



Artificial Intelligence in Defense Practice Seminar

March 10, 2026

PAPER TITLE: An AI Prompting Guide for Civil Defense Lawyers

Frank Ramos (Author/Presenter)

Goldberg Segalla LLP
777 Brickell Avenue, Suite 1370
Miami, FL 33131-2818
framos@goldbergsegalla.com

SESSION TITLE: *Your AI Muse: How to Use AI to Improve Drafting Discovery, Motions, Briefs, and All Written Filings and Submissions*

Presented by:

Frank Ramos, *Goldberg Segalla LLP*, Miami, FL
Jimmy Wilkins, *Watkins & Eager PLLC*, Jackson, MS
Nathan Walter, *Briefpoint*, Santa Rosa, CA

Frank Ramos is a nationally recognized litigator with over 26 years of experience defending clients in civil matters, including retail, product liability, premises liability, trucking, insurance, and commercial disputes. He advises businesses across the hospitality, real estate, and retail sectors, and has been honored as Miami’s Product Liability Lawyer of the Year twice. A prolific author, speaker, and mentor known as the “Miami Mentor,” Frank is a leading voice on litigation, professional development, and AI-related legal issues.

Jimmy B. Wilkins has been a practicing attorney in Mississippi since his admission to the bar in 1997, focusing on defending clients in civil litigation. His practice areas include premises litigation, personal injury litigation, general tort litigation defense, product liability defense, retailer defense, and insurance defense. Jimmy graduated with a Juris Doctor, cum laude, from Tulane University Law School in 1997 and obtained a bachelor’s degree in political science, summa cum laude, from Alcorn State University in 1994. Jimmy’s legal career began with a clerkship for the Honorable William H. Barbour, Jr. United States District Court for the Southern District of Mississippi from 1997 to 1998. He started his legal career with Watkins & Eager, PLLC, 1998 and still practices with the firm.

Jimmy has a keen interest in technology to enhance law practice. He serves on the FDCC’s Evolve Tech Committee, which puts on Fed Tech U annually. Fed Tech U can be best described as a technology workshop for lawyers designed specifically for FDCC members. Jimmy has frequently lectured on topics such as using an iPad Pro for enhanced courtroom presentations and organization and the practical uses of AI in legal practice. He has received an AV Preeminent Peer Review Rating from Martindale-Hubbell and consistent listings in The Best Lawyers in America for areas including Insurance and Personal Injury Litigation Defense.

Nathan Walter is the co-founder and CEO of Briefpoint, an AI-backed litigation workflow automation platform built to take the grind out of written discovery. After graduating from UCLA Law, Nathan practiced litigation defense for five years before applying his frontline experience to legal tech—developing software that can draft discovery request and response documents in minutes, with minimal setup. He leads Briefpoint’s mission to automate the most mundane components of litigation that can nevertheless drain your clients’ litigation budgets.

An AI Prompting Guide for Civil Defense Lawyers

Frank Ramos

To fully leverage your AI platforms, you need to learn how to prompt ethically, effectively, and efficiently. It's not difficult to learn how to prompt, and once you know, you can teach others how to do it, too. Let us take this prompt engineering journey together.

Before we begin, a few caveats, then some ground rules, followed by the training.

Caveats

I am not your managing partner, team leader, or practice group head. You listen to them, not me. You take your orders from them, not me. Their will and rules govern, not mine. And I am not your client. They have limitations and procedures regarding your use of AI. Their approach takes precedence. To the extent my approach conflicts with your firm's, your company's, or your clients', their approach prevails.

AI is a people pleaser. It will give you the answer you want, even if it is wrong. Check your work. Find and read the source document (the case, statute, regulation, secondary source) and confirm it exists, is accurate, and appropriately depicted and represented.

AI platforms are evolving, changing, and developing —and, for the most part, improving. Your approach to AI last year, this month, or even this week may need tweaking.

AI platforms are akin to families from the novel *Anna Karenina*. The opening line of the novel reads, "All happy families are alike; each unhappy family is unhappy in its own way." All AI platforms are alike in their approach to prompting, but each responds differently. You need to learn how your AI model responds to your prompts.

