How Your Legal Team Can Build AI Tools

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Each company's AI needs are its own, and off-the-shelf platforms may not meet your legal team's needs. If you have evaluated how your legal department can benefit from AI and have determined that prefab platforms only get you part of the way there, then consider the following checklist to assist you in building your own AI tools.

1. **Define the Problem**

   - Identify the specific legal task or process you want to improve.
   - Talk to the end users who perform these tasks (lawyers, paralegals, staff).
   - List pain points, bottlenecks, repetitive tasks, and time-consuming tasks.
   - Define the outcome you are pursuing (saving time, saving money, reducing errors, improving outcome, improving compliance).

2. **Set Objectives**

   - What do you want the AI tool to achieve?
   - What tasks do you want it to perform?
   - How do you want it to perform those tasks?
   - How will you measure success? (time saved, money saved, accuracy rate)
   - Are there regulatory or ethical requirements (ABA/state bar, statutes, regulations, confidentiality)?

3. **Assess Existing Solutions**

   - Review current software and tools (internal and external).
   - Are there off-the-shelf solutions that solve the problem? What is their price point? How customizable are they? How effective are they? Do they protect your data?
   - Evaluate cost, ease of use, vendor support, data security, protection of your data, hidden costs or concerns.
   - Weigh building a platform versus buying one.

4. **From Your Project Team**

   - Identify stakeholders who should participate (lawyers, CIO, IT, management).

- Assign a project lead who will head the AI efforts (someone with both legal and tech savvy).
- Involve end users early to ensure you are on the correct path and won't have to recalibrate later (get buy-in and real-world feedback).

5. Plan for Data

- Identify all the data sources and data points that will form the foundation for the AI model.
- Ensure the data is complete, is of high quality, free from bias, and includes everything you want the platform to rely upon.
- Address data access - how can the AI platform access the data, use it, rely upon it, and most importantly, protect it and ensure its privacy?
- Develop a plan for data security, redaction, and confidentiality. The data is the key to any AI model. Ensuring the use of the correct and appropriate data and preventing its corruption or disclosure to third parties is key.
- Develop data retention policies and deletion protocols in light of the use of this data to fuel the AI model and the data that the AI model will generate.

6. Choose Technology and Approach

- Choose the right AI approach (for example, machine learning, natural language, rules-based, etc.). Different platforms are based on different AI models, each with its own set of pros and cons.
- Decide whether to have an in-house built model, a vendor model, or a hybrid of the two.
- Evaluate how the platform will integrate with your other software, such as case management, calendaring, e-mail, document management, etc.
- Ensure the AI model is compatible with existing IT/security/data protection.

7. Develop or Customize the Tool

- Draft a detailed list of requirements spelling out what the tool must do and how it should do it.
- Create decision trees and flowcharts representing how you want the AI to perform.
- Create a prototype of the AI platform on a smaller scale and beta test it before going all in on the platform.
- Test the beta platform, secure feedback, and revamp it accordingly.

- Document all its features and how each performs with the end user, and suggestions to address any issues or concerns.

8. Testing and Validation

- Conduct testing with your beta team with real-life matters to evaluate how it works and what its shortcomings are, and how to address them.
- Validate the prompt outputs from the AI for accuracy, reliability, and compliance.
- Stress test the platform to test any limits, issues, or concerns.
- Ensure the tool does not hallucinate or generate fake or false outputs. This testing is vital because poor, incomplete, or incorrect outputs will undermine the usefulness of the platform.
- Identify bugs and consumer complaints and address them.

9. Compliance and Ethics Review

- Ensure the AI platform complies with all legal and ethical requirements (confidentiality, not replacing independent judgment or thought, etc.).
- Review all ABA and state bar ethics opinions and ensure they comply with the highest ethical standards.
- Create a written policy of when, where and how to use AI and how not to use it.
- Create a circular feedback loop where you have human oversight of its use and communicate with the end users about their experiences with the AI.
- Address issues of bias, ease of use, understanding the platform and its features, pitfalls, and concerns with its use, and any troubleshooting with problems arising from its use.

10. Training and Roll Out

- Prepare training materials (videos, written guides, frequently asked questions).
- Run live demonstrations and Q&A sessions.
- Start with a pilot group before rolling it out more broadly. Work closely with the pilot group virtually to share your screen and walk them through its proper use, and watch them use it and address questions, concerns, and issues in real time.

- Provide in-person and online support for any questions they may have that arise during their testing and use of the platform.
- Gather feedback from the end users and do that continuously to improve and tweak the platform.

11. Monitor, Maintain, Improve

- Set up performance monitoring and usage analytics.
- Regularly review and update for accuracy and compliance.
- Identify, address, and fix software bugs.
- Stay abreast of all AI developments and ethical and use issues related to them.
- Plan for software updates and enhancements.

12. Document and Audit

- Keep records of decisions, designs, versions, revisions, and changes.
- Document user feedback and fixes.
- Plan for audits (especially if using sensitive and confidential data).
- Maintain a "kill switch" or roll back plan in case of issues.

As you can see, this checklist is not hyper-technical nor in the AI weeds. It is like adopting any new platform, AI or not, or any new procedure, across your in-house footprint. It requires pre-planning, slow and deliberate adoption, and extensive beta testing. But if followed, it will help you safely and effectively adopt new AI platforms.

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