AALS Section on Technology, Law & Legal Education

From the Chair

Dyane O'Leary

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This year has given new meaning to the adage 'technology moves fast.' Indeed, it has and the AALS Section on Technology, Law & Legal Education is keeping pace. Generative AI has sparked a fierce buzz around the legal industry—and legal education—akin to how the 2020 pandemic prompted urgent interest in remote practice and distance education pedagogy. But as our hundreds of Section members know, technology's impact on the work we do as lawyers and teachers is not a splashy fad nor a passing trend. It's complex. It's intertwined with other disciplines. It's dynamic based on demands of modern consumer clients and expectations of today's next generation of digital native students.

Technology is more important than ever. The theme of the 2024 Annual Meeting is *Defending Democracy*. Technology peeks out from behind the door of countless threats to the rule of law, from AI-generated deepfakes and cybercrime to algorithmic bias and online misinformation. As educators immersed in this work for years, we know answers won't come easy but will continue to press on asking and debating the hard questions, within our supportive academic community and beyond.

Our 2023 Summer Webinar series did just that, and our forthcoming Annual Meeting lineup (Jan. 2024, Washington DC) will keep the ball rolling—building upon success as 2023 Section of the Year thanks to the tireless work of Past President, Associate Dean April Dawson. Our 2023 webinars enjoyed record attendance and tackled topics such as standards for algorithmic decision making and leveraging ChatGPT for First Gen law students.

Inside this issue:

From the Chair— (continued from front)

In January, we hope you'll join us in DC for a terrific slate of programming thanks to our Annual Meeting Program Committee:

Wed. 1/3: *AI & Jurisprudence: Challenges, Risks & Opportunities* (joint program with Section on Libraries & Legal Information)

Thurs. 1/4: *AI Bill of Rights: Emerging Issues in AI Regulation*

Fri. 1/5: *Innovations in Technology Across the Curriculum: Ideas, Implementations, Opportunities for Change*

Fri. 1/5: AALS Tech Section *Works-in-Progress Session*

Thank you to committee volunteers and chairs for your service and interest in this Section's work. As we look to next year, please consider getting more involved as Section Leadership will be looking for a new Chair-Elect, Secretary, and Executive Committee member. A call for nominations for our Section Awards is included in this newsletter, and nominations for Section Leadership will be accepted soon.

Amid so much conversation about technology and law in 2023, many of us have cemented our role as leaders in this dialogue—and still more have emerged as impressive new voices. I'm proud to lead this group and look forward to the important work that's yet to come.

Best regards, Dyane

Webinar Series - Summer 2023

This summer the Webinar Series Committee organized a vast array of educational events. Thank you to the committee for its hard work and to the speakers for sharing their expertise. Many of the webinars had over 60 participants with some of them coming close to 100. See the list of Webinars with their descriptions below:

May 24 - *Critically Evaluating Legal Information with ChatGPT*; Speakers: Courtney Dalton, Nina Scholtz, Leviell Waits, Kim Nayyer

As part of an assignment for a team-taught upper-level course on critical legal information literacy, students were asked to critique ChatGPT's response to a legal research question by evaluating it in light of their own legal research results. The speakers will discuss the instructional scaffolding leading up to the assignment, the results of the exercise, the students' reactions to the possibilities of ChatGPT, and ideas for future exercises in the legal research and writing classroom.

May 31 - *Integrating Tech Competency Skills at all Levels*; Speakers: Patrick Parsons, Michelle Dewey, Kristina L. Niedringhaus

Currently, 40 states have adopted an ethical duty of technology competency like Comment 8 to the Model Rules of Professional Conduct. Some movement in legal education has followed. However, curriculum designers, law professors, and technologists struggle to find space for tech competency in an already crowded law school curriculum. This webinar will address multiple options for teaching technology competency skills, from resource-light training programs to easy structural course modifications to developing your own for-credit technology competency courses.

Webinar Series (continued from page 2)

June 7 - *Teaching Visualized Legal Writing: Time to Take Off the Stylistic Straitjacket of Convention*; Speaker: William S. Bailey

In her influential 2014 Columbia Law Review article "Taking Images Seriously," Professor Elizabeth Porter outlined the unchanging black-and-white world of legal writing, describing it as a "stylistic straitjacket," seemingly impervious to "modern, image-saturated communication norms." Taking a cue from Professor Porter, for the last decade, the presenter has devised an entirely new image-driven way of teaching legal writing, which he has found to be popular with students, practitioners, and judges alike, and this approach will be discussed during this webinar.

June 14 - *Teaching Computer Programming to Lawyers*; Speakers: Wes Oliver & Morgan Gray

Coding for Lawyers is a Python programming class that teaches students to build legal apps for their final projects. Along the way, they learn much of what they would in an undergrad Computer Science class. In this presentation, the presenters will explain the rationale behind offering the class, examples from the online textbook they wrote explaining the concepts, and examples of the legal uses to which students put this knowledge in their projects.

