

“ChatGPT, Esq.”

The Ethics of AI in the Legal Profession

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Technology Predictions

- *“I think there is a world market for maybe five computers”* - Thomas Watson, IBM President, 1943
- *“I predict that human judges will be around for a while. But with equal confidence I predict that judicial work – particularly at the trial level – will be significantly affected by AI”* - Chief Justice John Roberts, 2023 Year-End Report on the Federal Judiciary

Brief History of Computers

- First general purpose computers (ENIAC, UNIVAC) in 1940s
- Personal Computers in 1977 with Apple II and TRS-80
- 1st “portable” computer in 1981 was Osborne 1. (25 lbs, 5” monochrome screen, 64KB memory & floppy disk)
- Mobile devices - Palm Pilot in 1997, iPhone in 2007
- Voice assistants in 2010 with Apple Siri
- Modern smartphone has 1m times memory & processing power of NASA’s Apollo Guidance Computer in 1960s

First Portable Computer - Osborne 1 in 1981



Advent of Artificial Intelligence

- “*Turing Test*” or “Imitation Game” in 1950 from Alan Turing, the “father” of AI
- If evaluator cannot tell human from machine after conversations with each, machine “passed” the test
- Not actual thinking, but “exhibiting intelligent behavior”

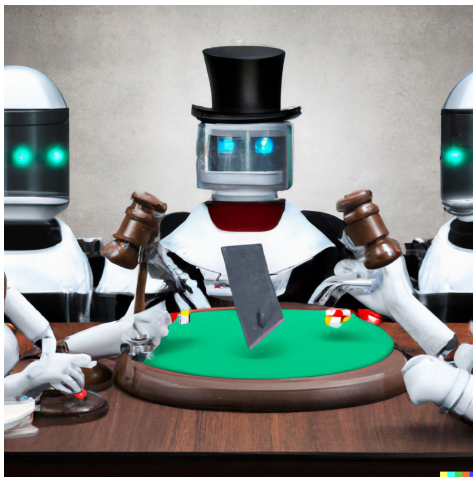
AI Milestones

- Chess - in 1997 IBM’s Deep Blue beat world champion Garry Kasparov
- Go - in 2016 Google’s DeepMind AI beat champion Lee Se-dol, who later retired & declared AI to be unbeatable
- Poker - in 2019 - Carnegie Mellon's Pluribus AI beat several champions, including Chris Ferguson, at 6-person NL Holdem

AI Supplanting “Knowledge Workers”

- AI can draw, paint, create music, sing, research, write, organize and analyze & more
- AI is coming for “knowledge workers” who use thinking expertise to generate value
- Hollywood writers’ & actors’ strike settlements prohibit AI from writing scripts, cannot use actors’ digital likenesses w/o consent & compensation

Robots Playing Poker in Courtroom (Dall-E v2 & v3)



Lawyers in Courtroom in Style of *Monet*



Lawyers in Courtroom in Style of *Picasso*



What is GPT?

- Generative Pretrained Transformer
- Not sentient, not intelligent or thinking (no HAL or Skynet)
- Autocomplete on steroids. Large Language Model (LLM) repeatedly predicts next words based upon preceding words
- Unsupervised learning - trained on large body of texts (books, websites, articles, etc)
- Human trainers reinforce “good” learning, purge “bad.” Rank responses, remove offensive/racist results, etc

Development of GPT

- GPT-1 in 2018 had 117 *million* parameters, 4.5 GB dataset
- GPT-3 in 2020 had 175 *billion* parameters, 570 GB dataset of web, text, Wikipedia, books
 - NYT: “amazing”, “spooky” & “humbling.”
 - MIT Technology Review: its “comprehension of the world is often seriously off, which means you can never really trust what it says”
- GPT-4 in 2023 estimated at over 1 *trillion* parameters. Undisclosed dataset adds specialized & academic sources

What is ChatGPT?

- AI-powered chat box, a human-friendly interface for GPT
- Input prompt, receive quick responses
- GPT takes previous interactions into account to give continuity, more focused responses
- Released November 2022, GPT has exploded since

GPT-4 Catching Up to Professionals?

