

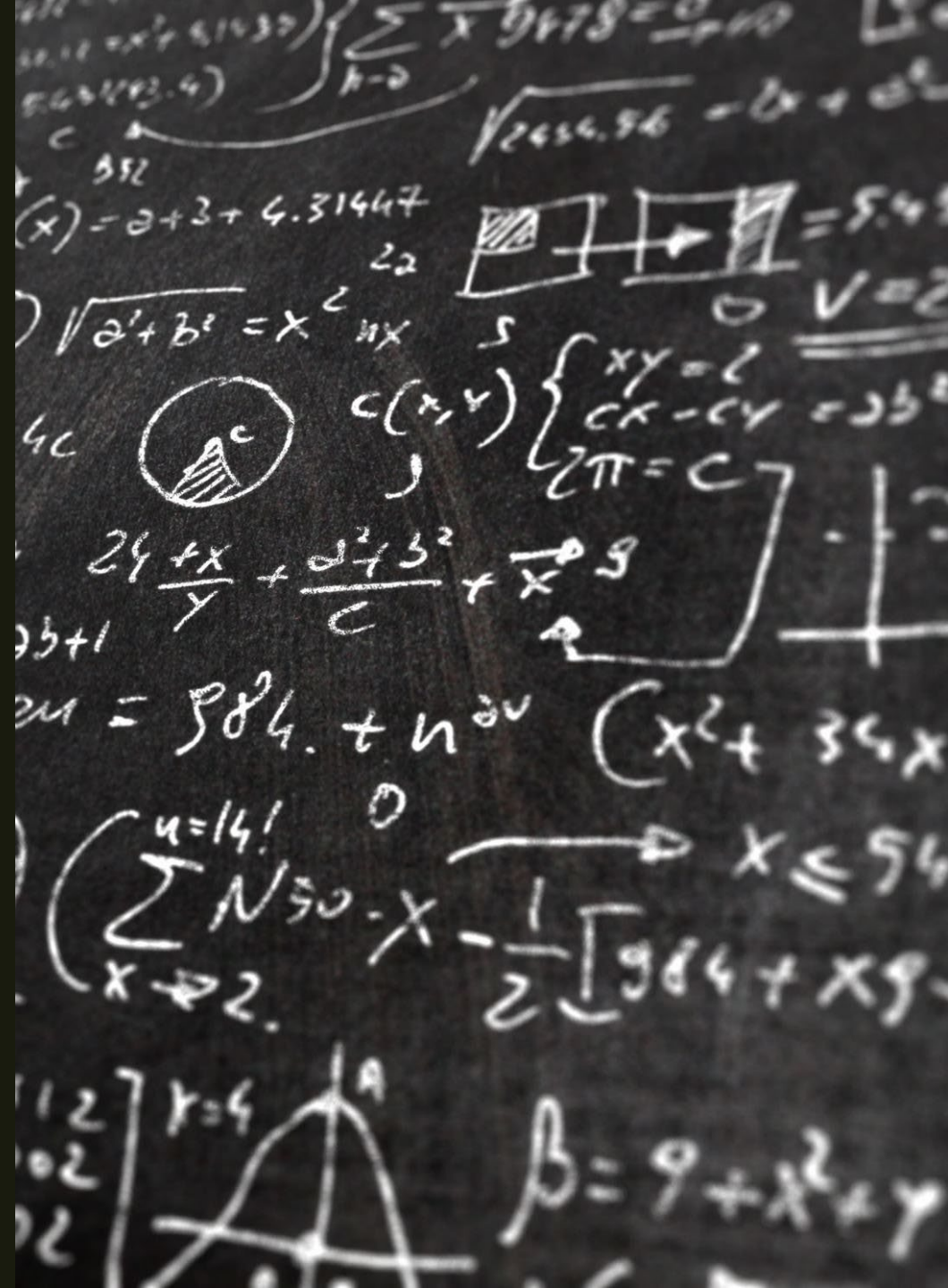
# THE ROLE OF AI IN A LAW FIRM The DOs & DON'Ts of ChatGPT

By Lisa Mirabile, CEO & President  
Vertigo Media Group, Inc



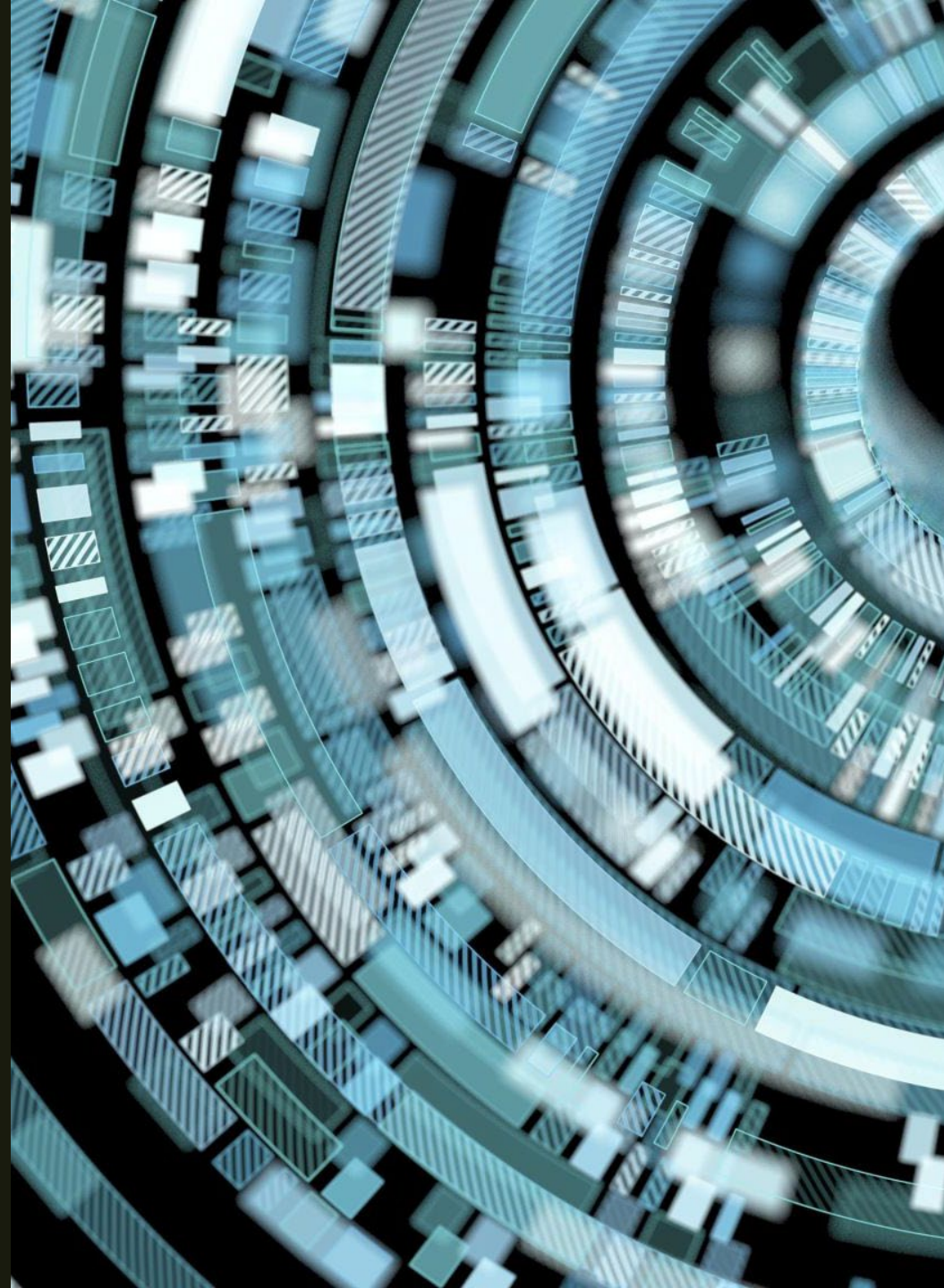
## LESSONS from:

- Digital Media
- Market Research
- Integrative Data Development





The use of artificial intelligence (AI), machine learning, and integrated natural language analysis has been a hallmark of digital market research since the creation of Google Adwords in the year 2000.





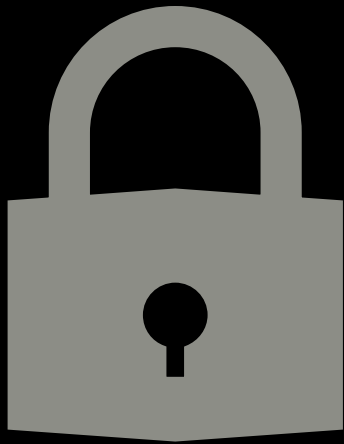
What lessons still apply,  
in the era of AI and ChatGPT?





## 3 RECENT LANDMARK AI DEVELOPMENTS:

1. Executive Order on the safe, secure, and trustworthy development and use of artificial intelligence
2. Availability of customizable AI
3. AI Bill of Rights

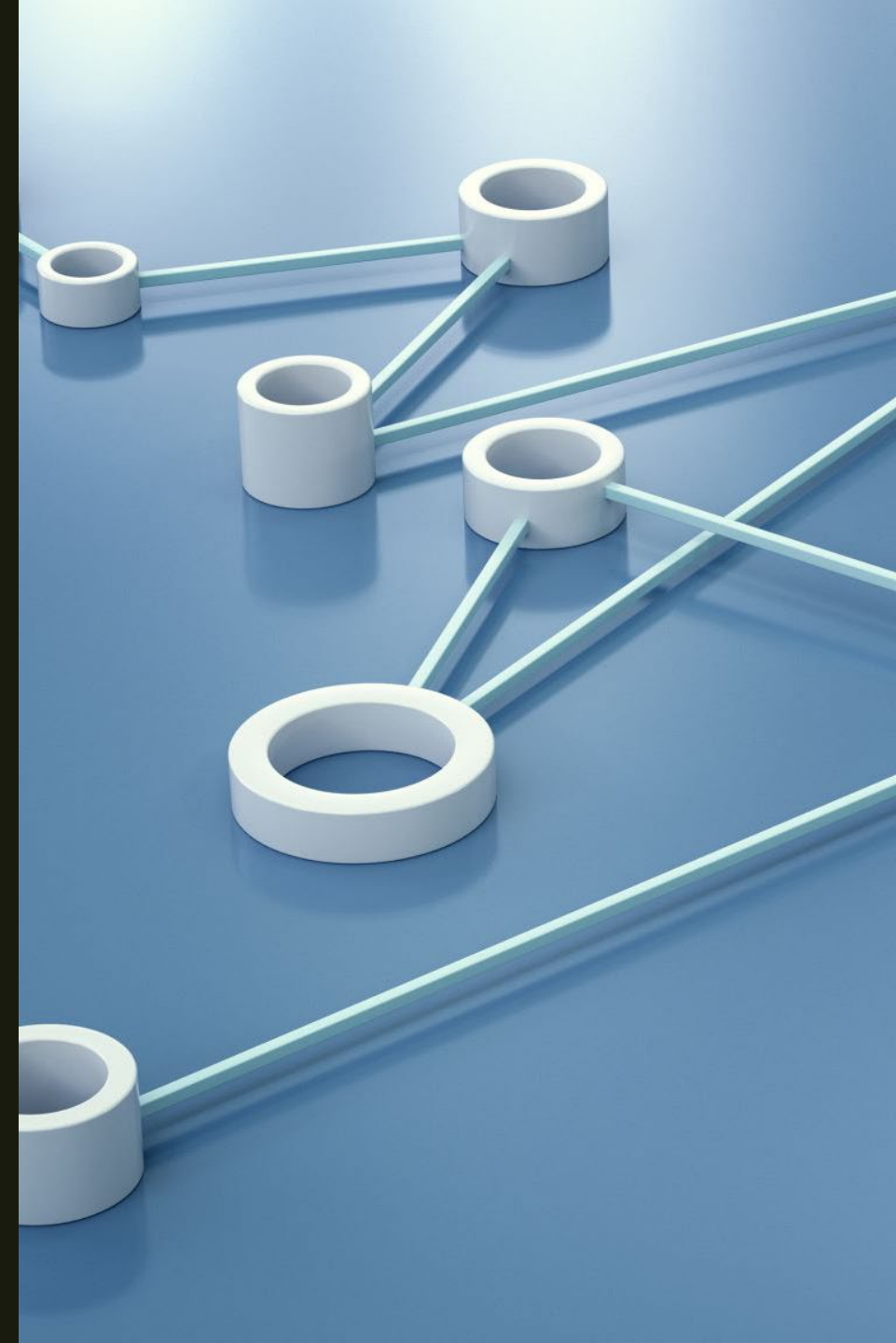


## 1. EXECUTIVE ORDER for AI Safeguards

- Mandates the development of standards, tools, and tests to ensure AI systems are safe, secure, and trustworthy.
- Requires the National Institute of Standards & Technology to set rigorous standards for extensive testing to ensure safety before public release.

