

FOULSTON

ATTORNEYS AT LAW

Corporate Counsel Series: Ethics 2024

National Center for Aviation Training (NCAT) Auditorium at WSU Tech
4004 N. Webb Rd., Wichita, KS 67226
Wednesday, November 13, 2024

Agenda

2:00 p.m. – 2:05 p.m. Opening remarks

2:05 p.m. – 2:55 p.m.

Emerging Ethical Challenges in AI, DEI, and Cybersecurity

Andrew Nolan and Teresa Shulda

This session will tackle a trifecta of emerging issues, exploring the ethical challenges of cybersecurity, artificial intelligence (AI), and diversity, equity, and inclusion (DEI):

Artificial Intelligence (AI): In follow-up to last year's ethics seminar, AI in the workplace remains an evolving area with legal risks and a duty to balance innovation with ethical considerations, including client confidentiality and communication with clients about the use of AI. We will explore best practices for responsible AI in legal practice.

Cybersecurity: In a world where cyberattacks and data loss are discussed in terms of "when" and not "if," this portion of the presentation will address a lawyer's ethical and legal obligations to take competent and reasonable measures to safeguard client information and duty to protect confidential information.

Diversity, Equity, and Inclusion (DEI): Last year we discussed the USSC decision in *Student for Fair Admissions*, which struck down affirmative action in higher education admissions, and how that decision might impact corporate DEI programs. This year, we'll update you on recent cases and trends impacting such programs, and how companies are walking the tightrope of valuing diversity and inclusion while ensuring they don't become the target of reverse discrimination claims.

Rules:

- KRPC 1.1 Competence
- KRPC 1.2 Scope of Representation
- KRPC 1.4 Communication
- KRPC 1.6 Confidentiality
- KRPC 1.15 Safekeeping Property
- KRPC 5.3 Nonlawyer Assistance
- KRPC 8.4 Misconduct
- ABA Model Rule 8.4 Misconduct

2:55 p.m. – 3:05 p.m. Break

3:05 p.m. – 3:55 p.m.

The First Rule of Ethics Is We DO Talk About Ethics*

Holly Dyer

You remember 1999, a year full of blue pills*, red staplers*, green miles*, and seeing dead people*. This presentation will review recent ethics developments and decisions through the lens of films from that legendary cinematic year. Rules and opinions which may be covered include:

Rules:

- ABA Formal Opinion 511
- ABA Formal Opinion 513
- KRPC 1.1 Competence
- KRPC 1.6 Confidentiality
- KRPC 1.16
- KRPC 8.4 Misconduct
- Pillars of Professionalism

* Fight Club, The Matrix, Office Space, The Green Mile, Sixth Sense

4:00 p.m. Closing and Reception