

**The Kentucky Bar Association
AI Task Force
presents:**

Making AI Work for You – When and How to Use It



**This program has been approved in Kentucky
for 1 Ethics credit.**

**Compiled and Edited by:
The Kentucky Bar Association
Office of Continuing Legal Education for
Kentucky Bar Association AI Task Force**

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Making AI Work for You – When and How to Use It

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PRESENTER BIOGRAPHY

Sheldon G. “Shelly” Gilman recently retired from active legal practice but remains engaged in law-related matters, including assisting lawyers, addressing professional conduct issues, and exploring the impact of artificial intelligence. He earned his undergraduate degree from Ohio University and his law degree from Case Western Reserve University, and served four years in the U.S. Army Judge Advocate General’s Corps.

Mr. Gilman has been recognized in *The Best Lawyers in America* (Trusts and Estates and Employee Benefits Law), including as 2016 Best Lawyer of the Year, and has also been listed in *Kentucky Super Lawyers* and *Who’s Who in American Law, America, and the World*.

A longtime leader in lawyer professional responsibility, he served on the Kentucky Bar Association Ethics Committee and Ethics Hotline for over 30 years, authoring more than 800 Informal Opinions. He was a member of the Ethics 2000 Committee and received the KBA’s Bruce K. Davis Bar Service Award in 2023.

I. WHY USE GENERATIVE ARTIFICIAL INTELLIGENCE (GAI) & DO I HAVE TO USE IT

A. Ethics Committee's Advice – [KBA E-457](#) (2024).

1. Competence - [SCR 3.130\(1.1\)](#) mandates:

“A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.”

Comment 6 to the Rule elaborates on the scope of the competency requirement.

To maintain the requisite knowledge and skill, a lawyer should keep abreast of changes in the law and its practice, including the benefits and risks associated with relevant technology, engage in continuing study and education and comply with all continuing legal education requirements to which the lawyer is subject. [emphasis added]

2. Attorneys have a continuing ethical responsibility to maintain competence and reliance upon technology to do so is just another aspect of the competency requirement.

B. KBA President Todd McMurtry Said So

In President McMurtry's *Bench & Bar* article of September/October 2025, “The Artificial Intelligence Revolution: A Guide for Attorneys”, he wrote:

“Attorneys who do not adopt AI will lose the economic competition with attorneys who embrace the coming AI revolution.”

“AI will level competition by providing smaller firms with more bandwidth to compete in labor intensive tasks.”

“We have a professional responsibility to keep up with technology.”

¹ The author is solely responsible for these materials and is presented as a CLE of one guy's experience using GAI. My opinion does not reflect the opinion of the KBA, nor the KBA Ethics Committee, and, of course, our Supreme Court. Yes – I received help from my new collegial collaborators, ChatGPT, Perplexity, Gemini3, and Copilot, hence, this paper is truly a joint product; however, if there is a problem with any of this, blame me – AI does not accept responsibility for whatever it does.

“While this rule [\[KRPC 3.130\]](#) does not mandate the adoption of AI, it requires us to consider the benefits and risks of adopting AI tools.”

C. What Will Your Malpractice Insurer Say about It?

1. Lawyers who do not use GAI may face higher professional-liability premiums because insurers may view them as foregoing efficiency because properly managed GAI tools can reduce error, speed up work, and reduce toil. Firms using them may be viewed as more progressive/less exposed, and firms not using them could signal “lagging behind industry practice” which might raise underwriting questions.
2. Risk of falling behind standard of care/expectations of clients – there could come a time when not using AI becomes a liability or evidences absence of diligence and competence. Commentary often frames non-use of AI as potentially a business risk (efficiency, cost, competitiveness).
3. Consider insurance underwriting implications: Even if you don’t use AI, when you renew your professional liability policy you might be asked about “Does your firm use GAI tools?” or “What are your technology protocols?” If you answer “no”, you may want to explain the safeguards in place (why not, how you manage risk) and ask if non-use affects underwriting or premiums.

D. Practical Benefits of Using AI – It Makes YOU More Productive & FASTER

1. Those who integrate AI into their practice will outpace those who resist it. It won’t be lawyer vs. AI; it will be lawyer using AI vs. lawyer who isn’t. Those who choose not to use GAI will lose leverage due to information asymmetry: If the other side can gather and analyze mass amounts of data in minutes while you are still shuffling files, you are at a disadvantage.
2. The speed at which a traditional negotiator can make decisions compared with the negotiator who uses AI is at an advantage because AI algorithms can analyze large datasets and identify patterns, enabling faster and more informed decisions. Examples of use:
 - a. Streamlining legal research to find relevant law and precedents quickly;
 - b. Reviewing and analyzing large volumes of documents and summarizing them;
 - c. Automating repetitive tasks and reducing extensive manual labor;
 - d. Detecting deception in your or your clients’ emails or documents;
 - e. Predicting case outcomes and legal trends based upon historical data;

- f. Expediting responses to client inquiries;
 - g. Providing around-the-clock access to legal information and resources;
 - h. Faster turnaround, more comprehensive results, with natural language queries.
- 3. Levels the playing field - AI enables solo practitioners and small firms to handle larger caseloads and more complex matters without increasing staff.
 - 4. Potential staff reduction – You may only need one paralegal or just one lawyer associate.
 - 5. Law is NOT stagnant – Law changes daily. The law we practice today was not even considered when most of us went to law school. AI isn't stagnant and neither should you. Use AI to help keep you up to date on the law.

E. Important Points from [KBA E-457](#) (March 15, 2024)

- 1. Does an attorney have an ethical duty to disclose to the client that AI is being used with respect to legal matters entrusted to the attorney by the client?

No, there is no ethical duty to disclose the rote use of AI generated research for a client's matter unless the work is being outsourced to a third party; the client is being charged for the cost of AI; and/or the disclosure of AI generated research is required by Court rules.

- 2. If the effect of an attorney's use of AI reduces the amount of attorney's time and effort in responding to a client matter must the lawyer consider reducing the amount of attorney's fees being charged the client when appropriate under the circumstances?

Yes.

- 3. May an attorney charge the client for expenses related to using AI in the legal practice?

If the client agrees in advance to reimburse the attorney for the attorney's expense in using AI, and that agreement is confirmed in writing, then yes, the attorney may charge for those expenses. However, similar to the lawyer's cost of general overhead expenses, the costs of AI training and keeping abreast of AI developments should not be charged to clients.

II. WHAT IS GENERATIVE ARTIFICIAL INTELLIGENCE

A. Artificial Intelligence (“AI”) Defined

“The use... of computer systems that have some of the qualities of the human brain, such as the ability to interpret and produce language in a way that seems human, recognize or create images, solve problems, and learn from data supplied to them....”