## 1. EXECUTIVE ORDER

- Protects Americans from AI-enabled fraud and deception by establishing standards and best practices for:
  - detecting AI-generated content
  - authenticating official content.
- Directs the Department of Commerce to develop guidance for:
  - content authentication
  - watermarking to clearly label AI-generated content.





**1. EXECUTIVE ORDER:** Ensures fairness throughout the criminal justice system by developing best practices on AI use in:

1. Sentencing
2. Parole and Probation
3. Pretrial Release and Detention
4. Risk Assessments
5. Surveillance
6. Crime Forecasting AND Predictive Policing Forensic Analysis

## 1. EXECUTIVE ORDER:

Promotes real benefits of AI to consumers, for example, by making products better, cheaper, and more widely available.

Mitigates the risk of injuring, misleading, or otherwise harming Americans.



## 1. EXECUTIVE ORDER:

Mandates that the Department of Health & Human Services will establish a safety program to receive reports, and act to remedy harms or unsafe healthcare practices involving AI.

Shapes AI's potential to transform education by creating resources for educators who deploy enabled learning tools, such as personalized tutoring in schools.





## 1. EXECUTIVE ORDER - Promotes innovation and competition:

By catalyzing AI research in the US through a pilot of the **National AI Research Resource**, a tool that will provide AI researchers and students access to key AI resources, data, and expanded grants for AI research in vital areas like healthcare and climate change.

**Promotes a fair, open, and competitive AI ecosystem** by providing small developers and entrepreneurs access to technical assistance and resources, helping small businesses commercialize AI breakthroughs.

Source: White House fact sheet - <https://www.Whitehouse.Gov/briefing-room/statements-releases/2023/10/30/fact-sheet-president-bidenissues-executive-order-on-safe-secure-and-trustworthy-artificial-intelligen>

## 2. OPEN AI Introduces Custom AI Assistants

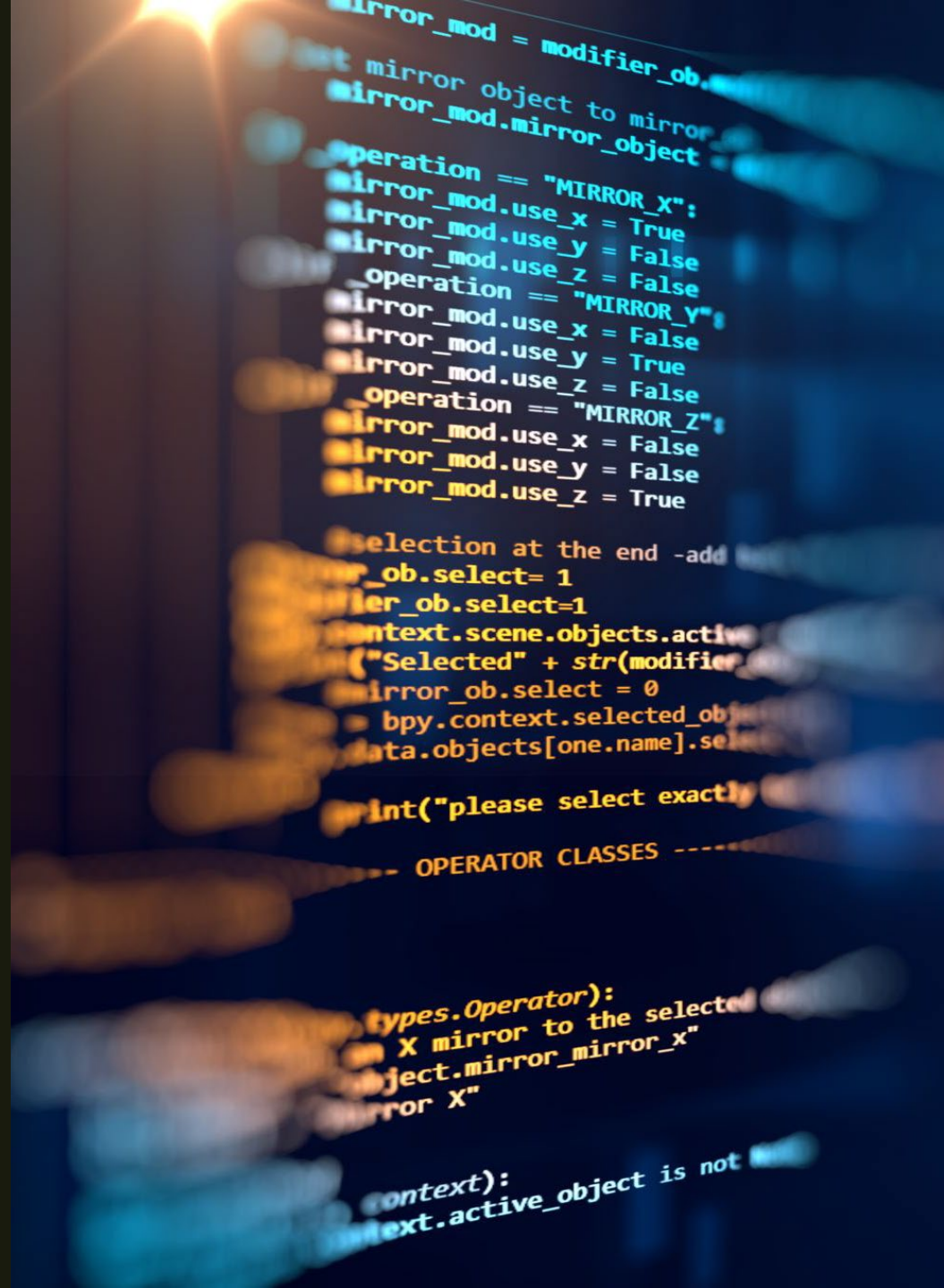


## 2. OPEN AI

According to Open AI:

“Anyone can now easily build their own GPT—no coding is required.”

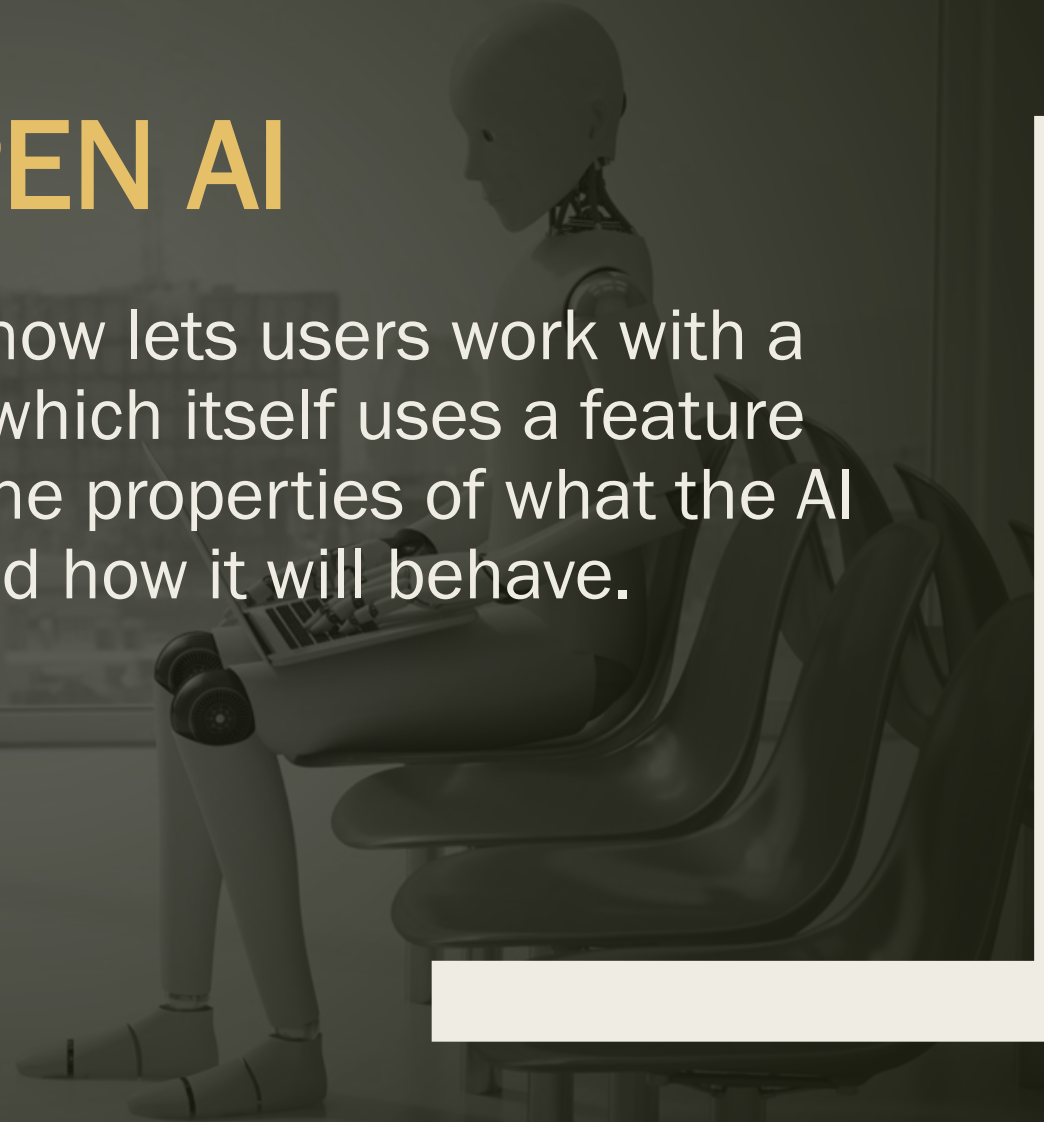
“You can make them for yourself, just for your company’s internal use, or for everyone.”





## 2. OPEN AI

To create a GPT, Open AI now lets users work with a conversational AI model, which itself uses a feature called “GPT builder” to define properties of what the AI assistant knows—and how it will behave.



## 2. OPEN AI

Feeding **custom prompts** to GPT models can dramatically change an AI language model's behavior and outputs, letting ChatGPT itself assist with the process.

SOURCE: Open AI introduces custom AI assistants  
<https://arstechnica.com/information-technology/2023/11/openai-introduces-custom-ai-assistants-calledgpt>





# 3. THE AI BILL OF RIGHTS



### 3. AI BILL OF RIGHTS

Safe and effective systems you should be protected from unsafe or ineffective systems.