June 21 - *Generative AI & the Future of Legal Education*; Speakers: Alice Armitage, John Bliss, Jake Heller CEO Casetext, David Wang – CIO Wilson Sonsin

GPT-4 (the successor to ChatGPT that was released on March 14) is even more capable of producing high-quality drafts of emails, memos, legal documents, and student legal writings. Although the impact on the legal profession is uncertain at this point, it is likely to be profound. How should legal academia respond? Should law schools and individual professors ban its use in the classroom? Or should it be the basis for rethinking the goals of law school altogether? This webinar will be presented by people with different perspectives on these questions to support a robust discussion of this timely issue.

June 28 - *Dispelling the Myths of ChatGPT & Promoting Critical Use*; Speakers: Jennifer Wondracek, Rebecca Rich, Rebecca Fordon

We hear that AI will let students ace exams without studying or produce written work (even legal documents) indistinguishable from human-written work. This has led some to suggest abandoning written assessments entirely, others have developed AI detectors that can supposedly detect AI-produced work. Yet both the overblown fears and the reactionary solutions are rooted in myths about AI, and uncritically accepting these myths will negatively impact our students, especially our students with disabilities. The presenters will dispel the myths and explore using ChatGPT as a beneficial academic support tool to boost the learning experience of disabled students.

July 12 - *Simplifying the Implementation of Evidence-Based Teaching Strategies with Generative AI*; Speakers: Alyson Drake & Rob Brownell

Despite proven benefits to students' engagement and retention, legal educators can find it challenging to implement evidence-based pedagogical approaches in their courses. These science-backed teaching strategies can be time-consuming and difficult to develop, but generative AI gives us an opportunity to incorporate effective pedagogy more expeditiously. In this program, we will introduce evidence-based educational practices that can be more easily implemented with generative AI in law classrooms. We will explain the pedagogical benefits of using these practices and demonstrate examples of using generative AI to simplify their implementation.

Webinar Series (continued from page 3)

July 19 - *Legal Standards for Algorithmic Decision-Making Systems: One Experience*; **Speakers: Raina Haque & Erin Henslee**

Learn how legal education can adapt to address the ethical complexities of integrating technology into legal functions so that a new generation of legal professionals will be better equipped to create legal standards and navigate the challenges posed by algorithmic decision-making. Presenters will share and discuss an experiential learning model in which students, guided by the Trustworthy and Responsible AI guidelines from the NIST, confronted the challenges of creating legal standards for algorithmic decision-making systems in both public and private sectors.

July 26 - *Integrating Technology to Better Serve Pro Bono and Law School Clinic Clients*; **Speakers: Lakethia Jeffries & April Dawson**

Students earning the NCCU Law & Technology Certificate (LTC) must, in addition to completing legal tech coursework, complete 25 legal tech-related pro bono hours. NCCU Technology Law & Policy Center works with the NCCU Law Pro Bono program to provide opportunities for LTC students to earn their pro bono hours. The first coordinated pro bono project allowed students to earn tech-related pro bono hours by preparing Gavel/Documate intake forms for and participating in the NCCU Elder Law Project (ELP) Wills Clinics. Other law tech pro bono and clinic projects are in the works. During this webinar, the presenters will discuss how to leverage technology to better serve pro bono and clinic clients while encouraging students to engage in more pro bono services and providing them with more opportunities to develop technology and lawyering skills.

Aug. 2 - *Using OER (Open Educational Resources) in Law School Courses*; **Speaker: Michelle Zakarin**

Open Educational Resources (OER) can be used in many classes instead of expensive case books. This presentation will address one faculty member's experience with creating material using OER and the feedback she received from students.

Aug. 9 - *Leveraging ChatGPT's Cultural Norms Expertise for First-Gen Law Students and Professors*; **Speakers: Susan Tanner & Tracy Norton**

This presentation will examine the advantages of using ChatGPT as a mentor for first-generation law students and professors, specifically focusing on its wealth of knowledge of cultural norms acquired from the corpus on which it has been trained. We will discuss how ChatGPT's vast knowledge can be harnessed to help traditionally underrepresented groups gain access to the same cultural information and insights, empowering them to excel in their legal careers. The presentation will cover practical approaches from utilizing ChatGPT to function as a mentor that provides suggestions to bridge the cultural knowledge gap. This mentorship can foster greater diversity and inclusivity in the legal profession.

Aug. 16 - *Using AI in Legal Research & Writing*; **Speakers: Daniel Schwarcz & Jon Choi**

This webinar would provide participants with practical and specific guidance on how to effectively use AI large language models (LLMs), like GPT-4, Bing Chat, and Bard, in legal research and writing. Focusing on GPT-4--the most advanced LLM that is widely available at the time of this writing--would emphasize that lawyers can use traditional legal skills to refine and verify LLM legal analysis. In the process, lawyers and law students can effectively turn freely available LLMs into highly productive personal legal assistants.

