HAL 9000's Guide to AI-Powered Law Firm Marketing

Artificial intelligence isn't just coming, it's already here, and a virtual assistant can help with online marketing. Here are a few tasks you can tackle while taking AI for a test drive.

BY EMILY KELCHEN

Those of us who have seen the movie *2001: A Space Odyssey*, or are at least familiar with its famous robot named HAL, have a healthy suspicion of artificial intelligence (AI). And our fears have been validated as we watched lawyers who relied on AI to draft legal documents get sanctioned by the courts and pilloried by the broader legal community.[1]

But it's nearly impossible to miss the buzz around AI and the way it is creeping into our everyday lives. Streaming services use the shows we watch to suggest similar ones to us. Companies are forcing us to talk to chat bots before letting us speak with a real-life customer service representative. And predictive text is suggesting different ways I can end this sentence as I type it.

In lawyers' professional lives, continuing legal education programs on the use of AI in the legal profession are increasingly popular (see the accompanying sidebar), legal research platforms all brag about their AI offerings,[2] and *Wisconsin Lawyer* has adopted a policy on the use of AI by contributors (see the accompanying sidebar).

AI isn't just coming, it's already here. With AI comes the responsibility to understand how to use it under SCR 20:1.1.[3]

The best way to figure out how to use AI in your practice is to experiment with it. One of the ways you can do this is by asking a virtual assistant like ChatGPT, Google's Gemini, or Microsoft's Copilot to help with your online marketing. Below are a few tasks you can tackle while taking AI for a test drive.

Setting the Scene

2001: A Space Odyssey isn't a movie you decide to watch on a whim because it pops up on a streaming app. It's something you must want to watch. And if you are going to make it through the stargate, you should prepare. Pour yourself a beverage, grab some snacks, turn down the lights, and let the monolith guide you.

Similarly, working with AI is something you won't stick with if you don't do some prep work. The most important thing is understanding how to ask it for what you want. Rather than saying "write me a social media post about Thanksgiving," help the algorithm learn how to please you by giving it a bit more information about what you want. A prompt like this, for example, is going to deliver much more useful results:

"I work at a small law firm in Green Bay. I do family law, which means I handle a lot of
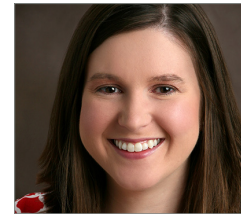
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divorce, child custody, and child support cases. My target clients are middle-class families who want someone who can solve their problems, not people who want to fight with their ex. Draft a social media post about Thanksgiving that I can post on Facebook, and make it appealing to these clients. The tone should be heartfelt but playful."

I tried this and the sample post the program spit out was pretty good (although it didn't seem to realize the Packers are playing the Dolphins this year). The program could predict what I was looking for because I told it:

- Who I am,
- What I do,
- Where I am located,
- Who I want the draft it delivers to appeal to,
- What I am planning on doing with the draft it gives me, and
- The tone I am looking for.

The more information you give an AI assistant in your prompt, the better it is going to get at predicting what you want it to say.[4] It will redraft what it has written as many times as you want if you can give it a bit more information about what you didn't like in the current draft or what you want highlighted in the future.

State Bar of Wisconsin CLEs on Artificial Intelligence

The following represents recent seminar topics offered from State Bar of Wisconsin PINNACLE®. For more continuing legal education seminars, visit marketplace.wisbar.org and search on "artificial intelligence" or copy the seminar name from the list below into the search box on Marketplace.

- Ethical Considerations of Technology in the Law Office 2024
- Cybersecurity in the Law Office 2024
- Legal Research Tools and Techniques 2024
- The Use of AI in Campaigns & Elections 2024
- How to Protect Clients Who Are Victims of Deepfakes 2024
- The Ethical Use of GAI in the Practice of Law for Paralegals 2024
- Ethics & Electronic Discovery 2024
- Artificial Intelligence for Senior Lawyers 2023

- ChatGPT Artificial Intelligence- Overview & Implications 2023
- Artificial Intelligence, Deepfakes, and Disinformation 2023
- Deepfakes Casting Doubt: Evidence's Authenticity 2023
- Legal Ethics 2023: New Opinions, Rules, & Issues
- Legal Research with Fastcase & AI (WSSFC 2023)
- Toward 2025: Trends in Intellectual Property Litigation 2022 (WSSFC 2023)
- Effective Legal Writing 2023 **WL**

Drafting Social Media Posts

Now that you have seen what a single social media post can look like, why not ask for a few more. Try asking your AI assistant to put together a social media content calendar[5] for the month of December using the same information about your firm (location, focus, audience, tone).

Weed through what it delivers and start scheduling posts. But also consider if there are more specific posts your firm would benefit from. For example, ask it to draft a post reminding your followers which days your office is closed for the holidays.

You can also copy and paste the information you have about an event you are sponsoring that you want to highlight, such as a food drive or holiday parade, and ask it to draft posts drawing attention to your involvement and encouraging others to join you. It can even suggest which days to make these posts to get the most attention.

The key here is taking what the algorithm produces and making it your own. You don't have to use everything suggested to you, and you are free to edit anything it drafts to fit your needs.

Brainstorming Blog Topics

Another task you can ask your AI assistant for help with is updating your website. Search engines often push sites that are frequently updated higher in their rankings. One of the best ways to take advantage of this is to add a blog to your website.[6]

But being a consistent blogger is not easy when you have dozens of other things on your plate. Use AI to help you streamline the writing process by asking it to:

- Craft a list of blog topics.
- Suggest seasonal blog topics.
- Make a list of topics about a narrow subject you would like to be better known for, such as: 15 ideas for posts on how to decide who gets the cabin in northern Wisconsin during an amicable divorce or how to fairly divide business assets that are classified as marital property.
- Provide sports analogies for divorce that might inspire your writing.
- Name a few famous movies in which the characters get divorced.
- Ask it to suggest some keywords to incorporate into your blogs to reach your target audience and improve your search engine optimization (SEO).