**ALGORITHMIC DISCRIMINATION PROTECTIONS:** You should not face discrimination by algorithms and systems should be used and designed in an equitable way.

**DATA PRIVACY:** You should be protected from abusive data practices via built-in protections, and you should have agency over how data about you is used.

**NOTICE AND EXPLANATION:** You should know that an automated system is being used and understand how and why it contributes to outcomes that impact you.

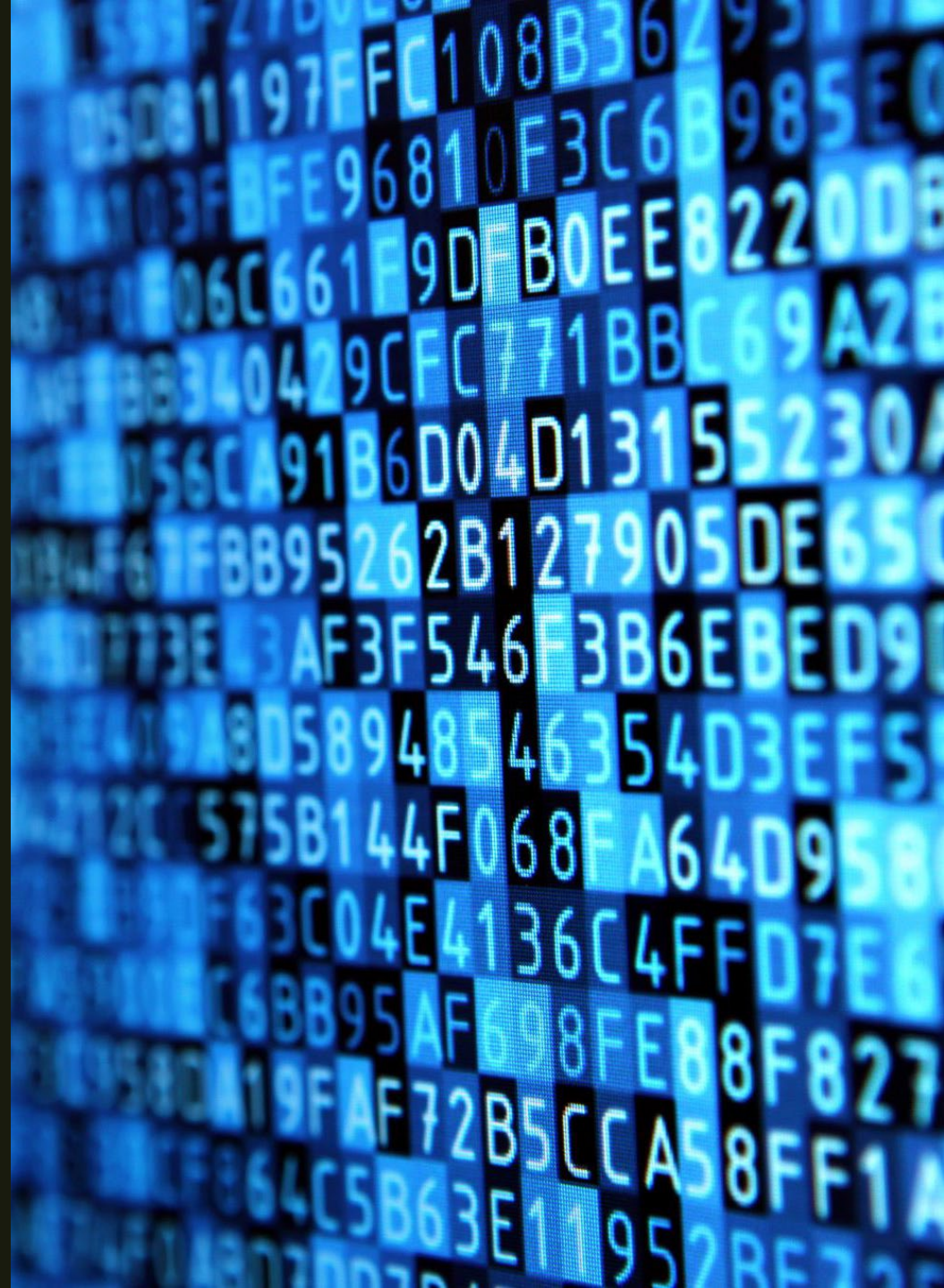
**HUMAN ALTERNATIVES, CONSIDERATION & FALLBACK:** You should be able to opt out, where appropriate, and have access to a person who can quickly consider and remedy problems you encounter.

Source: <https://www.Whitehouse.Gov/ostp/ai-bill-of-rights/>

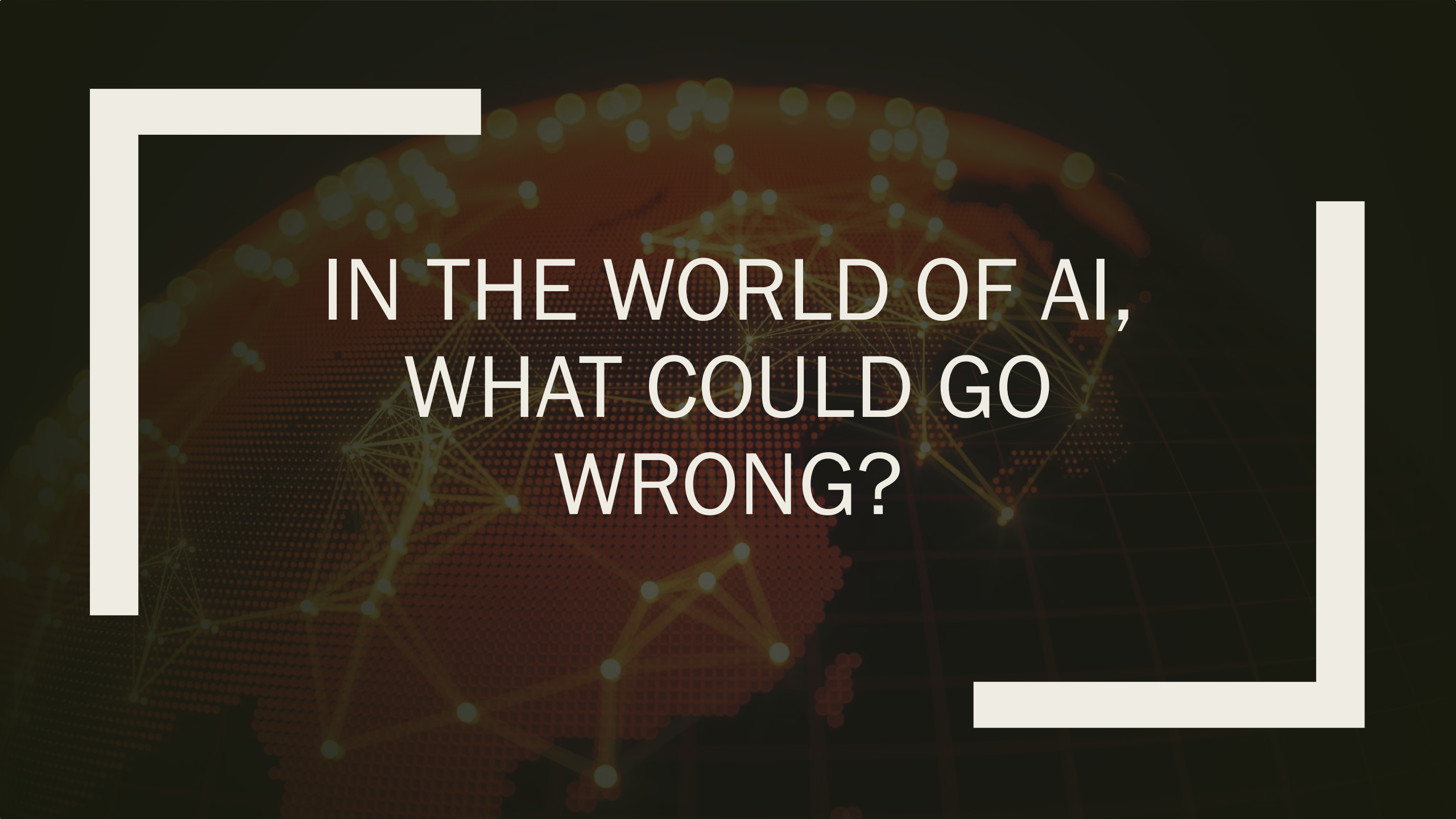
### 3. AI BILL OF RIGHTS

Today, professional groups still frequently accept:

- The use of industry
- Specific terminology and jargon
- Minimum standards of privacy, security, or information sourcing
- Little or no attention to technology limitations, or data quality assessment





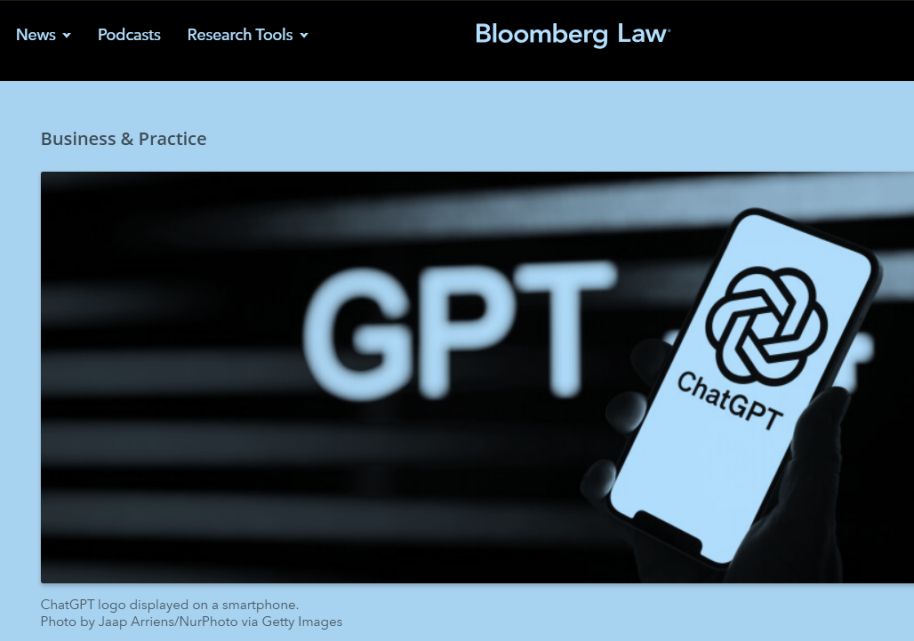


IN THE WORLD OF AI,  
WHAT COULD GO  
WRONG?



# **CASE STUDY REVIEW:** MATA vs. AVIANCA

SOURCE: [HTTPS://NEWS.BLOOMBERGLAW.COM/BUSINESS-AND-PRACTICE/FAKE-CHATGPT-CASES-COSTS-LAWYERS-5-000-PLUSEMBARRASSMENT](https://news.bloomberglaw.com/business-and-practice/fake-chatgpt-cases-costs-lawyers-5-000-plus-embarrassment)



SOURCE:  
<https://news.bloomberglaw.com/business-and-practice/fake-chatgpt-cases-costs-lawyers-5000-plus-embarrassment>

# CASE STUDY REVIEW: MATA vs. AVIANCA

June 22, 2023, 5:38 PM EDT

## Fake ChatGPT Cases Cost Lawyers \$5,000 Plus Embarrassment



**Roy Strom**  
Reporter



- Bogus ChatGPT citations lead to \$5,000 fines
- Bar discipline possible for other actions

Two Manhattan lawyers fined \$5,000 for filing a ChatGPT-generated court brief could still face additional discipline, but the public attention they're getting may be the worst of the punishment.

