

Sunday Webinar Series

September 10, 2023 (Faculty
Advisors)

For editors of student-edited law
reviews and journals and their
faculty advisors



This program will be recorded.

Introductions & Agenda

Your Hosts

- **Darby Dickerson**, President & Dean, Southwestern Law School + Scribes Past President & Board Member
- **Brooke J. Bowman**, Professor of Law, Stetson University College of Law + Scribes Board Member

Agenda

- Scribes Resources for Law Reviews
- Impact of Generative AI on Law Reviews and Law Journals
- Discussion About Challenges and Topics of Interest for Faculty Advisors and Future Programming

Session Goals

Introduce	Introduce participants to Scribes resources for law reviews and law journals
Help	Help faculty advisors work with their editors proactively to anticipate the impact of Generative AI on the journal's work
Provide	Provide resources regarding GenAI to assist faculty advisors and journal editors with their work
Identify	Identify topics and challenges for faculty advisors that we can address in future programs and publications
Gauge	Gauge interest in regular discussion sessions (maybe 2x or 3x per year)

About Scribes

- Scribes—The American Society of Legal Writers ([scribes.org](https://www.scribes.org)) is a nonprofit founded in 1951 whose Board comprises academics, librarians, judges, and practitioners. Scribes is dedicated to improving legal writing.
- **Projects:**
 - *Scribes Journal of Legal Writing*
 - Best Student-Written Law Review Award (Jan. 15)
 - Best Moot Court Award
 - Best Book Award
 - National Order of Scribes (student award for member schools)
 - Scribes Writing Tips (email)
 - CLE programs (<https://www.scribes.org/events-cle/>) | Write to Be Heard Series with the American Inns of Court
 - Scribes Fellows program (for professors and attorneys)
 - Student Societies (for member schools)
 - Coming soon: Self-paced legal writing courses on Canvas



Scribes Law Review Project

- For decades, Scribes has presented a “[Best Law Review Article](#)” award to the best student-written article from among nominations received.
- In Fall 2021, Scribes launched a [national survey of law reviews](#); the results were distributed to law reviews in May 2022 and appear on the Scribes website. **We will distribute the new survey instrument later this semester.**
- In March 2022, Scribes started a webinar series for law-review editors.
- In August 2022, Scribes published [The Scribes Manual for Law Review Editors](#) (Carolina Academic Press); list price: \$45 (also available on Amazon.com).
- In March 2023, Scribes held the inaugural National Conference for Law Review Editors. **The next Conference is scheduled for April 7, 2024 (virtual).**
- Scribes will soon launch a Canvas site with all Scribes law review webinar and conference recordings and materials.





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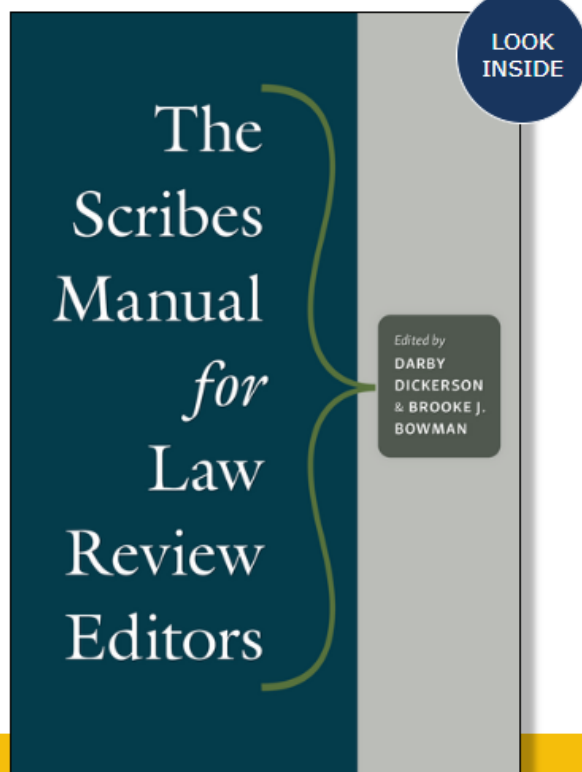


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The Scribes Manual for Law Review Editors

Edited by: [Darby Dickerson](#), [Brooke J. Bowman](#)

2022

Tags: [Law School Study Aids](#)

354 pp \$45.00

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ADD TO
CART

Why Law Reviews Exist
Law Review as an Academic Activity: Grades, Academic Credit, Accreditation Standards, and School Policies
The Business of Law Reviews
Diverse, Equitable, and Inclusive Practices for the Law Review and Legal Scholarship
Understanding Philosophical Movements Law Review Editors May Encounter
Working with Law Librarians
Common Editorial Positions and the Selection of Editors
Effective Editorial Board Transitions
Leadership Styles for Law Review Editors
Selecting Journal Candidates: The Purpose and the Process

Orientation and Training for Editors, New Staff Members, and Returning Staff Members
Working with Student-Authors
Author Relations
The Editing Process: Substantive and Technical Editing
Journal Production and Dissemination
Post-Production Consequences: How a Law Review Can Influence an Article’s Scholarly Impact
Managing Copyright Issues for Law Reviews
Policies for Law Reviews on Archiving Internet Sources
The Editorial Adventure: Five Universal Lessons

Webinar Series for Editors

March 13, 2022:
Effective Board Transitions

April 10, 2022:
Article Selection: The Good,
the Bad, and the Political

May 8, 2022:
On-demand (not live): Results
of the 2020-2021 National
Law Review Survey

