



**STEER CLEAR OF UNETHICAL  
STORMS: ADDRESSING  
CHALLENGES OF AI AND  
TECHNOLOGY  
ADVANCEMENT FOR  
IN-HOUSE PRACTICES**

**Melissa Pallett-Vasquez**  
**September 5, 2025**

 **Bilzin Sumberg**

# Why Are We All Here Today?

01

Unique Ethical Role  
of In-House

02

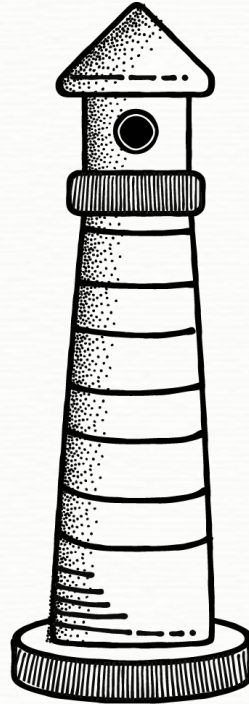
AI Specific Challenges  
Facing In-House

03

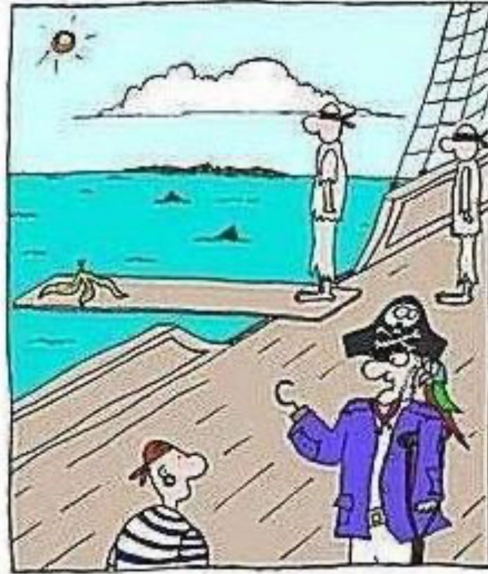
Real-World Ethical  
Horror Story

04

Tips for Building an  
Ethical Culture



# Ethical Violations Will Make You Walk The Plank



ALWAYS START OFF WITH A JOKE.  
TRY TO LIGHTEN THE MOOD ABIT

01

# Unique Ethical Role of In-House



# The Many Hats of In-House

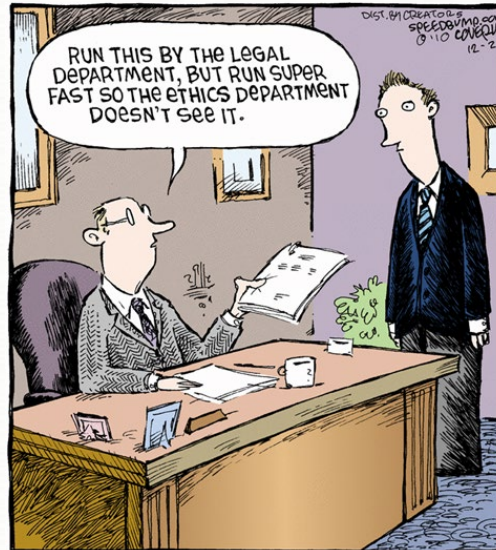




# The Company Is Your Client

*"A lawyer employed or retained by an organization represents the organization acting through its duly authorized constituents."*