Steven Schwartz and Peter LoDuca were [fined](#) by a federal judge on Thursday for submitting a brief containing bogus quotes from nonexistent cases. The lawyers will also be required to send the 34-page sanctions opinion to the real-life judges that ChatGPT said handed down the fake opinions.

"They're lucky, but I think it's enough of a sanction considering they've been the poster children for incompetent use of artificial intelligence in the practice of law," said Jan Jacobowitz, a Miami-based legal ethics attorney. "Everybody is

### Documents

- [Docket](#)
- [Sanctions Order](#)

### Related Stories

[Phony ChatGPT Brief Leads To \\$5,000 Fine For NY Lawyers \(1\)](#)

June 22, 2023, 3:21 PM EDT

[Lawyer In ChatGPT Fake-Cases Hearing Asks Judge For Leniency \(1\)](#)

June 8, 2023, 1:25 PM EDT

WHY did  
Mata vs. Avianca  
occur?





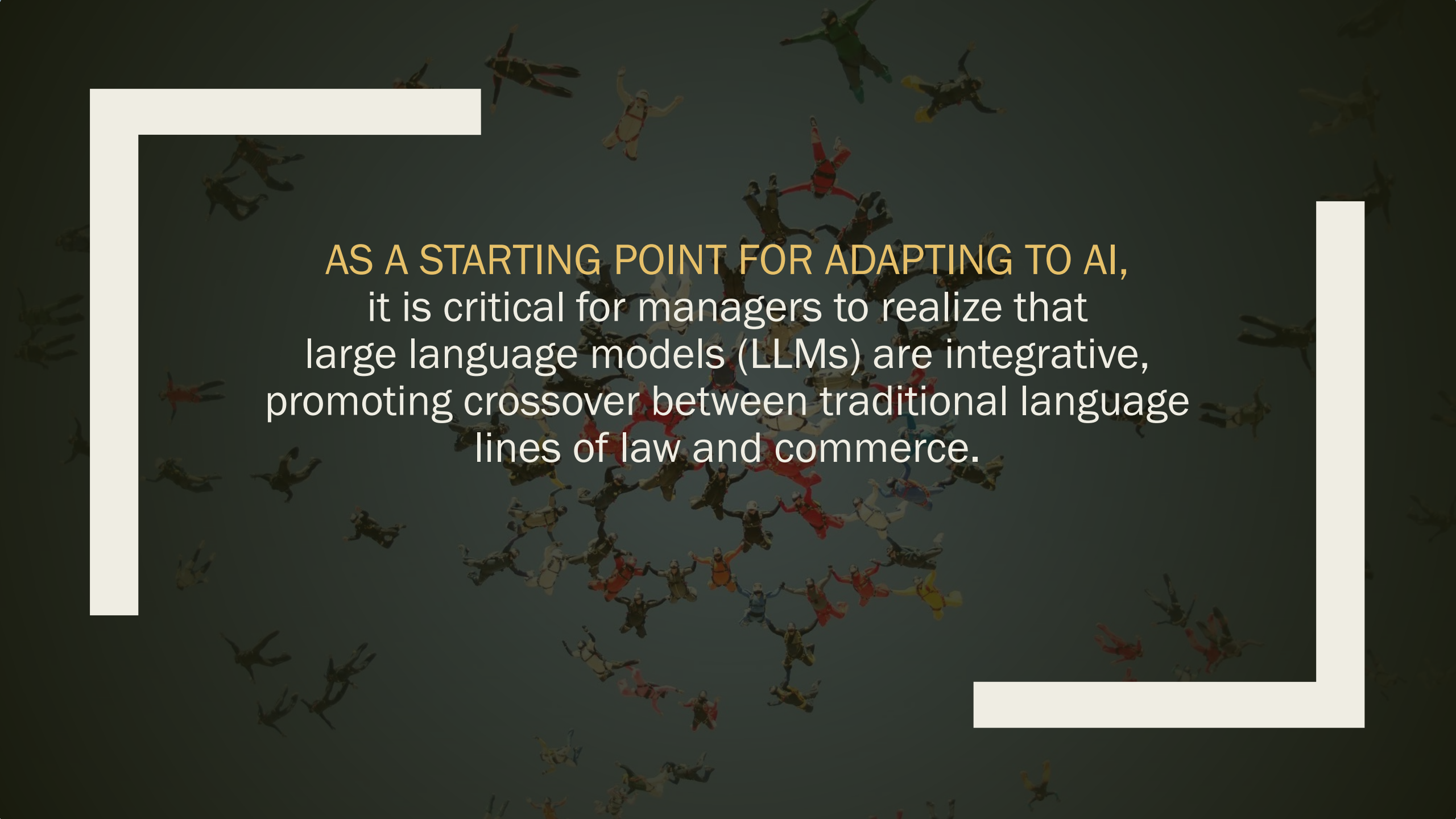
## GOVERNMENT, INDUSTRY, AND COURTS HAVE SOUNDED THE WARNING:

- We can no longer rely on industry-specific information silos
- Additional AI safety and refinement is needed
- Additional data quality measures are needed

The background features a dark, textured composition. At the top, a brain is formed by intricate, glowing circuit traces. Below the brain, a computer keyboard is visible, with a central processor unit highlighted. The overall aesthetic is futuristic and technological. The text 'ADAPTING TO AI' is centered in a bold, yellow, sans-serif font. The text is framed by white L-shaped corner brackets on the left and right sides.

# ADAPTING TO AI





AS A STARTING POINT FOR ADAPTING TO AI,  
it is critical for managers to realize that  
large language models (LLMs) are integrative,  
promoting crossover between traditional language  
lines of law and commerce.



By removing traditional language barriers, AI tends to generate more cross-discipline definitions and descriptions, beyond traditional legal or business terminology.

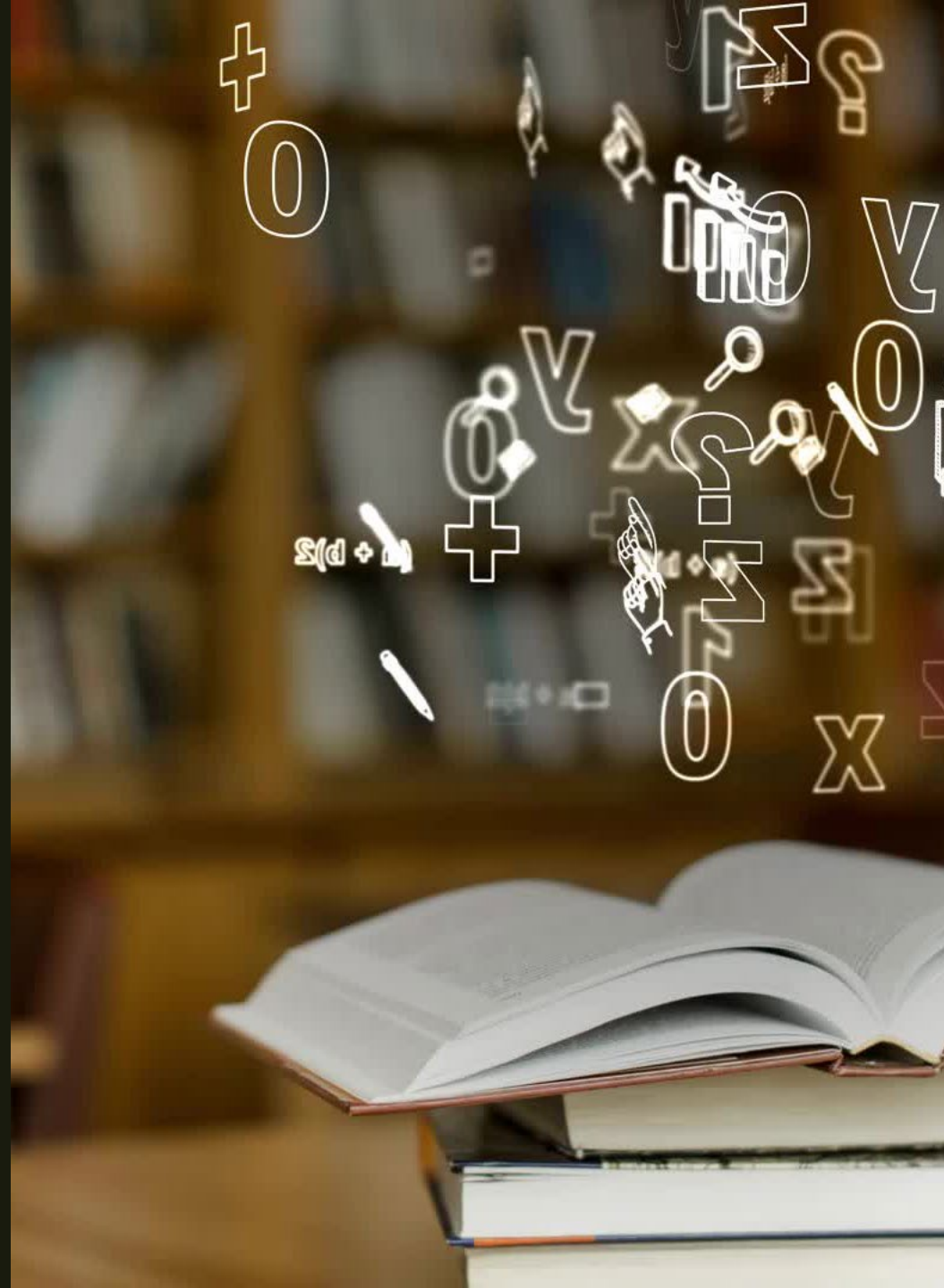
Terminology barriers are especially prevalent in commercial law, which frequently requires analysis of business terms and concepts; e.g., market behavior, market value, brand confusion, consumer perception, etc.

# EXAMPLE: Market Research and Business Practices Applied to Law Practice



**KEY WAYS** AI could impact  
law practice:

**LESSONS** from market  
research and digital  
marketing







## PREDICTIVE ANALYTICS

By analyzing past cases and their outcomes, AI can provide lawyers with probabilities and trends to help make strategic decisions.

## **CONTRACT REVIEW AND ANALYSIS**

AI-powered contract analysis tools can quickly identify potential risks, inconsistencies, and deviations from established templates.



## DOCUMENT AUTOMATION

From wills to contracts, legal professionals can save considerable time and effort by using AI to create templates and populate them with the relevant data.





# DATA PRIVACY

AI systems process vast amounts of sensitive information.

Maintaining data privacy becomes a significant concern.

Lawyers must be vigilant to ensure that the AI tools they employ comply with data protection regulations, and do not expose clients' confidential information to security breaches.



## ETHICAL AND ACCOUNTABILITY ISSUES

Lawyers should be cautious about relying solely on AI's recommendations without human oversight.

AI systems can inadvertently perpetuate biases present in historical legal data, potentially leading to unjust outcomes.



## JOB DISPLACEMENT

Routine tasks that were traditionally performed by junior associates are increasingly automated.

Lawyers need to adapt by acquiring new skills and focusing on higher-value tasks that AI cannot handle.