June 13, 2022:
Planning New Staff Member
Orientation and Training

July 10, 2022:
Understanding, Identifying,
and Handling Plagiarism

August 14, 2022:
EIC Roundtable

September 11, 2022:
Working with Law Librarians

October 9, 2022:
The Business of Law Reviews

November 13, 2022:
Understanding Your Journal's
History and Legacy

December 11, 2022:
On-demand (not live): A
Primer on *The Redbook*

January 8, 2023:
Crafting Your Law Review
Narrative: How to Make the
Most of This Honor

March 12, 2023:
Selecting New Staff
Members: Matching Needs
with Skills and Developing a
Fair and Effective
Competition Packet

August 27, 2023:
Working with Student
Authors

September 24, 2023:
The Impact of Generative AI
on Law Review and Law
Journals

January 28, 2024:
Editor webinar (Topic TBD)

2023 National Conference for Law Review Editors (Virtual)

Top Tips from Top Authors (Richard Delgado, Martha Minow, Elizabeth Kronk Warner)

Navigating Your First 90 Days as a New Editor

Producing Your Law Journal—From A to Z

Article Selection and Solicitation

Editing 101

Top Tips from Outgoing EICs

How to Plan and Implement a Successful Symposium

Canvas Page

Will include all 2022 and 2023 webinars for student editors plus recordings from the 2023 National Conference

One-year access

\$300 per journal (free for institutional members)

Opening in late September/early October

2024 National Conference for Law Review Editors

- April 7, 2024
- Registration will open in early January 2024 on EventBrite
- Virtual
- Free for Scribes institutional members (up to 10 individuals)
- Basic cost for a single journal = \$300 (up to 5 individuals)
- Topic ideas:
ddickerson@swlaw.edu



Scribes Institutional Members (\$650/year)

- Barry University Dwayne O. Andreas School of Law
- Baylor Law School - Legal Writing Center
- California Western School of Law
- Charleston School of Law
- Duke University School of Law
- Elon University School of Law
- Gonzaga University School of Law
- Indiana University McKinney School of Law
- Louisiana State University Paul M. Herbert Law Center
- Ohio State University Mortiz College of Law
- South Texas College of Law
- St. Mary's University School of Law
- Southwestern Law School
- Stetson University School of Law
- Suffolk University Law School
- Syracuse University College of Law
- Texas Tech University School of Law
- University of Akron C. Blake McDowell Law Center
- University of Houston Law Center
- University of Illinois Chicago School of Law
- University of La Verne College of Law
- University of Mississippi School of Law
- University of Oklahoma Law Center
- University of Richmond School of Law
- WMU Cooley Law School

If You Have Questions

- Contact:
 - Darby Dickerson, President & Dean, Southwestern Law School, DDickerson@swlaw.edu
 - Scribes Headquarters, scribeslegalwriters@gmail.com





Impact of Generative AI on Law Reviews and Law Journals

Impacted Areas

New member
selection (write-
on competition)

Algiorism**

Author
guidelines and
article selection

Citation
practices

Article selection

Student notes
and comments

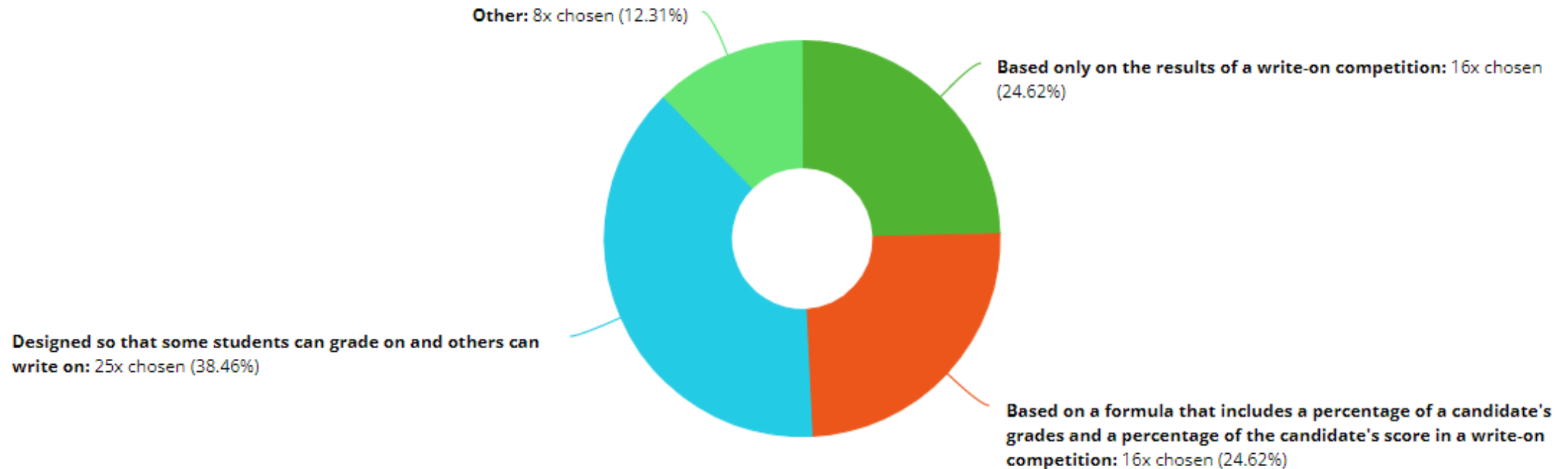
**Mark L. Shope, [Best Practices for Disclosure and Citation When Using Artificial Intelligence Tools](#), 112 Georgetown L.J. Online 5 (last revised July 10, 2023).

