

Media Coverage of Hinshaw's 2024 Legal Malpractice and Risk Management (LMRM) Conference

In The News | 2 min read

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Several panels at the recently concluded [Legal Malpractice and Risk Management \(LMRM\) Conference](#) were the subjects of media coverage by *Bloomberg Law*.

“Lawyers Can’t Totally Trust, Ignore AI”

In the first article, “Lawyers Can’t Totally Trust, Ignore AI,” reporter Nancy Kisicki reviewed panels featuring Hinshaw partners Steven Puiszis and Barry MacEntee as panelists.

Kisicki quoted Puiszis as saying that “artificial intelligence won’t replace lawyers because it lacks the judgment, empathy, and creativity that are the hallmarks of a good lawyer.” Furthermore, Puiszis described a study by researchers from Stanford and Yale of “legal hallucination” rates for ChatGPT 3.5 and two other large language models.

In responding to questions about published US court decisions, Puiszis noted that ChatGPT 3.5, the most accurate of those tested, was mistaken 69% of the time. He further noted that there have been at least 15 incidents of generative AI hallucinations that resulted in lawyer sanctions or referrals to disciplinary tribunals. Puiszis said that using a product designed and intended to be used by lawyers addresses some of these risks.

MacEntee, meanwhile, discussed *Mata v. Avianca, Inc.* as the “seminal case we all know and have heard about,” where a lawyer working outside his usual practice area relied on ChatGPT to provide case law for a brief and ended up citing nonexistent cases and initially failing to admit having done so, not as a generative AI case but as a case about lack of competence and a violation of the duty of candor to the tribunal.

Puiszis also cautioned lawyers against putting any confidential client information or any personal, financial, medical, or biometric information into an AI product. He also noted the concern that a firm with an AI tool trained on a client’s data could be prevented from taking on a matter adverse to that client.

Puiszis spoke on a panel titled “Prompt Engineering: The Next Frontier in Law Firm Risk Management.” He was joined on the panel by Iris Skornicki of Paul, Weiss, Rifkind, Warton & Garrison LLP.

MacEntee participated in a panel titled ” “How Soon is Now: Generative AI - How the Technology Works, How to Use it Now, and How to Use it Ethically.” He was joined on the panel by Evan Brown of Neal & McDevitt, LLC, and Andrew Sutton of McLane Middleton.

“Mistakes Were Made. They Won’t Be the Last”

In the second article, titled “Mistakes Were Made. They Won’t Be the Last,” Helen Gunnarsson reviewed the discussion of an LMRM panel titled “Anticipate the Unthinkable: Understanding How Mistakes Happen and Managing the Risks.” The panel consisted of Douglas Richmond of Lockton Companies and Anthony Davis of FisherBroyles UK LLP.

The pair discussed how lawyers and law firms can deliver client service intended to minimize the risk of errors consistent with their ethical duties to provide competent representation and to adequately supervise colleagues.

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Media Coverage

- [“CONFERENCE REPORT: Lawyers Can’t Totally Trust, Ignore AI”](#) was published by *Bloomberg Law* on March 13, 2024.
- [“CONFERENCE REPORT: Mistakes Were Made. They Won’t Be the Last”](#) was published by *Bloomberg Law* on March 15, 2024.

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