

Paralegals Worry: Will We Lose Our Jobs to Artificial Intelligence?

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Straight from the Horse's Mouth

ChatGPT, by far the artificial intelligence (AI) most used by lawyers and paralegals at this juncture, does not like to talk about AI taking peoples' jobs. It's like pulling teeth just to get it to talk about the possibility. If you bear down hard enough, you'll get mealy mouth language like "The impact of AI on the legal profession is a topic of ongoing discussion." Push harder and it will admit that AI has the potential to automate some tasks traditionally performed by the 350,000 paralegals and legal assistants in the U.S.

Paralegals conduct legal research, draft documents, do contract analysis and perform administrative tasks. AI can handle such tasks., faster and (in general) more accurately.

ChatGPT loves the word "nuanced" – we've seen many references to the "nuanced" tasks of lawyers and paralegals when we ask if they can be replaced by AI. We have concluded that part of ChatGPT's training includes soft-pedaling any discussion of taking away jobs.

All the same, it is true that paralegals do perform complex, nuanced jobs that call for judgment, critical thinking and people skills. They interview witnesses, work with clients and help with trial preparation.

Outfoxing the AI

Know the enemy. Know what it cannot do and focus your energies there. Become the enemy's standard bearer. Be better at using AI than anyone around you. Make sure you are mindful of cybersecurity – use AI but with great care to keep your law firm and confidential client data protected. You'll be bullet proof.

Spend time figuring out what AI will work for your firm – prove its usefulness and be the go-to person who knows about "prompt engineering."

Some of you are reading that term and wondering what "prompt engineering" is. Trust us, it is another avenue to a secure future. Those questions that lawyers ask ChatGPT are 'prompts.' The AI will deliver more accurate and relevant responses the better the prompts are. You don't need to understand the "engineering" part of the equation. You just need to know the prompts – or questions – that will elicit the most useful and accurate responses – and more likely to avoid the AI randomly "making stuff up."

Think about it. Two lawyers have been sanctioned for submitting a brief which contained "made-up" cases. And they didn't validate those cases through authoritative sources. Paralegals who understand AI can cut back on AI hallucinations both through good prompts and exacting validations.

Yes, it's a whole new world – and a new way of thinking.

What Else Can You Do?

Remarkably, many lawyers have not kept up with AI developments. Many did not know that confidential information submitted to ChatGPT would be retained and potentially used to train AI. OpenAI, the

creator of ChatGPT, introduced in April a way to opt out of having your history kept, but many lawyers didn't know about or make use of that development.

Once again, being the go-to person who keeps on top of AI developments can be very valuable.

Maybe you haven't been the person who normally sought out tasks that require human judgment, working empathetically with clients, interviewing witnesses, trial preparation etc. This is the time to focus on things AI cannot do – therein lies job security. Maybe you'll be required to learn new skills, but that's great if it leads you to a place AI cannot go.

Advice from ChatGPT

We waited until we had composed the suggestions above before we directly asked ChatGPT what paralegals could do to prepare for the possibility of losing jobs to AI. You'll see below that we got most of the advice above right. Here's the advice from ChatGPT:

“Stay updated on AI and legal technology.” This can help you identify opportunities for skill development.

“Focus on developing unique human skills.” Focus on things technology can't do including critical thinking, problem solving, emotional intelligence and interpersonal communication.

“Upskill and embrace technology.” Know the AI tools that lawyers use and become proficient in their use. This will make you an invaluable asset in a law firm.

“Specialize in complex tasks.” This might mean working with litigation support, regulatory compliance, intellectual property or other areas where human expertise is invaluable.

“Cultivate client relationships and communication skills.” Work on empathy and client guidance. You can be so much more to a client than AI – understand what the client needs, explain legal concepts as simply as possible and build trust with the firm's clients.

“Pursue continuous learning.” This is key advice. The legal industry is evolving rapidly, and you must evolve too. Acquire new skills that will make you more adaptable to changes in the practice of law. Learn from professional conferences, workshops, webinars. Pursue certifications!

“Explore new opportunities.” If you are working for a law firm today, consider working for legal-related companies where your skills, developed from the advice above, may make you valuable. Legal technology consulting? Legal project management? Legal risk analysis? There may be more opportunities than you ever imagined outside of a law firm.

Instead of worrying about what you cannot control, shift your energies to what you can control. Embrace the future you create for yourself.

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