New Member Selection

Most reviews and journals use a write-on paper as at least part of the selection process

How do you select new Members?

Number of responses: 65



Options in Light of GenAI

Shift to another selection method

- Grade-on | Grade-on with more emphasis on LRW grades
- In-person writing, editing, or citation exercise
- Cite-and-source | Production assignment
- Multiple-phase competition that would make using GenAI across all phases more difficult
- Other (*Scribes Manual*)

Design guardrails

- Post-September 2021 topic
- Clear rules regarding what constitutes GenAI and how it may be used (if at all)
- Signed integrity statement that AI was not used or mandatory acknowledgement or citation of AI use

Algiarism: AI Detection Tools Are Not Yet Reliable

- The [Federal Trade Commission](#) (July 2023) has cautioned companies against overstating the capabilities of AI detection tools
- Significant bias against non-native English writers (many false positives)
- Prompting strategies and other AI tools can help bypass detectors
- Minor editing can help bypass detectors
- Many detectors identify AI-generated text as human-written text (many false negatives)
- Open AI, the creator of ChatGPT, discontinued its AI detection tool
- So far, it appears that originality.ai is the most accurate tool, but these are early days
- Consequences of a plagiarism/Algiarism/cheating allegation on bar admission and future employment
- **Today's takeaway:** Law reviews and journals should not be using AI detection tools in the absence of a law school or university policy and “endorsed” tool. Even then, proceed with caution.

Do Law School Plagiarism and Honor Code Policies Expressly Cover Journal Activities?

[Mitchell Hamline](#)

3.3 “Plagiarism” means the act of using words and ideas that are not one’s own and representing them as one’s own without proper attribution or credit. The use of another person or an artificial intelligence content-generator’s words or ideas must be given adequate documentation whether used in direct quotation or in summary or paraphrase. Plagiarism includes, but is not limited to, submitting the work of another or a content-generator as one’s own whether intentional or not.

Berkeley Law

Generative AI is software, for example, ChatGPT, that can perform advanced processing of text at skill levels that at least appear similar to a human's. Generative AI software is quickly being adopted in legal practice, and many internet services and ordinary programs will soon include generative AI software. At the same time, Generative AI presents risks to our shared pedagogical mission. For this reason, we adopt the following default rule, which enables some uses of Generative AI but also bans uses of Generative AI that would be plagiaristic if Generative AI's output had been composed by a human author.

The class of generative AI software:-

- Never may be employed for a use that would constitute plagiarism if the generative AI source were a human or organizational author. For a discussion of plagiarism, see [Plagiarism | GSI Teaching & Resource Center](#)
- May be used to perform research in ways similar to search engines such as Google, for correction of grammar, and for other functions attendant to completing an assignment. The software may not be used to compose any part of the submitted assignment.
- May not be used for any purpose in any exam situation.

Instructors have the discretion to deviate from the default rule, provided that they do so in writing and with appropriate notice.

