

CLLS AI Committee 20 March 2024 Meeting Minutes

1. Introduction

2. Vice Chairs

Kerry and Georgia

Klaud – TLS Working Group

3. Insurance Event

- 27 March, 6pm, at Simmons & Simmons – AI in law firms focusing on regulatory requirements, professional negligence risk, and insurance models. Solicitors, Barristers, and reinsurers for AI.
- 40+ signed up so far, with insurance (incl. interested) colleagues and clients welcome.
- Kevin H to liaise with the Insurance Committee and The Law Society / SRA, and to add to the CLLS events page.
- Training Committee looking to do a June event – Kevin H to liaise in relation to this.
- Speakers:
 - RPC, Munich Re, Gallagher Re (broker perspective), Fountain Court

4. AI Sentiment Survey

- Aiming to be helpful to CLLS members, perhaps giving firms an idea of what others are doing, so they can benchmark against guardrails and what other governance in place.
- Governance focus as an angle – what are firms putting in place around adoption/deployment of AI?
- Governance:
 - When it comes to this, there's a tangible and substantive collective interest, so more likely to be welcomed by firms.
 - Intersection with client advice, and a focus that listed companies are getting increased guidance, such as questions boards should ask of their businesses. Assess whether those translate for us, our firms, and of course our clients.
- Need to keep it short and distinguish between what vendors etc. are sending out. Make clear our different agenda.
- In responding to the survey, respondents could receive analysis / report, help see where "firms of X metric" operate.
- Avoid taking the highest governance of responses – keep innovation progressing.

- Avoid straying into recommendations, instead education: what are your peers doing and what therefore is the benchmark?
- "Governance Maturity" was discussed as a quantification of a firm's performance, with respect to scope, governance level, as possible foci.
- NIST AI Risk Framework suggested as a source of inspiration, but start our survey with both filtering questions (shorter survey for those without AI experimentation, for example), and governance questions. Adoption questions at the beginning – firms not adopting wouldn't have the governance anyway. An element of context. Many categories don't apply if not using in more "risky" situations. Contextual therefore can you call out in adoption section to qualify the rest of the answers.
 - Output e.g. "of the firms using copilot, X are..."
- "Are you using AI?" yes/no
 - If yes... full extent of the survey.
 - If no... shorter set of questions, still informative.
- "Educating the Client" – how we can help our clients understand what AI means, in a practical sense for the work we undertake. How is it embedded in our workstreams? How might it become more widespread?
- Remarks discussed concerning clients' concerns about use of data, such as in training a third party's model – yet we are almost all using AI in our firms. Firm-by-firm the same sorts of conversations that can be blockers, whereas in other sectors these have a lower impact.
- The survey audience – who are we targeting? CLLS members, or is it someone in innovation, in house regulatory, AI advisory, or a mix?
- Who gets the most value from benchmarking against other firms: is it the compliance / GC team?
- Difficulty in benchmarking – are we talking overall or for AI systems themselves?
- Many outputs will be likely to be qualitative so hard to benchmark against.
- Panel Terms could be tying up law firms (potentially with terms even drafted by AI)
- How do we draft questions to give the right answers?
- Education challenge (clients) – to what extent will the survey help reassure them?
 - Useful to compare against other firms, when having these conversations with clients.
- Would the survey get to the right person in a law firm?

5. Education Working Group

- Broad education piece initially, teaching firms about AI and related issues.
- What clients are asking of firms, what Panel Terms, etc. as a first piece?
- Moving from "training lawyers" to a new stance.
- Subgroup will set up an initial meeting to discuss and report back at our next AI Committee meeting.
- Clients, universities, and more.
 - Universities have a near-"head is in the sand" position: AI is cheating, yet in practice we use it. What influence could we have on academies to progress?
 - If AI takes over the common tasks of junior roles, those skills have to be acquired at law school instead of on the job. This is not a new problem "collaboration is cheating" but we all have to work together.
 - Do we see the role of this AI Committee as guiding the future of the profession generally? If we do, perhaps we start thinking about who we'd hire in 5 years, then extrapolate forwards.
 - Some universities see AI use as cheating or plagiarism. More progressive institutions are now not simply evaluating on the answer that GenAI can produce, but rather on how students apply their judgment to its accuracy. Developing effective prompts, and demonstrating their improvement, is more valuable than just obtaining the information now.
 - Some universities may recognise that they are not suited for this, we should be careful but open minded. The challenge is a matter of access to tools. It's not an equal opportunity – opposite to most education. People should be encouraged to use it – but not everyone agrees with this.

6. ICO AI/Data CLLS Consultations

- ICO sandbox to be considered, more development in this space to come.
- Tie in with the Data Committee.

7. Collaboration across CLLS

- AI touches across other CLLS committees – if you find another CLLS committee of interest, Kevin Hart can help build these bridges.
- Easter for thought process and deadline.
- Perhaps may be an occasional working group sit-in. More of an email contact ad hoc potentially. This to help front-load rather than being last-minute.

- Point raised about specialisms: streamline by thinking of application of the technology as "work type" – is it finance, corporate, litigation, etc...
- Action: all to look at website and committees and see if any shine out.
- ESG a good collaboration (we're focusing a lot on the G)

8. AOB

- TLS WG from Klaud
 - Innovation, Impact, and Integrity.
 - Innovation
 - How can firms & clients take advantage of AI and what governance is needed for different solicitors' practices?
 - Impact
 - How the regulatory landscape for AI can be informed and influenced by AI.
 - Broad consensus positively in response to TLS proposals, and CLLS AI Committee input.
 - Integrity
 - How to responsibly use AI
 - Access to justice
 - Focus in that TLS should be an Authority making sure solicitors are represented and increase access to justice for the public.
 - Still discussions in the above themes. Upcoming meeting end of Q3.
 - Also, a lot of commentary about the future of legal practice, students, and access to information. While young people may be digital natives, but unaware of professional technology use.
 - Cambridge University – GenAI is plagiarism to being a requirement in a matter of months.
- Next meeting mid-late May, to be confirmed prior to April.