

AI in the Bankruptcy Practice and the Ethics Involved

Areya Holder Aurzada, Holder Law, Dallas, TX

Jason S. Brubaker, Gray Reed, Dallas, TX

Nancy B. Rasoport, William & Boyd School Of Law, UNLV, Las Vegas, NV

1

The image shows two screenshots of news articles. The top screenshot is from Fast Company, dated 08-10-21, with the headline "Robots are coming for the lawyers" and a sub-headline "Bad for lawyers' salaries, good for people who need cheap legal help." Below the headline is a section titled "THE CONVERSATION" with a sub-headline "Academic rigor, journalistic fair" and a search bar. The main image shows a human hand writing on a document next to a robotic hand. Below the image is a text box: "Robots are coming for the lawyers - which may be bad for tomorrow's attorneys but great for anyone in need of cheap legal assistance" and "Published August 9, 2021 3:17pm EDT". The bottom screenshot is from Forbes, dated 08-10-21, with the headline "Will A.I. Put Lawyers Out Of Business?" and a sub-headline "AI-powered legal research tools are making it easier for consumers to find legal help." Below the headline is a text box: "AI-powered legal research tools are making it easier for consumers to find legal help." and "Published August 9, 2021 3:17pm EDT".

2

1

YOU WON'T BE REPLACED BY A ROBOT

- But you'd better learn how to use one.
 - *Cf. Mata v. Avianca, Inc.*, Case No. 22-cv-1461 (PKC) (S.D.N.Y).



2

3

WHAT IS ARTIFICIAL INTELLIGENCE (AI)?

- What is AI? There are many ways to answer this question, but one place to begin is to consider the types of problems that AI technology is often used to address. In that spirit, we might describe AI as using technology to automate tasks that “normally require human intelligence.” This description of AI emphasizes that the technology is often focused upon automating specific types of tasks: those that are thought to involve intelligence when people perform them.

Harry Surden, *Artificial Intelligence and Law: An Overview*, 35 Ga. St. L. Rev. 1305, 1307 (2019) (footnotes omitted).



3

4

HERE ARE SOME EXAMPLES OF AI YOU'RE ALREADY USING:



Lexis®



Google



THOMSON REUTERS
WESTLAW PRECISION



"Hey Siri, set a timer for
20 minutes"

4

5

AI AND "HALLUCINATIONS"

- Again:

The ChatGPT Lawyer Explains Himself

In a cringe-inducing court hearing, a lawyer who relied on A.I. to craft a motion full of made-up case law said he "did not comprehend" that the chat bot could lead him astray.

5

6

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: A.I. in the Bankruptcy Practice and the Ethics Involved

Also available as part of the eCourse

[2023 Jay L. Westbrook Bankruptcy eConference](#)

First appeared as part of the conference materials for the 42nd Annual Jay L. Westbrook Bankruptcy Conference session "A.I. in the Bankruptcy Practice and the Ethics Involved"