Each AI platform has its own terms and conditions, rules, and uses. Read them. Understand them. Learn what you're dealing with, good and bad. They're constantly being updated and changed, and they affect what you can do and how you should do it.

Any prompting guideline would be remiss to give you lists of prompts without explaining that learning to prompt requires practice, trial and error, and time. It's akin to learning to drive a car. You can read about it, but until you get behind the wheel and practice, you'll never learn how to parallel park. Reading about prompting is where you start. Prompting on your computer, tablet, or phone is how you learn.

This prompt guide is based on my experience. There are plenty of prompt guidelines available. Read several. Be wary, though, of AI guidelines written by AI companies focused solely on why you should license their platform. They're long on sales, short on substance.

So those are the caveats. Now, some ground rules.

Ground Rules

Learn and apply all relevant AI ethics opinions. Yes, ABA Rule 512, but also your state bar association's ethics opinion. And while we're at it, read every new ethics opinion that is released, irrespective of its state of origin. It will address issues that were neither relevant nor at issue when your state issued its AI ethics opinion.

Know whether an AI platform is closed or open, meaning whether your data is kept private and confidential (closed) or not (open), and act accordingly. If it is open, do not upload or share any confidential, proprietary, or protected information. This begs the question, why risk using the open platforms? They are generally better at brainstorming than many of the closed models. More on that later.

Know your firm's, company's, and client's rules regarding the dos and don'ts of AI usage. They are sacrosanct.

AI is a tool. It does not substitute for nor replace your judgment. It does some things well. It does other things poorly. Learn what the tool does (and does not) before using it.

What is the simplest rule to help you avoid headaches? Don't share confidential data in an open model and constantly question and verify the AI's output. Do these two things, and you'll avoid the issues we read about every day, quoting hallucinated cases or oversharing client confidences.

Now that we have addressed the caveats and ground rules, let's create a sandbox to play with AI.

Your AI Sandbox

To understand, appreciate, and learn about AI, your team needs to start with a pilot program that handpicks lawyers to experiment with various platforms. This is what the pilot program should look like:

- Appoint several experienced lawyers who have curiosity, time, and interest in participating in the pilot program. You want your most experienced lawyers because they can better evaluate whether a platform's output is helpful or not. A twenty-year lawyer is much better suited than a two-year lawyer to determine which questions in the AI-generated deposition outline are helpful and which are not.
- Have these lawyers undergo AI ethics training. There is a plethora of one- or two-hour AI ethics CLEs.
- Purchase for each a monthly license to the leading large language models (LLMs), including ChatGPT, Claude, Perplexity, Gemini, Co-Pilot, and Grok. On average, monthly subscriptions cost about \$20. Each model has its pros and cons, and strengths and weaknesses. Learning how the models work, what they do well, and where they fall short will show your team which model to use for which purpose. (In my experience, Claude is the most creative, Grok is the best at interpreting images, and ChatGPT is best overall.)
- Decide what categories of cases you will use with AI. For example, your defense practice may include auto, premises, products, and construction defects. You may want to try AI in one or more of these categories.
- If you license a closed system, you can upload documents from an actual case. If you license only open systems, you should not
- With open systems, create a faux fact pattern with no identifying information, as the basis for your prompts. With a closed system, choose a case you litigated (preferably through trial) as the basis for your prompts.
- With open systems, upload documents that are public and have no confidential information (filed pleadings, motions, etc.). With closed systems, you can upload actual case documents.
- Having laid out these ground rules, ask the pilot group to do the following:
 1. Choose a case (faux or real) (for example, an auto case).
 2. Write a one-page Word document summarizing the case. Remove any case-identifying information as a precaution.

3. Consider uploading documents to augment the prompting (closed system for confidential documents).
 4. Ask about every aspect of the case from pre-suit through trial. Evaluate how the AI platform can help with every step along the workflow and flowchart of the case.
 5. Redo with the following type of case (for example, premises case) and repeat all these steps.
- Save all the prompts and prompt responses.
 - Do a debrief on what worked and what did not on which AI platforms.
 - Based on this process, decide which AI platforms the firm should consider using and for which tasks.

This is a safe, thorough, and quality-control method for evaluating and adopting AI platforms. If the pilot program is successful, you can expand the usage of an AI platform. If not, you move onto the next platform.

