



Two States Issue Ethics Guidance on AI Use in Legal Practice

There will be lawyers who get rich by using AI in their practices, becoming more efficient and effective attorneys, and there will be lawyers who get sanctioned and/or disciplined for using AI in their practices. See, for example, the New York attorneys sanctioned in June 2023 for filing a ChatGPT-generated brief that cited nonexistent case law. To help you avoid becoming the next on the sanctions list, or if you're even considering the use of AI, have a look at the latest ethical guidance, issued in mid-November:

- Florida Bar Committee on Professional Ethics Proposed Advisory Opinion 24-1: <https://www.floridabar.org/the-florida-bar-news/proposed-advisory-opinion-24-1-regarding-lawyers-use-of-generative-artificial-intelligence-official-notice/>
- California Bar Office of Professional Competence best practices guidance: <https://board.calbar.ca.gov/Agenda.aspx?id=17069&tid=0&show=100036478&s=true#10045247>

Issues addressed in one or both documents include confidentiality, billing, competence, due diligence, oversight, and advertising. Generative AI is not going away, so begin to educate yourself now on whether or not you can, or should, use it in your practice.

Have a risk management or ethics questions? We're here to help. To obtain a consultation, you should log in to [Attorneys Risk Management](#), and click on the "Request a Risk Management Consultation" button.



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