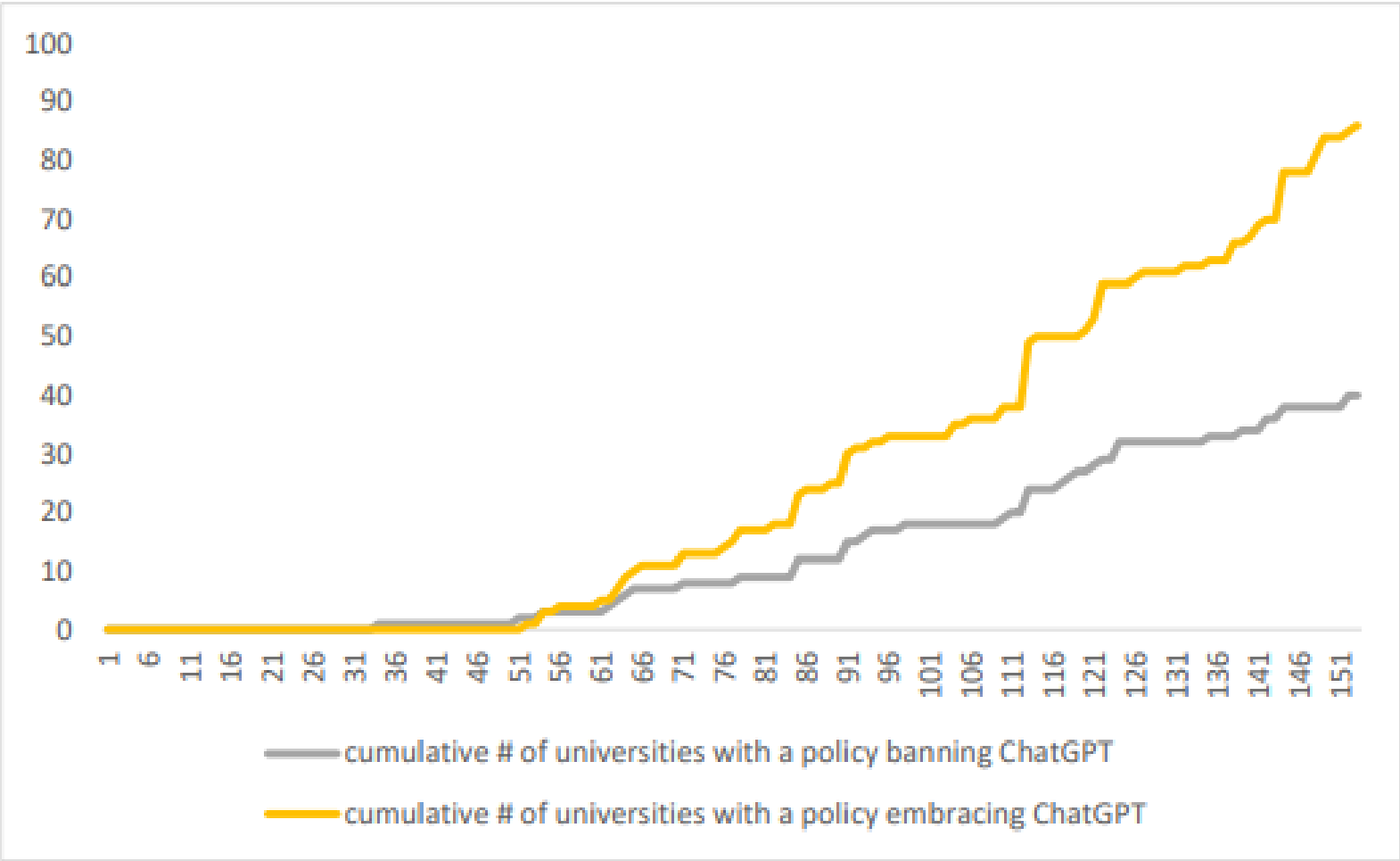
Washburn Law

Generative AI Interim Policy. The rapid advance and dissemination of artificial intelligence (AI) bring significant opportunities and challenges for legal education and the practice of law. In particular, “Generative AI” systems (such as the recent GPT releases) have the capacity to synthesize information, answer questions, and produce human-like prose. While the responsible use of this technology may positively enhance or augment learning opportunities and productivity, the overuse or abuse of this technology can undermine student learning and risks other harms, including exposure to or production of biased content, privacy infractions, intellectual property violations, and loss of trust (e.g., authenticity). The potential implications for students and lawyers are vast and highly unsettled. But there is little to no doubt that generative AI will be part of every lawyer’s future—whether using it, representing clients who do, or shaping norms around it.

To facilitate the Washburn Law community’s interaction with these technologies in anticipation of a more longstanding policy on their use, Washburn Law adopts this interim policy:

- a. Students shall not use the output of Generative AI for any graded or required course work or **co-curricular activities**, unless approved by the instructor or faculty advisor (Faculty) in accordance with paragraphs ii. and iii.
 - b. Faculty members may develop more specific terms and conditions for the use of Generative AI in their courses or the co-curricular activities they supervise. They may, for instance, allow students to use Generative AI tools for graded or ungraded course-work or school-related activities, but only under certain conditions, disclosures, or supervision. Students may also be required or advised to avoid or mitigate the risk of harmful or unlawful uses, such as generating outputs that are biased or discriminatory, constitute privacy infractions, risk plagiarism, or violate licensing restrictions. Faculty may also choose to allow the use of some Generative AI tools but not others.
 - c. Where there is any uncertainty regarding permissible uses of Generative AI tools for school-related work, students must consult with the appropriate Faculty member *before* engaging in the activity.
 - d. A student's knowing or reckless disregard of this policy may be considered academic impropriety and trigger an honor code investigation.
- If a law student commits academic improprieties which are not discovered until after graduation, the student's graduation will not prevent prosecution for those improprieties. If, as a result of imposition of sanctions, the student no longer meets the requirements for graduation, the student's law degree will be withdrawn, as will any certifications to bar authorities.

Figure 2B: Number of Universities Banning ChatGPT vs. Embracing ChatGPT Over Time



Note: The y-axis is number of universities and the x-axis is the number of days since the release of ChatGPT.

In the Moot Court Realm

- Most published 2024 rules do not address GenAI
- [Billings, Exum & Fry National Moot](#) competition rules:

Because the purpose of this competition is educational, teams may receive limited faculty assistance in the preparation of their briefs. Permissible assistance is limited to discussion of the issues with the students. No one other than a student team member may supply research, engage in drafting the brief, or review or comment upon a draft of the brief before it is submitted to the competition (this also bars any researching, drafting, or revising through the use of any generative artificial intelligence, including but not limited to ChatGPT or embedded AI in Lexis, Westlaw, Microsoft Word, etc.). Service of the

- [Siegenthaler-Sutherland](#) competition rules:

B. *Artificial Intelligence.* Use of artificial intelligence (“AI”) platforms including but not limited to ChatGPT or ClickUp during brief writing and preparation of oral argument is **strictly prohibited**. All brief submissions will be checked for use of AI assistance through a third-party detector for plagiarism and AI use. Use of AI platforms is grounds for disqualification at the discretion of the Vice Chancellor.



Publisher Guidelines in Other Scholarly Fields

Banning v. Disclosing
Also: Who is an “author”?

Science (Ban)

Artificial intelligence (AI). Text generated from AI, machine learning, or similar algorithmic tools cannot be used in papers published in *Science* journals, nor can the accompanying figures, images, or graphics be the products of such tools, without explicit permission from the editors. In addition, an AI program cannot be an author of a *Science* journal paper. A violation of this policy constitutes scientific misconduct.

How will the policy be enforced?

Is a complete ban desirable?

“AI program” not specifically defined?

How and when can editor permission be sought?

(Jabotinsky & Sarel at 18-21.)

