CLLS AI Committee 19 September 2024 – Actions

- Insurance and Professional Negligence sub-group to be convened (**Dru Corfield/Matt Hervey**)

    o All: Please volunteer if interested to support this sub-group.

    o Reconvening of sub-group, meeting before next AI Committee meeting in November, to agree output.

- AI Governance Survey to be shared with CLLS, prior to circulation (**Minesh**).

    o Form will be hosted, and firms completing to then separately confirm completion (to ensure anonymity of submissions)

- Education sub-group – paper to be circulated for the AI Committee to review/sign off (**Lucia**).

- Vendor/client-side guidance (**Jeremy / Kerry**):

    o Further meeting to narrow discussed ideas and explore goals.

    o Call for volunteers to be involved in this sub-group (**all**)

    o Sam de Silva: Speak with John as discussed.

- [new] AI Regulation working group (**Zofia**++)

    o Constitute a new working group

    o Please volunteer to Zofia (copying Ivan) if interested in collaborating (**all**)

- CLLS Bridges:

    o All who have already volunteered, please seek to meet with respective Committees prior to next AI Committee meeting.

CLLS AI Committee 19 September 2024 Minutes

1. Welcome

Thanks to Tim and DAC Beachcroft for hosting.

Key focus for the coming months is to be delivering tangible outputs, including knowhow, guidance, the survey, possibly an event. We have four working groups, and have had plenty of good discussions to date.

Will be 27 November morning for Covington hosting next meeting.

2. Topical Developments and Further Initiatives

Discussions included whether we are advising how firms themselves use AI, or instead tracking Government plans and the scope for our involvement in those discussions. This could lead to thought leadership. Eve-Christie and Zofia shared how the Data Committee engages with regulators – should we similarly engage?

AI for Law, but perhaps Law for AI? Law for AI for Law? This may in the former tie in with insurance and professional negligence, but the latter could include thinking about making the UK a place wherein AI thrives within boundaries to ensure that we've got the work we want coming our ways.

UK AI regulation consultation may be due – this should be something for us to contribute to.

Clients are frequently using AI to prepare initial drafts of advise, and then sharing with us as external counsel. This may lead to a new trend of challenges and opportunities.

3. Insurance and Professional Negligence

This sub-group has hosted our key event to date – with plenty of sub-themes emerging. The next output could be documentary.

Discussions included the lack (yet) of stress-testing claims whether lawyers are covered by their insurance when using AI in practice. Currently limited regulatory input but the overriding current opinion is that where solicitors use AI and it goes wrong, claims could be made under policies – but not yet definitive. May be worth having GCs in a roundtable to discuss these questions – is there an easier way to get output? May be worth exploring discussions with insurance brokers and understanding where firms' maturities are.

Action: Working group to reconvene, either for a small event, or a 2 pager, following themes arising from the earlier event.

Action: Call for volunteers to re-energise the working group.

4. Education Working Group

Two parts to the working group:

- Educating our own people in the firms; and

- Exploring the perceived needs/expectations gap for law firms and training providers.

Exploring a collaboration with the Education Committee.

The paper is underway, has been supported by collaboration among the working group – plan is to circulate shortly within the AI Committee and then publish after.

Further work may include a benchmarking exercise for universities/training providers going to the main points coming from the paper as skills gaps. What courses are being offered? What are the gaps/shortcomings? To be shared within the sub-group then more widely.

5. Vendor/Client-side guidance

There have been initial discussions to reflect on the disconnect between in-house teams seeking for their outside counsel to use IA but technical/security teams etc. holding up this progress. Plenty in innovation teams are exploring how tools can be brought into practice – this sub-group is coming together to explore this issue further, and prevent this being like "cloud" in 5 years' time.

Aim is to have a survey component, limited to our group, to pseudo-anonymously find examples of nonsensical/onerously restrictive panel terms. Then, develop a set of guidelines or best practices for panel terms (or responses to them). Are there common frameworks or terminologies? Consider (client) procurement teams needing education, which perhaps shouldn't fall to law firms – guidance may be helpful. The key is to protect data but currently in the "don't use GenAI on our data". Unlock innovation and remove blockers.

Action: Working group to narrow the above ideas and explore what can be accomplished.

Action: Call for volunteers, particularly if involved already at our respective firms.

Action: Sam de Silva will speak to John – previously invited firms to an exploratory session on standardisation/accreditation for legal AI.

6. AI Governance Survey

Will be shared with CLLS management, then circulated.

Aim to collect responses prior to Christmas, then prepare a final report, which will then be shared with firms who contributed.

7. CLLS Bridges

Action: Reach out to other committees (or via Kevin) if you are in a bridge role.

8. Litigation Committee

Currently five partners (Clifford Chance, Slaughter and May, A&O Shearman, Ashurst, and Lewis Silkin).

The first meeting was free-flowing, covering several points including a recent SCL discussion concerning vendors and good industry practice, and how clients are using AI tools to scan and review complaints. Interest was expressed in how AI is (already) used in disclosure, research,

and *inter partes* correspondence. Legal responsibility was also discussed as well as the "resourcing asymmetry" in disputes work. The city may see itself as a leader in tech, but there are outstanding questions about adequacy of technologies and a potentially more reactive approach to adopting new technologies.

Further discussions will continue with the Committee. One perspective shared was which end of the journey should be prioritised – juniors or seniors. Further works may be undertaken exploring the criminal courts and justices, given they appear more nascent.

A further offline meeting will be discussed and arranged in due course.

9. AOB

Agenda for November will be shared nearer the time.