

Big Law Firms, Seeking 'Seat at the Table,' Join AI Safety Consortium

By Katharine Lee
June 25, 2024

A group of law firms has been tapped to serve on a U.S. government-organized initiative that is seeking to advance the safety and deployment of trustworthy AI.

Law firms including Gibson, Dunn & Crutcher, DLA Piper, Clifford Chance and Manatt, Phelps & Phillips are all members of the AI Safety Institute Consortium (AISIC), which also includes large corporations, AI creators, academics, industry researchers, nonprofits and others in addressing AI safety.

As a government-backed initiative, AISIC is housed under the National Institute of Standards and Technology (NIST). The consortium calls upon experts from the member groups to develop standards surrounding AI policy and safety. The consortium is also tasked with analyzing the capabilities and risks of next-generation AI systems.

Since the U.S. Commerce Department announced the consortium's founding in February, more than 200 members have joined from various industries.



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Timeliness was a major factor that spurred law firms to join AISIC. Clients have seen issues in AI litigation rise in the past year and a half, noted Cassandra Gaedt-Sheckter, Gibson Dunn's AI practice group co-chair.

It felt important to join a conversation not only from a litigation perspective, she said, but from a product and counseling one. AISIC encompasses a wide range of technical participants and clients the firm hopes to collaborate with.

Multiple firms echoed the need to join the consortium as AI steadily departed from being

merely a concept to being a crucial part of legal work.

Devika Kornbacher, co-chair of Clifford Chance's global tech group, said that AISIC aligned with Clifford Chance's goals of ensuring good technology "makes it to the market in a safe and secure and trustworthy way." The research offered by AISIC also promises an interdisciplinary, collaborative gateway into better understanding AI's impact on the firm's clients, she said.

"We really wanted to understand our clients' commercial reality and be a part of the tech ecosystem, to see around corners for our clients, but also be aware of our role as users of the tech in legal services," Kornbacher said.

Shaping Policy

But simply drawing up plans proved not enough: implementation of AI safety guidelines is a challenge law firms are hoping NIST can provide guidance on.

Danny Tobey, chair of DLA Piper's AI and data analytics practice, recognized the gap between the research being done by the academic and scientific community around AI, and connecting these principles to law.

"How do companies actually take these guidelines and turn them into real guardrails?" Tobey said.

It's a task that attorneys say needs to be done in a real and comprehensive way for clients—and they're finding that it's important to be part of the team that shapes these policies.

"We wanted a seat at the table while important AI standards were being formed," said Paul Luehr,

privacy and data security partner at Manatt. "[Our clients] will come to us with something like the NIST guidelines and ask, 'What should we do now?' And so we thought we could offer ... helpful perspectives about what works and what doesn't work."

Despite ongoing work surrounding AI safety in the legal field, several law firm partners emphasized the relevance of being convened by NIST. The significance of this partnership lies in credibility: the Institute is an offshoot of the Department of Commerce, and is referred to by firms as a "respected body."

"[NIST] has been putting out frameworks that are really respected by both the technical community as well as lawyers for more than 10 years," said Vivek Mohan, AI practice group co-chair at Gibson Dunn.

All firms have expressed interest in some, if not all, of NIST's initial list of five working groups: Risk Management for Generative AI, Synthetic Content, Capability Evaluations, Red Teaming, and Safety & Security. Many firms are waiting to hear back from the task forces that will assign them to working groups.

Until then, they are able to attend office hours, receive email updates from NIST, and attend working sessions. All firms expressed confidence that they have the opportunity to contact NIST and weigh in on an important topic should it arise, exemplifying a commitment to continue participating in the consortium.

"It's about making the firm smarter, and by extension, keep helping the consortium's efforts output," Mohan said.