Findings Press (July 29, 2023)

The use of AI tools in the writing of articles is an evolving landscape. At this time, the following is the policy of *Findings Press*.

Research: ChatGPT and other AI tools are permitted research tools.

Authors should document the extent to which ChatGPT or other tools have been used in the research process in the Methodology section. This should include a description of the specific tasks, analyses, or portions of the work that were supported by the AI tool.

Writing: All authors must be human.

AI Cannot be credited as an Author or Co-Author. Instead, researchers who use any form of AI (including e.g. ChatGPT) or similar research tools to help conceive, conduct, or document the research should acknowledge that contribution in the Acknowledgments section, emphasizing the respective role of the researchers and the AI in the article writing process. Human authors are ultimately accountable for the outcome of the work

American Journal of Psychotherapy

USE OF AI-ASSISTED TECHNOLOGIES

The American Psychiatric Association has adopted the following policies regarding the use of generative artificial/augmented intelligence (AI) in any manuscript or book submitted for potential publication:

- If a generative AI tool was used at any stage in the creation of a submitted work, both the relevant text of the submitted work and the cover letter or email accompanying the submission must fully identify all details of the AI use (including the tool used and the relevant output)
- Submitted works may not include images produced with generative AI at this time
- Only human persons can be listed as authors of a work (i.e., no AI tool may be identified as author)
- Authors are responsible for all material contained within the submitted work, including any material first produced through the use of generative AI. This comprises responsibility for the accuracy of such material (i.e., confirming that it is not incorrect, incomplete or biased) and for ensuring that all relevant material includes appropriate attribution and does not constitute plagiarism
- Material produced through a generative AI tool may not be cited as a primary source

World Ass'n of Medical Editors

WAME Recommendation 2: *Authors should be transparent when chatbots are used and provide information about how they were used.* The extent and type of use of chatbots in journal publications should be indicated. This is consistent with the ICMJE recommendation of acknowledging writing assistance (11) and providing in the Methods detailed information about how the study was conducted and the results generated. (12)

WAME Recommendations 2.1: *Authors submitting a paper in which a chatbot/AI was used to draft new text should note such use in the acknowledgment; all prompts used to generate new text, or to convert text or text prompts into tables or illustrations, should be specified.*

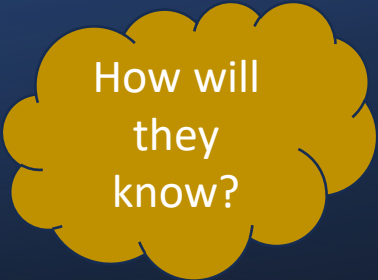
WAME Recommendation 2.2: *When an AI tool such as a chatbot is used to carry out or generate analytical work, help report results (e.g., generating tables or figures), or write computer codes, this should be stated in the body of the paper, in both the Abstract and the Methods section. In the interests of enabling scientific scrutiny, including replication and identifying falsification, the full prompt used to generate the research results, the time and date of query, and the AI tool used and its version, should be provided.*

Authors are required to:

1. **Clearly indicate the use of language models in the manuscript**, including which model was used and for what purpose. Please use the methods or acknowledgements section, as appropriate.
2. **Verify the accuracy, validity, and appropriateness of the content** and any citations generated by language models and correct any errors or inconsistencies.
3. **Provide a list of sources used to generate content** and citations, including those generated by language models. Double-check citations to ensure they are accurate, and are properly referenced.
4. **Be conscious of the potential for plagiarism** where the LLM may have reproduced substantial text from other sources. Check the original sources to be sure you are not plagiarising someone else's work.
5. **Acknowledge the limitations of language models in the manuscript**, including the potential for bias, errors, and gaps in knowledge.
6. Please note that AI bots such as ChatGPT **should not be listed as an author** on your submission.

We will take appropriate corrective action where we identify published articles with undisclosed use of such tools.

Law Library Journal (AALL)



How will
they
know?

ORIGINALITY & PROPER ATTRIBUTION

Law Library Journal seeks to publish original scholarship. The *Journal* will not publish articles that have been substantially previously published (except those presented or shared as working papers, drafts, or works in progress). *LLJ* will not consider articles that are under consideration by other scholarly journals.

The *Journal* will not consider articles substantially drafted with generative artificial intelligence tools. If the use of generative AI is necessary for the article's scholarly contribution, such use must be disclosed when the article is submitted.

Authors are responsible for the accuracy of statements in their articles and for the accuracy and adequacy of the references. *LLJ* will not systematically verify sources or citations.

Student- Edited Law Reviews

- No public-facing policies for T-20 flagship law reviews as of July 31, 2023 (Jabotinsky & Sarel at 25-26)
- We have not located public-facing author guidelines or AI policies for student-edited law reviews or journals

Potential Policy (Drafted Using ChatGPT)

Policy on Use of AI-Generated Text in Submissions

The [Name of Law Review] recognizes the increasing role of artificial intelligence (AI) in the research and drafting processes. We appreciate the potential benefits of these technologies but also acknowledge the challenges they pose in ensuring the originality and quality of scholarly work.

