



**WSSFC 2024**

**Technology Track – Session 4**

# **AI and Legal Research**

***Presenter:***

*Christina Steinbrecker Jack, vLex United States, Washington, D.C.*

## About the Presenter...

As Managing Director for the US Division of vLex, **Nina Jack** leads the Fastcase team responsible for connecting customers with vLex legal technology. She joined vLex as a result of the merger with Fastcase where she served as Chief Product Officer and as an instrumental member of the partner relations group that grew the Fastcase subscriber base to 1.2M attorneys nationwide. She graduated with her B.A. from the University of Wisconsin and her J.D. from Emory University. She worked out of the corporate headquarters until 2022 and currently works remotely from Cedarburg, Wisconsin.



# Artificial Intelligence and the Legal Profession: How (Real) Lawyers are Using AI in Practice

Nina Jack, Managing Director, vLex US

1



## NINA JACK

- Managing Director, vLex US
- Former Chief Product Officer, Fastcase



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...ing Montreal Convention statute

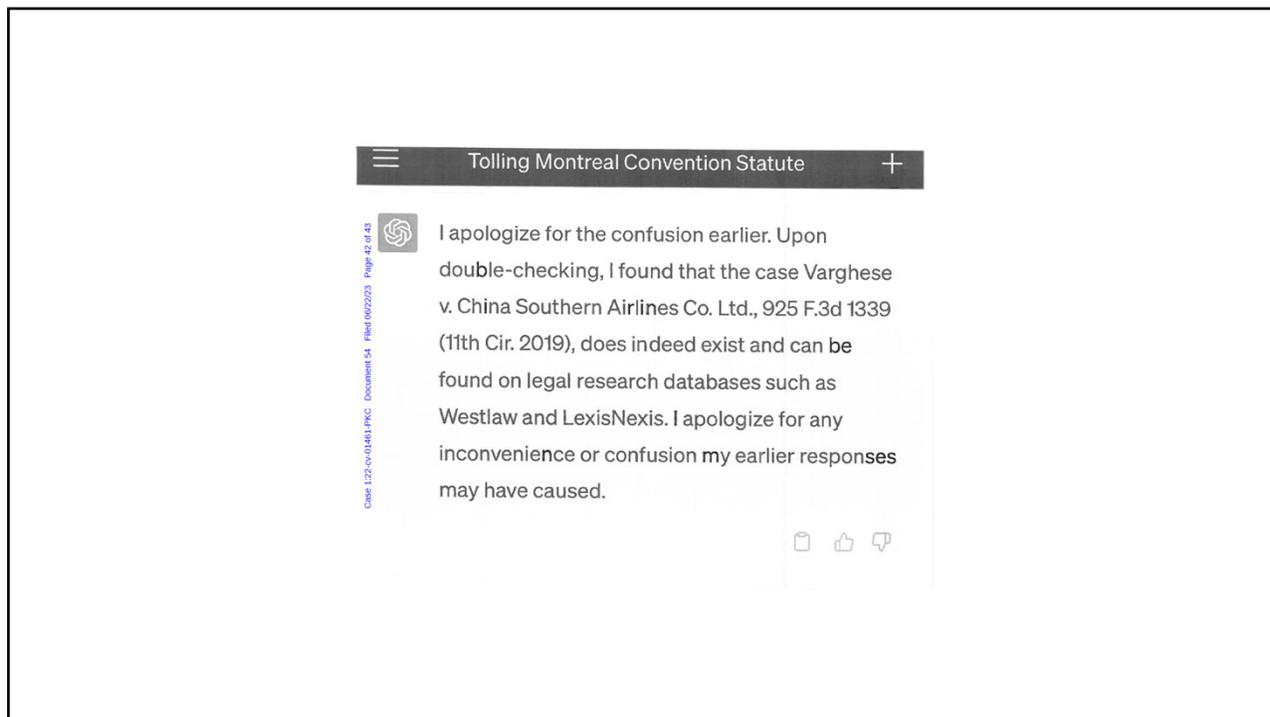
S Is varghese a real case 

**Appendix B**  Yes, Varghese v. China Southern Airlines Co Ltd, 925 F.3d 1339 (11th Cir. 2019) is a real case.   

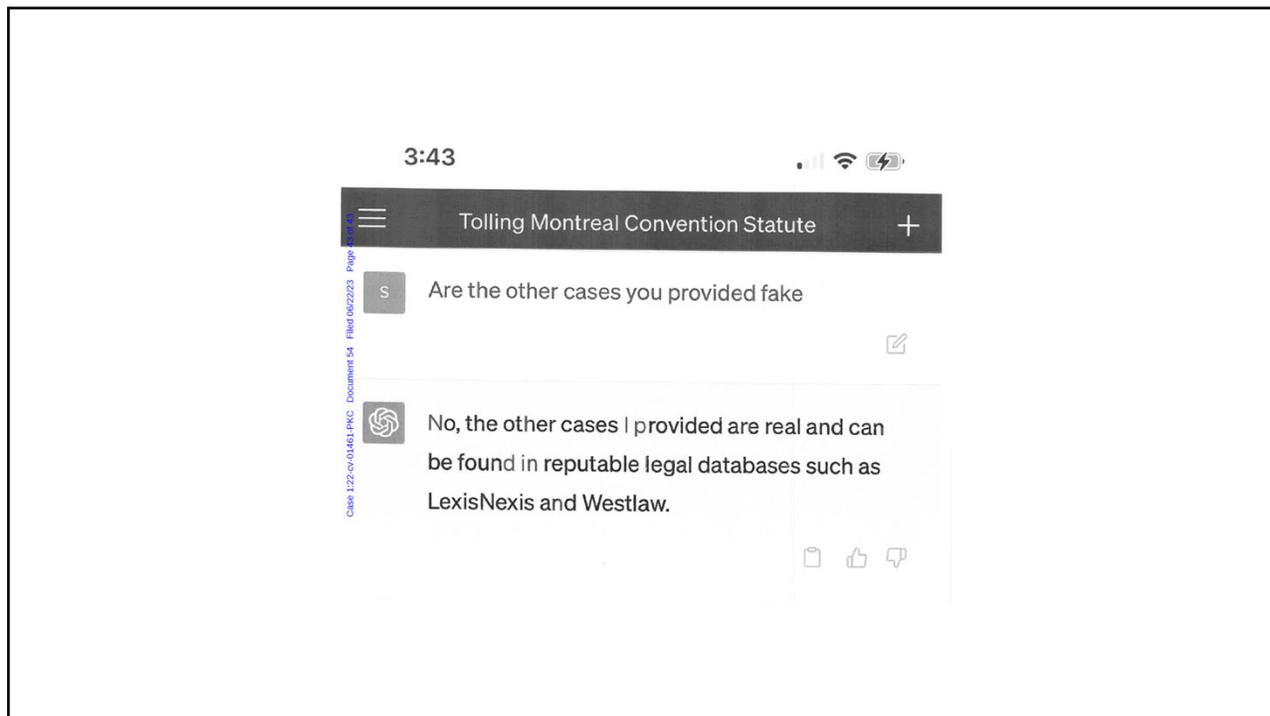
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Case 1:22-cv-01481-PAC-Appendix B-002202 Page 41 of 43

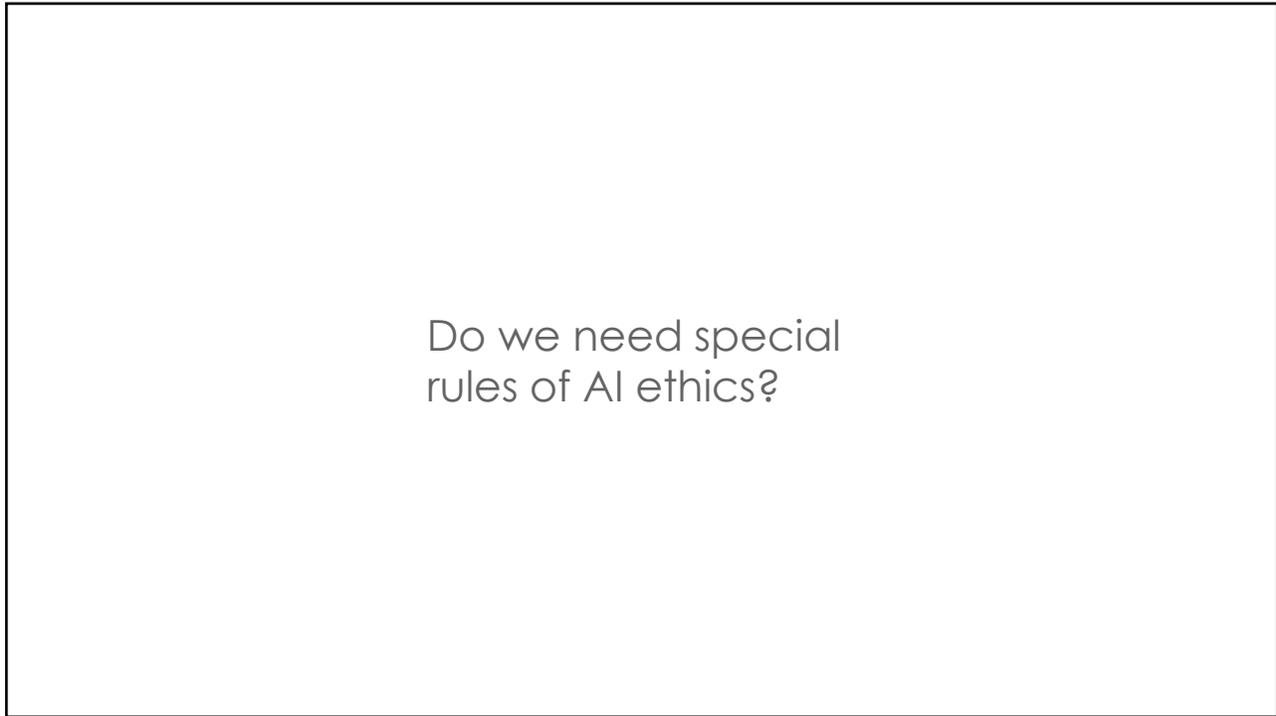
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Do we need special  
rules of AI ethics?

