

Managing the Risks of Using Artificial Intelligence in Legal Practice in Hong Kong

by

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Steven Gallagher was awarded a first class LL.B. He was called to the Bar of England and Wales in 2006. Steven teaches equity and trusts, property law, and a course on art, antiquities, cultural heritage and the law. In September 2023, Steven began teaching a new course on digital technology and law. Steven has presented over 200 continuing professional development courses for solicitors in Hong Kong on many topics associated with property. Steven's research interests include equity and the law of trusts, cultural heritage law, Chinese custom and law, and legal history. In 2023, Steven published a textbook on Digital Technology and Law. He is not a technologist.

This three-hour course will consider the risks of using artificial intelligence in legal practice as a solicitor in Hong Kong. It is almost impossible to avoid using artificial intelligence in our modern world. This is particularly true for the modern solicitor whether it is indirectly or directly using artificial intelligence systems in general use or by using advanced applications of artificial intelligence in the practice of law, for example e-due diligence systems, e-discovery systems, and generative text systems such as ChatGPT.

This use comes with risks. Some of the risks associated with lawyers using artificial intelligence are common to the use of artificial intelligence - they are risks faced by all who use it. Some risks are particular to or at least particularly concerning for solicitors, because of their roles, responsibilities and duties. The special considerations for solicitors arise because of their contract with their client, their fiduciary obligations to their clients, their duties to the court and the profession, the Solicitors' Practice Rules (Cap. 159H), and the Law Society's Hong Kong Solicitors' Guide to Professional Conduct.

These risks arise in three main ways: first, there is risk because of the way artificial intelligence works, second, there is risk in the way that lawyers use artificial intelligence, and third, there is risk because of the particular nature of solicitors' duties and obligations. This seminar considers these risks, the liability solicitors in Hong Kong may face for loss caused by the failure to deal with these risks, and how these risks may be managed and minimized.

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Some of the topics which will be covered in this course include:

- What is artificial intelligence (including generative artificial intelligence) and how does it work?
- The use of artificial intelligence in the practice of law including eDue Diligence, eDiscovery, lawyer bots and robo-lawyers;
- The future of artificial intelligence in the practice of law;
- The risks arising from the use of artificial intelligence;
- Liability for loss or damage caused by failing to address these risks;
- Liability for the use of artificial intelligence by others;
- The duty to disclose the use of artificial intelligence;
- Managing risks and avoiding liability.

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Code:	EVT000000440	Level:	Intermediate
Date:	6 September 2024 (Friday)	Language:	English
Time:	14:30 - 17:45 (Reception starts at 14:00)	Accreditation(s):	LSHK 3.0 RME Elective Hours LSHK 3.0 CPD Points
Venue:	<i>Option of:</i> (1) Online via Zoom; or (2) Kornerstone Institute 15/F, Hip Shing Hong Centre 55 Des Voeux Road Central Central, Hong Kong	Request for Rerun:	Please Contact Us for Details 

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