This is the beta test phase. It's the gatekeeper phase. It's the most time-consuming and essential phase because it determines which platforms you use and which you don't. Don't skimp, overlook, or devalue this phase. Choosing the wrong platform for the wrong tasks can set you and your firm back and may be worse than not using AI at all.

The sandbox is for those most interested and capable of using AI. How about those least interested and capable, and some downright frightened or antagonistic? Let's turn to them next.

Fear and Loathing of AI and Change Management

Change management – the structured process of planning, executing, and reinforcing organizational changes to help teams transition from a current state to a desired future state – is the most significant challenge to AI adoption. We see studies showing that companies purchase AI tools, yet adoption rates remain marginal because insufficient resources have been dedicated to facilitating, encouraging, and enabling the transition to AI.

We, lawyers, resist and even despise change, and AI changes everything. AI is becoming integrated into every aspect of the practice. Our opponents, competitors, and clients are using AI, and we risk falling behind if we don't. And the biggest obstacle to adopting it is us.

Most firms will never achieve 100% AI adoption. There will always be naysayers, traditionalists, and foot-draggers. But with proper change management, achieving 90%+ adoption is possible, and the firms that achieve the highest AI adoption rates will be best positioned to address changes in practice and in how we serve our clients.

So, how do we increase ethical, effective, and compliant adoption of AI? Show your team what AI does. When I present on AI, I invariably show the audience the leading LLMs and share various prompts to display their scope and usefulness. After I'm done, the response is generally: "How can we get our firm to do that with AI?" The most effective tool to encourage AI adoption is the AI tools themselves. Having someone demonstrate on a Zoom or Teams call what these platforms can do will help your team overcome their hesitancy and reluctance to use them. To dig deeper, having a session with an AI trainer and a handful of your most reticent AI adopters can help answer their specific questions. On multiple occasions, the most vocal anti-user will raise their hand during a live presentation or speak up on Zoom or Teams, and I'll show what AI can do for them.

During one presentation, a civil defense lawyer who handles mainly auto accident cases noted that he had been handling these cases for over 30 years and that there was nothing AI could teach him. We created an anonymous fact pattern based on a case he had tried and used it to assist with discovery, deposition outlines, trial themes and theories, opening and closing, jury selection, etc. In about 10 minutes, he had a complete case outline with strategies, examination outlines, themes, and the like. Afterwards, he asked me to show his firm how to prompt, and since then, he and his team have regularly used AI to augment their workflows, decision trees, and to-do lists.

When your lawyers understand the power of AI, and not just its limitations and problems, and learn how to navigate all the issues that accompany it, they may prove to be your best ambassadors and evangelists for the platforms.

Defining Workflows

AI is a tool; it is not a savior. It will help you, not make you Clarence Darrow. Recent studies have shown that many businesses are purchasing AI licenses. Yet, they are experiencing low adoption rates, and the main reason is that AI isn't going to take

poor workflows, decision trees, flowcharts, and to-do lists, and transform them into good ones.

Law firms must first evaluate how they handle their matters and update, revamp, and change their workflows before deciding which AI platforms to license and use. Suppose a law firm defends medical malpractice claims. In that case, it should first evaluate in detail how it handles those claims and create workflows for those cases before assessing how AI can assist in handling those matters. If a firm doesn't want to do the hard work to create a step-by-step guide for their teams on how to handle their cases, AI is simply going to pour slop on top of slop. Figure out your processes first, then adopt AI.

As you would create a pilot group to test AI platforms, create groups to develop workflows for each matter your firm handles. Thinking through your cases from inception through completion helps ensure quality control, consistency, efficiency, and improved results. Do you defend auto accident cases? How do you protect them from the date of the accident through trial? Brainstorm. Flesh it out. Write it down. Create protocols, flowcharts, and checklists. Do you defend premises cases? Do the same exercise. Do this exercise for every category of case you handle. By doing so, you'll better understand your processes and procedures (and update and modify them), and it will help you identify what AI tools you need and how you should use them.

AI is not simply a wrap-around or add-on. It's meant to be transformative, and to do so, firms must first evaluate and, if needed, modify their case-handling processes before seeking AI to improve productivity, efficiency, and outcomes.

