Responses to Law360 AI questions by Kristen Boon, Dean of the Faculty of Law – Common Law Section, University of Ottawa.

Background
The University of Ottawa’s Common Law section has been the leader in the broad area of law & technology, including Artificial Intelligence (AI), for over 25 years. Our faculty is home to the Centre for Law, Technology and Society, the AI & Society Initiative and a number of faculty members with active research agendas focused on various aspects of AI, including generative AI.

In 2023-2024, the Common Law Section is offering several courses focusing on AI, such as: Regulating Artificial Intelligence, Privacy & AI, and AI and the Legal Profession.

Legal education is a shared ecosystem between law schools, law societies, and the profession. Each respective stakeholder plays a different role in generative AI education. Our answers below focus on the Common Law Section’s approach to the use of generative AI in 2023-2024.

Q&A
Question: What policies or guidance, including best practices, has your law school put in place, if any, for the 2023/2024 school year with respect to the use of generative artificial intelligence, such as ChatGPT by: Law school applicants? Students? Faculty? Administrative staff?

Answer: The University of Ottawa updated its Academic integrity regulations to account for the use of AI. All undergraduate students, including first-year law students, are required to complete a mandatory training on Academic Integrity that includes information on the appropriate use of generative AI. The University also has a list of FAQs that addresses the use of AI in learning and research.

At the Faculty level, the Common Law Section has developed guidelines for using generative AI in teaching. The guidelines provide recommendations for the responsible and ethical use of generative AI.

Generative AI is not permitted on exams.

Individual faculty members may decide to permit or prohibit the use of generative AI in the learning outcomes and assessments. A paper or an assignment should communicate a student’s original contribution to a selected topic. Therefore, an assignment fully or partially produced by generative AI is not permissible (even if a student discloses that they used generative AI to generate the text). However, there is nuance in how generative AI may be used and instructors are encouraged to consider which uses they find permissible, and which are not, considering the learning outcomes. When generative AI is prohibited, students are required to sign an attestation confirming they did not use generative AI. If generative AI is permitted, students are required to sign an attestation detailing the use of Generative AI.

Question: What are the areas of most concern about GenAI use and what sticking points or areas of contention are/were there in the development of policies, best practices, and guidelines?

Answer: The arrival of generative AI highlights a tension between two key aspects of education: firstly, the learning component, whose goal is to equip the students to understand generative AI and how to appropriately use it and, secondly, the assessment component, whose objective is to evaluate students on the basis of their own work and clear parameters on the extent to which they can use generative AI.
Our guidelines are designed to navigate this challenge, while also preserving the academic freedom of professors, enabling them to make sound pedagogical decisions.

**Question:** Will the law school be teaching/training students and staff on how to use GenAI, including how to use it professionally and in an ethical way? Who will teach GenAI and in what ways and in what contexts? Will there be specific training/courses devoted to this?

**Answer:** In courses incorporating generative AI into the learning outcomes, students will learn how to use it responsibly and effectively. In winter 2024, Professor Amy Salyzyn will teach a course on AI and the Legal Profession to address some of these issues.

As a faculty, we will monitor and assess the needs for the next academic year. We will determine what other offerings may be useful to students in the future.

**Question:** What concerns, if any, does the law school have around student “cheating” and plagiarism that might be facilitated by GenAI, and how does it plan to detect such problems and deal with them?

**Answer:** Generative AI is prohibited on exams. Students must sign an attestation confirming they did not use generative AI. Violations are treated as academic fraud and are handled according to the University of Ottawa regulations on Academic Integrity. Additionally, exam software may be used to prevent access to AI tools during exams.

For other types of assessments, such as assignments or papers, based on our Guidelines, individual professors decide whether to prohibit generative AI or integrate it into the learning outcomes. If a prohibition is in place, students must sign an attestation confirming they did not use generative AI. Violations are treated as academic fraud and are handled according to the University of Ottawa regulations on Academic Integrity.

Where Generative AI is permitted, the student work must comply with the University of Ottawa Academic Regulations of Academic Integrity. In addition, students must provide a signed attestation detailing its use, purpose, and the prompts they engaged.

**Question:** What impact could GenAI have on law school applications specifically? If students are using GenAI to write application essays, or draft responses to questions, how will the school screen for that?

**Answer:** All Ontario law schools are members of OLSAS, which governs the admission process. OLSAS prohibits the use of Generative AI on admission essays. OLSAS has a working group that is addressing these questions.

We will monitor the situation and assess if any changes need to be made at the faculty level for next year.