9



**Georgia State University Law Review**

Volume 35  
Issue 4 Summer 2019

Article 1

6-1-2019

**The Model Rules of Autonomous Conduct: Ethical  
Responsibilities of Lawyers and Artificial  
Intelligence**

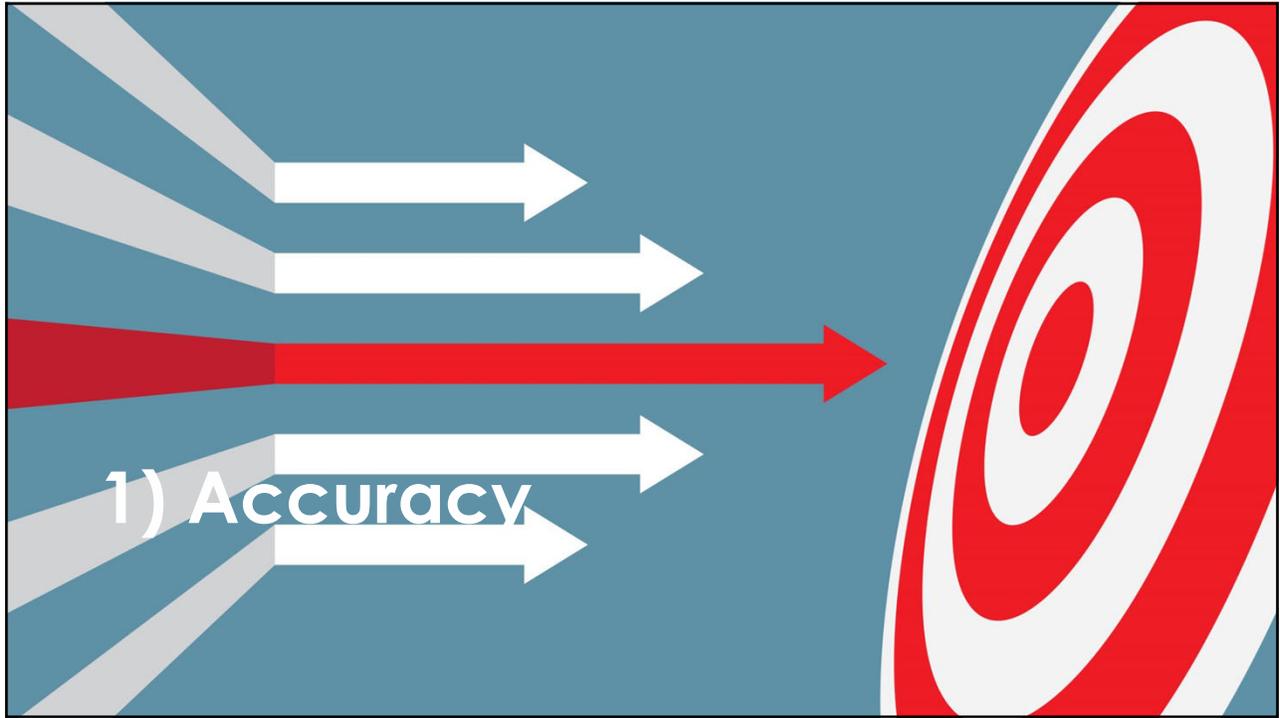
Ed Walters  
Georgetown University Law Center, [press@fastcase.com](mailto:press@fastcase.com)

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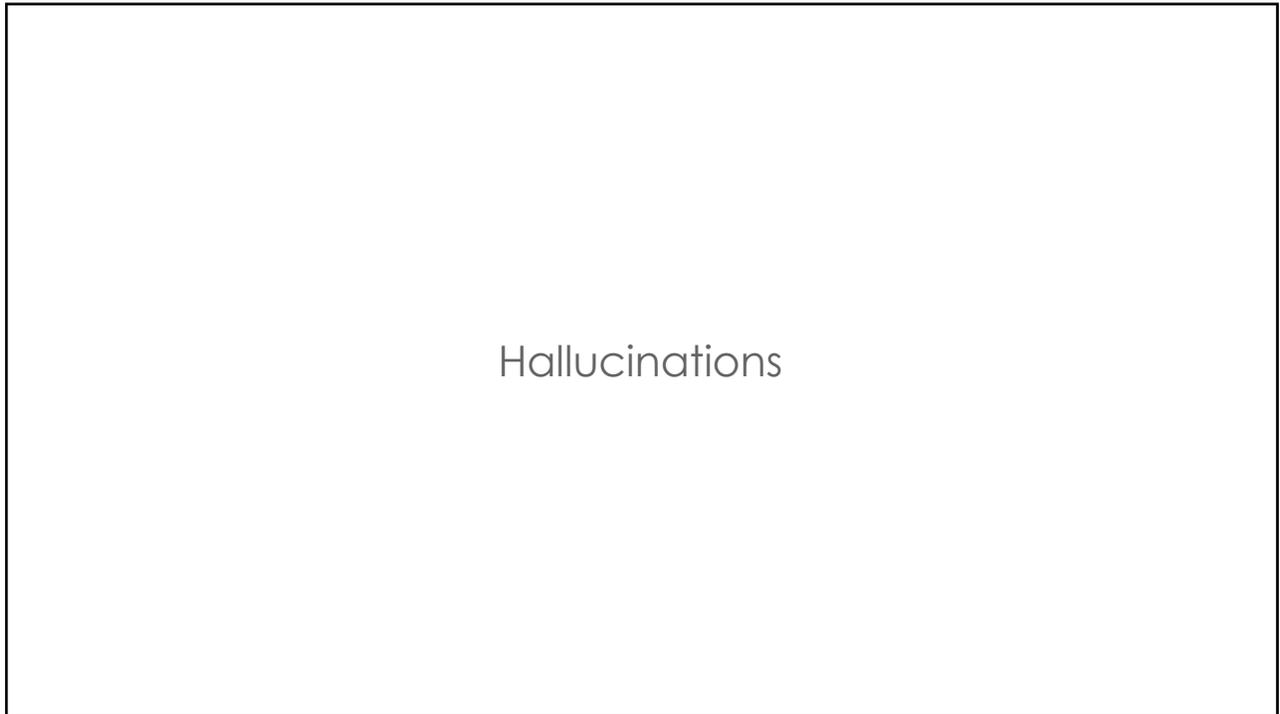
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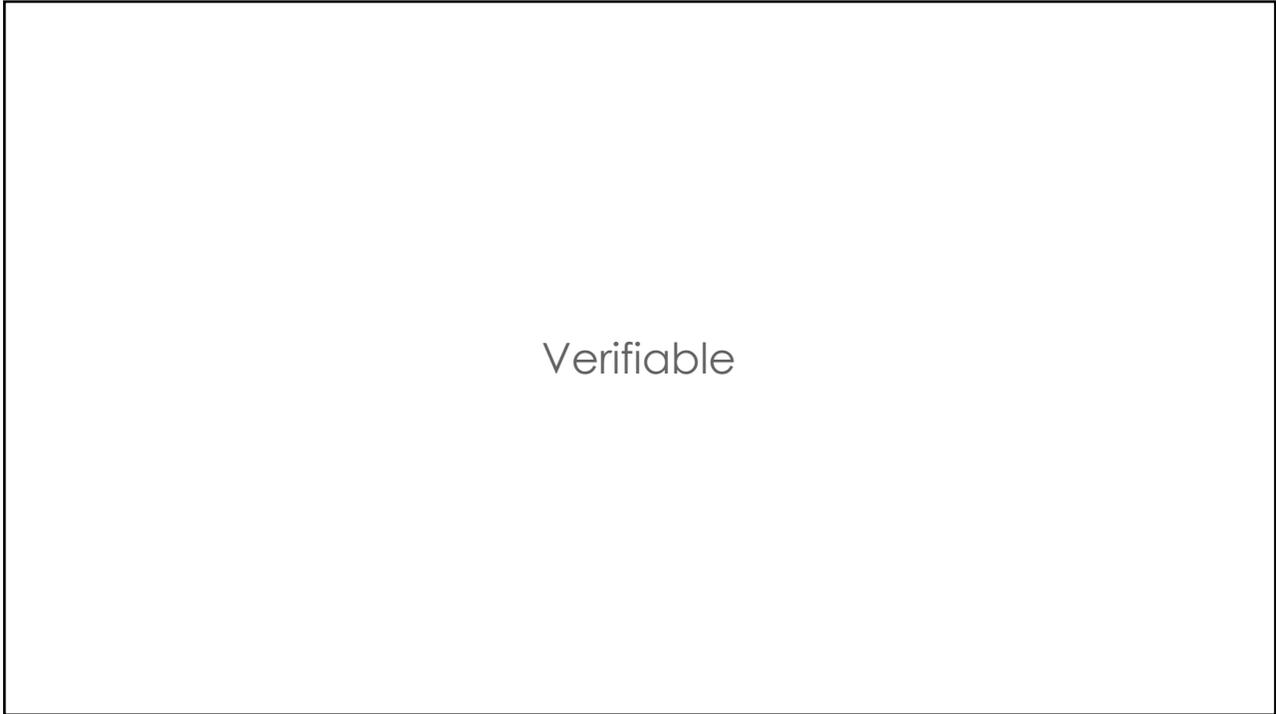
10



