# KC-GUIDELINE ON HOW OUR LAWYERS SHOULD TAKE ADVANTAGE OF THE OPPORTUNITIES OFFERED BY LARGE LANGUAGE MODELS AND GENERATIVE ARTIFICIAL INTELLIGENCE

While we acknowledge the significant advantages of using generative AI in the legal field, we caution against inappropriately applying GenAI tools to tasks that lie at the core of legal competence and the lawyer-client relationship.

## 1. Understand the generative AI technology

We only use AI systems that we can understand and control and that meet our quality requirements. We monitor them to detect and rectify errors and undesired effects.

## 2. Acknowledge limitations and context

Acknowledge that AI-generated content may not always be entirely accurate, comprehensive, or up-to-date. Constantly bear in mind the primary purpose of large language models, the risks of hallucinations and bias.

## 3. Adhere to existing rules on AI use

It is essential for our lawyers to acknowledge and adhere to the existing rules governing the use of AI. This includes all national regulations or rufes established by the Bar Association als well as staying informed about the EU Artificial Intelligence Act, which is currently in the legislative process.

## 4. Complement legal expertise

Avoid becoming overly reliant on the outputs of GenAI. Rememeber that while it can assist in generating legal documents, it should not replace human decision-making. Exercise caution and independently verify the outputs through analysis, research, fact-checking, and professional judgment.

## 5. Maintain attorney-client privilege

Safeguard attorney-client privilege when using generative AI tools or platforms. Take necessary precautions to protect the confidentiality of client information and communications. Entering directly or indirectly client data as part of a prompt in GenAI systems may not be permissible due to the potential for further processing of the information contained within the prompt. We take measures to ensure the confidentiality, integrity and availability of AI applications and their information (including personal data, own/third-party secrets). We carefully regulate cooperation with third-party providers.

## 6. Ensure data protection, privacy and intellectual property

We observe copyright and industrial property rights in our use of AI and only use content and processes for which we have the necessary authorization. We also protect our own content. We ensure that we can grant data subjects their rights of access, correction and objection, despite of us using AI.

## 7. Inform clients and assume responsibility

Assume responsibility for the outcomes and consequences of utilizing GenAI, while being mindful of your professional obligations and potential liability. Maintain transparent communication with your clients regarding the use of GenAI in your legal practice. Clearly explain the fact that you use it, as well as the purpose of such use, benefits, limitations, and guarantees, ensuring that clients understand the role of this technology in their legal matters. Specify whether it is used for legal research or additional office tasks.Adopt a responsible approach to using GenAI tools within your law firm. Inform all your coworkers about the established rules and ensure their compliance.

In light of the increasing integration of artificial intelligence (AI) technologies within our industry, we recognize the need to establish guidelines to govern the responsible and ethical use of AI at [Law Firm Name]. This policy aims to ensure that the adoption of AI technologies aligns with our commitment to providing high-quality legal services while maintaining the highest standards of integrity and professionalism.

**Purpose of AI Usage:**

AI technologies at [Law Firm Name] are to be employed with the primary goal of enhancing efficiency, accuracy, and the overall quality of legal services provided to our clients.

**Data Privacy and Security:**

All data used by AI systems must be handled with the utmost confidentiality and in compliance with data protection laws and regulations. Regular security assessments and encryption measures should be implemented to safeguard AI-related data.

**Explainability and Transparency:**

AI algorithms employed in legal processes should be transparent, and their decision-making logic should be understandable by legal professionals.Clients should be informed about the use of AI technologies in their legal matters and have the opportunity to seek clarification.

**Human Oversight:**

While AI can enhance productivity, it is not a substitute for human judgment. Legal professionals must maintain oversight of AI-generated outcomes and intervene when necessary.

**Bias Mitigation:**

Efforts should be made to identify and mitigate biases in AI algorithms, ensuring that decisions are fair, unbiased, and in accordance with legal and ethical standards.

**Continuous Monitoring and Auditing:**

Regular audits and monitoring processes should be established to assess the performance, accuracy, and fairness of AI systems. Necessary adjustments should be made based on audit findings.

**Training and Education:**

Legal professionals involved in utilizing AI technologies should participate in adequate training to understand the capabilities, limitations, and ethical considerations associated with AI.

**Legal and Ethical Compliance:**

All AI activities must comply with relevant legal and ethical standards. Any potential legal implications arising from the use of AI should be thoroughly examined.

**Vendor Due Diligence:**

When using third-party AI solutions, thorough due diligence should be conducted to ensure that vendors comply with data protection, security, and ethical standards. All AI vendors must be approved by the firm.

**Review and Update:**

This AI usage policy will be regularly reviewed and updated to align with technological advancements, legal requirements, and best practices.

By adhering to these guidelines, we affirm our commitment to leveraging AI responsibly and ethically to uphold the highest standards of legal practice at [Law Firm Name].