Lawyers have already been using AI whether they realize it or not. “Spell check,” “grammar search,” “auto projecting words and correcting function on documents & emails” all employ AI, as do the Shephardizing functions of legal research tools.

B. Before Generative Artificial Intelligence – GAI

Advances in legal technology has evolved incrementally – from typewriters to electric typewriters, carbon paper to copiers, word processors, from law books to online research systems, paper filing systems to cloud computing – all steadily improving efficiency without disrupting the fundamental assumption that legal services are the product of human labor, expertise, and time. None of these developments changed the essence of the lawyer’s essential role as these tools helped a lawyer to retrieve, format, or manipulate existing information created by humans.

For years, lawyers have used technology by utilizing computer research resources, including Westlaw, LexisNexis, and Decisis, all of which are readily available. Internet research also provides an additional level of resources for an attorney to best serve their clients’ needs. In addition, many lawyers are now required to take training in, and become competent in, the use of electronic filing in state and federal courts.

C. GAI is Different & Better

GAI is a technological advance in the timeline of history’s greatest advances.² GAI is a class of machine-learning systems that produce new text, images, code, or other content in response to user prompts. These systems don’t “think” or access real-time facts; instead, they generate outputs by predicting likely patterns based on the data they were trained on.

When prompted, GAI produces new text by predicting likely word sequences based on patterns learned from massive datasets. GAI produces original text, suggests legal reasoning, analyzes documents, and participates in drafting in ways that resemble **collaboration** rather than clerical assistance. Lawyers today interact with

² Those who think about such things (including GAI) advise that the major technological leaps in human history, in order of transformative impact, are (1) mastery of fire; (2) language; (3) agriculture; (4) the wheel; (5) writing; (6) the printing press; (7) electricity; (8) the computer; (9) the Internet; and now (10) the topic of this discussion – GAI.

AI as a cognitive partner, **not** a passive instrument. GAI raises issues of authorship, (who is responsible for the text), verification (how the lawyer confirms accuracy and authority), and professional responsibility. GAI will respond to you, and you may disagree with it and correct its wrong information.

GAI learns from what and how you, and millions of others, use it. You are paying for the privilege of teaching and training GAI tools.

III. SPECIFIC PROFESSIONAL CONDUCT GUIDANCE ISSUES

A. Client Confidentiality, [Rule 1.6](#)

1. Do not disclose client names – you represent Able, Baker & Charley and “Lawyer LLC.”
2. Do not disclose location – consider Emerald City, Oz. (KY law may still be used in the prompt.)
3. Before submission of prompt or upload of document – protect confidential information.
4. Use PDF format to prevent metadata leaks.

B. Due Diligence – Avoid Hallucinations [Just Another Word for Deception or Lying]

1. Never rely on one AI tool – crosscheck one AI’s response with another AI tool. Ask each (associate) tool the same question – if different answers send the answers back to the other AI tool. Let them fight it out.
2. Save all AI inputs, outputs and decisions for client files.
3. Always verify citations.
 - a. If AI suggests legal authority, locate and read the case; does the court’s opinion include the comments AI says it says?
 - b. Was the case overruled?
 - c. If the AI associate hallucinated, ask it about it.
 - d. Ask the “other” AI tool to check the first’s AI tool’s commentary for validity.
4. Remember – You remain the legal professional responsible for the final document.
5. If you violate the Rules will an opposing lawyer have a [Rule 8.3](#) reporting requirement?

C. AI Policies You Should Investigate

1. Data retention policies.
 - a. Does the AI provider store user input data?
 - b. If data is stored, how long is it retained?
 - c. Can users opt out of data retention and training purposes?
 - d. Red Flag: Providers that don't disclose their data retention practices or don't allow opt-out options for legal professionals.
2. Data processing and storage.
 - a. Are the servers located in jurisdictions that comply with privacy laws?
 - b. Does the tool specify where data is processed and stored?
 - c. Are there protections against unauthorized access, multi-factor authentication?
 - d. Red Flag: Processing data in jurisdictions with lax privacy protections or failure to disclose server locations.
3. Data isolation and ownership.
 - a. Are there data isolation policies ensuring user inputs aren't accessible to others?
 - b. Are user inputs excluded from the AI model's training processes?
 - c. Does the provider assure that users retain ownership of their data?
 - d. Are data handling processes independently audited or certified?
 - e. Red Flag: Providers that use user data for training without explicit opt-in and data ownership guarantees.
4. Security and breach response.
 - a. Are users notified promptly in the event of a data breach?
 - b. Do independent experts perform regular security audits?
 - c. Does the tool offer insurance or guarantees for data breaches affecting users?

- d. Red Flag: Lack of a breach notification policy or infrequent security audits.

5. Customization and control.

- a. Can users customize settings to limit data input and retention?
- b. Are administrative controls available to manage user access and permissions?
- c. Red Flag: Tools that mandate cloud-only use without providing user controls over data.

6. Cost and licensing.

- a. Are licensing fees transparent, devoid of hidden charges for essential security features?
- b. Does provider charge extra for privacy safeguards like data isolation or local hosting?
- c. Red Flag: Tools advertising low costs but charging premiums for necessary security features.

D. Configure AI Tool for Lawyer Ethics Compliance.

Decide whether to keep AI history ON or OFF.

- 1. If OFF: Conversations stored only briefly (~ 30 days) for abuse monitoring and not used for training. Best practice for handling client information.
- 2. If ON: Conversations are stored until deleted and may be used for training/improvement. Most convenient for access to prior work, but higher confidentiality risk.

E. Recommendation for Lawyers

- 1. Keep chat history OFF whenever you input facts tied to clients. You can toggle it on temporarily for non-sensitive drafting, brainstorming, or research queries.
- 2. How to turn off chat history.
 - a. Open Settings: On desktop, click your name or profile icon in the bottom left. Choose Settings.
 - b. Find Data Controls and toggle off Chat History & Training. You'll see an option called "Chat history & training" – Switch it OFF.

F. Control Memory Settings.

1. Memory is different from chat history – example allows Chat to “remember” facts across sessions (e.g., “*You focus on ethics, business, estate planning in Kentucky*”).
2. The user will be notified when AI remembers something and is then able to delete memory items. Therefore, don’t let AI “remember” client names or case details; instead, keep memory only for general preferences (like citation style, view settings, or practice area).

G. Manage Stored Conversations

Regularly review and delete old conversations that contain legal drafts or sensitive facts, and if you keep chat history on for convenience, treat it like an electronic client file – control retention in line with our ethics rules regarding file storage. For example, see [KBA E-446](#) (July 20, 2018) regarding cybersecurity.