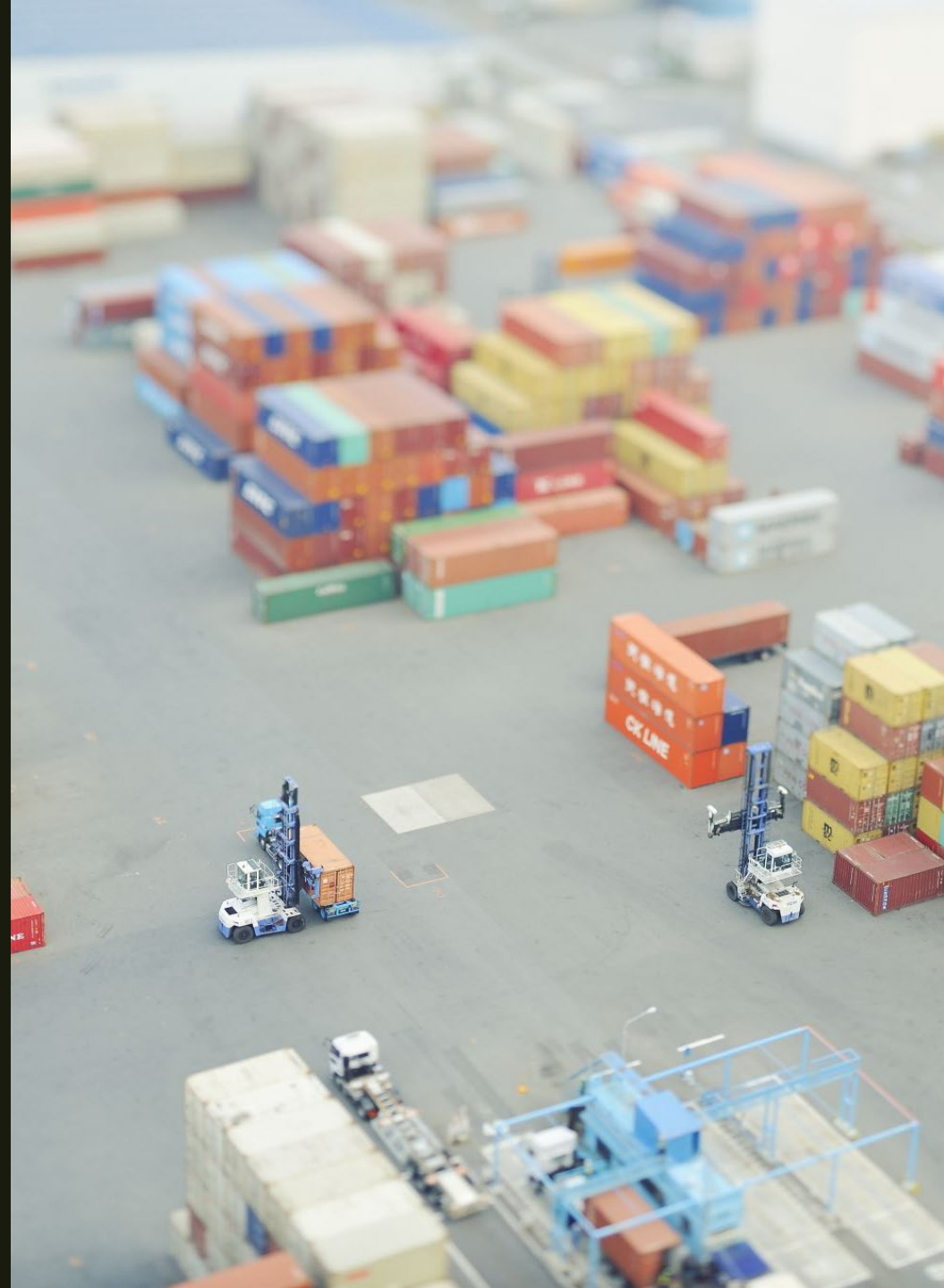
## TECHNICAL CHALLENGES

Ensuring that the AI systems are integrated smoothly with existing infrastructure and that professionals are adequately trained to use them.



# BUILDING NEW INTEGRATIVE INFORMATION MODELS

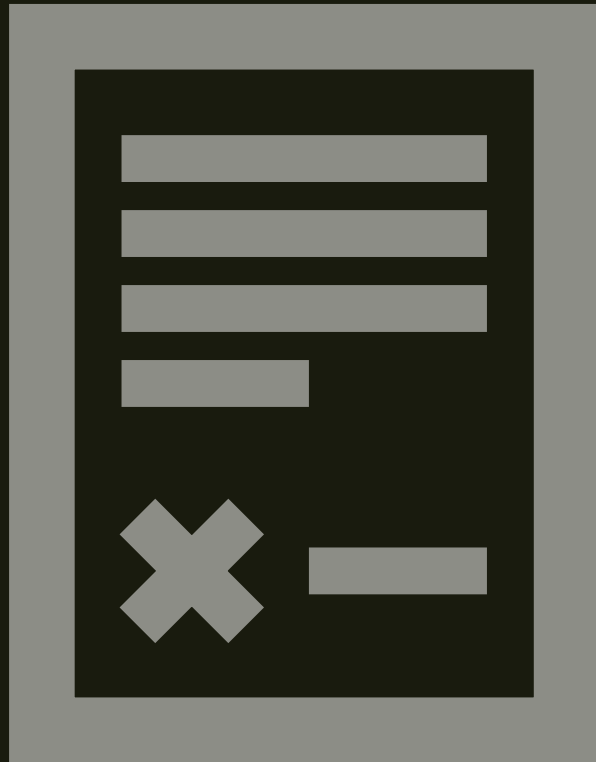
AI's blurring of traditional silos—such as market research, legal research, and law—will need to provide more integrative methods and models.





# LAW BOT EXAMPLES





## LAWGEEX

Provides a service that can review contracts faster, and in some cases more accurately, than humans.

([HTTPS://WWW.LAWGEEX.COM/](https://www.lawgeex.com/))

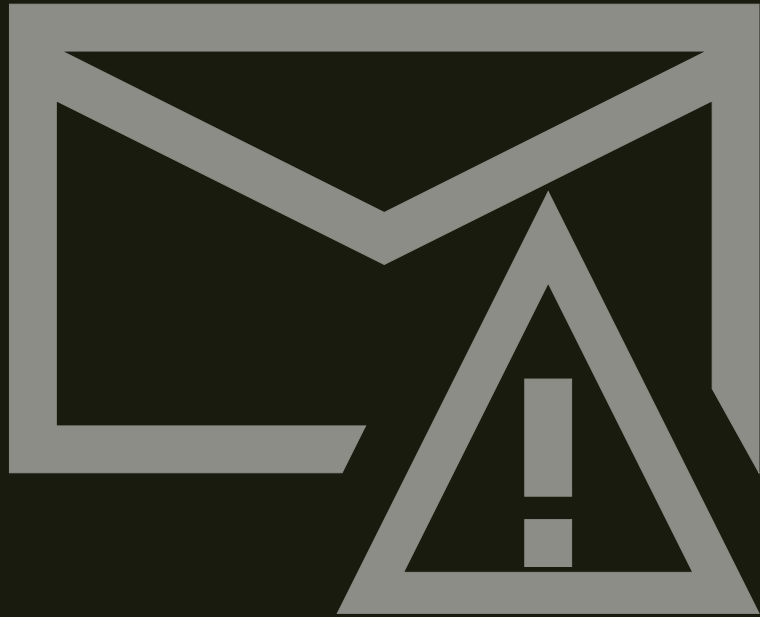


## WESTLAW EDGE

Goes beyond the keyword or Boolean search approach, and augments with semantic search.

Machine learning algorithms try to understand the meaning of the words, not just match them to keywords.

SOURCE: <https://legal.Thomsonreuters.Com/en/products/westlaw-edge>



## WESTLAW QUICK CHECK

Uses AI to analyze a draft argument to gain further insights or identify relevant authority that may have been missed.

Source: <https://legal.ThomsonReuters.com/en/products/westlaw-edge/quick-check>





## JUDGEBOTS

For predicting legal outcomes

## LEX MACHINA

Uses machine learning and predictive analytics to draw insights on individual judges and lawyers, as well as the legal case itself, to predict behaviors and outcomes.

<https://lexmachina.Com/>

### SOURCE:

<https://businesslawtoday.Org/2022/02/how-ai-is-reshaping-legal-profession>



# EXAMPLES & CASE STUDIES



## CASE STUDY

Trademarks & Marketing:  
Listerine Pocketpaks





- Trademark lawyers and marketers approach the development and use of a mark from different perspectives.
- Cross-discipline synergy can result in successful business management

**CONFLICTING ISSUES**  
between Marketers and  
trademark Lawyers  
include:

Timing and Objectives





## OPPOSITE SIDES OF THE TABLE

Lawyers are concerned about having enough time to conduct appropriate diligence to assess the strength and availability of a mark

BUT

Marketers want to make their product or service visible and show off benefits





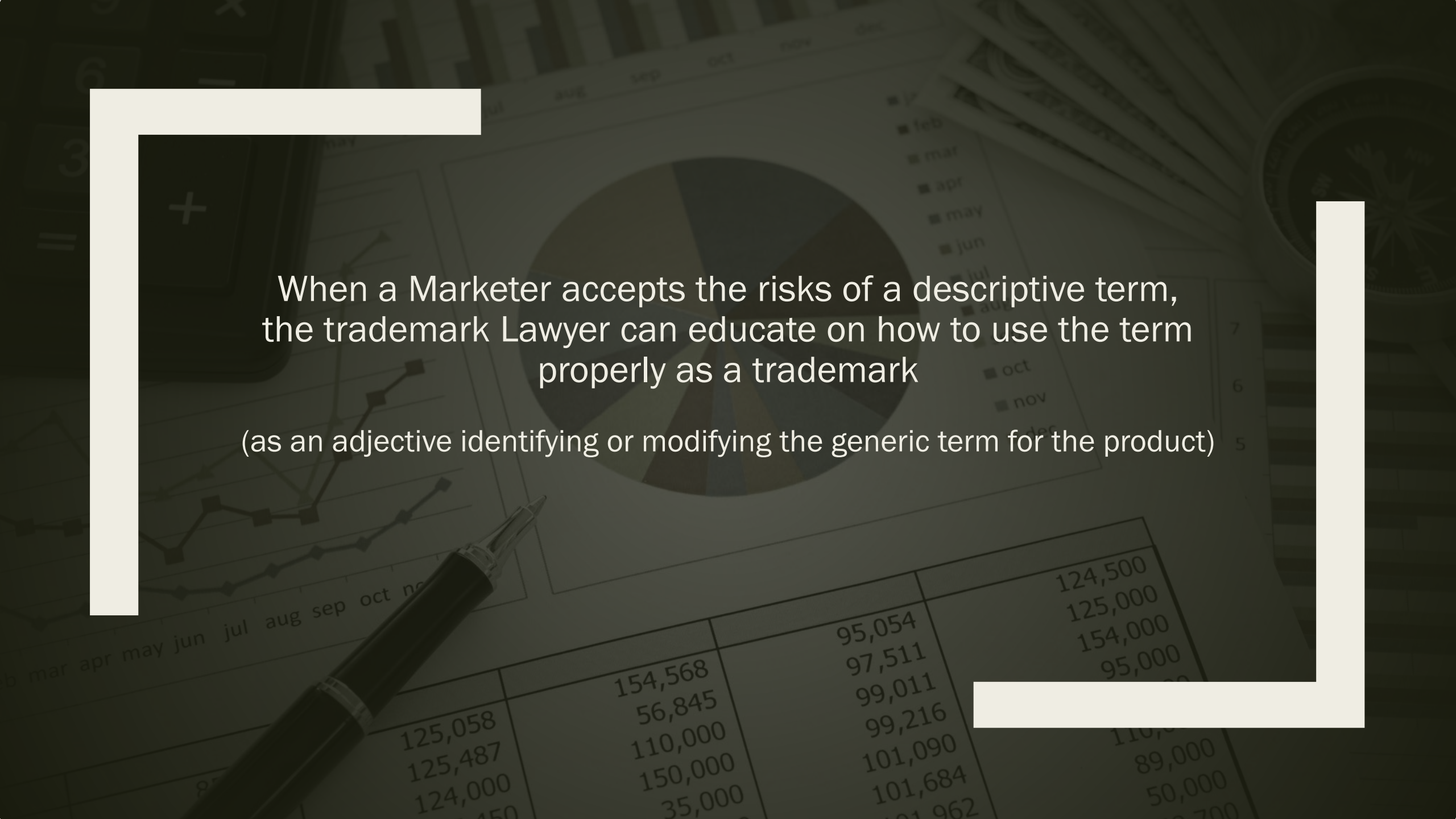
Marketers want to use descriptive marks because they are easier to market  
**BUT**  
Trademark lawyers tend to insist on selecting unique, defensible,  
and "own-able" marks.



