



CLOCKWISE FROM TOP LEFT: Supreme Court of Texas Senior Justice Debra Lehrmann swears in State Bar of Texas President-elect Santos Vargas; Lehrmann leads new members of the State Bar of Texas Board of Directors in their oaths of office; Lehrmann swears in State Bar of Texas Board of Directors Chair Paul K. Stafford. PHOTOS BY LOWELL BROWN

Board Committee to Study AI Task Force RECOMMENDATIONS

A COMMITTEE OF THE STATE BAR OF TEXAS BOARD OF DIRECTORS WILL STUDY a list of 20 task force recommendations designed to help the bar address the effects of artificial intelligence on the legal profession.

Directors voted June 19 to refer the proposals to the board's Administration Committee for review and potential recommendations to the board. Directors also voted to renew the Task Force for Responsible AI in the Law (TRAIL) for another year to continue studying and responding to new developments in the field of AI.

"AI could be the most disruptive new technology during our time; it could also be the most useful during our time," 2023-2024 State Bar President Cindy Tisdale said. "Our response to this challenge may be the difference in riding the wave or being drowned by it. I believe the State Bar is taking its role on this issue very seriously, and TRAIL has laid a foundation for addressing the impact of AI on the legal profession in Texas."

The proposals came in a report summarizing the task force's activities since June 2023, when the board initially created the group at Tisdale's request. The proposals include educational outreach to attorneys on the ethical use of AI, mandatory continuing legal education courses on AI for lawyers in the first five years following passage of the bar exam, and potential rule revisions to address AI-generated information. The report also included two operational

recommendations: the continuation of the task force for the 2024-2025 fiscal year and the formation of a standing committee on emerging technology.

"The recommendations put forth in TRAIL's report will help the State Bar of Texas navigate the challenges and embrace the potential of AI while upholding the integrity of the legal system," Tisdale said.

The task force had previously recommended that the State Bar of Texas Minimum Continuing Legal Education Committee consider requiring lawyers to take one hour of technology-related CLE every year.

The task force also previously requested guidance from the Professional Ethics Committee for the State Bar of Texas on applying Texas Disciplinary Rules of Professional Conduct to the use of AI, including a lawyer's:

- duty to provide competent representation (tech competence);
- duty of confidentiality;
- duty to safeguard client communications and property;
- duty of supervision (both to other lawyers and to nonlawyer or virtual assistants);
- duty of candor to the tribunal; and
- duty to charge a reasonable fee.

The task force has received confirmation that the Professional Ethics Committee will consider these questions and issue an ethics opinion, Tisdale said.

As part of the task force's work, the State Bar of Texas Department of Research and Analysis conducted a survey in May 2024 to gather information on Texas attorneys' attitudes toward and use of AI. The survey found that although a minority (30%) of Texas attorneys currently use AI in their practices, 72% of attorneys surveyed believe that AI will have a major impact on the profession.

When asked why they weren't using AI in their practices, respondents most often cited ethical concerns (49%), followed by a lack of knowledge on how to use AI tools (43%) and concerns over cybersecurity (38%).

Only 5% of respondents said they had no concerns about the use of AI in the practice of law. More than 60% identified concerns about privacy and the ethical use of the technology, while 71% favored requiring CLE training in the ethical use of AI, according to the task force report.

Leadership Changes

San Antonio attorney Santos Vargas was sworn in as the State Bar's 2024-2025 president-elect during the board's June 20 meeting. Dallas attorney Paul K. Stafford succeeded Kennon Lily Wooten as chair of the board. Supreme Court of

Texas Senior Justice Debra Lehrmann administered the oath of office to new officers, directors, section representatives, and board liaisons.

Awards and Recognitions

Tisdale presented presidential citations to the following individuals for exceptional service: Wooten, 2023-2024 Texas Young Lawyers Association President Laura Pratt, State Bar Executive Director Trey Apffel, Chief Legal Counsel Chris Ritter, In-House Legal Counsel Amanda Engle and Ian Steusloff, Communications Division Director Lowell Brown, Public Affairs Director Rebecca Johnson, and Public Affairs Assistant Claire McDaniel.

Wooten, the outgoing board chair, presented the Outstanding Third-Year Director Award to Robert Tobey, of Dallas, and the Public Member Award to Forrest Huddleston, of Dallas.

Apffel presented a Staff Excellence Award to TYLA Project Coordinator Bree Trevino. **TBJ**

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