

# Lawyers Breathe a Sigh of Relief: They Can Turn Off Chat History for ChatGPT

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## [A Major Ethical Barrier to Using ChatGPT is Gone](#)

Since ChatGPT is the most adopted of the generative AIs for lawyer usage, it was distressing that it presented cybersecurity and ethical concerns. Protecting the confidentiality of client data is an ethical mandate that made many lawyers and firms shy away from using ChatGPT.

Happily, you can now turn off Chat History for ChatGPT. OpenAI, the creator of ChatGPT, announced on April 25 that it had added the option to turn off chat history for ChatGPT, which will also prevent OpenAI from using your queries to improve the program.

In a [blog post](#), OpenAI said, “Conversations that are started when chat history is disabled won’t be used to train and improve our models, and won’t appear in the history sidebar.”

The post also notes, “When chat history is disabled, we will retain new conversations for 30 days and review them only when needed to monitor for abuse, before permanently deleting.” A lot of lawyers have asked if this bothers us – and the answer is not too much, although we acknowledge that it did suffer an outage and data leak on March 20, 2023. The problem was quickly corrected. Overall, OpenAI is a reputable company with excellent security – and it’s not all that hard to secure the data held for 30 days or to auto-delete it when the 30 days expires.

## [So – How Do You Turn off Chat History for ChatGPT](#)

It is quite simple. To disable chat history, click on the three dots next to your email address in the lower left corner at the bottom of the screen. Select **Settings** and then **Show** under **Data Controls**. Toggle the **Chat History & Training** slider. From the same settings screen, you also have the choice to export your data.

If you want to save chat history in some cases, you can just toggle the Chat History & Training slider. Just remember to TURN IT OFF again if you are entering confidential data.

As we are fond of saying, the point of failure is usually the human at the keyboard.

## [Why is this Security Enhancement so Important to the Legal Profession?](#)

OpenAI is now working on a new ChatGPT Business subscription for professionals who require more control over their data as well as enterprises seeking to manage their end users. Its announcement said, “ChatGPT Business will follow our API’s data usage policies, which means that end users’ data won’t be used to train our models by default. We plan to make ChatGPT Business available in the coming months.”

It really is nice to see the progress OpenAI is making on the privacy front. How much will the subscription cost? Apparently, the company hasn’t decided yet as there was no mention of the price. Needless to say, the higher the price, the less sweet the enhancements may feel!

### The Escalation of Interest in Using AI in the Legal Profession

We noted with great interest the Thomson Reuters March 23 survey of lawyers. The statistics are rapidly changing. When asked whether ChatGPT/generative AI could be applied to legal work, an extraordinary 82% said yes.

Change the question slightly to “Should ChatGPT/generative AI be applied to legal work?” and 51% now say “yes.” That’s a big jump from the early days – and it is reflected in the concerns over privacy addressed above.

While the survey found that only 3% of respondents were using generative AI now, we are a little skeptical about that number simply based on all the colleagues we’ve spoken to who are using ChatGPT.

However, 34% of firms said they were considering using it. There is still a grinch coalition - six firms have banned it outright. While 15% have warned employees about using it, that might make sense if they were only counseling employees to use it carefully.

Approximately 80% of partners/managing partners were concerned about accuracy and security – which is perfectly reasonable – and one reason why we wrote this article, to allay some of the previous concerns, particularly about security. From an ethical standpoint, ChatGPT is certainly moving in the right direction.

### Final words

*“In my view, we have arrived at a major turning point, both for legal services and society. For lawyers, I think this technology will prove to be at least as transformative as the internet and quite possibly more so.”* - Suffolk University Law School Dean Andrew Perlman

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