Lawyers seek to identify the long-term impact a marketing campaign may have on the brand

**WHILE**

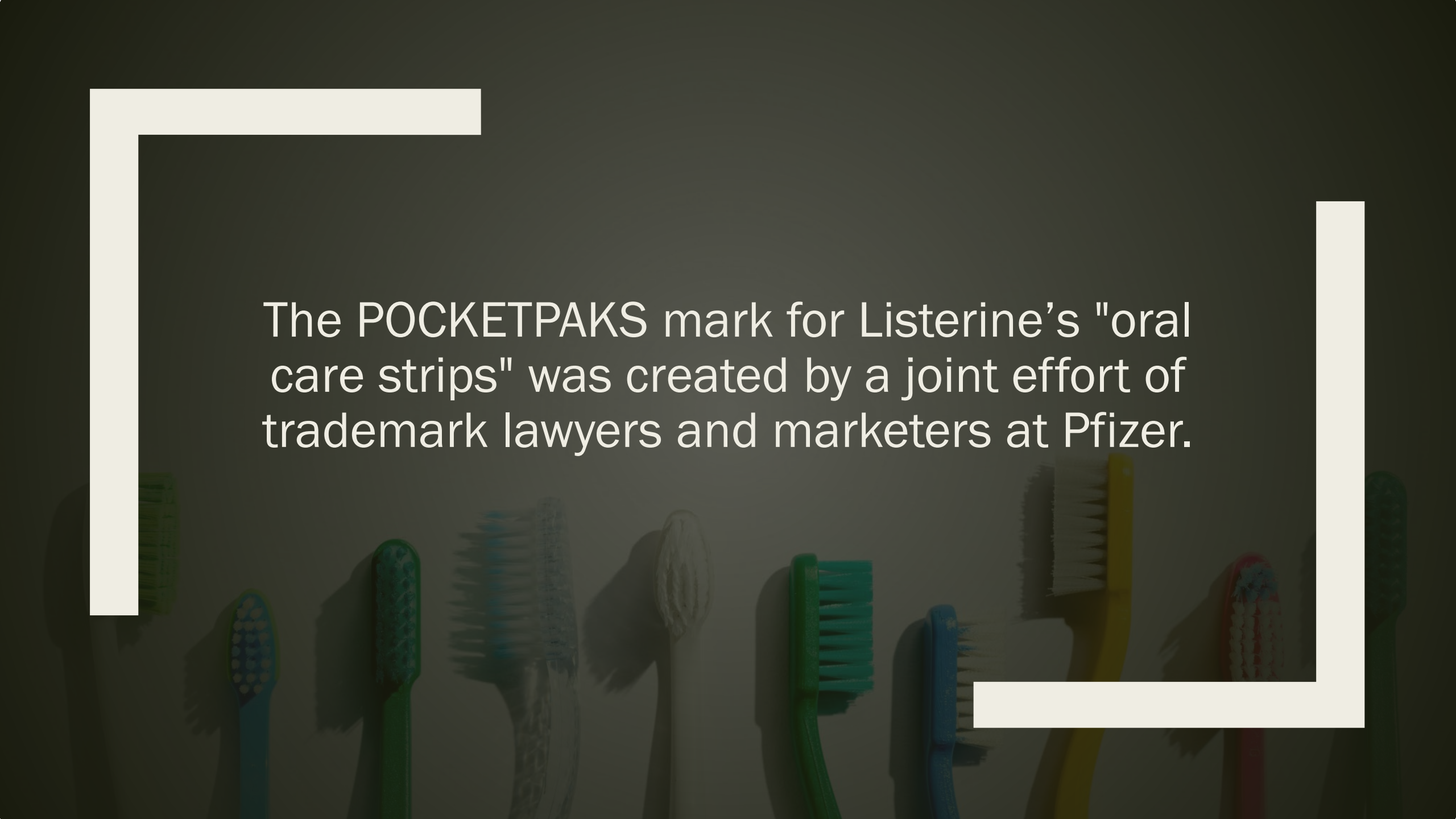
Marketers often seek short-term success for a product and may not be focused on the long-term effects on the brand.

The background is a dark, grayscale image of business documents. It features a line graph with data points, a pie chart, and a table with numerical data. A pen is visible in the lower-left corner. The text is overlaid on this background.

When a Marketer accepts the risks of a descriptive term,  
the trademark Lawyer can educate on how to use the term  
properly as a trademark

(as an adjective identifying or modifying the generic term for the product)





The POCKETPAKS mark for Listerine's "oral care strips" was created by a joint effort of trademark lawyers and marketers at Pfizer.

- Jointly accepted the risk of a descriptive (more vulnerable) mark

AND

- Provided a protectable mark, through unique spelling

# LISTERINE® POCKETPAKS® BREATH STRIPS



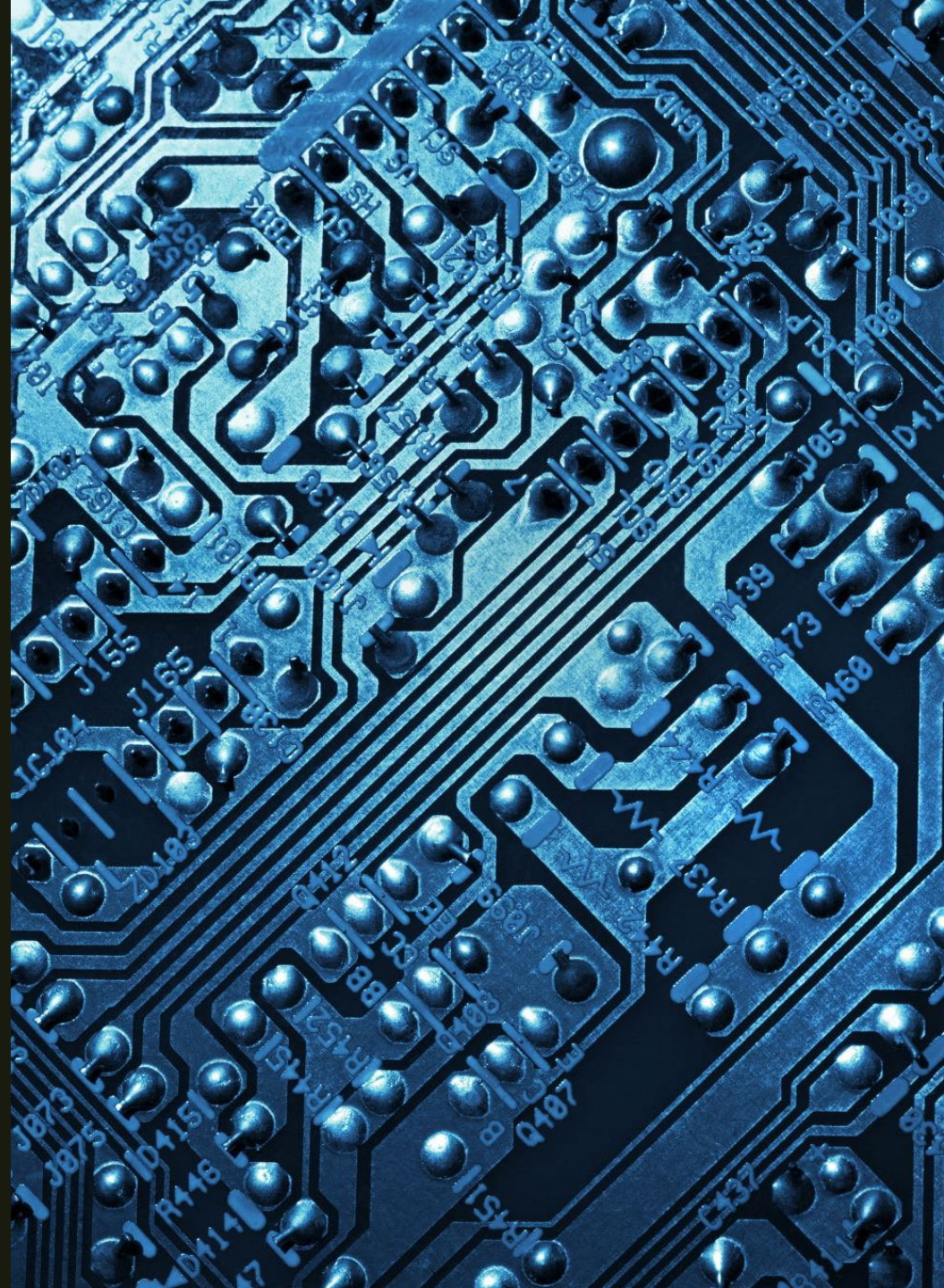
© J&JCI 2020




AI DOES NOT ADHERE TO THE RULES,  
TERMINOLOGY, AND TRADITIONS OF A GIVEN  
PROFESSION OR PARADIGM.

IT SIMPLY PREDICTS WORD STRINGS AND  
PATTERNS, USING MACHINE LEARNING AND  
LANGUAGE ANALYSIS.

Source: [https://www.Wipo.Int/wipo\\_magazine/en/2006/03/article\\_0003.Html](https://www.Wipo.Int/wipo_magazine/en/2006/03/article_0003.Html)