So, are we ready to learn prompting yet? Almost. One last thing – where is this all going?

Working Backwards from the Future of AI

To better use AI today, let's evaluate where it's headed. There is no indication that AI is going away, that one day, collectively, we'll realize this was all a mistake, and abandon the technology. On the contrary, AI is growing at an accelerated rate, with its expansion more geometric than arithmetic, and our uses and applications for AI will grow exponentially. AI is not retracting. It does not remain stagnant. It will expand beyond human expectations and reason. There will be bumps along the road. There will be setbacks. The trajectory, however, over time, will be a steep climb toward widespread and integrated AI use. If we look ahead to 2050, it's hard to imagine anything we do as lawyers as not somehow touched, affected, and supported by AI, and to be blunt, in some respects, entirely supplanted by the technology.

As the legal sector rushes headlong into a brave new world, there is some urgency to learn, study, adopt, and use AI. The shorter our timeframe, the less we feel we need to move toward AI adoption. The further out we look, the more we realize it's not if but when, and not just the low-hanging fruit but the entire tree, from the leaves to the roots.

What does AI in the legal field look like twenty years from now?

Law Schools. Not only will every school have one more AI-centric course, but every course will also have AI embedded into its syllabus. The first-year contract class, for example, will not only explain offer, acceptance, and consideration, but will feature AI contract software, enabling students to draft, revise, and redline all forms and types of contracts and agreements. Every practice area will rely heavily on AI, and each law school class will reflect this.

Thinking Like a Lawyer. How we think, analyze, and evaluate as lawyers will evolve, with AI considered at every step. Everything we do as lawyers will be assisted by and viewed through the prism of AI. Understanding that AI will help us brainstorm, plan, and execute every step in every case will mean each of us needs to learn the tools and use them safely, ethically, and effectively.

Collaboration. How often do we go into one another's offices or get on a call or Zoom to discuss an issue with peers at our firms? In the age of AI, will clients expect (and will we grow accustomed to) having only AI with whom to brainstorm? Will peer collaboration become extinct, or at least endangered? Will this lead to more isolation and separation in the practice?

Training. The traditional training model consists of experienced lawyers teaching the practice to less-experienced lawyers while they work on tasks together. With AI, will more experienced lawyers want to continue training younger lawyers, critiquing and teaching them, and go through multiple versions and repeated errors, or will they let AI prepare the first draft, handle the review or other tasks, and then revise it as needed? And if so, will the apprentice model come to an end? If so, what will replace it? How will young lawyers learn the craft? Solely through AI?

Young Lawyers. There will be fewer legal jobs as AI increasingly handles tasks reserved for young lawyers and paralegals. AI won't replace young lawyers completely, but it will perform many of the functions young lawyers have historically managed, and law firms will need fewer lawyers to perform lower-level tasks. These fewer lawyers will primarily supervise AI that will perform these tasks. Expect a drop in demand for lawyers,

a downsizing of law school enrollments, and fewer folks in the professional pipeline. We'll always have lawyers, but those who use AI will replace those who don't, and because of AI, we will need fewer lawyers.

Singularity. The moment AI can think like us and even outthink us, the singularity is becoming less like science fiction and more like a not-too-distant reality. I believe we're about 15-20 years out from independent, autonomous AI and its merging with robotics. How far are we from android robots? Android judges? It seems far-fetched, and probably is, but it is not entirely outside the realm of possibility.

Smaller Pie. Though it seems far off now, a time will come when AI consumes more legal work, and each of us lawyers will have the time and capacity to handle more matters with no additional effort or time. Legal work is not unlimited. There is only so much to go around. And AI will continue to chip away at the amount of billable work, the legal pie will get smaller, and some firms will decrease in size, some will merge, and some will close. And this is a downturn we don't come back from. This isn't temporary. This is a permanent downsizing of the legal workforce due to AI.

And AI will do this across all sectors, professions, and jobs. Some believe AI will cause widespread unemployment across all industries, necessitating a government-subsidized minimum wage. We lawyers think we're irreplaceable. What if AI proves that legal jobs, like so many jobs taken over by automation and AI, are also expendable? Are we lawyers unnecessary, or will we become obsolete?