Use the outputs to spark your creativity and set aside a day or a couple of hours for writing several posts that you can schedule to post over the next few weeks.

What AI Can't Do ... Yet

To get an idea of how AI compares to human writers, ask AI to draft an entire blog post on one of the chosen topics after you have given it a shot.

The AI will almost certainly do a good job. In fact, it might do such a good job that you are tempted to have it ghost write all your blogs. But there are a few reasons to not take that route.

First, you have a duty to ensure the content you publish complies with the Rules of Professional Conduct. AI is under no such obligation. Don't let a computer pretending to be a lawyer get you into trouble because it writes

Wisconsin Lawyer Policy on Artificial Intelligence

The following passage is quoted from the Author's Publication Agreement (revised Oct. 5, 2023) regarding authors' use of artificial intelligence when creating content for *Wisconsin Lawyer,* the official publication of the State Bar of Wisconsin.

Identification and Disclaimer of Content Generated by Artificial Intelligence (AI)

With the swift and worldwide introduction of Generative Artificial Intelligence (GAI), which "uses deep learning models to create new and original content from large data sets it has been trained on," the State Bar recognizes both the potential benefits, and the risks, of its use.

While benefits abound with GAI, its use must be balanced against the need to maintain the accuracy, integrity, and confidentiality of information, and the rights of Authors.

GAI is an evolving technology with many unknowns, including the origin and accuracy of information. Any interaction with GAI should only be done with appropriate user due diligence, including fact-checking.

The State Bar of Wisconsin also recognizes the importance of respecting and protecting intellectual property rights, of both the State Bar and others, while using GAI. For instance, the unauthorized use of copyrighted materials in training GAI or in creating derivative works can infringe on intellectual property rights. Ensuring that GAI usage adheres to property laws is crucial to maintaining the organization's legal and ethical standards.

As such, all contributing Authors (contracted or volunteer) agree to the following:

• The Author will not present GAI-generated or GAI-assisted content as the author's own original work.

• The Author will disclose the use of GAI in the production of manuscripts/articles, such as research or other functions other than AI-generated content.

• The Author will disclose the inclusion of AI-generated content in a submitted work and provide a brief explanation of the human author's contributions to the work. This disclosure should be prominently displayed in the submitted work, indicating what information was generated by a GAI tool, and confirm the author has checked the information for accuracy and integrity. This disclosure will not appear in the published work, if published, but alerts the Editorial Board and/or the State Bar team when making decisions about whether to publish a submitted work, and to double-check for accuracy.

The State Bar of Wisconsin may conduct independent checks to ensure that all work is original and has not been plagiarized or AI-generated content has been used without disclosure. **WL**

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something false, gives legal advice, promises results, appears to create an attorney-client relationship, or violates another rule.

Second, the more you work with AI, the easier it is to identify something that has been written by a computer.[7] As people become more familiar with AI, they are going to notice when a human was not the lead author, and they may wonder what else their attorney is outsourcing. The same thing applies for search engines, which are likely to find that AI-generated content is less valuable than other information.[8]

Nevertheless, don't hesitate to take text that is suggested to you and put it to use. If there is a topic or example that AI comes up with that you didn't think to include in your writing, use it! AI can be an excellent coauthor and editor.

HAL, Please Open the Pod Bay Doors

While AI offers exciting possibilities, figuring out where to start is a bit overwhelming, and not knowing what you are doing can produce lackluster results. Experimenting with these small tasks can give you an idea of the promise and limitations of this emerging technology while helping you streamline your marketing efforts and grow your practice — as long as you remember who is in control of the machine. **WL**

ENDNOTES

[1]Rebecca Davis O'Brien, *Lawyer Who Used ChatGPT for Court Filing Now Faces Sanctions*, N.Y. Times (June 8, 2023), https://www.nytimes.com/2023/06/08/nyregion/lawyer-chatgpt-sanctions.html (behind a paywall for some readers).

[2]For example, LexisNexis has Protégé, and Westlaw has Precision with CoCounsel.

[3]ABA Formal Opinion 512, *Generative Artificial Intelligence Tools* (Am. Bar Ass'n, July 29, 2024), https://www.americanbar.org/content/dam/aba/administrative/professional_responsibility/ethics-opinions/aba-formal-opinion-512.pdf.

[4]David Nield, *17 Tips to Take Your ChatGPT Prompts to the Next Level*, WIRED (Feb. 22, 2024), https://www.wired.com/story/17-tips-better-chatgpt-prompts/.

[5]Emily Kelchen, *What Your Firm Should Have in Common with Sports Illustrated,* 96 Wis. Law. 41-43 (May 2023).

[6]Jeff M. Brown, *Annual Review: Wisconsin Law Blog Community Going Strong*, InsideTrack (Aug. 3, 2022), https://www.wisbar.org/NewsPublications/InsideTrack/Pages/Article.aspx?Volume=14&Issue=13&ArticleID=29258.

[7]Bonnie Shucha, *Tips on Detecting & Improving AI-Generated Text*, Wisblawg (July 8, 2024), https://wisblawg.law.wisc.edu/2024/07/08/tips-on-detecting-improving-ai-generated-text/.

[8]Ron Amadeo, *Google Now Wants to Limit the AI-powered Search Spam It Helped Create*, Ars Technica (March 5, 2024), https://arstechnica.com/gadgets/2024/03/google-wants-to-close-pandoras-box-fight-ai-powered-search-spam/. **WL**