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Keith Call Outlines Ethical Concerns of Using AI in Legal Practice

Spencer Fane attorney Keith Call discusses various concerns with client confidentiality when using generative artificial intelligence such as ChatGPT in an article published in the *Utah Bar Journal's* January/February issue as part of his regular Focus on Ethics & Civility series.

In the article, Artificial Intelligence and the Lawyer's Duty of Confidentiality, Keith outlines the American Bar Association detailed opinion from 2024 – known as Opinion 512 – that addressed several ethical concerns with a lawyer's use of generative AI, including competence, confidentiality, and communication with clients. He discusses the importance of informed consent and protecting client information when using ChatGPT and similar programs.

Keith concludes, "Opinion 512 takes a conservative approach to a lawyer's use of generative AI. It is critical for you to take time to educate yourself about the ethical implications of AI, to make sure that you have your client's consent to use client information in generative AI, and (here's the hardest part) to make sure that any such consent is informed by your thorough understanding of the implications of putting your client's information into an AI platform."

The publication also features the latest in the Appellate Highlights series authored by Rodney Parker, Dani Cepernich, Robert Cummings, and Andrew Roth.

At Spencer Fane, Keith helps corporate and individual clients with all of their litigation needs so they can stay focused on their core businesses and personal interests. He excels in defending lawyers in professional ethics and liability matters, as well as complex commercial, technology, and IP litigation.

Read the full *Utah Bar Journal* issue.