In the interest of maintaining academic integrity, we ask all authors to adhere to the following guidelines when submitting work to our law review:

- 1. Original Authorship:** All submitted work should primarily represent the original thoughts, analysis, and scholarly contribution of the human author(s). An AI tool may not be listed as a co-author.
- 2. Disclosure of AI Use:** If the author(s) used Generative AI tools (like ChatGPT, Google Bard, or CoCounsel) in drafting any part of the submitted work, the author(s) must disclose that use at the time of submission. The specific parts of the text that have been AI-generated should be clearly noted or cited in the relevant part of the paper. **[You might give specific format guidance here.]**
- 3. Verification:** The [Name of Law Review] **reserves the right to verify the originality of submitted work using one or more AI detection tools or other methods.** Submissions found to contain AI-generated content without proper disclosure and citation may be subject to rejection.
- 4. Action upon Discovering Undisclosed AI Content:** If the law review discovers undisclosed AI-generated content is detected beyond a de minimis amount, the law review reserves the right to request prior drafts of the work, require the author(s) to rewrite portions of the manuscript, or withdraw the offer of publication.
- 5. Ethics and Responsibilities:** Authors are reminded of their ethical responsibilities in submitting work for review. Misrepresenting of AI-generated content as original human-authored work can be considered a breach of academic integrity. Authors are also responsible for ensuring their work does not plagiarize another's work.

We encourage authors to use AI tools responsibly, as aids in the research and drafting process, while ensuring that the final submitted work reflects their own legal analysis, arguments, and understanding of the topic.

Potential Format Guidance (Shope at 15-16)

- **Disclosure of Interactions with AI Tools:** Authors must disclose interaction information with AI Tools used in all submitted manuscripts. This information should be included with the author's biographical information and should include the name of the tool, its creator, its version or build number, and the dates of the interaction.
- **Citing Specific Interactions with AI Tools:** Authors [must, should strive to] disclose specific interaction information with AI Tools used in all submitted manuscripts. This information should be cited as necessary throughout the article and include the name of the tool, its creator, its version or build number, the name or title of the human who interacted with the tool followed by the date of the interaction. An introductory signal "Assisted by" or "Created by" should be used. You may quote the specific prompt(s) given to the AI Tool in a parenthetical at the end of the citation.

Author Acknowledgement Template (Drafted with ChatGPT)

I, [Author's Name], affirm that I am the sole author of the submitted work titled "[Title of Article]." I declare that all text in this manuscript was written solely by human authors and that no artificial intelligence program was used in generating this text.

OR

I, [Author's Name], affirm that I am the sole author of the submitted work titled "[Title of Article]." I declare that an artificial intelligence program was used in generating some portions of this text. These passages, to the best of my knowledge and belief, have been explicitly noted and cited in the manuscript.

I understand the ethical implications of this declaration and accept full responsibility for the originality and integrity of the submitted work. Any instance of misrepresentation or misconduct identified may be subject to action in accordance with the journal's policies and guidelines.

Signature: _____ Date: _____



Acknowledgements & Citations

Shope Suggested Norms

- “In general, when using an AI Tool in your writing, it is a best practice to insert a disclosure at the beginning of the writing. No further citation is necessary in subsequent footnotes, unless the author finds it necessary for transparency, accountability, and trust, or the author finds it necessary based on frequency of use, quantity of use, clarity, or highlighting the text as a focal point for analysis.” (Shope at 6.)
- “The text generated by an AI Tool does not require utilizing quotation marks unless the purpose is to highlight or bring attention to that text as coming from a particular AI Tool. For example, if you are using an algorithmic grammar and style tool and that tool suggests that you rearrange a sentence such that it is written in a more appropriate voice, you typically do not need to quote the rearranged or new language.” (Shope at 6.)
- “[I]f you need to highlight how ChatGPT suggested certain language based on a given prompt, then the use of quotations would be appropriate.” (Shope at 7.)
- “If you use an AI Tool to summarize an article, case, or other material, it is generally not necessary to cite the use of the AI Tool, and the general disclosure at the beginning of the article will be sufficient.” (Shope at 7.)

Shope Examples (p. 8)

*Associate Professor of Law, National Yang Ming Chiao Tung University School of Law (markshope@nycu.edu.tw). The author interacted with the following artificial intelligence tools to create or assist in the creation of content included in this article: Grammarly Premium, Grammarly Inc., interacted on Jan. 7–26, 2023; ChatGPT, OpenAI, Dec. 15, 2022 and Jan. 9, 2023 versions, interacted on Jan. 7–26, 2023.

*Associate Professor of Law, National Yang Ming Chiao Tung University School of Law (markshope@nycu.edu.tw). The author did not use any artificial intelligence tools to create or assist in the creation of any of the content in this article.

Shope at 9: Bluebook Rule 17.2 (Unpublished Materials)

Use “Assisted by” or
“Created by” (word-
for-word use of
GenAI text) as the
“signals”

Id. is appropriate

¹⁹ THE BLUEBOOK: A UNIFORM SYSTEM OF CITATION R. 17.2, at 169–172 (Columbia L. Rev. Ass’n et al. eds., 21st ed. 2020).

²⁰ Assisted by ChatGPT, OpenAI, Dec. 15, 2022 Version, author interacted on Jan. 7, 2023 (prompt: “Provide general support for the following proposition: AI Tools used for drafting text should be considered an intermediate step in the drafting process.”).

²¹ See Nantheera Anantrasirichai & David Bull, *Artificial Intelligence in the Creative Industries: A Review*, 55 A.I. REV. 589, 639 (July 2, 2022), <https://link.springer.com/article/10.1007/s10462-021-10039-7> [<https://perma.cc/7UDF-ZR9H>]

Drexel Law LibGuide

The Bluebook has not yet issued rules or recommendations for citing generative AI. Until they do, we recommend the following footnote format, based on Rule 18.2. You can use the title ChatGPT gives to the chat or write your own descriptive title.