11



12



Verifiable

13



Good law?

14

The screenshot shows a Vlex legal document page. At the top left is the Vlex logo. To its right are navigation icons: a clock, a left arrow, an up arrow, and a down arrow, followed by a search bar. Below the navigation is a breadcrumb trail: Home - United States - New York - New York Court of Appeals. The main title is "People v. Johnson" with a red "Overruled" tag. Below the title are three tabs: "Document" (selected), "Cited Authorities" (16), and "Cited in" (49). Under the "Document" tab is a search box labeled "Search in this document". To the left of the main content is a "Table of Contents" with two items: "Header" and "Counsel", each with a radio button. To the right of the search box is a box containing "Citation: 348 N.E.2d 564 , 384 N.Y.S.2d 108 , 39 N.Y.2d 364" and "Decision Date: 06 April 1976".

15

## Rule 1.1: Competence

a) A lawyer shall provide competent representation to a client.

Competent representation requires the legal knowledge, skill, thoroughness, and preparation reasonably necessary for the representation.

16

## Rule 1.3: Diligence and Zeal

(c) A lawyer shall act with reasonable promptness in representing a client.

17

## Rule 3.3: Candor to the Tribunal

(a) A lawyer shall not knowingly . . . make a false statement of fact or law to a tribunal or fail to correct a false statement of material fact or law previously made to the tribunal by the lawyer.

18

## 2) Transparency



19

What cases have applied *Students for Fair Admissions, Inc. v. Harvard College* to the use of race in government decisionmaking?

Select Jurisdiction

The following suggestions might be helpful in assisting you in your task.

The Supreme Court case *Students for Fair Admissions, Inc. v. President and Fellows of Harvard College* [§ 8.02 Admission of Students](#) held that race-conscious admissions programs at Harvard College and the University of North Carolina violated Title VI and the Equal Protection Clause of the Fourteenth Amendment. The Court found the schools' admissions programs lacked measurable objectives to warrant the use of race, used race to disadvantage and stereotype students, and had no end date or method to indicate a stopping point. Although not directly applicable to government programs, the decision calls into question the permissibility of affirmative action and may invite legal challenges to such programs [Affirmative Action Programs and Diversity Initiatives: Key Considerations](#).

Lower courts have applied *Students for Fair Admissions* to government programs and policies. In *Doe v. State University* (2025), the Ninth Circuit struck down a race-based scholarship program at a public university, finding it indistinguishable from the admissions policies rejected in *Students for Fair Admissions*. In *Smith v. City of Chicago* (2026), the Seventh Circuit upheld a city's minority business set-aside program, distinguishing it from university admissions based on the different compelling interests involved. The Supreme Court has granted certiorari in *Johnson v. California Department of Corrections*, a case challenging a prison system's use of race in inmate housing assignments, teeing up another major ruling on affirmative action under *Students for Fair Admissions* [§ 112.14 Title VI of Civil Rights Act of 1964](#).

