

# Understanding AI and ChatGPT – and Using It in Practice

By Ian Reardon

For decades, people have been discussing Artificial Intelligence, often referred to as “AI.” The core concept is that when computers gain the capacity to learn independently, they can potentially surpass human intelligence through continuous self-improvement. The world became abuzz with the release of ChatGPT in November 2022 due to its perceived human-like intelligence. It has been lauded as a technology that could replace numerous jobs, including those of attorneys.



While it’s unnecessary to grasp the intricate details of how ChatGPT works, having a basic understanding is important for risk assessment. A lawyer must distinguish situations where AI can be helpful from those where it may pose risks to such things as confidential client information.

## How Does ChatGPT Work?

ChatGPT is a “chatbot” which means that you communicate back and forth with it in plain text. You send it a message, similar to a text message, and it responds with an answer that appears to be written by a human.

**Query:** *What do you do in one sentence?*

**Response:** *I provide information, answer questions, and assist with various tasks through natural language conversation.*

ChatGPT’s functionality relies on “training,” which involves processing billions of pages of text, primarily sourced from the internet. This massive dataset encompasses webpages, books, articles, and social media, as well as case law, statutes, and treatises. During this training, ChatGPT attempts to identify repeated patterns in the words of these texts, this is essentially how it “learns.”

For example, ChatGPT has analyzed countless letters and emails, identifying a pattern where many letters begin with the salutation “Dear.” The frequency of this pattern throughout the training data reinforces ChatGPT’s understanding that letters typically start with “Dear.” Additionally, it may recognize that some letters begin with “Hello.” Continuously exposed to more patterns, ChatGPT refines its knowledge, noting that formal letters prefer “Dear,” while less formal ones tend to use “Hello.”

It’s important to understand that ChatGPT does not retain data like Google or a database. The depth of ChatGPT’s understanding of a particular subject depends on the volume of training data available for that subject. For instance, there is a vast amount of information available about the US Constitution, while there is much less data about New Hampshire laws. As a result, ChatGPT will provide more accurate and detailed answers regarding the US Constitution compared to New Hampshire law.

## Drafting Documents & Templates

Now that we know how ChatGPT works, let’s try some legal tasks. We’ll request the creation of a template “Letter of Representation” for a personal injury case. Given the abundance of such letters available online, it’s evident that ChatGPT has processed numerous examples during its training and should be capable of generating a well-structured template.

**Query:** *Can you write a template letter to an insurance company informing them that I represent an injured party in an automobile accident that occurred on January 1, 2023?*

While I don’t have enough space to provide a copy of the letter, the response was very well written, only needing minor edits. You can also refine the results with the following query: “Please add that the injured party broke his arm,” and the letter will be rewritten to include this information.

Drafting more specific documents can yield varied results. The rarity of a document type directly affects the quality of the output, as ChatGPT’s knowledge is largely reliant on the examples it has encountered during training.

## Summarizing Documents, Cases, and Statutes

ChatGPT excels at generating summaries, a task that occurs millions of times throughout its training data. Texts such as Wikipedia articles, research papers, and web pages frequently feature summaries of longer works. ChatGPT has undergone extensive training in the process of extracting the most relevant information from documents.

As said above, ChatGPT is not a database. It does not retain copies of any text. You can’t say, “Write a summary of NH RSA 458-C,” because ChatGPT only knows about the patterns it has found in documents related to the statute. Therefore, to generate a summary of a document, you must copy and paste it directly into ChatGPT. Your query would look like this:

**Query:** *Can you please provide me with a summary of the following document? [Paste content of document.]*

In my experience, the generated summaries are remarkably comprehensive, and don’t omit important details. After receiving the results, you can proceed to ask questions about the document. For instance, “Please summarize only the facts,” or “What were the issues in this case?”

## Proofreading

Proofreading is one of the areas where I find ChatGPT to be the most helpful. Again, this makes sense if we think about how ChatGPT learns. Nearly every document in its training data involves processing written language, and therefore the ability to write is one of ChatGPT’s greatest strengths.

Let’s assume I’m drafting an email about late discovery. I’ll purposefully provide something quite awful just to demonstrate ChatGPT’s ability to proofread and rewrite text that still maintains the spirit of the original.

**Query:** *I’m an attorney writing to opposing counsel. Please review the text I’m about to paste for grammar, clarity, readability, and conciseness.*

On January 1, 2023 I sent interrogatories you’re client, John Doe. Rule 1.25 say’s interrogatories have to be answered in 30 days. Right now it has been 35 days. If I don’t get answers in five days, I’ll filed a motion for Conditional Default. I’ll asking for costs and my fees.

**Response:** *Here’s a revised version of your paragraph with grammar, clarity, readability, and conciseness improvements:*

*“On January 1, 2023, I sent interrogatories to your client, John Doe. According to Rule 1.25, interrogatories must be answered within 30 days. As of today, 35 days have passed without receiving any responses. If I do not receive the answers within the next five days, I will proceed to file a motion for Conditional Default, seeking both costs and attorney fees.”*

The reason that I lead off my query with “I’m an attorney” is because ChatGPT knows from its training the difference between legal language and less formal language. Telling it that I am an attorney sets the context.

Utilizing ChatGPT for proofreading has improved my writing process. Typically, it does not alter a writing when it determines that it already meets the criteria for “grammar, clarity, readability, and conciseness.” This confirmation not only enhances my proofreading but also boosts my confidence that I’m conveying my intended message.

## Legal Research

ChatGPT should not be used for legal research and could pose risks if relied upon by those who don’t understand this limitation. This stems from ChatGPT’s inability to store actual cases or statutes; it only retains patterns it has identified when processing legal documents.

For example, when asked about New Hampshire child support, ChatGPT produces responses containing phrases like “best interest of the child” and “substantial change in circumstances.” While these responses may initially appear accurate, a closer examination reveals that the answers came from child support statutes across the entire country. This highlights how the lack of training data significantly reduces the quality of ChatGPT’s results. If ChatGPT was trained on larger amounts of New Hampshire child support content, it would likely yield considerably more accurate responses.

## Conclusion

While much more could be said about ChatGPT and similar AI, the best way to understand its capabilities is to try it out. Visit [chat.openai.com](https://chat.openai.com) and create an account. Start a conversation and ask it to perform various tasks. The key to getting valuable responses from ChatGPT is learning how to ask the right questions. The more information and instructions you provide, the better the results will be. While this article has not addressed the ethical considerations of using such a tool, I encourage you to read ChatGPT’s privacy policy and refrain from entering any data that might conflict with the Rules of Professional Conduct. ■

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