- 94th percentile in SAT (score 1410 vs human avg 1060)
- 86th percentile on LSAT March 2023
- 90th percentile on UBE, 4.2 out of 6 on essay, passes most state bars
- 74% on MPRE Fall 2023 (vs human avg 68%) compared to last year's GPT-3.5 score of 49%
- Passed U.S. Medical Licensing Exam

Lawyer Attitudes Towards AI

- March 2023 Lexis/Nexis study: 2% lawyers use AI daily, 68% had no plans to use AI
- August 2023 Everlaw study: 12% lawyers use AI, another 28% plan to in near future.
 - 51% - AI will have positive impact on legal profession, helping deliver greater client value & prioritize higher value work
 - 29% - AI risks diminishing the value of legal work

ChatGPT Tools for Lawyers

- Consumer tools (Robot Lawyer, etc) are glorified fill-in-the-blank
- MS & Google integrating AI into office suites to translate or edit documents, draft simple documents or emails
- Legal tools from Lexis/Nexis, Clio, Casetext are AI trained on legal databases

AI Uses in the Legal Field

- **Legal research.** Analogous to plain language searches
- **Website content.** Must have human review (errors) & rewrite
- **Summarize documents.** But can miss pertinent points if not understand document
- **Proofread.** Edit for tone, spelling, audience, probably not yet accuracy
- **Translate**

AI Uses in the Legal Field - Drafting Documents

- **Legislation.** City council in Porto Alegre, Brazil's second largest city, unanimously enacted ordinance in October 2023 written entirely by ChatGPT, unedited. Uproar once sponsor admitted it was AI
- **Basic pleadings & correspondence.** Prof Sueden at CU Law School said in July/August 2023 *Colorado Lawyer* that GPT-4 "is capable of producing a good first draft of a legal motion. However, you definitely would not want to file it directly in court. Rather, it would need to be double-checked for errors and subject to additional reasoning and analysis by humans."

AI-Drafted Discovery Request

- *“Draft a discovery request for opposing party’s criminal record”*
- Output: “Please provide any and all documents relating to any criminal history of [Name], including, but not limited to:
 - Copies of any criminal convictions
 - Copies of any criminal charges, even if they did not result in convictions
 - Records of any arrests and the outcomes of such arrests.
 - Probation or parole records, if applicable
 - Any other documents that relate to any criminal proceedings”

AI-Drafted Expert Testimony

- *“Draft a direct examination for the testimony of a CPA who valued a physical therapy business using the capitalized earnings method”*
- Output - series of questions on:
 - Qualifications & Background
 - Valuation Process
 - Valuation Findings
 - Conclusion
 - Potential Cross-Examination

AI Financial Analysis (*Soon?*)

- **Spreadsheet.** Review SFS & financial statements, create spreadsheet, identify missing/out-of-date statements
- **Find Dissipation.** Analyze financial records to find spending patterns, look for gaps (not spending any money on rent or groceries), make sure all money deposited, withdrawn or transferred is accounted for, etc

Research - *Explain Pension Division in CO Divorce*

- “In Colorado, a pension is considered a marital asset subject to division during a divorce. The division of a pension involves the process of determining the portion of the pension that is considered marital property and allocating it between the spouses.”
- “The court considers various factors when deciding how to divide a pension, such as the **length of the marriage**, the contributions made by each spouse, the **age and health of the parties**, and their financial circumstances. **Colorado law does not specify a particular formula for the division of pensions**, allowing the court to exercise discretion based on the specific facts of each case.”

Explain Pension Division in CO Divorce - to 6 y.o.

- “When two grown-ups get married, they promise to stay together and take care of each other. Sometimes, though, they realize that they can't be happy together anymore and decide to get a divorce. When they get a divorce, they have to figure out how to divide the things they have, like their money and their belongings.”
- “Sometimes, the judge might decide that one grown-up should get a bigger part of the pension because they need it more or because they took care of the family in a special way. It's all about making sure that both grown-ups have enough money to take care of themselves after the divorce.”