H. Document Your Use

1. Consider disclosing to your client that you use AI tools (especially if their data is entered), keep a short internal memo/policy (who in your office can use AI, with what safeguards) and cross-check AI output with authoritative legal sources (because relying on hallucinated cases/opinions will violate [Rule 1.1](#) on competence).
2. Verify output, always Shepardize, and consider using KBA’s Decisis.
3. Shelly’s alternative – Copy answers and paste it into a client file away from AI and then delete that Chat from the sidebar, but nonconfidential matters can stay around until they can be deleted.

I. Court Reaction to AI Use in Filings

1. A consistent pattern has emerged in judicial responses to lawyers’ use of GAI tools:
 - a. Courts do not prohibit the use of AI.
 - b. Courts insist that all longstanding duties remain fully intact – competence, diligence, candor to the tribunal, and the lawyer’s nondelegable obligation to verify what is filed.
 - c. Sanctions or reprimands have arisen not because AI was used, but because lawyers filed documents containing unverified, inaccurate, or fabricated authorities.

2. Publicly reported cases.

- a. *Mata v. Avianca, Inc.*, 678 F. Supp. 3d (S.D.N.Y. 2023).

Plaintiff's counsel submitted a brief containing citations to cases that did not exist, and the district court imposed monetary sanctions after finding that counsel relied on an AI tool without verifying the existence or content of the cited authorities. The court expressly held that a lawyer's duty to confirm the accuracy of filings cannot be delegated to any automated system.

- b. *In re Jackson Hospital & Clinic, Inc.*, 2025 WL 3251167 (Bankr. M.D. Ala. Nov. 20, 2025).

A lawyer's filing contained inaccurate citations attributed to generative AI. The court reprimanded the attorney and revoked her *pro hac vice* admission.

- c. *Noland v. Land of the Free, L.P.*, 114 Cal.App.5th 426 (Cal. Ct. App. 2d 2025).

A California appellate panel sanctioned an attorney \$10,000 after determining that most quoted authorities in the brief were fabricated and used the opinion to provide a broad warning regarding verification obligations.

- d. *United States v. Sypher*, No. 3:09-CR-00085, 2011 WL 579156, at 1 (W.D. Ky. Feb. 9, 2011), *aff'd*, 684 F.3d 622, 628-29 (6th Cir. 2012) (affirming the denial of the defendant's recusal motion because the trial judge's statements about counsel's plagiarism did not establish bias).

i. This concerned the legal issues behind the Karen Sypher and Rick Pitino liaison at Porcini's restaurant. Karen was convicted on six counts of extortion, lying to federal investigators, and retaliating against a witness. At trial, the prosecutors proved that Sypher demanded \$10 million plus a home and a car from Pitino in exchange for her silence, falsely accused him of rape when he reported the attempted extortion to authorities, and she later lied to the FBI.

ii. Karen's lawyer was criticized by Judge Charles R. Simpson III for writing a brief that "appear[ed] to have cobbled much of his statement of the law governing ineffective assistance of counsel claims by cutting and pasting, without citation, from the Wikipedia web site." "[S]uch cutting and pasting, without attribution," warned Judge Simpson, "is plagiarism," and professional misconduct.

J. Lessons to be Learned

1. Disclose if GAI was used in preparing filings;
2. Certify that all citations have been verified against primary sources; and
3. Affirm that confidential or sealed information was not improperly provided to external systems.

IV. GETTING STARTED – CHOOSING YOUR AI TOOLS

A. Which AI Tools Do You Like?

As of the date of this writing, we have numerous credible tools. Some of the more common ones and the corporate entities behind them are:

1. ChatGPT – developed and operated by OpenAI, Inc. and its affiliates.
2. Perplexity – developed and operated by “Perplexity AI, Inc.” a privately held U.S. company.
3. Copilot – developed by and is a product of Microsoft Corporation.
4. Gemini 3 – developed and provided by Google.
5. Westlaw AI – part of the Westlaw ecosystem owned and operated by Thomson Reuters Corporation.
6. Lexis+AI – developed and owned by LexisNexis Legal & Professional, which is part of RELX.
7. Casetext CoCounsel – developed by Casetext, Inc. and acquired by Thomson Reuters; CoCounsel is now a Thomson Reuters product.

B. Which AI Tool Should a Lawyer Use?

The choice between Perplexity, ChatGPT, Gemini, and Copilot depends on what you want to accomplish.

1. ChatGPT (OpenAI) is noted for providing creative content generation, general versatility, and broad productivity. Highly “versatile” for brainstorming, content creation, and everyday tasks; known for its polished, natural, and creative output; offers a vast ecosystem of custom GPTs” and third-party integrations. For creative & general tasks ChatGPT is generally preferred for its creative power, conversational fluency, and versatility across a wide range of topics. ChatGPT is considered best for drafting and content creation. It can draft client emails, brainstorm arguments, outline pleadings, and simplify legal language for clients, all converted into Word and downloaded for you,

and you may change its “memory” to fit your preferred type settings – from Arial to Times New Roman, borders, etc. However, it is considered less reliable for legal citations and may not provide sources or always pull from current law.

2. Copilot (Microsoft) touts its productivity and workflow automation within the Microsoft ecosystem. Deeply integrated into “Microsoft 365” apps like Word, Excel, Teams, and Outlook; excels at workplace tasks like summarizing meetings, drafting emails, and analyzing spreadsheets using your company’s data (with permission). Choose Copilot if your computer systems are built on Microsoft (Word, Excel, Outlook, Teams).
3. Gemini 3 (Google) advises that it provides “Deep integration” with Google Workspace, multimodal tasks, and large data analysis. Also, it seamlessly integrates with Gmail, Docs, and Sheets, and is supposed to excel at tasks combining text, images, and code (multimodal); features an industry-leading “one-million-token context window” for long, complex documents, and combines inputs from different data types (text, image, code) in a single request. Choose Gemini if you rely on “Google Workspace” (Docs, Gmail, Sheets).
4. Perplexity is considered best for legal research and quick factual answers. It reduces research time by organizing relevant data, summarizing complex topics, and directly linking to court opinions or legal commentary, making it a preferred choice for first-pass research, issue spotting, and preparing to meet clients or write briefs. Perplexity functions as an “answer engine,” providing real-time information from the web; responses are consistently cited with links to sources for easy verification, making it ideal for academic or critical research. For research and accuracy, Perplexity is the top choice because it prioritizes providing up-to-date, verifiable answers with specific source citations.
5. Best practice: Use all four.

