

Re: Request for Formal Advisory Opinion

Michael Locke

Mon 5/8/2023 9:40 AM

To: UPLHDQ/The Florida Bar <uplhdq@floridabar.org>

The screenshot shows an email client interface with a search bar at the top containing "Machine learning". Below the search bar, there are search results for "Machine learning" in the "Sent" folder. The results are listed in a table-like format with columns for checkboxes, dates, and subject lines. The selected email is from Michael Locke, dated July 05, 2020, with the subject "Re: Exchange". The email content is displayed on the right side of the interface.

Checkbox	Date	Subject
<input type="checkbox"/>	Jul 05, 2020	Re: Exchange Ross intelligence is a machine learning/"...
<input type="checkbox"/>	Apr 27, 2020	Re: Re: Re: Re: Re: Re: Re: Re: Re: Re: Re: ... You drove our children around the state...
<input type="checkbox"/>	Jan 14, 2020	Re: Re: Re: Re: Re: Exchange "Company Name Florida Man Rising Des..."
<input type="checkbox"/>	Jan 12, 2020	Re: Re: Re: Re: Re: Re: Re: Re: Re: Re: Re: ... At first I was pretty creeped out by this t...
<input type="checkbox"/>	Jan 10, 2020	Re: Re: Re: Re: Re: Almost there Capacity, Capabilities, and Outcomes Ou...
<input type="checkbox"/>	Dec 30, 2018	RE: Exchange https://www.wired.co.uk/article/children...

Re: Exchange Sent

Michael Locke
Sent Jul 05, 2020, 4:12 PM

To: Paige Locke (Viewed Jul 05, 2020, 4:56 PM)

Ross intelligence is a machine learning/"ai" legal assistance platform similar to westlaw. I attached a screenshot from a reddit ama where the ceo of Ross intelligence is asked "Ethically, should lawyers always use AI because it enables better (cheaper, quicker, more accurate) service for their clients?"

And he responds "Great thinking! I was asked to speak on ethics in law and AI and my argument was that lawyers may have to ethically be obligated to use AI enabled tools soon as it would not be right to charge more for a task that you can get done quicker with an AI tool. This being said, I think the same rule applies whether your legal technology solution has AI in it or not, lawyers should be improving their workflows with great tech. I'm happy we are in the space and leading the charge with cutting edge AI tools but all good tech needs to get big ups!"

This was from 3 years ago. Law is a series of algorithms. Law is built for machine learning. It's like the educated not wanting serfs to learn to read.

1. "LexisNexis announces the launch of generative AI-based research and drafting tool Lexis+ AI"

<https://legaltechnology.com/2023/05/04/lexisnexis-announces-the-launch-of-generative-ai-based-research-and-drafting-tool-lexis-ai/>

2. "Thomson Reuters plans to spend some \$100 million a year to invest in artificial intelligence, Hasker said. It will start seeing generative AI incorporated into flagship products in the second half of this year. Generative AI is a type of artificial intelligence that generates new content or data in response to a prompt, or question, by a user."

<https://money.usnews.com/investing/news/articles/2023-05-02/thomson-reuters-reports-higher-first-quarter-sales-profit>

3. It seems that you are interested in the topic of Google's and OpenAI's competitive position in the field of artificial intelligence. According to a leaked internal document from a Google researcher¹, both companies have no moat, meaning they have no sustainable advantage over other players, especially the open source community. The document claims that open source AI models are faster, more customizable, more private, and more capable than Google's and OpenAI's models, and that they are solving major open problems that Google and OpenAI are still struggling with. The document suggests that Google and OpenAI should collaborate with and learn from the open source community, and release their models without restrictions to further the progress of AI. The document has sparked a lot of discussion and debate among AI experts and enthusiasts^{2,3,4}. Some agree with the document's arguments, while others challenge them or offer alternative perspectives. What do you think about this document and its implications?

Source: Conversation with Bing, 5/8/2023

(1) Google "We Have No Moat, And Neither Does OpenAI". <https://www.semianalysis.com/p/google-we-have-no-moat-and-neither>.

(2) Google: "We have no moat, and neither does Open AI" - LinkedIn.

<https://www.linkedin.com/pulse/google-we-have-moat-neither-does-open-ai-kane-simms>.

(3) Google Leaks AI Document: "We Have No Moat And Neither Does ... - Medium.

<https://medium.com/the-polymaths-journey/google-leaks-ai-document-we-have-no-moat-and-neither-does-openai-700bcf7c5c38>.