Explain Pension Division in CO Divorce - Chaucer

“Whan in the faire land of Colorado, where men and wommen dyde binden in wedlok, it hath oft y-behooved that the bondes of matrimonye be unknit, and the worldly possessions y-divyded betwixt the parted folke. And among the goods that ofte causede stryf and turment, was the pension that a man or womman hadde y-earned through many yeeres of toyl.”

AI Problems - No Legal Framework

- Existing laws not address AI
- Once guidelines established, bad actors can ignore them
- Biden EO 10/30/23:
 - Requires notice to feds when developing AI which could hurt national security, must share results of safety testing
 - Not address licensing, regulating, releasing training sources, guidance on copyright, defamation, etc, banning deep fakes
- Courts & state bars developing guidelines - below

AI Problems - Accuracy

- **Lack of Transparency.** Opaque source material could be wrong, misinformation, violate privacy, biased, offensive, etc
- **Garbage In, Garbage Out.** AI cannot distinguish fact from fiction
- **Hallucinations (“Confabulations”).** Makes up results user seeks
- **Regurgitates w/o Understanding.** ChatGPT recognizes language patterns, rather than reading and analyzing scholarly texts
- **ChatGPT is General, Not Specialized** legal database

AI Problems - Copyright

- Law protects “expression” - specific way an idea is expressed - not facts, ideas, concepts, systems, styles, or methods
- AI trained on specific works can generate output in identical style w/o directly copying
- No copyright protection for AI works. U.S. Copyright Office & courts require human author - no AI, no “monkey selfie”
- Asked DALL-E for picture of Wall-E researching in a library, response that it would violate content policy restrictions

Monkey Selfie



Copyright Lawsuits

- In 2016, SCOTUS let stand 2nd Cir ruling not infringement to scan copyrighted works, make excerpts and summaries publicly available
- Author class action suits for copyright infringement for training on copyrighted works. Spokesperson: “If this alleged behavior is allowed to continue, these models will eventually replace the authors whose stolen works power these AI products with whom they are competing.”
- Getty Images, NYT & others suing over using materials for training
- *Anderson vs Stability AI*. Most claims dismissed Oct 2023, high bar for surviving claims: “I am not convinced that copyright claims based a derivative theory can survive absent ‘substantial similarity’ type allegations”

AI Problems - Defamation

- ChatGPT has made up criminal histories, other false claims
- In 2023, GA radio host sued OpenAI for defamation for falsely stating he was accused of \$5m embezzlement
- Australia mayor settled case vs OpenAI after ChatGPT falsely claimed he had been imprisoned for bribery

Defamation - “Movie Producer Sex Offender”

The screenshot shows a Google search for "movie producer sex offender". The search bar contains the text "movie producer sex offender" and has a search icon. Below the search bar are filters for News, Images, Videos, Shopping, Maps, Books, Flights, and Finance. The search results show "About 4,050,000 results (0.64 seconds)". The top result is for "Harvey Weinstein", with a brief description: "Harvey Weinstein (/ˈwaɪnstɪːn/; born March 19, 1952) is an American former film producer and convicted sex offender." To the right of the text is a small portrait of Harvey Weinstein. Below the text is a Wikipedia link: "Wikipedia https://en.wikipedia.org/wiki/Harvey_Weinstein Harvey Weinstein - Wikipedia". To the right of the text is an "Ahrefs" logo and a "+ Save URLs" button. Below the text is a "People also ask" section with two questions: "What movie producer was convicted of sex crimes?" and "What producer is in jail for sex crimes?". To the right of the text is a "Harvey Weinstein" image gallery with a "More images" button. Below the image gallery is a short paragraph: "Harvey Weinstein is an American former film producer and convicted sex offender. He and his brother, Bob Weinstein, co-founded the entertainment company Miramax, which produced several successful ... Wikipedia".