*- ABA Model Rules 1.13(a)*



# Shift Narrative from Anchor to Propeller



# Advisor Role

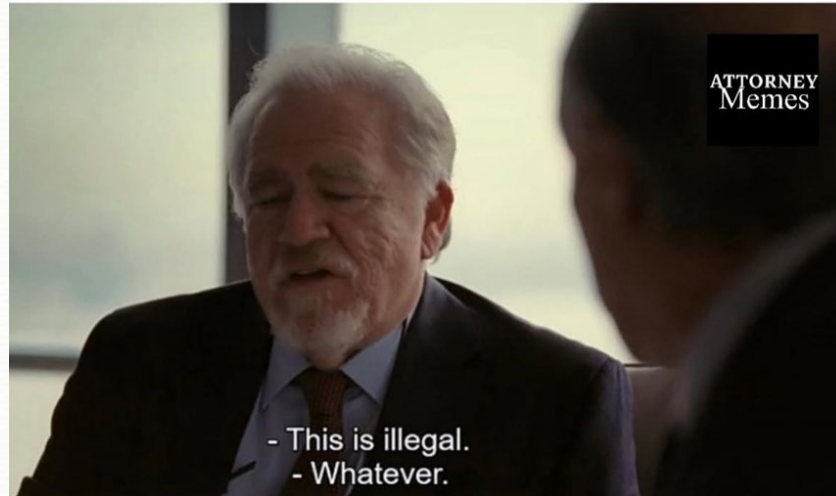
*"In representing a client, a lawyer shall exercise independent professional judgment and render candid advice. In rendering advice, a lawyer may refer not only to law but to other considerations such as moral, economic, social and political factors, that may be relevant to the client's situation."*

*- ABA Model Rules 2.1*



# Why Does This Rule Matter?

**POV: you're in-house counsel**



# Dealing with Conflicts of Interest



# Conflicts of Interest with Current Clients



"Refresh my memory. Are you my lawyer  
or my lawyer's lawyer?"

# Conflicts of Interest with Former Clients



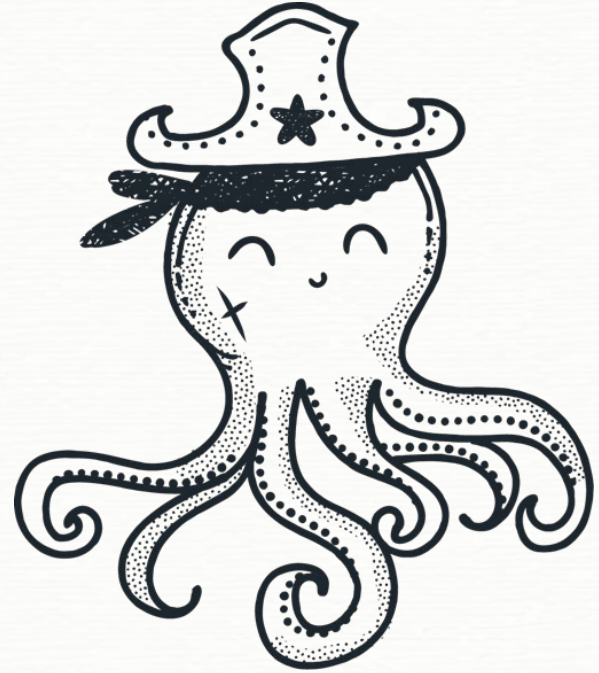
# One Attorney's Conflict Might Extend To The Team