(4) Google Says "We Have No Moat, And Neither Does OpenAI". <https://blog.finxtter.com/google-says-we-have-no-moat-and-neither-does-openai/>.

4. The link you provided is for a project called **LawGPT**, which is a web app that uses **GPT-4** and **langchain** to analyze case files for legal professionals¹. The app can create summaries of the key points of each document, find inconsistencies in the information, suggest additional documents, and search **WestLaw** for similar cases¹. The project was built with **flask**, **python**, **react**, **selenium**, and **tesseract**¹. It seems like the project was inspired by the idea of combining GPT-4 with a legal database to help with legal research¹. Is this the kind of analysis you wanted?

Source: Conversation with Bing, 5/8/2023

(1) LawGPT | Devpost. <https://devpost.com/software/watson-3l2nig>.

(2) Software projects from hackathons · Devpost. <https://devpost.com/software>.

From: Michael Locke <mbl22885@msn.com>

Sent: Wednesday, May 3, 2023 5:57 PM

To: UPLHDQ/The Florida Bar <uplhdq@floridabar.org>

Subject: Re: Request for Formal Advisory Opinion

Hello,

Considering you're still a practicing lawyer, wouldn't you have a material pecuniary interest in this matter?

Regardless of how technology like CoCounsel is marketed, it unquestionably lowers the material value of work all lawyers do, including you.

Michael Locke

From: UPLHDQ/The Florida Bar <uplhdq@floridabar.org>

Sent: Wednesday, May 3, 2023 4:39 PM

To: Michael Locke <mbl22885@msn.com>

Subject: RE: Request for Formal Advisory Opinion

I reviewed your request for formal advisory opinion.

The advisory opinion rule sets limitations on advisory opinions and prohibits the UPL Standing Committee from rendering an advisory opinion with respect to any pending court case. Specifically, Rule 10-9.1(c) provides: “No advisory opinion may be rendered with respect to any case or controversy pending in any court or tribunal in this jurisdiction”

In your request, you indicated that you are a pro se litigant and are interested in using an AI assistant to prepare and file legal documents in your case, but are concerned that this may constitute the unlicensed practice of law. Because your request relates to a pending court case, the rule prohibits the Committee from rendering an advisory opinion.

Sincerely,

Jeffrey T. Picker
Director, Unlicensed Practice of Law
The Florida Bar
651 East Jefferson Street
Tallahassee, Florida 32399-2300
850.561.5840

From: Michael Locke <mbl22885@msn.com>

Sent: Sunday, April 23, 2023 2:07 PM

To: UPLHDQ/The Florida Bar <uplhdq@floridabar.org>

Subject: Request for Formal Advisory Opinion

Hello,

Is it possible to submit a request for a formal advisory opinion regarding the potential unlicensed practice of law electronically or does a request have to be via snail mail?

In the event a request submitted electronically is allowed, please accept the following request:

I am writing to request a formal advisory opinion on whether pro se use of Casetext's CoCounsel would constitute the unlicensed practice of law.

Casetext's CoCounsel is a legal AI assistant that can perform various tasks, such as document review, legal research memos, deposition preparation, and contract analysis. According to a study by Casetext and Stanford CodeX, GPT-4 scored approximately 297 points on the UBE, which is higher than the passing threshold for all UBE jurisdictions. This score places GPT-4 in the 90th percentile of test-takers.

I am a pro se litigant who is interested in using Casetext's CoCounsel to prepare and file legal documents for my case. I understand that Casetext's CoCounsel does not provide legal advice or representation, and that I am solely responsible for the accuracy and legality of my documents.

However, I am concerned that using Casetext's CoCounsel may be considered the unlicensed practice of law under Rule 10-2.1 of the Rules Regulating The Florida Bar, which defines the practice of law as "the giving of legal advice or legal assistance to another person". I am also aware that Rule 10-9.1 allows the Standing Committee on Unlicensed Practice of Law to issue proposed formal advisory opinions concerning activities which may constitute the unlicensed practice of law.

Therefore, I respectfully request that the Standing Committee on Unlicensed Practice of Law issue a formal advisory opinion on whether pro se use of Casetext's CoCounsel would constitute the unlicensed practice of law in Florida.

Thank you for your time and attention.

Sincerely,

Michael Locke
127 Delvalle St.
Melbourne Beach, FL 32951
Mbl22885@msn.com
[\(321\)506-9557](tel:(321)506-9557)

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