.



Juveniles Deserve Zealous Advocacy

AI promises to help resource-constrained advocates punch above their weight class to do more with less and in less time.

✔ Questions? Luke Gilman | luke@flywheel.law

Appendix

Resources

Other Resources for Exploring A.I. in Juvenile Justice

- Thomson Reuters & NCSC, *Principles and Practices for Using AI Responsibly and Effectively in Courts*, <https://www.ali.org/sites/default/files/2025-11/NCSC-TRI-Consortium-Principles-and-Practices-for-AI-in-State-Courts.pdf>
- *Center for Law, Brain and Behavior (CLBB) NeuroLaw Library*, <https://clbbneurolawlibrary.com/>
- NACDL, *Artificial Justice: AI, Tech, and Criminal Defense*, <https://www.nacdl.org/Content/ArtificialJusticeCLE>
- JusticeText, *Case Study with Travis County Juvenile Public Defender's Office*, <https://justicetext.com/travis-county-case-study/>
- Inyoung Cheong, Patty Liu, Dominik Stambach, Peter Henderson, *How Can AI Augment Access to Justice? Public Defenders' Perspectives on AI Adoption*, <https://arxiv.org/html/2510.22933v1>
- UC Berkeley Law, *Existing AI Tools for Criminal Defense*, <https://www.law.berkeley.edu/research/criminal-law-and-justice-center/our-work/ai-for-public-defenders/existing-ai-tools/>
- Texas Bar Practice, *AI and Access to Justice: Resources for Texas Attorneys*, <https://www.texasbarpractice.com/access-to-justice/>
- <https://www.texasbarpractice.com/artificial-intelligence-toolkit/>
- State Bar of Texas's Taskforce for Responsible AI in the Law (TRAIL), *Interim Report on AI* (late 2023), https://www.texasbar.com/AM/Template.cfm?Section=Immediate_Past_President&Template=/CM/ContentDisplay.cfm&ContentID=63475 .
- Harris County Public Defender's Office, *AI is leveling up the American justice system*, <https://hcpdo.org/news/ai-is-leveling-up-the-american-justice-system/> ; <https://www.youtube.com/watch?v=MU19FcOWuOc>
- Seth Chandler, *A.I. for Legal Education*, <https://legaled.ai/>