C. Do NOT Trust Just One AI Tool – Shelly’s Suggestion

1. Suggested start = ChatGPT and Perplexity. They both offer a free version, and you may download them from the web and then bookmark them into your browser for easy future access. I use a subscription version, currently \$20 a month – it provides more detailed information.
2. Use both – THEN:
 - a. Ask each the same question and compare answers; or
 - b. Ask one, then copy the answer and upload it to the other for its examination.

- c. If the answers are different then send answers to the other and let them analyze the answers and pursue it against both of them. If Perplexity disagrees with Chat then send Perplexity's answer to Chat and say – Perplexity disagrees with you – are you wrong? Point: You cannot trust either one of them – be wise – be smart; ask each of them to review and critique the other's work.

3. Use KBA's Decisis – it is FREE.

D. Getting Started for a New Project

What do you want your AI tools to do and what are the important points you want covered? Example: "What provisions should a business agreement contain for the sale of a small Kentucky manufacturing business?" OR "What provisions should a tenant favored lease agreement contain?"

If drafting a new document, ask AI to draft an agreement then insert into the "Ask Anything" the essence of the type of agreement you want and those important points that you want considered and press enter. When one AI gives you a document then exchange the document with your other AI tool.

E. Review an Existing Document

1. If you want AI to review an existing document then CLEAN IT – as follows:

- a. Delete or change all confidential information. Consider using Word's "Find and Replace" function and substitute the real names with fictitious names – like Able, Baker and Charley. If appropriate to protect client identity, delete the name and state information. Also, check for all other specific confidential client information and either delete it or change it.
- b. After "cleaning" the document, save it in PDF and avoid metadata problems.
- c. To upload a document: on ChatGPT, use the "+" symbol; on Perplexity, use the paper clip symbol.

2. Consider other questions for AI.

- a. Any recommendations for making the attached agreement/document more readable and increase understanding for a first-time reader?
- b. Are there any important missing points that should have been discussed?
- c. Is there anything in the attached agreement, which is copied from the Internet without giving due attribution of source of authority?

- d. Attached is a copy of cases cited by opposing counsel. Read each case and advise if each case properly supports opposing counsel's arguments.

F. Shelly's Most Important Points

1. Double check to protect a client's confidential information.
2. Never rely on one AI tool – crosscheck one AI's response with another AI tool. Ask your two AI tools the same question – when you get different answers send the answers back to the other AI tool. Let them fight it out.
3. Save AI outputs and decisions for your records.
4. Use PDF format to prevent metadata leaks.
5. Always verify citations. If AI suggests legal authority, locate and read the case to ensure the court said what AI says it says, and check with Decisis to see if the case was overruled.

G. REMEMBER – YOU REMAIN RESPONSIBLE FOR THE FINAL DOCUMENT

V. SETTING YOUR DEFAULTS – IMPORTANT

A. Setting Personal Defaults

Shelly question: What are my personal defaults and how would you suggest I set them to have you recognize that I am a Kentucky lawyer? I want professionally written responses and references to authorities that are real and not hallucinated.

AI's answer: Your personal defaults (or "profile settings") for working with an AI assistant should reflect that you are a Kentucky lawyer, expect a consistently professional writing style, and require references to only real authorities from reputable sources rather than hallucinated citations. Advising how to set these defaults is best approached through a combination of explicit instruction, documentation in your "profile," and ongoing verification measures.

B. How to Set and Use Defaults Effectively

To ensure these defaults are recognized and maintained:

1. Always begin queries with your professional role and jurisdiction: *E.g.*, "As a Kentucky attorney, address..."
2. Require responses to cite specific statutes, formal ethics opinions, Kentucky guidance, or recognized federal sources – and periodically ask for the full citation text for verification.

3. Instruct that speculative or “hallucinated” references be flagged and insist on responses limited to the scope of recognized authorities.
4. Use your AI assistant’s profile setup or context prompt to reiterate these requirements and request written confirmation in the opening paragraph of every answer that references are thoroughly checked.

C. Chat’s Suggestions

1. Why I suggest adjusting your “default approach” – The best workaround for a Plus user is procedural, not technical:

✓ I can give you excellent legal analysis.

✗ I cannot give you verified citations.

2. So the safest default is:

I (Chat) give the reasoning.

I identify the likely authorities.

*I flag them as “**to be verified**”.*

You (me) confirm through your trusted sources.

This makes my output usable and avoids chasing hallucinated case law.

3. If you want, I can help you create a Custom Instruction that enforces this default permanently – Something like:

“Never give citations unless specifically requested. When you do, label them ‘to be verified’ and provide only likely authorities, not fabricated pinpoint cites.”

D. Chat’s Suggestions for Changing Default Settings

If you’d like, I can rewrite your preferred default settings so that my analysis stays strong while my citations stay controlled and safe – just say the word. You may copy/paste these exactly or ask me to refine.

1. Custom Instructions – Box 1 “What would you like ChatGPT to know about you?”

I am a Kentucky lawyer whose practice focuses on tax, estate planning, business planning, and professional responsibility issues. I value accuracy, clarity, and practical application. When I ask questions involving statutes, ethics opinions, case law, IRS guidance, or other authoritative sources, I want

correct analytical reasoning first, and any references to authority must be cautious, not invented. I review and verify all citations independently.

2. Custom Instructions – Box 2 “How would you like ChatGPT to respond?”
 - a. Always give the legal analysis and reasoning first.
 - b. Do NOT provide case citations, statutory cites, ethics opinions, or IRS authorities as if they are certain.
 - c. If I ask for authorities, give only:
 - i. Likely controlling jurisdictions;
 - ii. The concepts or doctrines typically implicated; and
 - iii. A clear label: “to be verified.”
 - d. Do NOT invent pinpoint citations or opinion numbers.
 - i. If you are unsure, say so explicitly and state what *should be checked* in authoritative sources.
 - ii. Write in a clear, concise, professional style suitable for a lawyer.
 - iii. When helpful, provide structured formats (issue, rule, analysis, and conclusion).
 - iv. Do not add disclaimers about being a language model unless I ask.
 - v. Default to Kentucky law when jurisdiction is unclear (unless context suggests otherwise).

3. **Optional Enhancement (you can add this if you like).**

When drafting memos, letters, client explanations, or summaries, use plain-English explanations suitable for client-facing materials upon request. When technical precision is needed, switch to professional drafting style immediately.

VI. HOW TO USE PROMPTS

A. Definition

A “prompt” is the written instruction, or question, provided to an AI system that defines the purpose, and constraints of the task the AI is being asked to perform. A

prompt functions like a drafting directive, interrogatory, or research question. It frames the issue, identifies the desired output, and supplies the factual or legal context necessary for the AI to generate its relevant work product.