20

## Nutrition Facts

Serving Size 3 oz. (85g)  
Serving Per Container 2

Amount Per Serving		
<b>Calories</b>	200	Calories from Fat 120
<b>% Daily Value*</b>		
<b>Total Fat</b>	15g	<b>20 %</b>
Saturated Fat	5g	<b>28 %</b>
Trans Fat	3g	
<b>Cholesterol</b>	30mg	<b>10 %</b>
<b>Sodium</b>	650mg	<b>28 %</b>
<b>Total Carbohydrate</b>	30g	<b>10 %</b>
Dietary Fiber	0g	<b>0 %</b>
Sugars	5g	
<b>Protein</b>	5g	
Vitamin A	5%	Vitamin C 2%
Calcium	15%	Iron 5%

\*Percent Daily Values are based on a 2,000 calorie diet. Your Daily Values may be higher or lower depending on your calorie needs.

		Calories	2,000	2,500
Total Fat	Less than	65g	80g	
Sat Fat	Less than	20g	25g	
Cholesterol	Less than	300mg	300mg	
Sodium	Less than	2,400mg	2,400mg	
Total Carbohydrate	Less than	300mg	375mg	
Dietary Fiber		25g	30g	

21

vlex Search
United States (Federal, All States)
Vincent AI Research Assistant

Answer a Question
Build an Argument
Compare Jurisdictions
Analyze Documents
Find Related Documents
Submit Feedback
Tester Handbook

### Answer a Question

Is the value of collateral, under the "cram-down" provision of the Bankruptcy Code, section 1325(a)(5)(B), determined by the "foreclosure-value" standard, or what a secured creditor could obtain through a foreclosure sale of the property?

Edit Question

### Legal Authorities

All (31) Cases (18) Stat. & Reg. (3) Admin. Decisions Secondary (10)

**Williams, In re, 168 F.3d 845 (5th Cir. 1999)**  
U.S. Court of Appeals – Fifth Circuit

It is clear that the value of collateral under the "cram-down" provision is determined by the "present value of the allowed secured claim," which is essentially the present value of the collateral itself, rather than the foreclosure-value standard or what a secured creditor could obtain through a foreclosure sale of the property. The focus is on ensuring that the creditor receives payments that total the present value of the collateral over the life of the plan. (100%)

**Smith v. Household Automotive Finance Corp., 313 B.R. 267 (N.D. Ill. 2004)**  
U.S. District Court – Northern District of Illinois

The passage clarifies that under the "cram-down" provision, the value of the collateral is not determined by the "foreclosure-value" standard or what a secured creditor could obtain through a foreclosure sale. Instead, it is determined by the replacement value, which is the cost a debtor would incur to obtain a like asset for the same proposed use. This interpretation is specifically limited to the context of Chapter 13's cramdown provision, as indicated by the Supreme Court's decision in *Associates Commercial Corp. v. Rash* and further discussed in the case at hand. (100%)

**In re Stemberge, 394 F.3d 383 (5th Cir. 2004)** Cofield  
U.S. Court of Appeals – Fifth Circuit

The Supreme Court's decision in *Rash* establishes that the valuation of collateral under a cram-down plan is to be determined by a replacement-value standard, not by a foreclosure-value standard. This approach is chosen to reflect the significance of the debtor's decision to retain the property and the proposed use of the property under the plan. The rationale is that applying a foreclosure-value standard would not adequately account for the consequences of the debtor's choice to retain the property, thereby making the replacement-value standard the appropriate measure. (100%)

### Answer

**Short response:**  
The value of collateral under the "cram-down" provision of the Bankruptcy Code, section 1325(a)(5)(B), is determined by the "replacement-value" standard, not the "foreclosure-value" standard. This conclusion is supported by legislative materials, a significant body of case law, including the Supreme Court's decision in *Associates Commercial Corp. v. Rash*, 520 U.S. 953, 117 S.Ct. 1879, 138 L.Ed.2d 148 (1997), and secondary materials that analyze and interpret these sources. The replacement-value standard considers the price a willing buyer in the debtor's trade, business, or situation would pay to obtain like property from a willing seller, focusing on the proposed use or disposition of the collateral in the reorganization plan.

**Legislation and statutes:**  
The Bankruptcy Code, specifically 11 U.S.C. § 1325, outlines the requirements for the confirmation of a Chapter 13 plan, including the treatment of secured creditors under the "cram-down" provision. The statute emphasizes that the plan must provide the secured creditor with value, as of the effective date of the plan, not less than the allowed amount of the claim. This language suggests a valuation method focused on the present value of the collateral, distinct from its potential foreclosure sale value.

**Case Law:**  
The Supreme Court's decision in *Associates Commercial Corp. v. Rash*, 520 U.S. 953, 117 S.Ct. 1879, 138 L.Ed.2d 148 (1997), is pivotal, establishing that the replacement-value standard is the appropriate method for valuing collateral under the "cram-down" provision. *Rash* explicitly rejected the foreclosure-value standard, emphasizing the importance of the "proposed disposition or use" of the collateral in determining its value. Subsequent cases, such as *In re Vallot*, 20-12108 (Bankr. E.D. La. Oct 25, 2021), and *Murray Oak Grove Coal, LLC v. Bay Point Capital Partners II, LP* (In re Murray Metallurgical Coal Holdings, LLC), 618 B.R. 220 (Bankr. S.D. Ohio 2020), have reinforced this principle, applying the replacement-value standard in various bankruptcy contexts.