Author, Descriptive Title, MAIN PAGE TITLE (full date), URL.

Author, *Chat Title*, MAIN PAGE TITLE (full date), URL (explanatory parenthetical).

Elements:

- **Author:** Provide the institutional author (e.g., OpenAI) (Rule 18.2.2(a)).
- **Title (choose one)**
 - **Chat title:** Use the title ChatGPT gives to the chat, capitalizing in accordance with Rule 8. Title should be italicized (Rule 18.2.2(b)(ii)).
 - **Descriptive title:** Write a descriptive title, capitalizing in accordance with Rule 8. Do not italicize (Rule 18.2.2(b)(iv)).
- **Main page title:** Homepage/domain name (e.g., ChatGPT). Capitalize as it is shown on the website and use small caps (Rule 18.2.2(b)(i)).
- **Date:** Include the date the text was generated (Rule 18.2.2(c)).
- **URL:** Ideally, the URL should point directly to the cited source. We recommend using a tool like ShareGPT to create a direct URL. If this is not available, use the root URL of the site (Rule 18.2.2(d)).
- **Explanatory parenthetical (optional):** If you do not include the full prompt in the title or in the main text of your paper, consider including it in an explanatory parenthetical (Rule 1.5(a)).

Examples:

Example 1:

Text:

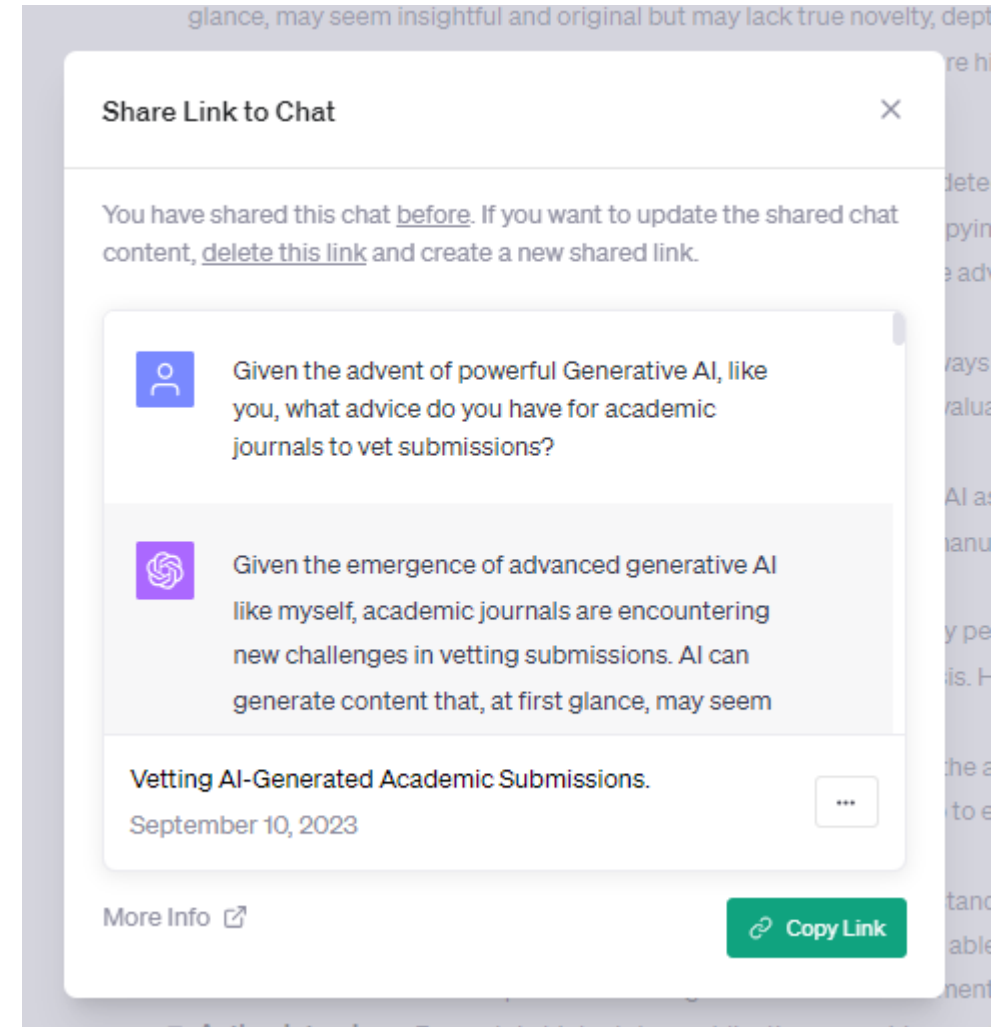
"Jordyne Lewis, a fifteen-year-old, experienced stress due to the pandemic and actively sought help from the chatbot Woebot."¹

Footnote:

1. OpenAI, Response to "Rewrite and Explain the Changes Including Any Change From Passive to Active Voice: There Was One Situation Where a Fifteen-Year-Old, Jordyne Lewis, Was Actually Stressed Due to the Pandemic and Utilized the Chatbot Woebot," CHATGPT (May 23, 2023), <https://chat.openai.com/>.