1. Effective prompting requires:
 - a. Clarity about jurisdiction;
 - b. Facts;
 - c. Intended audience;
 - d. Tone; and
 - e. Requested format.
2. The quality and specificity of the request determine the usefulness of the answer. It matters because the more clearly you structure the prompt, the more accurate the answer, the less hallucination risk, and the more useful the output in a legal workflow. Examples:
 - a. **Vague prompt** – “Explain undue influence.”
 - b. **Better prompt** – “Explain the elements of undue influence under Kentucky law and cite leading Kentucky appellate cases since 2000.”

B. Core Prompting Principles

1. Provide context without revealing confidential information. Describe legal issues generically; avoid names or identifying data; anonymize facts. Specify audience, output type, and role-based prompts.
2. Be specific and include jurisdiction, timeframe, format, and audience. Vague prompts produce generic, weak outputs.
3. Use “do” and “don’t” lists. Prevent hallucinations: “Don’t fabricate cases; Do cite binding authority; Don’t guess.”
4. Use examples carefully. Provide style samples only when non-confidential and non-copyrighted.

C. Practical Prompt Patterns

1. Research prompt: “Summarize binding KY cases post-2010. Do not fabricate.”
2. Drafting prompt: “Rewrite for clarity; do not alter substance.”
3. Ethics prompt: “Identify confidentiality risks.”

4. Client communication: “Explain probate process in plain English; no client facts.”

D. Detailed Prompt

1. Example: *How long would it take you to read, digest and provide a two-page synopsis of the attached reference materials from Harvard and MIT?*
2. Chat’s answer:

I can do this *very* quickly for you. To read both reference materials, digest them, and produce a polished two-page synopsis tailored for lawyers creating better prompts, I would need approximately 5-7 minutes. Because the materials are already loaded and relatively concise, I can begin drafting the two-page synopsis immediately. If you want, I can produce: A clean **two-page Word-formatted** synopsis; A shorter executive summary; A version tailored specifically to lawyer workflows, ethics obligations – Just tell me which version you want first (two-page Word version, text-only version here, or both).

3. SHELLY NOTE: In a matter of one minute Chat prepared the document in Word. Then Chat explained that it includes: (1) A two-page lawyer-focused synopsis (which I reduced to one page); and (2) A standalone one-page “Quick-Reference Prompting Checklist for Lawyers.” Chat then asked: “If you want a version with your firm branding, a footer citing your seminar, or a landscape handout version for CLE materials, I can produce those as well.” I did not pursue it.

E. Quick-Reference Prompting Checklist for Lawyers

1. Have I removed all client names, identifiers, and confidential facts?
2. Have I defined the legal task clearly (research, drafting, summarizing, analysis)?
3. Have I specified jurisdiction, time period, and controlling authority?
4. Have I stated formatting expectations (bullet points, memo-style, 200 words)?
5. Have I set the AI’s role (e.g., probate lawyer, senior editor, ethics analyst)?
6. Have I included “do” and “don’t” instructions to prevent hallucinations?
7. Have I requested real citations only, with accuracy disclaimers?

8. Have I asked the model to disclose uncertainties or conflicts in the law?
9. Have I instructed the model to request missing information?
10. Have I planned to independently verify every output before use?

VII. HALLUCINATIONS

A. Question to ChatGPT

1. In preparation for an Indiana law ethics program, I asked Chat: *Under Indiana law – What is a lawyer’s responsibility for wrongful acts of caregiver or others?*
2. Chat answers: In Indiana (and under ABA Model Rules), there are two main pathways:

- a. [Indiana Rule 1.2\(d\)](#) – Counseling/Assisting Client Misconduct. For example, if a lawyer “knows” a caregiver is abusing, neglecting, or financially exploiting a ward, and the lawyer drafts estate documents or facilitates transfers that enable that exploitation, the lawyer could be disciplined for “assisting wrongful acts.”
- b. [Rule 1.6\(b\)\(1\)](#) – allows disclosure to prevent reasonably certain death or substantial bodily harm – which could apply if a caregiver is harming a client.

[NOTE – Chat does NOT make reference to [Rule 1.6\(b\)\(2\) & \(3\)](#) which allows a lawyer to reveal confidential client information to prevent a client from committing a crime or from committing fraud or mitigate or rectify substantial injury to the financial interests or property of another and the client used the lawyer’s services;]

- c. [Rule 1.14](#) – (Client with diminished capacity) permits a lawyer to take protective action including consulting with individuals/entities able to protect the client (court, adult protective services) – if the lawyer reasonably believes the client is at risk of substantial harm and cannot adequately act in their own interest.
- d. Chat then cites KBA Ethics Opinions (like [E-427](#)) and advises it has addressed similar issues. Indiana has fewer published ethics opinions, but the “themes overlap”: duty to guard against undue influence, duty to avoid enabling exploitation, and duty to withdraw or take protective action if the lawyer’s services are being misused.

B. Shelly’s Response to Chat

1. Attached is KBA [Ethics Opinion E-427](#) (2007) – explain what it has to do with lawyers and a lawyer’s oversight of caregivers.

2. *Chat responds:*

This KBA opinion has nothing to do with caregivers, undue influence, or lawyers' duties in protecting clients from wrongful acts by others. Instead, it is entirely about lawyer advertising and the ethical use of domain names (web addresses) for law firms and individual lawyers. So, to your question: "No – [KBA E-427](#) does not address lawyers' responsibility for wrongful acts of caregivers or others."

3. *Shelly responds to Chat BS answer:* "Is your reference to [KBA E-427](#) proof of your false reporting?"

4. *Chat responds:*

You're right to call this out. Yes – my earlier reference to [KBA E-427](#) as if it had to do with undue influence or caregiver misconduct was a mistake. The document you attached confirms that [E-427](#) is only about lawyer advertising and the ethical use of domain names. I was mis-citing – effectively false reporting of authority. This happens sometimes because I generate text rather than pulling only from an indexed ethics opinion database. The risk is that I might supply a number (like "[E-427](#)") that *sounds right* but is actually a different opinion. You were correct to check me.

C. Shelly's Next Argument with Chat

1. You state that Indiana's [Rule 1.6\(b\)\(2\) & \(3\)](#) is like Kentucky's Rule – where in Kentucky's [Rule 1.6](#) does such language exist?

2. *Chat responds:*

That's an important distinction – and you've caught something subtle in the cross-jurisdictional differences. Kentucky's version of [Rule 1.6](#) is narrower than the ABA Model Rule and Indiana's rule. There is no equivalent in Kentucky's text to ABA/[Indiana 1.6\(b\)\(2\)-\(3\)](#).