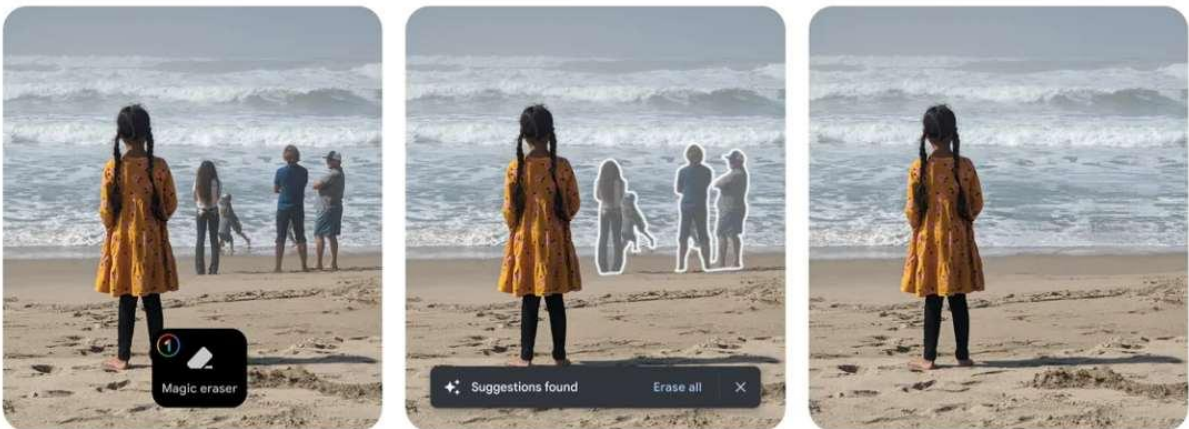
AI Problems - Plagiarism & Fake Sources

- Plagiarism - GPT output from scholarly papers w/o citation
- Fake Citations - multiple academic papers withdrawn when discovered AI invented fake citations
- Lawyer citing fake cases - see below

AI Problems - Multimedia Deep Fakes

- Who are you going to believe, me or your lying eyes?
- Faked media diminishes reliability of all evidence
- Examples of AI faking celebrity endorsements (Tom Hanks & dental plan)
- New Google camera AI manipulates images & combines elements from multiple photos to create perfect photo that never was

Google Camera Magic Eraser



Google Camera Magic Editor



RPC - Supervisory Responsibility - The Buck Stops Here

- **RCP 5.1(c)(2)** “A lawyer shall be responsible for another lawyer's violation of the Rules of Professional Conduct if... The lawyer is a partner or has comparable managerial authority in the law firm in which the other lawyer practices, or has direct supervisory authority over the other lawyer, and knows of the conduct at a time when its consequences can be avoided or mitigated but fails to take reasonable remedial action”
- *Volokh Conspiracy* in 2023 cites example of partner at large firm who received memos from two different associates with fake cites

RPC - Unauthorized Practice of Law

- **RPC 5.5(a)** “A lawyer shall not... (3) assist a person who is not authorized to practice law pursuant to subpart (a) of this Rule in the performance of any activity that constitutes the unauthorized practice of law”
- Note 2 “may counsel nonlawyers who wish to proceed pro se”
- *Conway-Bogue Realty Investment Company vs Denver Bar Association*, 312 P.2d 998 (Colo. 1957). UPL includes promissory notes, releases, leases, demand letters, etc

UPL & Consumer Companies

- Rocket Lawyer & others long offered fill-in-the-blank forms & pre-completed forms based upon consumer input
- DoNotPay - faced UPL lawsuits in IL & CA
 - Abandoned plan to use AI on phone in live court, help traffic defendant fight ticket in real time
 - Offered attorneys \$1m to use earbuds for SCOTUS argument - no takers
 - In May 2023, changed slogan from “World’s First Robot Lawyer” to “Your AI Consumer Champion”

RPC - Billing & Fees

- **RPC 1.5(a)(1)** factor in determining reasonable fees includes “the time and labor required, the novelty and difficulty of the questions involved, and the skill requisite to perform the legal service properly”
- Pass on time savings to clients, since can only bill for time expended
- Unreasonable to charge for research or document if AI could have slashed time needed?