Saving and Sharing Cited Chats

- Authors should save all chats they used.
- ChatGPT4 allows the user to share the chat with others.
- Editors need to request the materials.
- Journals need to follow their policy regarding unpublished sources (“On file with Journal.” “On file with Author.”).
 - Retention policy



Article Selection

- Editors might use a GenAI tool to:
 - Evaluate a single article
 - Compare multiple articles
 - Predict the reaction to an article (e.g., highly cited)
- Scholastica submission may facilitate this type of review
- [ScholarSift](#): Claims to be developing technology to filter thousands of citations to locate the “most promising” papers. (Simon at 368.)
- [Text Analyzer](#) (by JSTOR) (Simon at 368.)
- Copyright and confidentiality issues
- Bias issues (now being seen in the HR field with resume review)
- Simon suggests a code of ethics to help avoid unfair screening (at 400)
- For most of us, this topic is currently an awareness issue

Student Notes and Comments

- Similar issues to other authors on Algiarism or plagiarism and acknowledgements
- School policies | Honor Code
- But: Other uses?
 - Brainstorming
 - Outlining
 - Research (Lexis | Westlaw | CoCounsel)
 - Writing assistance (help me clarify, explain, simplify, etc.)
 - Time management
- Journals should provide student-authors with clear written guidance
 - Distinguishing tools like ChatGPT from Grammarly, Spellcheck, etc.

Language from Syllabus on Scholarly Writing

You may use generative artificial intelligence tools (e.g., ChatGPT) to help you with research. The use of such tools is subject to the following limitations, however. First, you may not use such tools to assist in actual drafting. The words in your paper must be *your* writing. Second, you are ultimately responsible for all content, both substantive and citations. Generative artificial intelligence is still in its infancy, and you must appreciate its limitations. If, for example, citations are included in your paper that do not exist or fail to cite the appropriate source, you will be held responsible.

Selected Resources

- Berkeley Law, [ChatGPT and Generative AI—Resources for Berkeley Law Faculty & Staff](#) (includes the law school's Generative AI policy)
- Chris Berg, [The Case for Generative AI in Scholarly Practice](#) (SRN Apr. 3, 2023)
- Lea Bishop, [A Computer Wrote This Paper: What ChatGPT Means for Education, Research, and Writing](#) (SSRN Jan. 26, 2023)
- ***Daniel F. Cracchiolo Law Library, University of Arizona James E. Rogers College of Law, [ChatGPT and Bing Chat Generative AI Legal Research Guide](#) (includes a section on law school policies)
- Drexel University, Thomas R. Kline School of Law, [Using AI in Coursework: Citing ChatGPT](#)
- Lance Eaton, [Syllabi Policies for AI Generative Tools](#) (Google doc)
- Annette Flanagan, Jacob Kendall-Taylor, Kirsten Bibbins-Domingo, JAMA Network, [Guidance for Authors, Peer Reviewers, and Editors on Use of AI, Language Models, and Chatbots](#) (July 27, 2023)
- Geoffrey A. Fowler, Washington Post, [Detecting AI May Be Impossible. That's a Big Problem for Teachers](#) (June 2, 2023)
- Gallagher Law Library, University of Washington School of Law, [Writing for and Publishing in Law Reviews: Using AI Tools](#)
- Harvard Law School, [Harvard Law School Statement on Use of AI Large Language Models \(Like ChatGPT, Google Bard, and CastText's CoCounsel in Academic Work, Including Exams\)](#)

Selected Resources

- Shannon Capone Kirk, Amy Jane Longo, Emily Cobb, Bloomberg, [Judges Guide Attorneys on AI Pitfalls with Standing Orders](#) (July 25, 2023)
- Ethan Isaacson, LawNext, [AI and The Bluebook: Why ChatGPT Falls Short of Traditional Algorithms for Bluebook Legal Citation Formatting](#) (Mar. 26, 2023)
- ***Hadar Y. Jabotinsky & Rose Sarel, [Co-Authoring with an AI? Ethical Dilemmas and Artificial Intelligence](#) (SSRN July 31, 2023 version)
- Massachusetts Library System, [ChatGPT and Generative Artificial Intelligence](#) (includes a section on AI detection tools)
- Nature, [Tools Such as ChatGPT Threaten Transparent Science; Here Are Our Ground Rules for Their Use](#) (Jan. 24, 2023)
- Northwestern, Libraries | Research Guides, [Using AI Tools in Your Research](#)
- Katyanna Quach, The Register, [AI Cannot Be Credited as Authors in Papers, Top Academic Journals Rule](#) (Jan. 27, 2023)

Selected Resources

- Sage, Author Guidelines, [ChatGPT and Generative AI](#)
- Science, [ChatGPT Is Fun, But Not an Author](#) (Jan. 26, 2023)
- ***Mark L. Shope, [Best Practices for Disclosure and Citation When Using Artificial Intelligence Tools](#), 112 Georgetown L.J. Online (last revised July 10, 2023)
- ***Brenda M. Simon, [Using Artificial Intelligence in the Law Review Submissions Process](#) (forthcoming U.S. Davis Law Review)
- [Should You Trust an AI Detector?](#) (July 2023)
- [US University Policies on ChatGPT](#)
- University of Utah, Office of the Vice President for Research, [Guidance on the Use of AI in Research](#)
- White House, [Blueprint for an AI Bill of Rights](#)
- World Ass'n of Medical Editors, [Chatbots, Generative AI, and Scholarly Manuscripts](#) (May 31, 2023)
- Ping Xiao, Yuanyuan Chen & Weining Bao, [Waiting, Banning, and Embracing: An Empirical Analysis of Adapting Policies for Generative AI in Higher Education](#) (SSRN June 2023)
- Hong Zhou, [Generative AI, ChatGPT, and Google Bard: Evaluating the Impact and Opportunities for Scholarly Publishing](#) (Aug. 17, 2023)



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