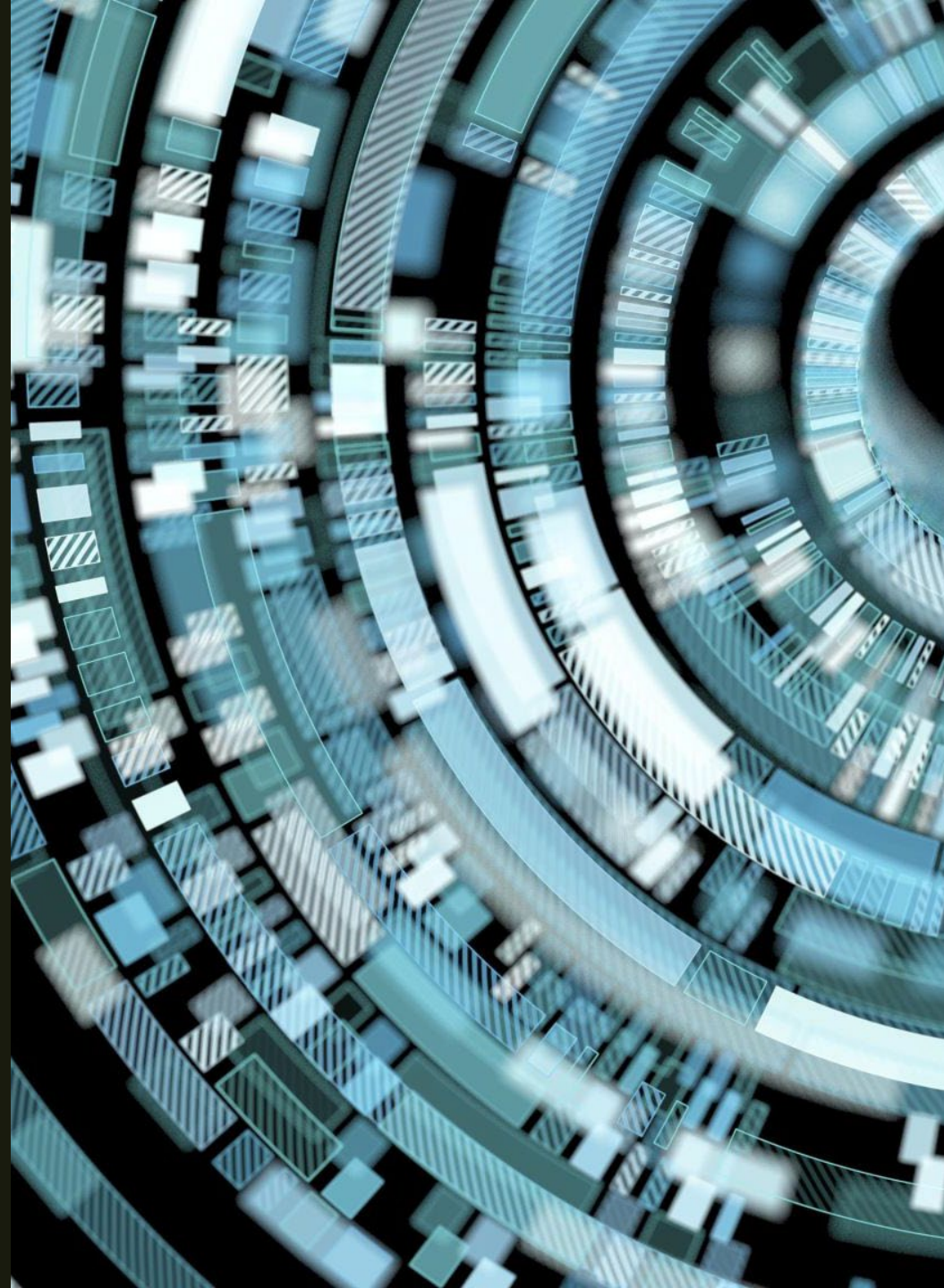




CASE STUDY:  
Creating cross-disciplinary  
insights teams at spotify.



PROBLEM:  
How can we  
integrate data  
scientists and user  
researchers?



The music industry is now a technology and artistic ecosystem, rather than a monopoly of record companies.

How did Spotify help artists grow an audience, express their creativity, and thrive?







# INTEGRATE TWO DISCIPLINARY PARADIGMS

User researchers  
and  
data scientists.

Achieving market insights at Spotify relied on:

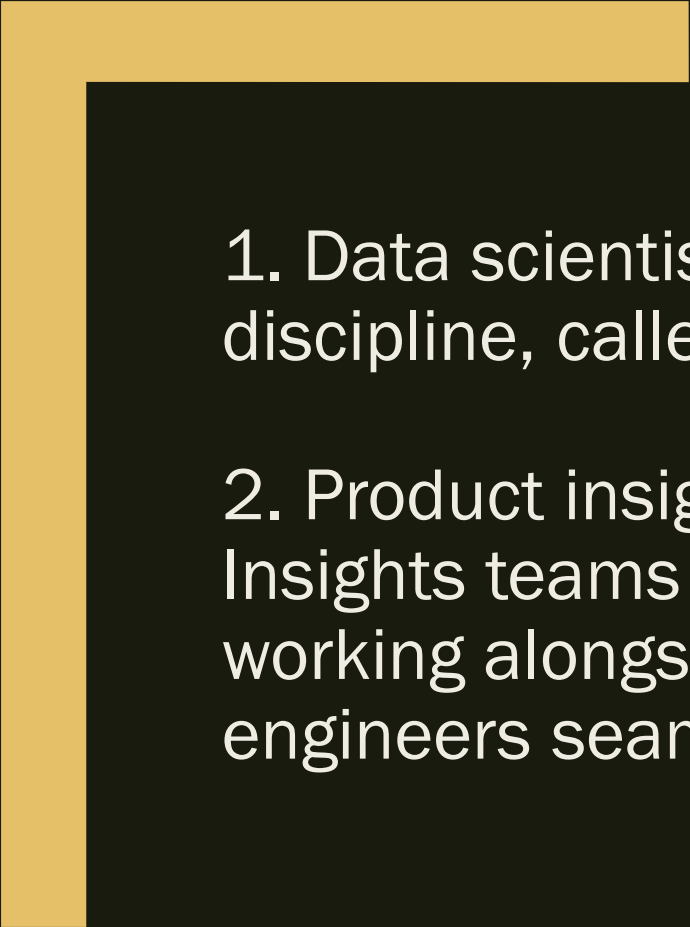
- Belief in triangulation
- Mixing methods
  - Cross-pollinating ideas, by bringing together spottifiers of different backgrounds and expertise.





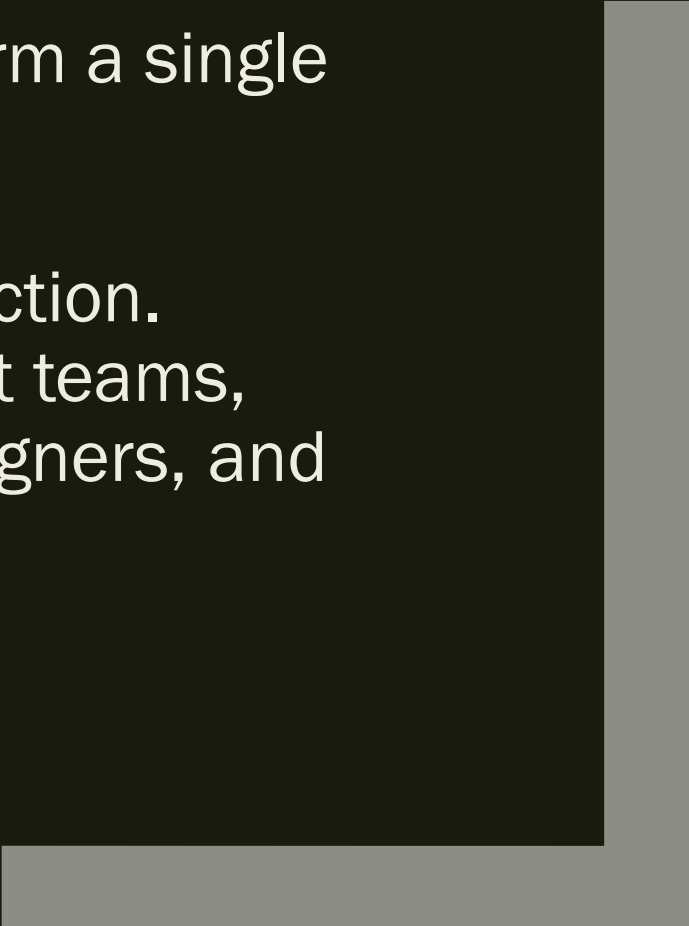
A DJ turntable with two vinyl records is the central focus, set against a dark background with vibrant, out-of-focus bokeh lights in shades of purple, blue, and yellow. The scene is framed by a white L-shaped graphic element in the top-left and bottom-right corners.

Differentiating approaches to how Spotify  
could gain insights for product and service  
development:



1. Data scientists and user researchers form a single discipline, called product insights.

2. Product insights is not a centralized function. Insights teams are embedded with product teams, working alongside product managers, designers, and engineers seamlessly.



Researchers at Spotify are required to:

- Become comfortable with quantitative data.
- Learn to triangulate their expertise with qualitative insight.
- Accept empowerment and accountability for producing hypotheses that can be tested at scale, and over time.



### Insight team responsibilities:

- Study successful strategies for brands to leverage music in ads.
- Analyze how personal taste should be reflected in music recommendation algorithms.
- Represent users through storytelling.





## STOP TREATING RESEARCH AS VALIDATION

1. Focus research resources on decisions that carry the highest risk for the organization.
2. Consider forms of data that may be faster or more appropriate than qualitative research for the problem at hand.



3. Align research with agile thinking shift.

4. Investment from narrowly focused research to off-the-shelf insights.



THINK OF INSIGHTS as a dual-track process consisting of:

Shipping-oriented research

and

Foundational research



Integrate foundational research into the company-wide planning structures

AND

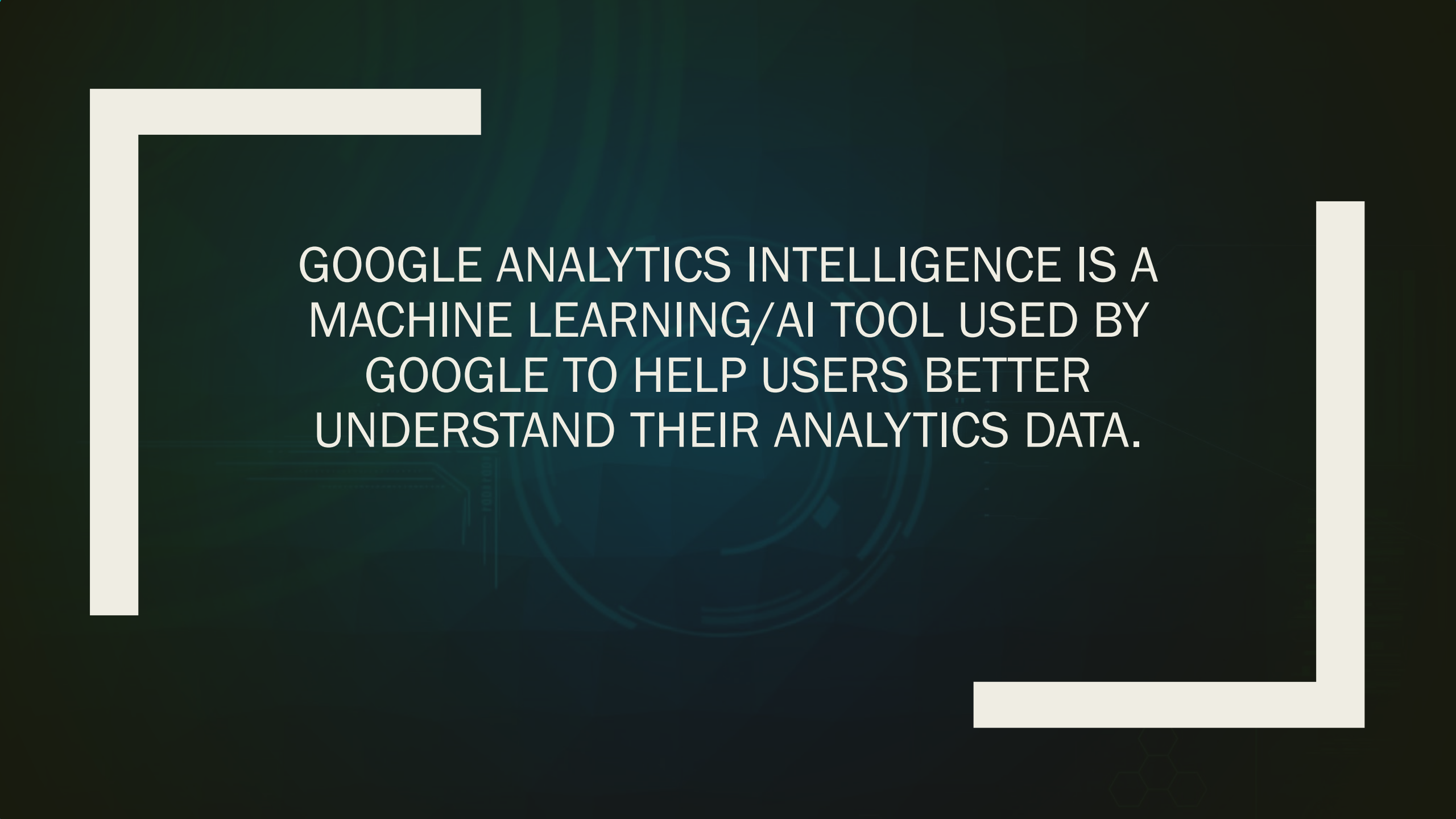
Create flexible team structures which allow for foundational research that doesn't suffer from being disconnected from product development.