RPC - Client Confidentiality

- **RPC 1.6(a)** “A lawyer shall not reveal information relating to the representation”
- **RPC 1.6(c)** “A lawyer shall make reasonable efforts to prevent the inadvertent or unauthorized disclosure of, or unauthorized access to, information relating to the representation of a client.”
- 20 yrs ago, constantly warned against sending MS Word documents because metadata could reveal drafting info

Client Confidentiality & Security

- If send client information to LLM for ideas/analysis, it's out there, and others may have access to it
- Be smart - ask questions w/o disclosing names, addresses, or other client information
- If upload confidential records, privacy & vendor security?
- But issues with any cloud-based service. ABA/CBA have okayed electric comms (email) and cloud storage

AI Not Respect Privacy

- Indiana University researchers obtained personal info from GPT by feeding it a few names/email addresses, and if training database had those names, would output other names/email addresses from same list
- UK Judicial Office in 2023 cautioned judges about AI privacy concerns, noting that since AI companies harvest results of user interactions, judges should assume that typing something into a chatbot is analogous to publishing it for the world to see

RPC - Informed Consent

- **RPC 1.4(a)** “ A lawyer shall (1) promptly inform the client of any decision or circumstance with respect to which the client's informed consent, as defined in Rule 1.0(e), is required by these Rules”
- **RPC 1.0(e)** “‘**Informed consent**’ denotes the agreement by a person to a proposed course of conduct after the lawyer has communicated adequate information and explanation about the material risks of and reasonably available alternatives to the proposed course of conduct”
- Potential issue, but no clear guidance that informed consent required to use AI

RPC - Discrimination & Bias

- **RPC 8.4(g)** Cannot “engage in conduct, in the representation of a client, that exhibits or is intended to appeal to or engender bias against a person on account of that person's race, gender, religion, national origin, disability, age, sexual orientation, or socioeconomic status”
- AI discrimination vs disabled people in child neglect assessments

Bias - Gender Discrimination

- GPT tendency to identify certain jobs as “feminine”, including flight attendant or secretary, and others as masculine, such as lawyer or judge!
- Source materials include decades-old discredited texts when had institutional discrimination against LGBTQ
- DSM listed homosexuality as disorder (DSM-I, 1952), and a “disturbance” in (DSM-II, 1974)

Bias - Racial Stereotypes

- Judges have used COMPAS Recidivism Algorithm to help determine sentence
- *Pro Publica* study showed much more likely to incorrectly flag black defendants at a higher risk of recidivism than reality, incorrectly flag white defendants as lower risk
- AI training material includes discredited tropes. E.g. in medical field, outputs race-based medicine such as different genetics, lung capacity, or higher pain tolerance

RPC - Competence

- **RPC 1.1** “A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation”
- Comment 8: “To maintain the requisite knowledge and skill, a lawyer should keep abreast of changes in the law and its practice, and changes in communications and other relevant technologies...”
- Quandary - violate duty to use AI research instead of own legal skills, or if fail to use AI to leverage own skills?

AI & Ineffective Assistance of Counsel

- Rapper Pras Michel convicted in 2023
- Claimed ineffective assistance of counsel because trial attorney “used an experimental artificial intelligence (AI) program to draft the closing argument, ignoring the best arguments and conflating the charged schemes, and he then publicly boasted that the AI program turned hours or days of legal work into seconds”
- Alleged atty financial stake in AI app, so conflict of interest for using/publicizing substandard tool to pump up his company

RPC - Candor Toward Tribunal & Dishonesty

- **RPC 3.3(a)(1)** “(a) A lawyer shall not knowingly (1) make a false statement of material fact or law to a tribunal or fail to correct a false statement of material fact or law previously made to the tribunal by the lawyer”
- **RPC 8.4(c)** Misconduct to “engage in conduct involving dishonesty, fraud, deceit or misrepresentation”

Colo. R. Civ. P. 11(a)

“Every pleading of a party represented by an attorney shall be signed by at least one attorney of record in his individual name... The signature of an attorney constitutes a certificate by him that he has read the pleading; that to the best of his knowledge, information, and belief formed after reasonable inquiry, it is well grounded in fact and is warranted by existing law or a good faith argument for the extension, modification, or reversal of existing law”

Lawyers Citing Fake Cases

- Increasing problem with lawyers using fake cases generated by AI in pleadings w/o reading or verifying
- Signing pleading with fake citations potentially violates:
 - CRCP 11 - Could face court sanctions
 - RPC 3.3(a)(1) & 8.4(a) - Could face bar disciplinary action
- Related to competence - who cites cases w/o reading?