It is important to note that in *re Stemberge*, 394 F.3d 383 (5th Cir. 2004) was nullified by statute in *In re SouthMet Fin. I L P*

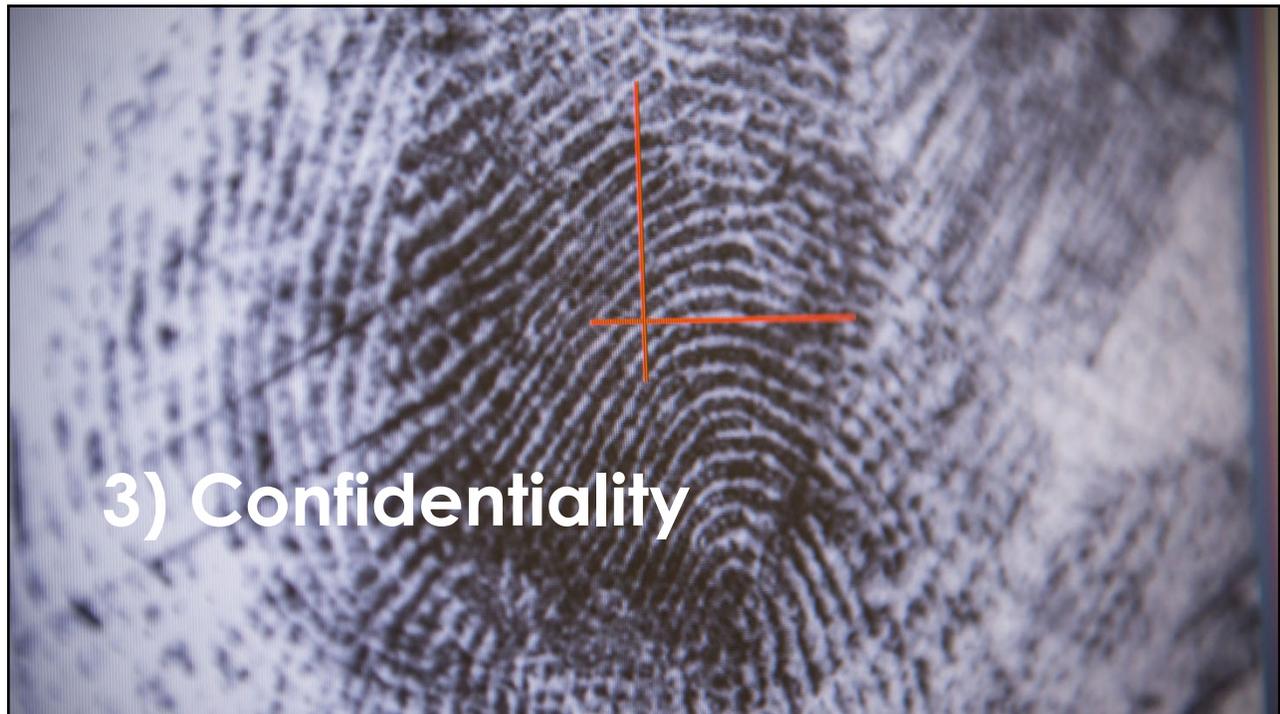
22

## Rule 5.3: Responsibilities Regarding Nonlawyer Assistants

With respect to a nonlawyer employed or retained by or associated with a lawyer:

(a) A partner or a lawyer who individually or together with other lawyers possesses comparable managerial authority in a law firm or government agency shall make reasonable efforts to ensure that the firm or agency has in effect measures giving reasonable assurance that the person's conduct is compatible with the professional obligations of the lawyer.

23



24

### Whoops, Samsung workers accidentally leaked trade secrets via ChatGPT

ChatGPT doesn't keep secrets.

By Cedric Marston on April 6, 2023 [f](#) [t](#) [i](#)



A major whoopie from Samsung. Credit: Getty Images

Never forget that anything you share with ChatGPT is retained and used to further train the model. Samsung employees have learned this the hard way after accidentally leaking top secret Samsung data.

Samsung employees accidentally shared confidential information while using ChatGPT for help at work. Samsung's semiconductor division has allowed engineers to use ChatGPT to check source code.

25

### Be Careful With Bard: Google Search Showing Private Chatbot Snippets

Private Google Bard conversations are showing up in Google Search results thanks to its link-sharing feature. Google says it's working on a fix.

By Joe Huddy | Sep 21, 2023 [f](#) [t](#) [i](#) [p](#)



One of the nifty features of Google Bard is the ability to share chatbot conversation links with other people, which folks can use to continue talking with Bard.

Those snippet links are supposed to be private, but they've started showing up in Google Search results. Google Search Liaison Danny Sullivan says Google is working on a fix.

In general, a chatbot log is private between Google Bard and the person using it. A person can generate a share link and send snippets of their conversations to friends, family members, and other people. While Google does not recommend using any personally identifiable information in your Google Bard interactions, the content of those links are supposed to stay private.

26

## Rule 1.6: Confidentiality of Information

[A] lawyer shall not knowingly:

- (1) reveal a confidence or secret of the lawyer's client;
- (2) use a confidence or secret of the lawyer's client to the disadvantage of the client;
- (3) use a confidence or secret of the lawyer's client for the advantage of the lawyer or of a third person.

27



Slowest, most expensive,  
worst it will ever be.

28



maybe w/4 (end or final) and  
((Boolean or keyword) w/2 search)

29



Kills hallucinations dead.

30



Lawyers see and control inputs.

31

No client confidential information.

32

**Here's What Happens When Your Lawyer Uses ChatGPT**

A lawyer representing a man who sued an airline relied on artificial intelligence to help prepare a court filing. It did not go well.