Source: <https://medium.com/spotify-insights/cross-disciplinary-insights-teams-how-we-integrate-data-scientists-and-user-researchers-at-spotify-cd8086285f0e>



A hand is shown pointing at a 3D bar chart displayed on a tablet screen. The chart consists of several vertical bars of varying heights, rendered in a wireframe style. The background is dark with a blue glow. The text is overlaid on the image.

**CASE STUDY:**  
Google Analytics Intelligence



GOOGLE ANALYTICS INTELLIGENCE IS A  
MACHINE LEARNING/AI TOOL USED BY  
GOOGLE TO HELP USERS BETTER  
UNDERSTAND THEIR ANALYTICS DATA.





It includes a set of advanced query features which let the user quickly find insights without manually digging into the data.



PROVIDES DATA  
INSIGHTS IN TWO WAYS

# 1. Ask questions!

BI can evaluate a wide range of questions about your data in simple everyday language. It answers questions fast and in an easy-to-understand manner.

Answers are usually a quick overview of a report and a link to view the full report. This means that you can easily navigate through different reports without being a data expert.

As an example, you can ask a basic quantitative question:  
“how many users did we have last month?”



The background of the slide is a dark, textured surface filled with numerous glowing lightbulbs. The lightbulbs are of various sizes and orientations, creating a sense of depth and movement. The glow is a warm, golden-yellow color, contrasting with the dark background. The lightbulbs are scattered across the entire frame, with some appearing more prominent than others.

## 2. Provides insights

GI/intelligence also provides auto-generated insights on significant changes and opportunities that can impact your business.

The background is a dark teal color with a repeating pattern of question marks inside speech bubbles. The speech bubbles are in various colors including brown, grey, and olive green. The question marks are dark blue or black. The text is centered and framed by a white L-shaped border.

Unlike the “Ask Questions” option, these are automatic insights offered by intelligence, without asking any question.

Insights serve as alerts or notifications about the big changes happening on your digital platform.



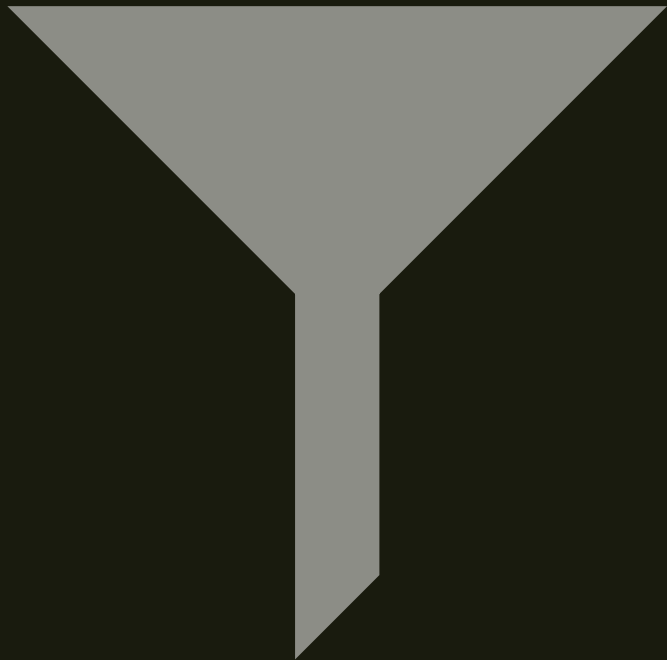


They include anomalies like:

1. Sudden increase and decrease in traffic
2. User characteristics
3. Conversion rate
4. Revenue

Example: “Your e-commerce conversion rate decreased on some landing pages”





ALSO USED FOR USER AND CONVERSION  
MODELING FEATURES:

1. SMART GOALS
2. SMART LISTS
3. SESSION QUALITY
4. CONVERSION PROBABILITY



# HOW TO ASK GOOGLE INTELLIGENCE QUESTIONS?

If requested, intelligence prompts a list of questions you can ask.

Examples:

How do users find your site?

Understanding trends?

Content analysis?

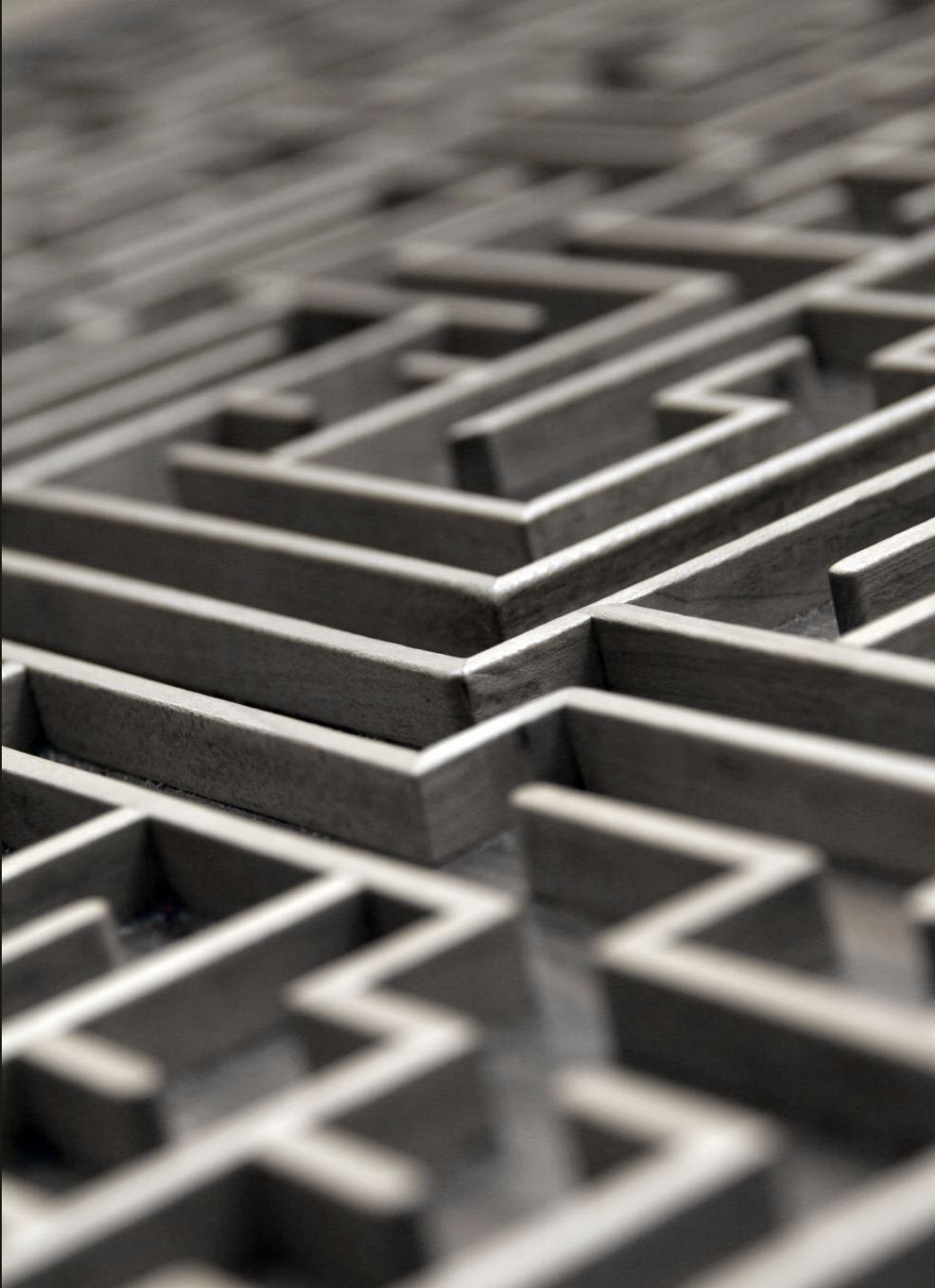
Understanding user behavior?







# LIMITATIONS OF GOOGLE INTELLIGENCE



Google intelligence is beneficial mainly for beginner-level users with less or no experience in data analysis,

It also:

Makes finding insights in google analytics simple!



BUT IT HAS  
LIMITATIONS...





It accepts questions only in plain English

It doesn't have support for other languages.

Sometimes, it doesn't understand questions even if they're in English.



IT CANNOT PROVIDE ANSWERS TO QUESTIONS SEEKING STRATEGIC ADVICE.

IF YOU ASK A QUESTION LIKE 'WHICH MARKETING CAMPAIGN SHOULD I USE?', IT GENERALLY WILL NOT PROVIDE AN ANSWER.



INTELLIGENCE ALSO DOESN'T ANSWER GENERAL SUPPORT RELATED QUESTIONS.

EXAMPLE, IF YOU ASK 'HOW DO I CREATE CUSTOM REPORTS?', IN MOST CASES IT WILL NOT PROVIDE AN ANSWER.

SOURCE:

[HTTPS://WWW.MONSTERINSIGHTS.COM/WHAT-IS-GOOGLE-ANALYTICS-INTELLIGENCE-BEGINNERS-GUIDE/#:~:TEXT=GOOGLE%20ANALYTICS%20INTELLIGENCE%20IS%20A%20MACHINE%20LEARNING%20TOOL,YOU%20NEED%20WITHOUT%20MANUALLY%20DIGGING%20INTO%20THE%20DATA.](https://www.monsterinsights.com/what-is-google-analytics-intelligence-beginners-guide/#:~:text=GOOGLE%20ANALYTICS%20INTELLIGENCE%20IS%20A%20MACHINE%20LEARNING%20TOOL,YOU%20NEED%20WITHOUT%20MANUALLY%20DIGGING%20INTO%20THE%20DATA.)







## SUMMARY

“I’VE BEEN IN THE INFRASTRUCTURE BUSINESS FOR THREE DECADES AND NEVER SEEN ANYTHING LIKE THIS.”

- MICROSOFT CEO SATYA NADELLA, ON THE IMPACT OF AI.



OTHER READINGS AND EXAMPLES:

DELOITTE AI INSTITUTE, CONSUMER GENERATIVE AI DOSSIER  
[HTTPS://WWW2.DELOITTE.COM/CONTENT/DAM/DELOITTE/US/DOCUMENTS/CONSULTING/US-  
-AI-INSTITUTE-GEN-AI-USECASES.PDF](https://www2.deloitte.com/content/dam/deloitte/us/documents/consulting/us-ai-institute-gen-ai-usecases.pdf) (PP.8-28)

MCKINSEY MARKETING AI-POWERED MARKETING AND SALES  
[HTTPS://WWW.MCKINSEY.COM/CAPABILITIES/GROWTH-MARKETING-AND-SALES/OUR-  
INSIGHTS/AI-POWEREDMARKETING-AND-SALES-REACH-NEW-HEIGHTS-WITH-GENERATIVE-AI](https://www.mckinsey.com/capabilities/growth-marketing-and-sales/our-insights/ai-powered-marketing-and-sales-reach-new-heights-with-generative-ai)

HOW AI IS TRANSFORMING MARKET RESEARCH  
[HTTPS://WWW.ENTREPRENEUR.COM/SCIENCE-TECHNOLOGY/HOW-AI-IS-TRANSFORMING-  
MARKET-RESEARCH/450593](https://www.entrepreneur.com/science-technology/how-ai-is-transforming-market-research/450593)