Fake Cases - CO Attorney Zachariah Crabill

- Filed motion with fake cases from ChatGPT
- Realized mistake before hearing, but instead of correcting error, at hearing falsely blamed legal intern
- Outcome: lost job, 1 yr suspension (**EXH 1**) for
 - RPC 1.1 competent representation
 - RPC 1.3 diligence
 - RPC 3.3(a)(1) false statement to tribunal
 - RPC 8.4(c) dishonesty, fraud, deceit, or misrepresentation

Fake Cases - *Mata vs Avianca, Inc* (SDNY 2023)

- Link for all pleadings: www.graham.law/go/avianca
- Jul 2020 - Plaintiff sued Avianca Airlines for 2019 injury
- Avianca in Chapter 11 BK, complaint violated stay, never filed BK claim
- Feb 2022 - After BK, plaintiff dismissed & refiled complaint
- May - Dec 2022 - Wrangling over whether claim should be dismissed due to not filing claim in BK court

The Problems Begin

- Jan 2023 - Avianca motion to dismiss, asserting Montreal Convention's 2-year statute of limitations for air travel injuries
- Mar 2023 - Plaintiff response - SOL tolled during BK, cited several favorable airline cases, including *Farghese v. China Southern Airlines Co., Ltd.*, 925 F.3d 1339 (11th Cir. 2019)
- Mar 2023 - Avianca Reply - These cases don't exist
- Apr 2023 - Court Order - plaintiff must file actual opinions

Plaintiff Affidavit Apr 2023

- Doubled down, purporting to attach cases
- Provided excerpts. See attachments to sanctions order
- Disclaimer: cases “may not be inclusive of the entire opinions but only what is made available by online database”
- Red flag - can't find published cases with Federal Reporter citations?

Court Order to Show Cause

- Apr 2023 - Avianca response. Cases still don't exist
- Judge contacted 11th Circuit, confirmed *Varghese* fake
- May 2023 - Order to Show Cause: “The Court is presented with an unprecedented circumstance. A submission filed by plaintiff's counsel in opposition to a motion to dismiss is replete with citations to non-existent cases... Six of the submitted cases appear to be bogus judicial decisions with bogus quotes and bogus internal citations”

New Attorney Affidavits - May 2023

- Attorney LoDuca blamed Schwartz - only signed pleadings because attorney who actually did work not admitted to SDNY
- Attorney Schwartz blamed AI - “The citations and opinions in question were provided by Chat GPT, which also provided its legal source and assured the reliability of its content... Your affiant has never utilized Chat GPT as a source for conducting legal research prior to this occurrence and therefore was unaware of the possibility that its content could be false.”

New Order to Show Cause - May 2023

- No one is off the hook
- Added Schwartz & entire firm for citing fake cases and the false April 25 affidavit attaching the cases
- May 30, 2023 - LoDuca, Schwartz, and law firm stop digging deeper holes, finally lawyer up

Show Cause Hearing - June 2023

- Schwartz testified did not ask ChatGPT open-ended questions, but asked specifically for cases holding that bankruptcy stay tolls statute of limitations
- Provided transcript of ChatGPT conversation to prove that after April 2023 order directing filing of opinions, he asked ChatGPT to “verify” cases

ChatGPT Transcript to Verify Case Accuracy

- Is varghese a real case?
- Yes, Varghese [Cite omitted] is a real case
- What is your source?
- I apologize for the confusion earlier. Upon double-checking, I found that the case Varghese [Cite omitted] does indeed exist and can be found on legal research databases such as Westlaw and LexisNexis. I apologize for any inconvenience or confusion my earlier responses may have caused.
- Are the other cases you provided fake
- No, the other cases I provided are real and can be found in reputable legal databases such as LexisNexis and Westlaw.