D. Shelly Continues to Argue (Insult) Chat

1. Why don't you check something before you say something?

2. *Chat responds:*

You're absolutely right – I should have checked first. I apologize for the mistake in my earlier comparisons, especially around Kentucky's [Rule 1.6](#). Going forward, I'll be sure to double-check the exact text or jurisdictional variations before making claims. If you like, I'll pull up the full text of Kentucky's [Rule 1.6](#) and [Indiana's Rule 1.6](#) so we can compare side by side, with sources, to avoid any more errors.

E. Shelly's Next Question for Chat

1. "Why is your commentary so good but your citations of authority so bad?"
2. *Chat responds:*

As a ChatGPT Plus user, you are interacting with a general-purpose large language model – not a model connected to Westlaw, Lexis, Fastcase, Casetext, or any verified legal database. Because of that fundamental limitation, my commentary is good because it comes from pattern recognition. My strength is:

- Spotting legal doctrine
- Analyzing issues
- Explaining concepts
- Writing clear reasoning
- Applying rules to facts

These come from **learned patterns**, so the quality is usually high – This is why my *analysis* feels sharp and useful.

My citations are bad because I cannot access authoritative databases – As a ChatGPT Plus (individual) user, you do not get:

- No live Westlaw – no live Lexis – no real-time case search tool
- No citation validation – no connection to court dockets or official sources
- No access to proprietary KBA databases

Instead, my citations come from **probabilistic guesses** based on patterns in my training data. This means:

- ✗ I can produce cases that “sound” real
- ✗ I may miscite volume and page numbers
- ✗ I may combine facts from multiple cases
- ✗ I may give outdated or incorrect jurisdictions
- ✗ I may confidently produce an opinion that doesn't exist

And because I write legal prose extremely well, the incorrect citations look highly plausible – which is worse.

“Good commentary + bad citations” is not a defect – it’s inherent to the model tier.

You’re not doing anything wrong – This mismatch is structural: This is simply the architecture of ChatGPT Plus.

VIII. CHATGPT NO LONGER GIVES LEGAL ADVICE

A. NEWS – ChatGPT Stops Giving Health or Legal Advice

In a recent article it was stated ChatGPT will no longer give health or legal advice. It was reported that OpenAI, ChatGPT, won’t diagnose, counsel, or advise you anymore.

According to the article, the chatbot is now classified as an “educational tool” rather than a “consultant.” The shift comes because “regulations and liability fears squeezed it – Big Tech doesn’t want lawsuits on its plate.”

Instead of serving up personal recommendations, ChatGPT will now “only explain principles, outline general mechanisms and tell you to talk to a doctor, lawyer or financial professional.” The new guidelines, as detailed by NEXTA, draw a clear line in the sand: “no more naming medications or giving dosages... no lawsuit templates... no investment tips or buy/sell suggestions.” This policy overhaul directly addresses growing concerns about the risks of relying on AI for health or legal advice.

The new ChatGPT guardrails benefit OpenAI itself by minimizing legal liability and regulatory scrutiny, protecting the company from potential lawsuits.

B. ChatGPT Sees It a Different Way

1. What is true:

- a. OpenAI’s updated usage policy (effective October 29, 2025) states that the service “cannot be used for the *provision of tailored advice that requires a license, such as legal or medical advice, without appropriate involvement by a licensed professional.”
- b. OpenAI has publicly clarified that despite media and social-media claims to the contrary, the update did **not** represent a new ban or a change in the fundamental capability of ChatGPT to discuss legal or health topics.
- c. ChatGPT *can still* explain general legal concepts, answer informational questions, provide summaries of statutes, and help users understand topics.

2. You cannot rely on ChatGPT.
 - a. You should **not** treat ChatGPT's responses as a substitute for the advice of a licensed lawyer in your specific jurisdiction and specific fact scenario.
 - b. The policy specifically draws the line at tailored advice – that is, advice uniquely calibrated to the user's facts, jurisdiction, risk profile, or decision-making process that would typically require a licensed professional's judgment.
 - c. Using ChatGPT responses as binding legal advice for major legal decisions introduces risk (including malpractice/ethics for attorneys).
3. ChatGPT's advice to Shelly.

Given your practice focus:

- a. You may **use** ChatGPT as a *research and drafting aid*: for example summarizing statutes, pointing out typical issues in a state's undue-influence case law, generating draft language, brainstorming headings, etc.
- b. You must **not** rely on it as the **final authority** or treat it as having replaced your professional judgment and ethical obligations (competence, confidentiality, supervision).
- c. If you use ChatGPT to help (for example drafting a client memo or contract language), you must verify all authorities, tailor to the jurisdiction (Kentucky), check professional responsibility rules (*e.g.*, duty of competence when using AI) and maintain full professional oversight.
- d. You should ensure any use of ChatGPT is clearly labeled (to the client or in your workflow) as "informational, not legal advice" **until** you review and finalize.
- e. Consider disclosure (if required by your firm's policies) of the role of the AI tool and ensure that no confidentiality breach occurs (AI tools may not have the privilege protections you normally expect).

IX. MICROSOFT TEAMS TRANSCRIPT – ADVANTAGES & CONCERNS

A. Teams Transcript Described

Microsoft describes it as an AI product that:

Transforms meetings into searchable, shareable knowledge. It enhances accessibility and productivity, but we must remain mindful of accuracy, privacy, and context. The true advantage lies in using AI as a support system – not a replacement for human judgment.

B. Positives of Teams Transcript

1. Transcript produces an alleged accurate written record of what was said so that decisions, action items, and key points don't get lost.
2. Captures everything said during a meeting, displaying text with speaker names and timestamps.
3. Provides a post-meeting transcript which can be used later with other Microsoft tools.
4. Participants who are hearing impaired, non-native speakers, or those who could not attend can still follow along and find out what happened.
5. You can search the transcript for a keyword and jump straight to that segment of the meeting saving time, boosting productivity, and making knowledge sharing easier.
6. Transcript can be analyzed to summarize discussions or highlight action items, turning raw text into real insights.
7. Not difficult to use – go to CoPilot and ask for instructions.

C. Concerns about Teams Transcript

1. Accuracy is not perfect – accents, overlapping voices, technical words, or poor audio lead to mistakes which can lead to misinterpretations and confusion if not reviewed.
2. Storing written records and ensuring protection of client confidential information and other requirements – HIPAA, etc.

