

Appendix 3:

Questions for Vendors When Selecting AI Products and Services

What training is available to understand the technology better and avoid dangerous areas/pitfalls?

Key considerations: Inquire about comprehensive training and support that covers technical issues, ethical considerations and best practices for applying AI in a legal context.

Are there any case studies, testimonials or references from other legal professionals who have successfully used the tool?

Key considerations: Reach out to colleagues or request references from the provider to gain valuable insights into the tool's effectiveness and user experiences.

How do you monitor accuracy and detect potential issues?

Key considerations: Understand the vendor's quality control measures, such as audits, testing and monitoring for errors or biases. Inquire about their process for addressing and resolving identified issues.

Who is this software intended for: solo practitioners, small law firms, mid-size firms, large firms?

Key considerations: Ensure the vendor's offering aligns with your legal practice's size and needs and can scale according to your growth plans.

What are your recommended best practices for using this tool and adhering to the Rules of Professional Conduct (RPCs)?

Key considerations: Seek guidance on using the AI tool in compliance with RPCs, including maintaining client confidentiality, ensuring proper supervision and avoiding conflicts of interest.

How do we place appropriate data privacy and security disclosures in our retainer agreements and other documents to ensure clients understand and can be satisfied by the safeguards and protocols put in place when using your product?

Key considerations: When discussing data privacy and security with an AI vendor, ensure they address the following:

- 1. Data ownership, access, protection measures and compliance with laws and regulations*
- 2. Data breach notification, remediation, retention and deletion policies*
- 3. Subcontractor management and employee training practices*
- 4. Termination procedures and data handling post-termination*

Addressing these points helps protect your data and meet your organization's privacy and security requirements.

Does the company have a proven track record of providing reliable, secure and compliant solutions specifically tailored to the legal sector?

Key considerations: Request any information the company will provide to assess its commitment to providing reliable and compliant solutions for the legal industry.

Are there any other client disclosures required of attorneys beyond the retainer?

Key considerations: Determine if additional disclosures or notifications are needed when using the AI tool, such as informing clients about AI usage, obtaining consent or explaining limitations and risks.

If the company is relatively unknown, it may be helpful to know who the owners are and if there are any potential ethical concerns related to the ownership structure.

Key considerations: Research the company's website, press releases and financial disclosures to uncover information about the owners and identify any potential ethical concerns.