

A Byte-Sized Intro to AI & Ethics

CLE Presentation

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Summary. At least 40 states have imposed a specific ethical duty of competence in technology for licensed attorneys. How does AI fit into this ethical obligation, and how can it be used ethically by attorneys? This workshop by a computer scientist and an attorney will introduce AI, including large language models (LLMs) and generative AI (e.g. ChatGPT, Claude, BARD) to explain what is happening under the hood with these new technologies. With an understanding of the tasks AI can -- and cannot -- reliably perform at present, lawyers can (1) look at past advances in technology that have been successfully adopted by attorneys, can (2) consider current applications of AI and LLMs (ethical and unethical) and can (3) prepare to incorporate AI into their practice. Lawyers can leave this workshop with a basic understanding of how LLMs work, how they can avoid ethical missteps and how they can use LLMs and AI to promote efficiency and provide effective representation today and tomorrow.

Talk Outline

1. Introduction
2. Rule 1.1
 - a. The Duty of Competence.
3. Comment 8 to Rule 1.1
 - a. Technology & the Duty of Competence
 - b. Adoption of Comment 8 & State Survey of Ethical Rules
4. Learning from the Past
 - a. Past Adoption of Technology by the Legal Profession
 - b. General Risks: Security, Confidentiality
 - c. Case Examples: Attorney Malpractice & Disciplinary Action
5. Looking to the Future with Generative AI
 - a. Covid "Turbocharged" the Digital Age
 - b. Technical Description of Generative AI & LLMs
 - c. Risks: Reliability, Accuracy, Confidentiality, Security
 - d. Benefits: Efficient Data Review, Document Analysis & Drafting
6. Case Study
 - a. Demo
 - b. Future Applications
7. Q&A

For additional information, feel free to reach out to the authors by email.