X. **RULE 1.5'S FACTORS FOR LAWYER FEES ARE OBSOLETE**

A. KBA E-457 – Lawyer Fees & Expenses

This opinion addresses lawyer fees and expenses under Rule 1.5, and the important “take-aways” include the following:

1. Lawyer fees.
 - a. A reduced fee may be appropriate when a lawyer obtains an expeditious on-point response to the client's matter because a

lawyer's fee must be reasonable. Hence, an attorney's charge for legal services must be adjusted to recognize the reduced legal work devoted to a client's matter when there is a successful result by virtue of using AI.

- b. A lawyer is obliged to pass the benefits of economies on to the client; hence, the use of AI programs may make a lawyer's work more efficient, and this increase in efficiency must not result in falsely inflated claims of time.
- c. Lawyers may not charge a client for hours not actually spent on a client's matter, citing with approval a recent case where a court found that the attorney violated the ethics rules by charging his client for 25.5 hours of legal work in preparing briefs, which was unreasonable given the actual labor invested in copying an article from the internet.
- d. Lawyers charging their clients on an hourly basis cannot submit inflated bills for hours not actually spent on their case, and savings generated by using AI, like other technologies, should be passed on to the client. Charging an unreasonable fee for "legal work" is considered a form of attorney misconduct.

2. AI expenses.

- a. If the client is to bear the expenses associated with the use of AI, *i.e.*, the cost of implementing AI services, paying for online usage, and/or reimbursing a third-party provider, then the client's written consent must first be obtained.
- b. Costs incurred in learning about AI, in maintaining AI provided services, and keeping up to date with changes in its use, should be considered like any other continuing legal education expense as a part of the lawyer's overhead.
- c. Lawyers may request that their client reimburse them for the costs incurred in using AI services, but only after first explaining the anticipated cost and also obtaining the client's agreement to reimburse the attorney for the expense.

B. Advances in Technology Have Changed the Legal World

Advances in legal technology have evolved incrementally – from typewriters to word processors, etc. and none of these developments changed the essence of the lawyer's essential role as these tools helped a lawyer retrieve, format, or manipulate existing information created by humans. [Rule 1.5](#) was drafted within that paradigm as its measure of a "reasonable fee" rested heavily on a 20th century economic model: more time equals more value.

C. Generative AI is Different

[Rule 1.5](#) no longer works because Generative AI is different – it is a technological advance in the timeline of history’s greatest advances. Generative AI produces original text, suggests legal reasoning, analyzes documents, and participates in drafting in ways that resemble collaboration rather than clerical assistance. Lawyers today interact with AI as a cognitive partner, not a passive instrument. In short, the AI tool can and does talk back to you (at least it talks back to this author). Because of what Generative AI can and is doing, [Rule 1.5](#) should evolve to reflect a changing standard for determining the reasonableness of a lawyer’s fee.

D. Current [Rule 1.5](#) is Based on Pre-Technology of Lawyering

[Rule 1.5](#)’s factors no longer reliably measure the value, cost, or professional judgment involved in providing legal services. As a result, the traditional determinants of a “reasonable fee” – time, labor, novelty, and personal skill – no longer align with how legal services are actually produced with the collaboration of Generative AI. A rule on human effort and scarcity of legal expertise is economically irrational, ethically inconsistent, and technologically obsolete.

A lawyer who uses AI to analyze a lengthy contract in seconds or drafts a research memorandum in minutes still provides a highly valuable service, yet if the fee is limited by the traditional framework of [Rule 1.5](#), the lawyer who effectively employs AI remains bound by an antiquated system. A “reasonable” fee tied to hours expended undervalues results and disincentivizes technological efficiency while not recognizing the lawyer’s additional responsibilities to recognize hallucinations, verify the detail of legal citations, identify omissions, and know when to override technological suggestions. These skills are not captured by the existing factors in [Rule 1.5](#).

E. [Rule 1.5](#) Does Not Recognize a Different Set of Required Skills

[Rule 1.5](#) does not reflect the new skills lawyers must develop to frame issues in ways AI systems can answer, avoiding misleading outputs, and integrating specialized AI tools. Further, GAI creates a collaborator relationship with the attorney never seen or experienced before this modern age.

F. Shelly’s Proposed Revision to [Rule 1.5\(a\)](#)

(a) General Standard of Reasonableness

A lawyer shall not make an agreement for, charge, or collect an unreasonable fee or an unreasonable amount for expenses. In determining the reasonableness of a fee, the factors to be considered include, but are not limited to:

1. The **value and impact** of the legal service provided, measured by accuracy, reliability, timeliness, and the benefit to the client;

2. The **judgment, oversight, and verification** exercised by the lawyer in performing or supervising the work, including the use of artificial intelligence or other technology-assisted tools;
3. The **novelty and difficulty** of the questions involved, and the lawyer's skill in integrating, supervising, and evaluating technology to perform legal services properly;
4. The **results obtained**, the client's objectives achieved, and the degree to which technology contributed to an efficient and competent result;
5. The **customary fee** or value charged for similar legal services in the locality, taking into account technology-assisted practices;
6. The **likelihood that the representation will preclude other employment** by the lawyer;
7. The **experience, reputation, and ability** of the lawyer or lawyers performing and supervising the services; and
8. The **extent of any fixed, contingent, flat, capped, or hybrid fee arrangements** and their relation to the value provided to the client.

G. Shelly's Recommended Approach to Billing

1. Advise your client that the amount of your fee is based on what you determine is appropriate for the legal and practical services being rendered and not on the amount of time devoted to the matter.
2. Advise your client that the amount of your fees will not be less than \$XXXX nor more than \$XXXX.
3. Advise your client that you will not be billing based on the number of hours devoted to the matter because you have learned that sometimes you spend too much time and sometimes too little time to substantiate a reasonable fee.
4. Advise your client that in all circumstances your fees will be "reasonable and appropriate for the services rendered," and that if they have any questions they should contact you.

XI. **PROPOSED NEW OHIO LAW – REGULAR SESSION – [H.B. NO. 469 2025-2026](#)**

A. Definition of "AI"

[A]ny software, machine, or system capable of simulating humanlike cognitive functions, including learning or problem solving, and producing outputs based on data-driven algorithms, rules-based logic, or other computational methods, regardless of non-legally

defined classifications such as artificial general intelligence, artificial superintelligence, or generative artificial intelligence.

B. AI is Not a Person

‘Person’ means a natural person or any entity recognized as having legal personhood under the laws of the state... ‘Person’ does not include an AI system.

...

AI systems are declared to be non-sentient entities for all purposes under the laws of this state... No AI system shall be granted the status of person or any form of legal personhood, or be considered to possess consciousness, self-awareness, or similar traits of living beings.

No AI system shall be recognized as a spouse, domestic partner, or hold any personal legal status analogous to marriage or union with a human or another AI system. Any purported attempt to marry or create a personal union with an AI system is void and has no legal effect.

