



2023 LEX Scholarship Essay Prompt

Casey, a paralegal colleague in your firm, is in a desperate situation and has come to you for help.

It seems that Casey's attorney, Wilson, was in the middle of a huge trial when she remembered she had an appellate brief due in two days. Wilson asked Casey to draft the brief.

Casey wrote an appellate brief while in paralegal school but has never written a real one at work.

Before beginning the work, Casey called his friend who clerks for the judge on the case and talked through the issues to be sure he understood them. After speaking to his clerk friend, Casey found a law review article that was right on point and used several passages from the article verbatim with no attribution.

Building on the law review material and his conversations with his friend, Casey used ChatGPT to come up with legal arguments. Casey doesn't know much about ChatGPT and didn't know it can sometimes provide incorrect information, so he just copied and pasted the material without checking it.

He added the client's facts, captioned it, formatted it, and submitted it to Attorney Wilson for review. Impressed with the work, Attorney Wilson corrected a few typos and filed the brief just as it was.

Casey entered a timeslip for five hours of work – which is the standard for this kind of task – even though it only took him two hours to write the whole brief.

Now Casey has shared with you the following note that he received from Attorney Wilson:

I just received a message from opposing counsel. They're accusing me of plagiarism and incompetence – saying half of our brief was taken verbatim from a law review article and the other half was AI-generated and is riddled with laughable errors. They're filing a complaint with the bar. I

checked the brief myself and it looks like they're right! Please say it ain't so!

Casey needs to know just how much trouble he's in. Refer to the [National Federation of Paralegal Association's Code of Ethics and Professional Responsibility](#), the [NALA Code of Ethics and Professional Responsibility](#), and the [ABA Model Rules of Professional Conduct](#) (applicable to paralegals through NALA Canon 10) to identify three ethical issues Casey and Wilson need to be concerned about.

Write an essay of no more than 1,000 words using Bluebook formatting in which you identify three potential ethical issues and for each issue do the following (you're right: this looks just like IRAC):

- Describe the **issue** of concern;
- Reference the applicable NFPA **rule(s)**;
- **Apply** the rule to the issue of concern; and
- **Conclude** with the likely outcome.

Essays are due by Friday, September 15, 2023, at 5:00 p.m. ET. Upload your essay [here](#).