

2024 NCBP Midyear Meeting, February 3, 2024, Louisville, KY

AI Crash Course for Bar Leaders and Lawyers: Uses, Misuses and Ethics

With all the hype surrounding generative artificial intelligence (AI), the challenge for professionals in any field is to know what they need to know. In a crash course at the 2024 NCBP Midyear Meeting, six experts addressed the answers to that question for bar leaders and lawyers in a series of short presentations and moderator led discussions.

Daniel Cotter, NCBP President-Elect welcomed attendees to the joint plenary of [NCBP](#) and the [ABA Presidential Task Force on Law and Artificial Intelligence](#) to learn how to use AI safely and ethically. In her welcoming remarks, ABA President Mary Smith explained that in response to the transformative nature of AI, the Task Force has seven working groups that will produce an authoritative report to be shared at the ABA Annual Meeting about how to use AI in a trustworthy and responsible manner. Vice Chair of the Task Force Ted Claypoole added that bars are invited to share their projects with the Task Force as well as follow its work in areas such as AI and the courts. Moderator Trisha Rich then guided a two-part program exploring the complexities of AI and the legal profession.

During the first part on AI uses, Julie Chapman, Damien Riehl and Lisa Lifshitz addressed practical applications of AI for the legal profession. Some key points made by the speakers included:

- This is the year of adoption. Lawyers who understand how to use AI are going to advance compared to those who do not.
- AI can be tested initially on low value legal work such as summarizing documents and doing first drafts so that time is freed up for high value strategic work.
- AI can already generate more sophisticated legal content and is rapidly evolving, raising questions of whether AI can or should help address access to justice issues.
- Proprietary closed systems where AI is asked to generate content based on a trusted data set instead of the internet will not “hallucinate” false information.
- Contracts for AI currently tend to be one sided in favor of vendors, but users should still negotiate typical contract terms like representations and indemnifications.

The second half of the program featured presentations and discussion with Merri Baldwin, Ted Claypoole and Lucy L. Thomson about managing risks associated with AI. Some key takeaways offered by the speakers included:

- The same ethical rules such as duty of competence and candor and obligation to charge reasonable fees still apply, just to new technological situations.
- “Don’t be stupid” Ted Claypoole advised – review any work generated by AI just as you would that of a second year associate.

- The intersection of AI and the unauthorized practice of law depends on how you look at and define the difference between legal advice and legal information.
- Things are changing rapidly – policies that law firms and courts are writing today to prohibit use of AI or require disclosure of its use will be unrealistic a year from now.
- Deepfakes, misinformation and business identity compromise are a looming problem with no easy solutions but cross industry partnerships are working on it.

For more information:

- Click to view the [recording](#) of **AI Crash Course for Bar Leaders and Lawyers: Uses, Misuses and Ethics**
- Visit the [NCBP Midyear agenda](#) to see speaker slides
- Visit the [ABA Presidential Task Force on Law and Artificial Intelligence](#) webpage for more information.

This was a joint plenary of the National Conference of Bar Presidents (NCBP) and the ABA Presidential Task Force on Law and Artificial Intelligence.

Introductory Remarks

Mary Smith, *President, American Bar Association*

Moderator

Trisha Rich, *Immediate Past President, Association of Professional Responsibility Lawyers, NCBP Program Committee*

Speakers, Part 1: Uses

Julie Chapman, *Head of Legal, North America, LexisNexis*

Damien Riehl, *Chair, Minnesota State Bar Workgroup on AI*

Lucy Lifshitz, *Director and Past President, Canadian Technology Law Association*

Speaker, Part 2: Misuses and Ethic

Merri Baldwin, *Board of Directors, Association of Professional Responsibility Lawyers*

Ted Claypoole, *Vice Chair, ABA Presidential Task Force on Law and Artificial Intelligence*

Lucy L. Thomson, *Chair, ABA Presidential Task Force on Law and Artificial Intelligence*