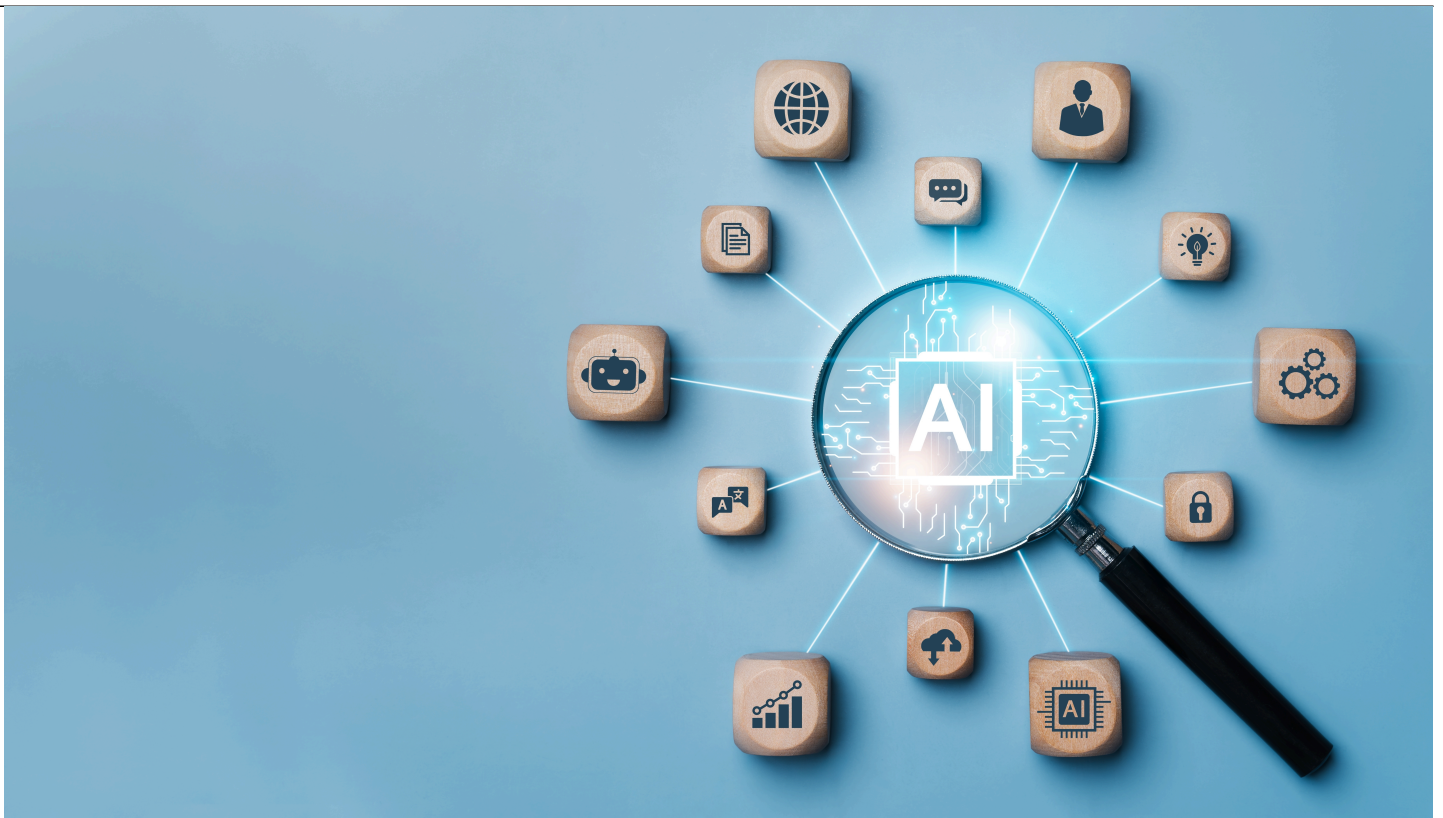




## **Strategies for Using AI Tools in Legal and Helping the Business Adopt AI**

**Skills and Professional Development**

**Technology, Privacy, and eCommerce**



ACC convened members to have a discussion about how they and their organizations currently use AI. Their tips are summarized below.