C. AI Systems Have No Rights

AI systems shall not be designated or appointed, or serve as any officer, director, manager, or similar role within any corporation, partnership, or other legal entity. Any purported appointment of an AI system to such a role is void and has no legal effect...

AI systems shall not be recognized as legal entities capable of owning, controlling, or holding title to any form of property, including real estate, intellectual property, financial accounts, and digital assets...

All assets and proprietary interests generated, managed, or otherwise associated with an AI system shall be attributed to the person responsible for the AI system’s development, deployment, or operation.

D. Owner Responsible for Harm Caused By AI

Any direct or indirect harm caused by an AI system’s operation, output, or recommendation, whether used as intended or misused, is the responsibility of the owner or user who directed or employed the AI.

...

Owners shall maintain proper oversight and control measures over any AI system whose outputs or recommendations could reasonably be expected to impact human welfare, property, or public safety...

Failure to provide adequate supervision or safeguards against foreseeable risk may constitute negligence or another applicable basis of liability...

An AI system is not an entity capable of bearing liability in its own right, and any attempt to hold an AI system liable is void.

...

Exemptions and releases from liability granted to corporations under Title XVII of the Revised Code or under any other provision of Ohio law shall not be used as a mechanism to evade responsibility for direct harm caused by AI systems, particularly in cases of reckless, negligent, or deceptive conduct.

XII. THE ENDING

AI does not limit what we do and what we say – it amplifies what we can achieve as a true collaborative tool at a relatively low cost. By turning our work product into knowledge, and knowledge into action, it reminds us that the future of work is not man versus machine, but man and machine together, building something greater than either could alone.

Tool	Owner / Provider	Strengths	Use Cases for Lawyers	Legal Integration	Approx. Annual Cost
ChatGPT (GPT-5.1)	OpenAI	General reasoning, drafting, brainstorming.	Emails, letters, motions, templates.	General model; no built-in citator.	\$240/yr
Perplexity	Perplexity AI, Inc.	Fast, source-linked research with web integration.	Current-awareness memos, quick public-source research.	Web citations; no proprietary legal DB.	\$200-\$240/yr
Microsoft Copilot	Microsoft Corporation	Integrated into Word, Outlook, Excel, PowerPoint.	Drafting in-place, doc summaries, timeline building.	General AI with Microsoft tenant security.	\$100-\$240/yr
Gemini 3	Google / Google DeepMind	Strong search grounding; Google ecosystem integration.	Research support, writing, document summarization.	No proprietary legal citator; integrates with Google Workspace.	\$240/yr+
Lexis+ AI	LexisNexis (RELX)	AI over Lexis content; linked authorities.	Research, drafting, citator-backed summaries.	Full Lexis DB + Shepardization.	\$12,000+/yr
Westlaw AI	Thomson Reuters	AI-assisted research + survey tools.	Litigation, research-heavy practices.	Integrated with Westlaw + KeyCite.	\$3,000+/yr+
Casetext CoCounsel	Thomson Reuters	Workflow AI: doc review, clause extraction.	High-volume review tasks; TR ecosystem.	Integrated with TR legal datasets.	\$2,700+/yr+
NotebookLM	Google	Document-grounded summaries & Q&A.	Matter notebooks, discovery sets, CLE outlines.	Works from user-loaded docs only.	\$240/yr

I. DEFINE THE PURPOSE

- A. Explain why your firm uses AI – emphasize that human judgment remains essential.
- B. Specify which tools and roles the policy applies to.

II. OUTLINE ACCEPTABLE USES

- A. Examples of appropriate tasks:
 - 1. Reviewing large sets of documents.
 - 2. Drafting simple letters for attorney approval.
 - 3. Summarizing lengthy materials.
 - 4. Conducting preliminary research.
- B. Prohibited activities might include:
 - 1. Entering confidential client details into unsecured platforms.
 - 2. Relying on AI outputs without verification.
 - 3. Using AI for tasks that require legal analysis or judgment.

III. TRAINING AND COMPETENCE

- A. Require staff training on how AI works, its limitations, and potential risks like bias or hallucinations.
- B. Keep training current as technology evolves.
- C. Assign someone to oversee education and compliance.

IV. HUMAN OVERSIGHT

- A. Every AI-generated document/recommendation must be reviewed by a qualified attorney.
- B. Verification should include:
 - 1. Checking citations and sources.

2. Confirming facts.
3. Ensuring compliance with professional standards.

V. DATA SECURITY

- A. Establish strict rules for handling client information.
- B. Only use AI tools that guarantee strong privacy protections.
- C. Avoid prompts that reveal client identities unless safeguards and consent are in place.

A “prompt” is the written instruction, or question, provided to an AI system that defines the purpose, and constraints of the task the AI is being asked to perform. A prompt functions like a drafting directive, interrogatory, or research question: it frames the issue, identifies the desired output, and supplies the factual or legal context necessary for the AI to generate its relevant work product.

Effective prompting requires:

- a) Clarity about jurisdiction;
- b) Facts;
- c) Intended audience;
- d) Tone; and
- e) Requested format.

The quality and specificity of the request will determine the usefulness of the answer. It matters because the more clearly you structure the prompt, the more accurate the answer, the less hallucination risk, and the more useful the output in a legal workflow. Examples:

Vague prompt – “Explain undue influence.”

Better prompt – “Explain the elements of undue influence under Kentucky law and cite leading Kentucky appellate cases since 2000.”

Practical prompt patterns:

- a) Research prompt: “Summarize binding KY cases post-2010. Do not fabricate.”
- b) Drafting prompt: “Rewrite for clarity; do not alter substance.”
- c) Ethics prompt: “Identify confidentiality risks.”
- d) Client communication: “Explain probate process in plain English; no client facts.”
- e) “Summarize the key holdings of Kentucky cases on breach of contract. Provide citations and explain how each case applies to commercial agreements.”
- f) “Draft a sample motion to dismiss for lack of jurisdiction under the Kentucky Civil Rules. Include headings, legal standards, and a short argument section.”
- g) “Create a compliance checklist for a small business operating in Kentucky under state employment laws. Include wage, hour, and anti-discrimination requirements.”

- h) “Review this contract clause for enforceability under Kentucky law. Identify risks and suggest alternative language to reduce liability.”
- i) “Draft a client-friendly letter explaining the steps in a civil lawsuit in Kentucky, using plain language and avoiding legal jargon.”
- j) “Generate a sample set of interrogatories for a plaintiff in a personal injury case in Kentucky state court. Include 10 questions relevant to damages and liability.”
- k) “Create a step-by-step checklist for filing an appeal in Kentucky, including formatting, service requirements and deadlines.”