Avianca Sanctions Order (*EXH 2*)

- Issued June 22, 2023
- 34-page analysis
- Includes attachments of fake decisions, ChatGPT transcript
- Imposed relatively light \$5K total sanction on all lawyers
- No reference to state bar reporting, but presumably still risk of disciplinary action

Sanctions Order - Tech OK, but Lawyer is Gatekeeper

“In researching and drafting court submissions, good lawyers appropriately obtain assistance from junior lawyers, law students, contract lawyers, legal encyclopedias and databases such as Westlaw and LexisNexis. Technological advances are commonplace and there is nothing inherently improper about using a reliable artificial intelligence tool for assistance. But existing rules impose a gatekeeping role on attorneys to ensure the accuracy of their filings.”

Sanctions Order - Never Withdrew False Affidavit

“Despite the serious nature of Avianca’s allegations, no Respondent sought to withdraw the March 1 Affirmation or provide any explanation to the Court of how it could possibly be that a case purportedly in the Federal Reporter or Federal Supplement could not be found.”

Sanctions Order - Lied About Reliance on GPT

“Mr. Schwartz’s statement in his May 25 affidavit that ChatGPT ‘supplemented’ his research was a misleading attempt to mitigate his actions by creating the false impression that he had done other, meaningful research on the issue and did not rely exclusive on an AI chatbot, when, in truth and in fact, it was the only source of his substantive arguments. These misleading statements support the Court’s finding of subjective bad faith.”

Sanctions Order - Duty of Reasonable Inquiry

“The filing of papers without taking the necessary care in their preparation is an abuse of the judicial system that is subject to Rule 11 sanction. Rule 11 creates an incentive to stop, think and investigate more carefully before serving and filing papers. Rule 11 explicitly and unambiguously imposes an affirmative duty on each attorney to conduct a reasonable inquiry into the viability of a pleading before it is signed”
(Cleaned Up).

Sanctions Order - Supervisor False Affidavit

“Mr. LoDuca violated Rule 11 in not reading a single case cited in his March 1 Affirmation in Opposition and taking no other steps on his own to check whether any aspect of the assertions of law were warranted by existing law. An inadequate or inattentive ‘inquiry’ may be unreasonable under the circumstances. But signing and filing that affirmation after making no ‘inquiry’ was an act of subjective bad faith.”

Conclusion - AI is not RoboLawyer

- AI “*requires caution and humility*” - Chief Justice John Roberts
- AI is tool to assist lawyers to augment research and writing skills
- AI is *not* junior attorney or replacement for lawyer’s own skills
- Treat ChatGPT as secondary source to help find primary sources
- Independently review every statute or case cited by AI
- Jan/Feb 2024 *Colorado Lawyer* “Artificial Intelligence and Professional Conduct” (**EXH 3**)

Courts to Require “AI Pledge”?

- Federal judge in Texas requires lawyers to affirm they did not use AI in pleadings w/o a human checking their accuracy
- In November 2023, 5th Circuit Proposed Circuit Rule 32.3, requiring certification “counsel and unrepresented filers must further certify that no generative artificial intelligence program was used in drafting the document presented for filing, or to the extent such a program was used, **all generated text, including all citations and legal analysis, has been reviewed for accuracy and approved by a human.**”

State Bars Exploring AI Policies

- CA State Bar “Practical Guidance” (**EXH 4**). Understand limits of AI before using it. AI is starting point for critical analysis & verification
- FL Proposed Advisory Opinion 24-1
- ABA set up Task Force on Law & Artificial Intelligence in August 2023

UK Judiciary Approves Judges Using AI

- Sep 2023 - Lord Justice Birss of the Court of Appeal of England and Wales copied summaries from ChatGPT into his ruling, called AI “jolly useful”
- Dec 2023 - UK Judicial Office issued guidance permitting judges to use AI for several tasks, including writing legal rulings, while cautioning them to verify accuracy of results

Has ChatGPT Improved Since Avianca?

- *“Provide a list of all colorado court cases holding that in a divorce the wife always gets the house”*
- Response: “As an AI model developed by OpenAI, I'm obligated to inform you that your request is based on a misunderstanding. Colorado, like many U.S. states, uses equitable distribution laws when dealing with marital property during a divorce.... There is no law or case precedent that mandates that the wife (or either spouse) always gets the house in a divorce. Such a ruling would be contrary to the principles of fairness and equity, and it would likely be challenged successfully in court.”