Section Programming at the 2024 AALS Annual Meeting, Defending Democracy, January 3-6, Washington, DC

Include these programs when planning your meeting schedule. Room locations, and more will be available in your official AALS Annual Meeting program.

Wednesday, January 3, 1-4 p.m.

AI & Jurisprudence: Challenges, Risks & Opportunities—Joint Program with Section on Libraries & Legal Information; Co-sponsor: Section on Jurisprudence

Moderator: Kevin Lee, North Carolina Central University; **Speaker:** Gerald J. Postema, Professor Emeritus of Philosophy, University of North Carolina; **Other panelists/discussants:** Femi Cadmus (Yale), Mihailis Diamantis (Iowa), Frank Pasquale (Cornell Tech - recorded remarks); Paul A. Gowder (Northwestern)

Thursday, January 4, 8-9:40 a.m.

AI Bill of Rights: Emerging Issues in AI Regulation

Moderator: Kevin Lee, North Carolina Central University; **Main Speaker:** Marc Rotenberg, Center for AI and Digital Policy; **Additional Speaker:** Lee Teidrich, Duke Law School

Friday, January 5, 4:00 - 5:40 pm

Innovations in Technology Across the Curriculum: Ideas, Implementations,

Opportunities for Change—Co-sponsors: Clinical Legal Education; Teaching Methods

Moderator: Jessica de Perio Wittman (UConn) ; **Speakers:** Jonathan Askin (Brooklyn), Kathleen (Katie) Brown (Charleston), April Dawson (NCCU), Daniel Linna (Northwestern)

Friday, January 5, 12-1:40 pm

2024 Works-in-Progress Session

Participants: Ryan Groff (Casetext/New England Law), Jennifer Brobst (Memphis), Jon Garon (Nova Southeastern)

AWARDS: CALL FOR NOMINATIONS

The Section is soliciting nominations for our *Section Award*, as well as two new awards: the *Technology & Ethics Award*; and the *Technology Mentorship Award*.

The deadline to submit nominations is **Wednesday, October 4, 2023 at noon ET**.

Criteria for Selection for Awards

Only AALS TL&LE Section members may make nominations (membership in the section is free and can be processed by emailing a membership request to support@aals.org).
- The winner of the Section Award must be a member of the TL&LE Section.
- The winners of the (new) Technology & Ethics Award and the Technology Mentorship Award need not be Section members (though Section members are, of course, eligible). All staff, administrators, and faculty from AALS Member Schools are eligible for these two awards.

Law schools, institutions, or organizations cannot receive an award. Prior year or current year AALS TL&LE Section officers are excluded from being selected as award winners.

Award-Specific Criteria

Section Award
The eligible nominees for the award are individuals who have made significant and/or long-term contributions to the: use of technology to enhance our teaching; and/or preparing students to use technology effectively in their learning and future practice; and/or equip students to create technology to improve our legal system (including improving access to legal information and services).

Technology & Ethics Award
The eligible nominees for the award are individuals who have made significant and/or long-term contributions to scholarship, teaching, or innovative projects at the intersection of technology and ethics.

Technology Mentorship Award
The eligible nominees for the award are individuals who have made significant and impactful efforts to mentor and guide colleagues through the changing technology landscape. These efforts may include workshops, scholarship, teaching, innovative projects, or events that seek to disseminate knowledge about technology and provide those individuals being mentored with ample opportunities to learn and apply knowledge to their scholarship, teaching, or service, while providing continued guidance from the mentor.

Submission of Nominations

Submissions must include a detailed explanation of why the nominee is deserving of the award.
Please submit nominations using this form - forms.gle/fLjQPN3ViGCPHXzc6
No nominations will be accepted after the deadline of Wednesday, October 4, 2023 at noon ET.
Please direct any questions to Gabe Teninbaum, Awards/Nominations Committee Chair at gteninbaum@suffolk.edu.

Section News

Summer Seedlings—2023

The inaugural scholarship "Summer Seedling Session" was held on June 13, 2023. We hosted four scholars who presented their works in progress on the emerging importance of artificial intelligence in the law and in legal education. The works in progress included a presentation from John Bliss who addressed the evolution of legal education in the age of advancing artificial intelligence such as ChatGPT. We also heard from Heidi Frosthead whose work in progress addresses the need for cross-border cooperation in regulating artificial intelligence as it becomes part of our everyday lives.

In addition, Loren Turner and Andrew Martineau discussed their work addressing the potential for significant changes to the legal research process due to advancing forms of artificial intelligence. Special thanks to Drew Simshaw, Hillary Escajeda, and Alyson Drake who acted as primary discussants for our scholars.

Thank you to Scholarship Committee Co-Chairs, Karen Sanner and Hilary Escajeda and Executive Committee liaison, Kris Niedringhaus for their hard work on this wonderful session.

Amy J. Schmitz, receiving her award from April G. Dawson, Chair, Technology, Law and Legal Education Section at the 2023 AALS Annual Meeting.

Meet Your Executive Board

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