

Learning from the Past:

Why Dismissing Generative AI is a Risky Proposition for the Legal Industry

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Generative AI is one of the most disruptive technologies to come along for quite some time, and initial reactions have varied widely. Many have welcomed this new development with great enthusiasm while others have expressed caution, warning of job losses in the legal field as routine tasks become automated. Some pundits have raised substantial concerns regarding data privacy, security, provenance, and integrity.

Some downplay the impact of generative AI altogether, predicting that its adoption won't bring about as much change as some claim. As attitudes continue to evolve, legal professionals and industry experts must stay educated and informed, considering the implications for those who adopt generative AI and those who choose not to.

While reflecting before moving forward with transformative technology is prudent, we should not allow resistance to change to exert undue influence on such a decision. Legal professionals, who are often slow to adopt new technologies, may be tempted to sit this one out. However, I argue that this is likely a mistake for most legal professionals, given the implications of generative AI on the legal field.

There are many historic examples of a minority contingent resisting disruptive technology, only to eventually be shown to have been on the wrong side of history. For instance, there were some vocal skeptics of the first automobiles. In 1899, the New York Times ran an article warning that "[T]he automobile would not be suitable for city traffic and that horses would remain the primary mode of transportation." In addition, Life magazine published an editorial in 1902 stating that automobiles were dangerous and would be just a passing fad. They could not envision a society that would abandon horses for such loud, dirty, and dangerous machines.

There are many recent examples of bad takes on technology, such as early skepticism around the Internet. In 1994, prominent technology leader Bill Gates did not see the Internet as the game-changing development that it turned out to be. Similarly, economist Paul Krugman declared in 1998 that it wouldn't have any more impact than a fax machine. Although both men are respected experts in their industries, they completely missed the clues that the Internet would fundamentally alter the way we live and work.

It is interesting that Bill Gates now views generative AI as one of the only technologies that has strikes him as truly revolutionary. In a recent article, Gates writes that he believes generative AI will redefine entire industries and provide a competitive edge for businesses that use it well. Given the parallels that exist between the early days of the Internet and the current state of generative AI, his statements seem particularly noteworthy. By examining the follow parallels, we can see that generative AI is poised to make a significant impact.

- **Increasing Usage.** Though the first Internet browser was released in 1990, it took a few years for user adoption to pick up. It wasn't until 1998 that the number of users surpassed 100 million, and from then on, the adoption rate skyrocketed. Today, more than 5 billion people use the Internet. By contrast, the growth of ChatGPT is even more rapid: After acquiring more than a million users in just one week following its launch, the service amassed more than 100 million users by January 2023. This is a truly unprecedented rate of growth for a new product.

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- **Business Investment.** In the early days of the Internet, the rapid development of search engines, browsers, and e-commerce platforms spurred its explosive growth. Similarly, generative AI is seeing industry power-players Microsoft and Google - as well as hundreds of startup companies - integrating the technology into their products and services. The demand for generative AI is so high that server chip manufacturers are struggling to keep up, with some of the biggest companies in the world currently experiencing wait times of a month or more to rent the hardware they need. These are all signs that generative AI is poised for an extended period of exponential growth.
- **Cultural Impact.** In the early 2000s, social media platforms like Friendster, MySpace, and Facebook precipitated a cultural shift, making the Internet a central part of people's lives. Today, we see a similar trend with AI assistants such as ChatGPT, Sidney, and Bard. These tools are capturing the public's imagination and transforming the way we carry out basic tasks.

The legal field should take note that generative AI is poised to be a massively disruptive technology. A recent Goldman Sachs report highlights the industry's vulnerability to change, due in large part to the overlap between common legal tasks and the strengths of generative AI. While some may be worried by these predictions, it's important to remember that AI systems don't operate on their own. To remain competitive, legal professionals need to educate themselves on generative AI and leverage it as early as possible.

It is also important for legal tech vendors who want to remain relevant to get on board. While it may not be surprising to see some established vendors downplaying the significance of generative AI in favor of older AI technology, their claims don't necessarily hold up to scrutiny. Experiencing a generative AI product demo makes it clear that the technology represents not only an advancement in capabilities, but also a significant leap forward in terms of ease of use and flexibility. For example, generative AI doesn't require the extensive training or meta data mapping that can make other product implementations long and arduous. It also reduces the risk of costly mistakes during set-up, making it a more forgiving and adaptable technology overall.

For those users who have not yet explored generative AI, it can be difficult to appreciate just how transformative it can be. For instance, detailed legal research or document comparison tasks, which could previously take days or weeks, can now be completed with stunning precision in just minutes. This is just one example in the legal tech field how generative AI is reshaping the landscape as we know it.

Those who have had the opportunity to work with one of the AI legal assistants currently available can attest to their transformative impact. Demonstrations with leading vendors consistently leave users awestruck, as they quickly realize they have access to a truly revolutionary technology. Generative AI not only improves the speed and quality of legal work, but it can also make the process more enjoyable and engaging for professionals. As these systems become more commonplace, law firms that don't adopt generative AI will risk falling behind their competition.

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