02

## AI Specific Challenges Facing In-House





# Competence



*"A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation."*

*- ABA Model Rules 1.1*



# Competence Requires Verification





# Ongoing Duty of AI Competence





# Confidentiality

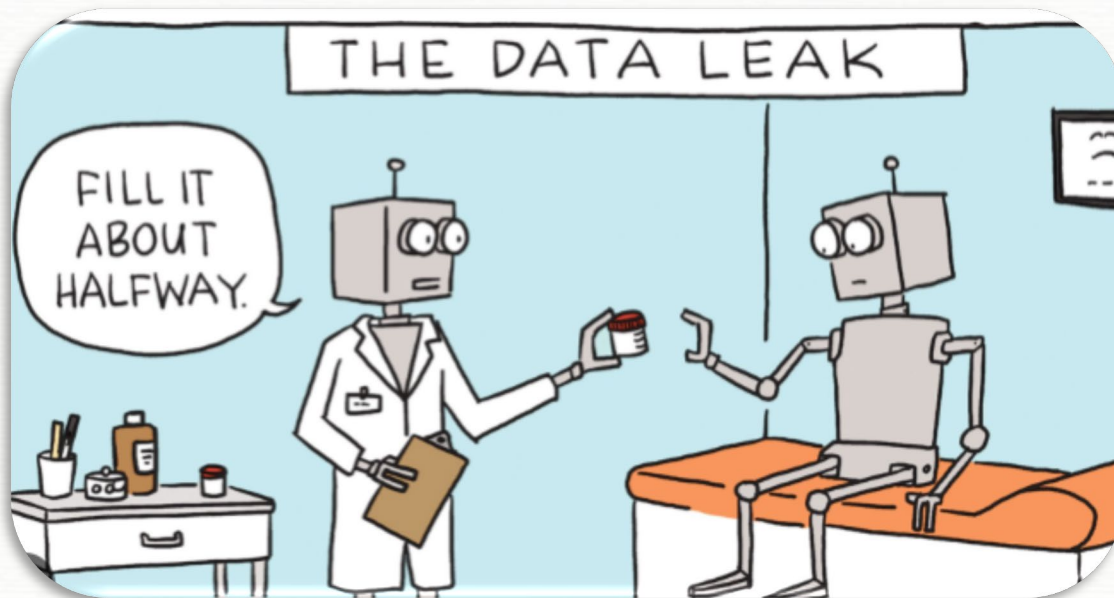


*"A lawyer shall not reveal information relating to the representation of a client unless the client gives informed consent, the disclosure is impliedly authorized in order to carry out the representation or the disclosure is permitted by paragraph (b)."*

*- ABA Model Rules 1.6(a)*



# Why Self-Learning AI Threatens Confidentiality



# Best Practices To Maintain Confidentiality



"We only have a few rules around here,  
but we really enforce them."

# Responsibility to Supervise



# Best Practices for AI Supervision





# Consequences When Supervision Fails



03

## Real-World Ethical Horror Story



# Plaintiff's Response to Court's Order to Show Cause

*Stephanie Wadsworth, Individually and as Parent and Legal Guardian of W. W., K. W., G. W., and L. W., minor children, and Matthew Wasworth v. Walmart, Inc. and Jetson Electric Bikes, LLC, 2/10/25*

“This matter comes with great embarrassment and has prompted discussion and action regarding the training, implementation and future use of artificial intelligence within our firm,” the response said.  
“This serves as a cautionary tale for our firm and all firms, as we enter this new age of artificial intelligence.”





# AI Misuse Is A Widespread Issue





# 04

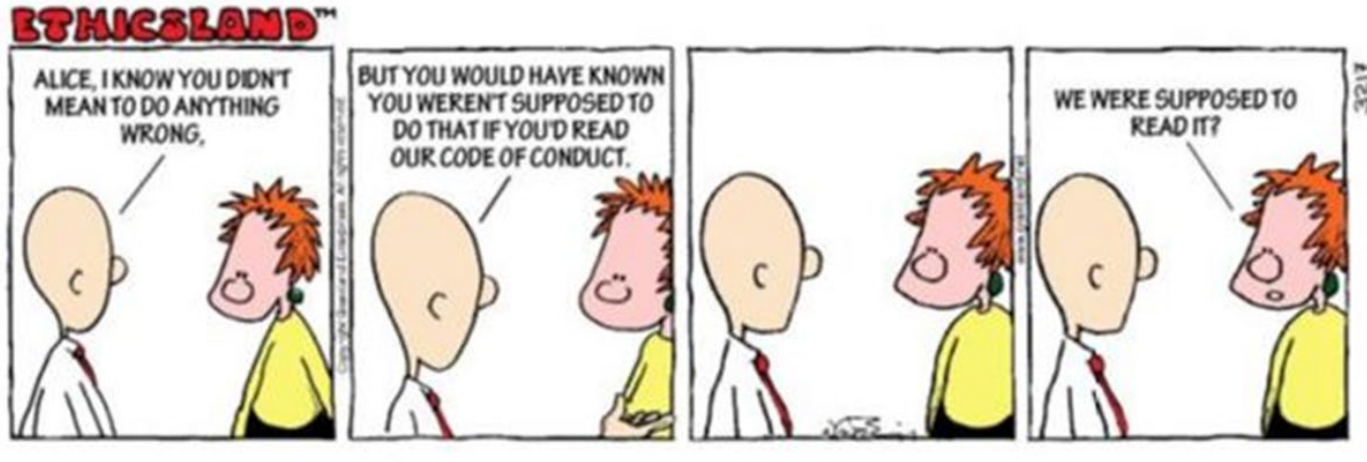
## Tips for Building an Ethical Culture



# Anchoring AI Use in Ethical Culture



# Practices to Prevent AI Pitfalls



I object! Counsel is trying to confuse the jury with the *intent* of the law, completely ignoring the loopholes and technicalities.

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Questions?  
Comments?

