



ARTIFICIAL INTELLIGENCE

Panel 1: 9:00 A.M. - 10:00 A.M.

Regulatory Issues and Artificial Intelligence

Panel 2: 10:00 A.M. - 11:00 A.M.

We Can't Make This Up, But AI Can! AI and the Ethical Practice of Law

Panel 3: 11:15 A.M. - 12:15 P.M.

Artificial Intelligence and E-Discovery

Moderators

Gregory Strong, Esq., Moderator
Cahill Gordon & Reindel LLP

Sara Beth A.R. Kohut, Esq., Moderator
Enduraylant Law, LLC

Ian D. McCauley, Esq., Moderator
Bayard P.A.

Presenters

Owen P. Lefkon, Esq.
Delaware Department of Justice

Krista M. Z. Griffith, Esq.
Delaware State Representative

Christine Todaro, Esq.
Federal Trade Commission

The Honorable J. Travis Laster
Court of Chancery of the State of Delaware

Jessica L. Tyler, Esq.
Office of Disciplinary Counsel

Alein M. Cohen, Esq.
Microsoft Corporation

Jennifer Ying, Esq.
Morris Nichols Arsht & Tunnell LLP

Tara Emory, Esq.
Covington & Burling LLP

Date: December 11, 2024

Time: 9:00 a.m. - 12:15 p.m.



Delaware State Bar Association
704 North King Street, Suite 110,
Wilmington, DE 19801

3 hours of ethics credit

In person CLE credits via telecast:

Tunnell and Raysor, P.A. | 30 E Pine St.,
Georgetown, DE 19947

And

Aleman and Associates | 326 High St., Suite
101, Seaford, DE 19973

And

Morris James LLP | 850 New Burton Rd Suite
101, Dover, DE 19904

DSBA Technology and the Law Section CLE
Dec. 11, 2024
Materials and Recommended Reading:

Delaware Lawyers' Rules of Professional Conduct:

<https://courts.delaware.gov/odc/rules.aspx>

Rule 1.1, including Comment 8 – Competence
Rule 1.2 - Scope
Rule 1.3 - Diligence
Rule 1.4 – Communication with clients
Rule 1.5 – Reasonableness of fees
Rule 1.6(a) & (c), including Comments 18-20 – Confidentiality
Rule 1.7 – Conflict of Interest
Rules 1.9(c) & 1.6 Comment 21 – Duties to former clients

Rule 1.15 – Safekeeping of client property
Rule 2.1 Advisor
Rule 3.1 – Meritorious claims and contentions
Rule 3.3 & Comment 10 – Candor toward tribunal
Rules 5.1, 5.2, 5.3 – Responsibilities to supervise attorneys and non-attorney assistants
Rule 5.5 – Unauthorized practice of law
Rule 8.4(c) – Misconduct – acts re: dishonesty, fraud, deceit or misrepresentation
Rule 8.5 – Responsibilities to other jurisdictions

Delaware Supreme Court Order (Oct. 21, 2024): [Interim Policy on the Use of GenAI by Judicial Officers and Court Personnel](#)

Guidance on Ethical Issues in Using GenAI:

[ABA Formal Opinion 24-512 – Generative Artificial Intelligence Tools \(July 29, 2024\)](#)

[State Bar of California: Practical Artificial Intelligence in the Practice of Law](#)

[DC Bar - Ethics Opinion 388. Attorneys' Use of Generative Artificial Intelligence in Client Matters](#)

[The Florida Bar Ethics Opinion 24-1. Generative AI](#)

[Kentucky Bar Association Ethics Opinion KBA E-457 The Ethical Use of Artificial Intelligence in the Practice of Law](#)

[State Bar of Michigan. FAQs Artificial Intelligence for Attorneys](#)

[Minnesota State Bar Association Working Group on AI. Implications of Large Language Models \(LLMs\) on the Unauthorized Practice of Law \(UPL\) and Access to Justice \(mnbar.org\)](#)

[Office of Legal Ethics Counsel & Advisory Committee of the Supreme Court of Missouri. Informal Opinion Number 2024-11 \(mo-legal-ethics.org\) Notice Legal Practice: Preliminary Guidelines on the Use of Artificial Intelligence by New Jersey Lawyers \(njcourts.gov\)](#)

[New York City Bar. Formal Opinion 2024-5: Generative AI in the Practice of Law | NYC Bar](#)

[North Carolina State Bar \(ncbar.gov\) \(NOT YET ADOPTED, STAY TUNED\). Use of Artificial Intelligence in a Law Practice](#)

[Pennsylvania Bar Association and Philadelphia Bar Association Joint Formal Opinion 2024-200 \(May 22, 2024\): ETHICAL ISSUES REGARDING THE USE OF ARTIFICIAL INTELLIGENCE \(pabar.org\)](#)

[Interim Report to the State Bar of Texas Board of Directors -- Taskforce for Responsible AI in the Law \(texasbar.com\)](https://www.texasbar.com/interim-report-to-the-state-bar-of-texas-board-of-directors--taskforce-for-responsible-ai-in-the-law)

[Virginia State Bar. on Generative AI. Ethics and Conduct \(vsb.org\)](https://www.vsb.org/generative-ai-ethics-and-conduct)

Resources from One Technology Provider on Responsible Use of AI Tools

Developing safe, secure, and trustworthy AI so lawyers can identify the legal considerations for ethical use or negotiating a contract: [Microsoft Responsible AI Transparency Report | Microsoft CSR](#)

Awareness of Deepfakes:

[Combating the deceptive use of AI in US elections](#)

[Protecting the public from abusive AI-generated content - Microsoft On the Issues](#)

[Meeting the moment: combating AI deepfakes in elections through today's new tech accord - Microsoft On the Issues](#)

AI-Use Cases - Day in the Life profiles including a judge and lawyer: [Adoption guides – Microsoft Adoption](#)