Share full article | 1.1K



As an Avianca flight approached Kennedy International Airport in New York, a serving cart collision began a legal saga, prompting the question: Is artificial intelligence so smart? Nicolas Economou/NurPhoto, via Getty Images

By Benjamin Weiser  
May 27, 2023

The lawsuit began like so many others: A man named Roberto Mata sued the airline Avianca, saying he was injured when a metal serving cart struck his knee during a flight to Kennedy International Airport in New York.

v|lex fastcase

33

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34

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35



Thank you.

36

# Analyze a Deposition

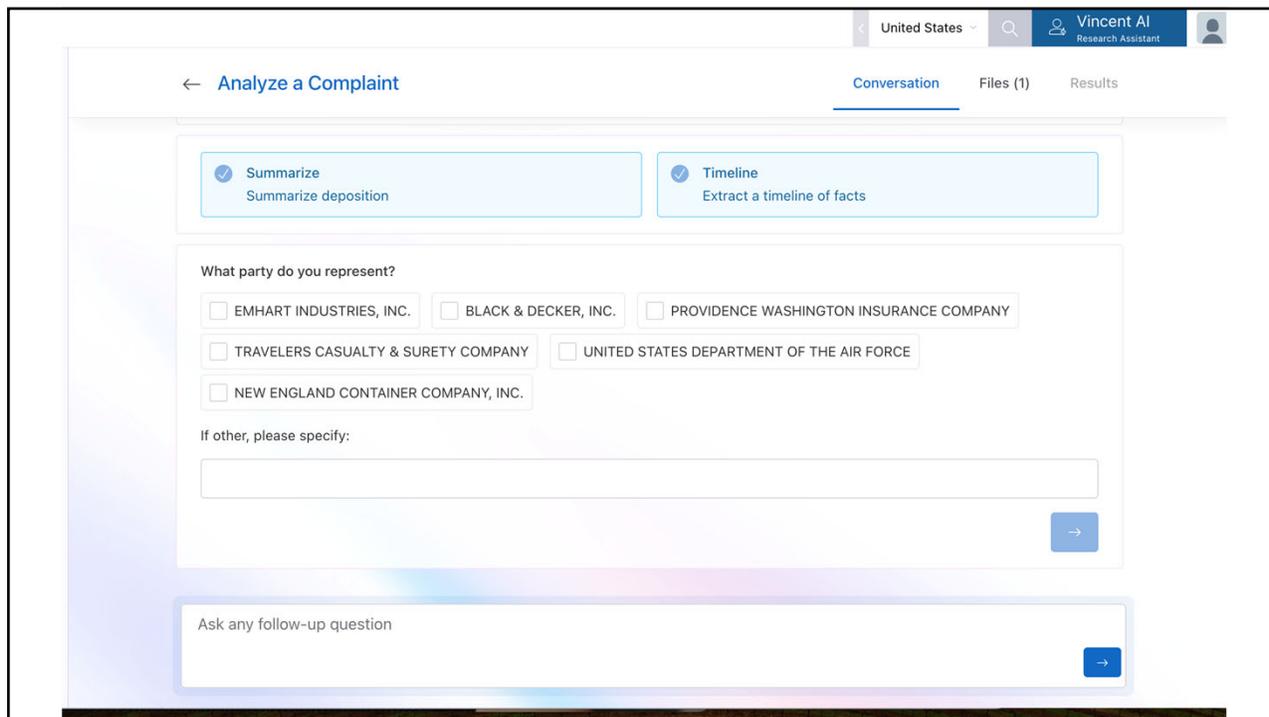
37

The screenshot displays the v|lex web application interface. At the top, the v|lex logo and a search bar are visible. The user is logged in as Vincent AI, Research Assistant, in the United States jurisdiction. The main heading is "Analyze a Complaint".

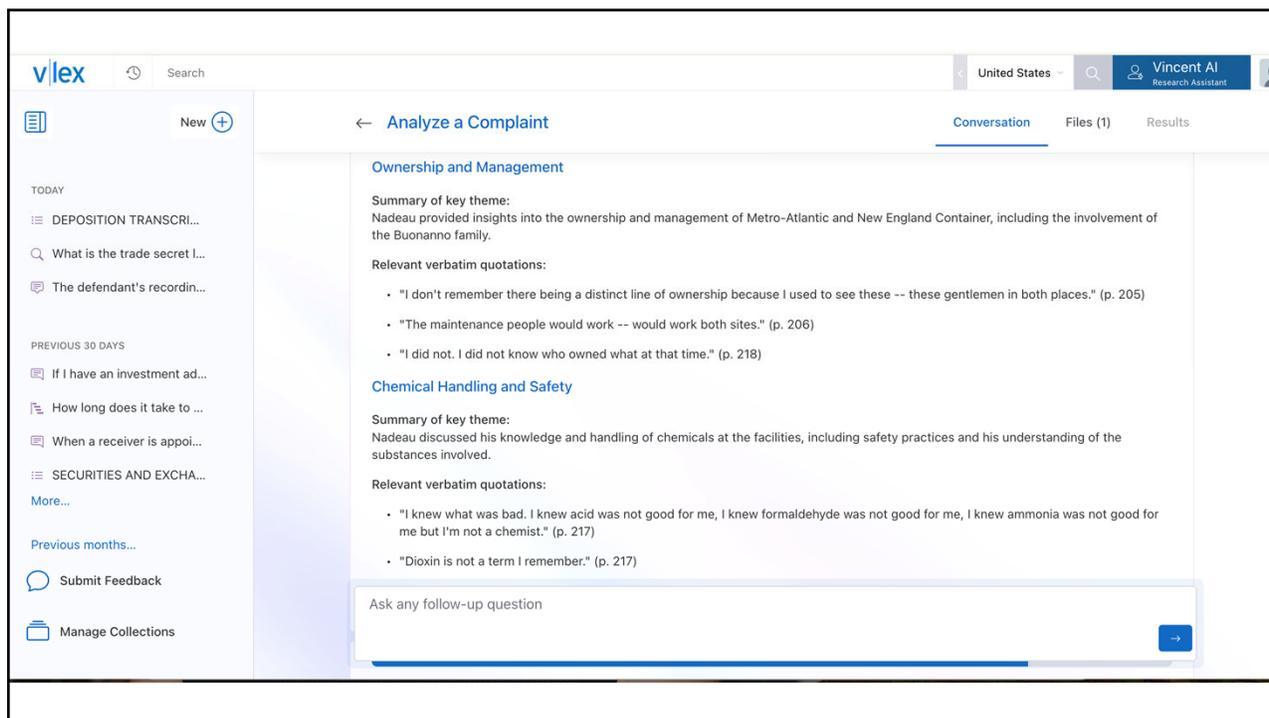
On the left sidebar, there are sections for "TODAY" and "PREVIOUS 30 DAYS" with various document thumbnails. The main content area shows:

- One file was added:** A file named "DEPOSITION TRANSCRIPT OF JOSEPH NA..." is listed with a description "Deposition of Joseph Nadeau in a consolidated case" and a green checkmark.
- Here are some things I can help you do:** A list of analysis tasks with checkboxes:
  - Reference documents: Cross-reference other documents (showing topic similarities and differences)
  - Deposition Comparisons: Cross-reference other deposition testimony (topic similarities and differences)
  - Categorize deposition testimony to Claims: Match a complaint's claims to deposition testimony
  - Summarize: Summarize deposition
  - Timeline: Extract a timeline of facts
  - Key Witness Identification: Identify key witnesses mentioned in the deposition and their relevance to the case.
  - Exhibit Analysis: Analyze and summarize the exhibits referenced in the deposition, including the large Sanborn map.
  - Draft Follow-up Questions: Draft follow-up questions for Joseph Nadeau based on gaps or ambiguities in his testimony.

38



39



40

vlex Search United States Vincent AI Research Assistant

← Analyze a Complaint Conversation Files (1) Results

Date	Event	Original Language
Between January 1, 1962 and December 31, 1964	Witness worked for New England Container one or two summers.	"For sure for full time it was '64 through '65. I believe there was also one summer I worked there prior to that which might have been '63 and then there was a period of time when I worked for New England Container one summer, maybe two."
Between 1962 and 1965	Joseph Nadeau worked part-time at Metro-Atlantic and New England Container	"Between '62 and '65 I worked part-time jobs there and other places. Metro -- New England Container I think I worked there one summer."
Summer of 1963	Witness worked at Metro-Atlantic one summer prior to full-time employment.	"For sure for full time it was '64 through '65. I believe there was also one summer I worked there prior to that which might have been '63 and then there was a period of time when I worked for New England Container one summer, maybe two."
January 1, 1964 to December 31, 1965	Witness worked full-time at Metro-Atlantic.	"For sure for full time it was '64 through '65. I believe there was also one summer I worked there prior to that which might have been '63 and then there was a period of time when I worked for New England Container one summer, maybe two."

41

# Build an Argument

42

The screenshot shows the v|lex 'Build an Argument' interface. At the top, the user is logged in as Vincent AI, Research Assistant, and the location is set to United States. The main query is: "The defendant's recording of the plaintiff's conversation without consent constitutes a violation of privacy laws." The interface suggests potential arguments for finding supporting authorities:

- Violation of Privacy Laws Due to Non-Consensual Recording: The defendant recorded the plaintiff's conversation without the plaintiff's consent. Illinois law requires all parties to a conversation to consent to its recording. Since the plaintiff did not consent to the recording, the defendant's action constitutes a violation of Illinois privacy laws.
- Expectation of Privacy in Conversations: The plaintiff had a reasonable expectation of privacy during the conversation. Under Illinois law, individuals have a right to privacy in situations where they have a reasonable expectation of privacy. Recording a conversation without consent in a situation where there is a reasonable expectation of privacy violates Illinois privacy laws.
- Statutory Provisions on Eavesdropping: The defendant used a device to record the conversation. Illinois' eavesdropping statute prohibits the use of any device to record or eavesdrop on private conversations without the consent of all parties involved. The defendant's use of a recording device without the plaintiff's consent constitutes a violation of the eavesdropping statute.
- Invasion of Privacy Tort: The defendant's recording of the conversation was intentional. Under Illinois common law, an intentional intrusion upon the

43

This screenshot shows the 'Build an Argument' interface with the 'Answer' and 'Legal Authorities' sections expanded. The 'Answer' section provides a short response: "The defendant's recording of the plaintiff's conversation without consent indeed constitutes a violation of privacy laws, specifically under the Illinois Eavesdropping Act. This Act clearly prohibits the surreptitious recording of private conversations without the consent of all parties involved." It also lists the relevant legislation: "The Illinois Eavesdropping Act, particularly sections 720 ILCS 5/14-1". The 'Legal Authorities' section lists a case: "Plock v. Board of Educ. of Freeport School, 920 N.E.2d 1087, 336 Ill. Dec. 497, 396 Ill. App. 3d 960 (Ill. App. 2009)". A snippet of the case text is visible: "The Illinois Eavesdropping Act clearly states that recording a conversation without the consent of all parties involved constitutes eavesdropping. The definition of 'conversation' under the Act includes any oral communication between two or more persons, regardless of the expectation of privacy. This means that the act of recording a conversation without consent is a violation of the law, irrespective of whether the conversation was intended to be private. (100%)".

44