



SANTA CLARA UNIVERSITY SCHOOL OF LAW

January 24, 2023

Dear Friends,

I feel the need to assure you that ChatGPT did not write this message! But its emergence has raised profound questions for us, including how we might use this remarkable new technological tool, and tools like it, to support our fundamental educational and professional goals.



Used thoughtfully and ethically, innovations like ChatGPT can improve legal education and legal services. Similar advances in educational technology have already helped to expand access to education for students from all walks of life and with every learning style. They are also used to enhance the efficiency of tasks like legal research and contract drafting, thereby lowering the cost of legal services and helping to close the access to justice gap. Accordingly, we should approach innovations like ChatGPT not with fear, but with curiosity—as a tremendous opportunity to teach law students and legal professionals the technological fluency and practical skills that can help improve legal education and legal services.

As these tools become stronger and more ubiquitous, however, we must also become even more mindful of their limits and the essential *human* qualities that are indispensable to the best lawyering. In our law school community, we strive to teach and assess so much more than can be generated by the latest, even the greatest, technological advances. We seek the formation and transformation of our students, with the goal that they will develop lifelong habits of mind and heart that will empower them to serve their clients and communities with competence, conscience, and compassion.

We know that critical thinking and legal analysis require the application of legal principles to a unique constellation of facts and circumstances through an all too human process of judgment, creativity, and lived experience. Technologies like ChatGPT may be able to generate a fairly acceptable statement of legal principles. But because every lawyer, client, and fact pattern is wonderfully unique, technology cannot replicate the mix of human behavior, nuanced understanding, common sense, design thinking, and good judgment that is the key to the best legal analysis and advice.

For all its futuristic appearances, this kind of artificial intelligence is actually backward-looking. It relies on the aggregation of past data and thus locks into place prior experiences, decision-making, and mistakes rather than supporting historical progress, a growth mindset, and new ways of human flourishing.

Moreover, we know from both our own experience and the latest brain research (made possible by remarkable brain imaging technology) that professional knowledge, skills, and values are constructed socially, only through meaningful relationships. Relationship-building skills such as empathy, sympathy, engaged listening, perspective-taking, collaboration, and respectful dialogue are not only vital to human happiness and well-being, they are also indispensable to client service, community impact, and professional success. Although technology can provide useful platforms that facilitate and document collaboration, it cannot fully simulate real, dynamic, messy, fluid, gritty, and wondrous interpersonal connections and accompaniment, which give rise to the kind of human relationships that produce deep learning and exceptional lawyering.

In our Jesuit learning community, we recognize that relationships based on loving kindness are the foundation on which to build the future of justice. As we think seriously about which aspects of legal education and legal services can never in the future be performed by artificial intelligence, we would all benefit from recollecting the beautiful homily offered by Acting President Lisa Kloppenberg on the eve of our most recent law school commencement:

“ . . . I hope and pray that you will be beacons of God’s love and light as you leave our campus and enter the legal profession. As you serve your clients and take on responsibilities as officers in our justice system and leaders in your communities, may you never forget that your main duty is to share God’s love with those you encounter...I believe that your legal training has deepened your maturity, wisdom, compassion and kindness. Don’t be afraid to show that as a lawyer!

Because if our justice system is not filled with love, what kind of justice is it? If we do not accompany our clients in the depth of their suffering and provide some support and hope, what kind of counsel are we providing?"

As Lisa Kloppenberg brilliantly suggests, no technological device—no matter how impressive—can teach or offer genuine maturity, wisdom, compassion, and kindness, and no such device can answer our true human calling to be beacons of God's love.

With warm regards and great gratitude,

A handwritten signature in black ink that reads "Michael". The signature is written in a cursive, flowing style.

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