Responsible AI Use Policy Outline for Law Firms

This template provides a framework for a policy concerning use of artificial intelligence (AI) driven tools in the legal workplace. Law firms are advised to adopt a policy to indicate the limits on AI's use by their employees and contractors. This outline includes key sections to address when developing a comprehensive AI use policy, such as scope, training requirements, confidentiality considerations, and reporting procedures. Firms should customize this template to meet their unique needs and consult with counsel before implementation, as AI regulation is rapidly evolving.

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1. Introduction - Purpose of the Policy
- Goal: Establish guidelines for the appropriate and ethical use of AI in the workplace
- Ensure AI enhances productivity, efficiency, and decision-making while complying with applicable laws, bar rules and ethics, respecting privacy, data security, and maintaining transparency with clients

2. Definitions
- Define any key terms - in simple terms - that would help to understand this policy
  - AI (and the types of AI: gen AI, algorithm AI, etc)
  - Any terms specific to your AI provider

3. Scope
- Who the policy applies to: e.g., this policy applies to all employees, contractors, and third-party vendors interacting with AI tools
- Work type covered in the policy: e.g., all legal work that is performed that is related to the firm's active, past or future cases
- AI Usage Addressed: e.g., All types of AI use, generative or not

4. General Principles
- Emphasis on AI as a tool to assist, not replace, human judgment and decision-making
- Mandatory review and verification of AI-generated content by qualified personnel before use in any client-related or legal context. (i.e., treat everything as a first draft - never submit AI's result without full review)

5. Training and Certification
- Mandatory training on the benefits, risks, and ethical use of AI tools (MUST prior to using AI tool)
- Certification process to ensure understanding and compliance with AI use guidelines.
  - Access to AI platforms is conditional on completing these trainings
- Requirement for periodic refresher courses to stay updated on AI tool capabilities and limitations

6. Client Disclosure and Consent
- Ethical Responsibility to Disclose AI Use: disclosure should be clear and honest whenever a client inquires about AI usage
- Responsibility of Disclosure: The responsibility of informing clients about AI use should be explicitly included in client agreements to ensure transparency

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7. Use of Approved AI Tools
- Approved Use Cases - detailed overview of tasks, and the tools that team members can use
- "Sometimes" Use Cases - detailed overview of tasks, the tools that team members can use, the limitations and nuances (e.g., use with approval tasks)
- Never Use Cases - list of forbidden use cases (and tools)
    Note: this section can be centered on either use cases or tools

8. Confidentiality and Data Security
- Overview of data security and privacy of approved tools (SOC II Type 2 certified, never train on data, zero retention apis, data isolation, and what all of these things mean)
- ^this is something that employees are responsible for understanding and being able to communicate to a client
- Data storage guidelines - what employees are responsible for

9. Reporting Procedures and Error Handling
- Detailed procedures for reporting AI tool malfunctions, data breaches, or policy violations
- Steps for addressing and rectifying erroneous or unexpected AI outputs, including escalation protocols.

10. Violations of Policy
- Clear consequences of policy violations, emphasizing disciplinary actions up to and including termination
- Specific mention of ethical breaches involving misuse of AI tools

11. Amendment of Policy
- Dynamic procedures for regularly updating the policy to reflect technological advancements and changes in legal standards.

12. Acknowledgment and Documentation
- Requirement for all AI tool users to sign an acknowledgment of understanding and compliance with the policy
- Documentation of all AI tool uses, including details of the AI's role, the review process, and final outcomes

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