

# Humans required

## Why AI isn't going to replace your lawyer ... yet

INTERVIEWED BY ADAM BURROUGHS

Artificial Intelligence (AI) has made its way into the legal profession — though not in the way that some news headlines might suggest. Recently, a program called ChatGPT passed several law and business school exams. However, for anyone who has any thoughts that we are entering an age of AI legal representation, flesh and blood lawyers who engage in utilizing AI on a daily basis can confirm that those days are a long way off.

“While AI is being used as a tool in a number of different areas of the law, it's not yet capable of taking over all human roles,” says Dane Fennell, Senior Counsel at Babst Calland. “It's just an arrow in the quiver that professionals can use to help them be more efficient, saving them and their clients time and money.”

*Smart Business* spoke with Fennell about the state of AI technology in the legal profession — how it's being used, and what it can and can't do.

### HOW WOULD YOU CHARACTERIZE AI'S PLACE IN THE LEGAL WORLD?

There are a number of ways that AI has found its way into the legal profession. For example, in M&A due diligence, AI can be used to review large volumes of documents to assist the legal team to home in on the key aspects of a deal with much more speed and efficiency than a manual review. This saves clients time and money, and actually enables the review team to expand the scope of a review to find the ‘needle in the haystack’ issues.

### Dane Fennell

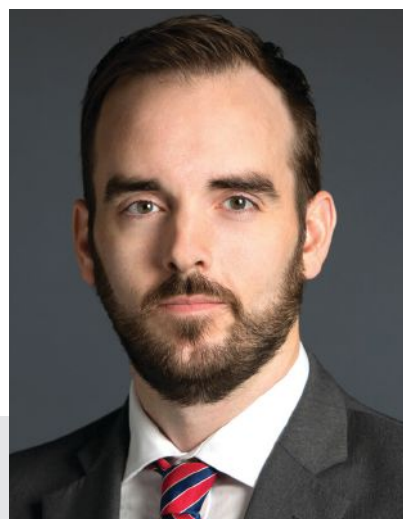
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Consumer-based programs are helping those who find themselves with relatively minor legal issues, such as parking tickets and credit card fees. Rather than pay a lawyer, some people are plugging their information into apps such as DoNotPay A.I. (which is the company that created ChatGPT) and allowing technology to fight to get those fees back or beat a ticket.

The problem is that modern AI technology typically doesn't work well with respect to issue-spotting or finding a resolution to open-ended problems. They still require significant human oversight to be effective.

Lawyers need to have a basic understanding of AI, know what tools their firm is using and what those tools can and can't do, in order to provide the best services to clients.

### WHAT SHOULD BUSINESS LEADERS KNOW ABOUT AI'S USE IN LEGAL WORK?

Some business leaders believe that they can just buy an AI program and use it themselves to sort out whatever legal issue they encounter. Unfortunately, AI isn't something that can be bought off the shelf, unboxed and used in a meaningful way. These technologies are supported by dedicated companies that work with law firms to tailor the

AI to simultaneously improve it in an organic way, while also allowing the firm to utilize the AI as best fits the firm's needs. Based on the current technology available on the market, there are no programs or technologies that can handle all aspects of a legal issue without human oversight.

Before a firm even considers implementing some form of AI, the client needs to have the final right to approve, particularly when any of the client's data is sent to third-party companies or if saved on a non-firm server. It is a lawyer's duty to explain exactly what the programs do — such as organizing, categorizing and inventorying documents and information — and what they don't do — such as making decisions without human interaction or oversight. AI amplifies a firm's capabilities, and if used correctly, AI can be an invaluable resource that saves clients time and money.

For the foreseeable future, the human component within the legal profession is not going anywhere. AI technology has made leaps in the last decade, but at the end of the day it is a tool alone. It's a powerful, though oftentimes expensive, tool that can make a good business or firm great if it's correctly applied. ●