## How in-house counsel use AI

- Some draft contracts in Word document and use AI tools to help improve the wording.
- Some use AI tools in collaborative communication platforms to summarize conversations. Tip: Make attendees aware that the discussion will be transcribed.
- Some use it to help draft or automate email responses.
- Some use AI to turn a Word document into presentation slides.
- Some use AI to gather insight from data in spreadsheets.
- Some use it to break down and summarize a complex legal analysis into more business-friendly explanations, using a closed AI system (internal to their organization).

## AI ethics and training employees

- Some departments create an AI ethics playbook, involving stakeholder from Legal, Privacy, HR, Communication and business teams.
- Consider including guardrails and guideposts for using AI – dos and don't.
- Consider outlining step by step approach for vetting vendors and tools.
- Review your AI playbook periodically. Some review it twice annually.
- It's worth repeating to business teams that they shouldn't put confidential information in AI tools. Don't assume that they understand that.
- Even at companies that ban the use of AI tools, it is possible that employees are using AI

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tools on their personal time or devices and enter the output in company projects.

- If you have your own LLM model, educate the business teams to correct the tool when it gives a wrong answer, so the system can learn not to repeat the mistake.
- Remind the business team that your organization (“we”) are still responsible for what the tool is doing or generating, whether it is a customer service chatbot or other tools.

## AI governance

- Is your company buying and selling AI tools? That impacts your policies.
- Start by putting together a small working group including business people, HR, Communications, Compliance, and Legal.
- Ask yourself and the group: what issues do you see with AI and our organization? What questions do you want to answer for the business teams?
- Once you roll out your official AI policy, consider asking employees to acknowledge that they have received the policy.
- Keep educating people regarding the policy.
- There have to be human checks and balances to monitor your organization’s AI tools and the use of AI tools.

## Vetting AI tools and vendors

- Understand your business partners’ risk tolerance.
- Understand what the vendor will be doing with your data.
- Understand what data you will be sharing in that tool.
- Understand the limitation of liability clauses, what kind of indemnity the vendor will be granting, and how long the contract will be.
- If you purchase an AI tool, consider the difference between a free version and an enterprise version. The enterprise version costs more money, but also often includes safeguards regarding confidentiality of the data.
- Challenge the business to ensure that they’ve done their due diligence on the vendor – is it a brand new vendor with very limited assets, or is it a long established technology company?
- Look at your current trusted vendors with which you have an established relationship – you may have more leverage to negotiate with them when adding an AI feature.
- Ask yourself whether the AI vendor or tool will create any issues with respect to the laws and regulations that apply to your organization.

## Facilitating the adoption of AI tools

- Understand what the objectives of the business are in using the AI tool.
- Ask what the ROI will be on the business using the AI product.
- Consider the potential need to train the business regarding the use of the new tool.
- Consider needs to adjust your policies in light of the new tool.
- Build trust with the team. This makes it easier to speak with them about difficult topics – easier if they see you as a partner rather than as the “deal police”. Make sure they feel like you are on the same side, part of the same team.
- Try to explain to them using analogies. Avoid using legal jargon.

## Recent issues or still on the radar

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- AI hallucinations are still a concern – how to make the tools that you use better to prevent these.
  - Challenges in disclosing that AI is being used are arising. A prominent retail brand was recently targeted by a [lawsuit](#) relating to the use of a third-party AI tool to analyze callers' words and how the caller is feeling.
  - Bias concerns are on the radar – ensure that the responses that the tool provides are not discriminatory.
  - Get familiar with the [EU AI Act](#).
  - Cybersecurity threats intersect with AI. Check out the AI and Cybersecurity Checklist in the [Cybersecurity Toolkit for In-house Lawyers](#).
  - Learn more with the ACC AI resource collection: [Artificial Intelligence Insights | Association of Corporate Counsel \(ACC\)](#).

[For more tips from the in-house community, join ACC today!](#)

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