

AI and Writers: A Recipe for Success in Legal Marketing

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The increasing capabilities of artificial intelligence (AI) in mimicking human writing were highlighted in a [New York Times article](#) that cited a study indicating people couldn't distinguish between real restaurant reviews and AI-generated ones.¹ This development has raised concerns among writers about being replaced by technology. However, rather than signaling the end of writers, AI has the potential to enhance their craft, particularly in the realm of legal marketing, making them more efficient, creative and impactful. This article delves into the strengths and limitations of AI, illustrating why writers have nothing to fear and much to gain.

AI's Strengths

Handling massive amounts of information. AI excels at processing vast amounts of data quickly and accurately. For instance, at a law firm where I worked, we hosted a half-day conference that I was unable to attend. The event was recorded and transcribed, and I fed the transcription into ChatGPT. Within 30 seconds, the AI generated a summary. After reviewing and adjusting the text to match our firm's style, I circulated it to the partners involved. This efficiency freed up significant time for more strategic tasks.

Acting as a sounding board for brainstorming sessions. AI can serve as an excellent brainstorming partner, helping writers refine their ideas and test different approaches. When preparing this article, I used ChatGPT to stress-test my concepts, iterating on the headline until it resonated with the article's core message. This iterative process with AI can spark new ideas and enhance clarity, making it a valuable tool for writers seeking a fresh perspective.

Cranking out straightforward communications quickly. AI can rapidly produce straightforward communications, saving writers time for more complex tasks. To illustrate, I used ChatGPT to summarize this article so I could pitch it to this publication. The AI-generated summary succinctly captured the essence of the piece, enabling me to dispatch that task quickly and move on to my next project.

Providing consistency in style and tone. AI can maintain a consistent style and tone across different pieces of writing. By feeding AI samples of existing content, it can mimic the established style, ensuring all communications align with the brand's voice. This consistency enhances the overall coherence and professionalism of a firm's communications.

AI's Limitations

Despite these strengths, AI has notable limitations that underscore the enduring value of human writers.

Limited ability to understand nuance. While AI is adept at processing information and generating text, it often falls short in understanding nuance and context. For example, The New Yorker runs a cartoon caption contest where readers suggest captions for a given drawing. One drawing showed two cavewomen seated on rocks, with one woman holding an umbrella overhead and looking up at it. The other cavewoman is saying something. ChatGPT suggested: "Trust me, someday they'll invent weather forecasts." Another AI tool, Perplexity, offered: "Do you really think that will protect you from falling rocks?" In contrast, here are the suggestions from two New Yorker readers: "Of course, it would be a lot lighter if it wasn't made of stone." And "Or we could move farther from the volcano," which was the winning caption.²

The AI's jokes land flat while the human suggestions highlight a nuanced understanding of context and humor. This difference underscores the importance of human insight in writing, as AI still struggles with capturing the subtleties that resonate with an audience. This understanding is crucial not just in humor but in writing headlines for ads, which may involve a sense of wit and cleverness. For example, I asked AI to generate a headline for a law firm's real estate practice. Perplexity suggested: "[Law Firm Name]: Your Trusted Partner in Real Estate Law — Building and Protecting Your Property Investments." A mouthful. Here's ChatGPT: "Leading the Way in Real Estate Law: Expertise, Innovation, Results." Here's the headline I wrote: "The Right Partner Makes All the Difference." When I asked AI which of the three headlines is best, ChatGPT chose mine. Perplexity chose its own headline, supporting its claim with five reasons.

Susceptibility to plagiarism. AI's reliance on existing data can sometimes lead to unintentional plagiarism. For example, when I used ChatGPT to help draft a section of another piece of writing, it generated text that was flagged for similarity to online sources by Microsoft Word's Editor feature. After instructing it to eliminate the plagiarized content, I reviewed the changes to ensure originality. This experience underscores the need for human oversight to maintain ethical writing standards and avoid intellectual property issues.

Tendency to hallucinate. More than once, I have found that AI fabricated information that seemed plausible but was incorrect. This underscores the importance of thorough human oversight when using AI in professional writing to avoid problematic content.

Narrow focus as a sounding board. While AI can provide useful suggestions and improvements, it can be narrow in its thinking and overly focused on the specific parameters given by the user. For example, when I fed an article I wrote into ChatGPT, it was gratifyingly complimentary and suggested some helpful areas of improvement. However, it considered my reference to David McCullough's biography on John Adams a fine beginning. My wife thought it sounded dry and old-fashioned. I shifted to Ted Lasso instead, and I think the piece was much more engaging for it. This highlights the importance of human intuition in the writing process.

Lack of deep emotional intelligence. While AI can simulate empathy and understanding to some extent, it lacks the deep emotional intelligence that human writers bring to their work. Writing often involves conveying subtle emotions and creating a connection with the reader — an area where AI is inherently limited. This lack of emotional intelligence can make a law firm's copy more generic and indistinguishable from other firms' copy, which is the antithesis of

branding. Effective branding requires a unique voice that distinguishes the firm from its competitors.

Enhancing, Not Replacing: The Human Touch in a Digital World

As we embrace advancements in AI, let us not forget the irreplaceable value of human insight. Much like a skilled chef who expertly balances flavors and textures, successful law firms blend the efficiency of AI with the authenticity and creativity of human contributors. This combination enables law firms to ensure that marketing efforts yield distinctive and memorable content. In a world where technology can often make one firm seem indistinguishable from another, it's the distinct contribution of human writers, coupled with AI, that leads to higher-quality work, greater efficiency and more impactful communication. That should be good news for writers who use AI to help with routine tasks and generating ideas while focusing on the intricate and creative aspects of their craft.

References

1. Priya Krishna, "The Chef Is Human. The Reviewer Isn't.," *New York Times*, June 24, 2024.
2. Cartoon Caption Contest, p. 68, *The New Yorker*, June 24, 2024.



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