Many of these changes may never occur, and if they do, they are further off. Still, these possibilities show that the ground under us, our firms, and our profession are shifting, and that a world in which AI does not touch and affect every aspect of the practice no longer exists. A better understanding of the future legal landscape, both near- and long-term, helps us plan for our futures today.

Prompting Guide

Now that we have covered the basics, let's jump into prompting for civil defense lawyers. These are proposed prompts that you can use across the various LLMs. This is not meant to be an exhaustive list of prompts, and as LLMs continue to evolve, these may need tweaking and adjustments. The primary goal for the following is to help you think about how to interact with and prompt the AI platforms and secure the output you're seeking.

Let's reiterate the obvious: only share confidential information on a closed platform and double-check all outputs. With that in mind, let's start.

High-Level Brainstorming

We don't know what we don't know, and no matter how experienced we are, old dogs can learn new tricks. A simple, helpful approach to AI is to use it as a brainstorming tool to imagine, reflect on, and think through your cases, starting with general prompts.

Let's take defending a trucking case where your client, operating a tractor-trailer, was involved in a serious accident. You've handled hundreds of these cases. You know how to defend them. It is possible, though, that you're missing something, or perhaps you are not anticipating new approaches by plaintiff's counsel?

Let's appreciate that plaintiff lawyers use AI platforms every day to pursue their matters more effectively. They regularly use AI to brainstorm their cases and better serve their clients, resulting in better outcomes. Every day (every hour in fact), hundreds if not thousands of plaintiff lawyers are using AI to improve their approach to their cases, and because all of them are all doing all of this all at once, the platforms are developing a plaintiff's counsel's mega brain that can outwit the civil defense lawyer unaided by AI. Anecdotally, I can say that based on the plaintiff's bar's more extensive use of AI than the defense bar, AI is better serving their interests than ours. An analogy is that the plaintiff's bar is doing two-a-days at the gym while we, the defense bar, continue to skip leg day.

So, let's return to that trucking case. Here are proposed prompts to help you brainstorm.

- I am defending a personal injury case in Miami-Dade County, where I represent the driver of a tractor-trailer involved in a serious accident on the highway, where he rear-ended an SUV, seriously damaging it and seriously injuring the SUV's driver.

How do I defend this case?

- Prepare a defense plan from pre-suit through trial.
- How will plaintiff's counsel pursue this case?
- Prepare a plaintiff plan from pre-suit through trial.
- Prepare a decision tree, from the defense perspective, from beginning to end.

- Prepare a decision tree, from the plaintiff's perspective, from beginning to end.
- Prepare flow charts for this case from the defense perspective.
- Prepare flows for this case from the plaintiff's perspective.
- Prepare a list of every task for this case and prepare a checklist for each task from the defense perspective.
- Prepare a list of every task for this case and prepare a checklist for each task from the plaintiff's perspective.
- I am preparing training materials on how to defend an auto case for my team. Prepare 100 slides into a slide deck to show my team how to protect an auto case from the accident date through trial.
- What are new and creative things plaintiff attorneys are doing when pursuing auto personal injury matters?
- What are novel and imaginative items I should be worried about as defense counsel when defending auto personal injury matters?
- How have defending auto personal injury matters evolved in the last three years?
- What are the leading strategies, ideas, and approaches by plaintiff lawyers to auto personal injury matters, and how can I combat them?
- How are plaintiff lawyers using this platform to help them handle auto personal injury cases?
- How are defense lawyers using this platform to help them handle auto personal injury matters?
- What do defense lawyers often overlook when defending an auto personal injury matter?

- What are the pitfalls defense lawyers should avoid when defending auto personal injury matters?
- Prepare a defense manual, with as much detail as possible, for defending an auto personal injury case.

These prompts help you brainstorm how to defend an auto case. You can prepare similar prompts for any manner of case you handle. The purpose of these prompts is to help you re-evaluate, re-think, and reconsider your traditional approaches to your cases and change and augment them as the way these cases are pursued, handled, and resolved changes.

These are generic, non-confidential prompts that help you brainstorm at a high level and reconsider and recalibrate the defense of your matters. Each of us should have workflows for each of our cases. This use of AI enables us to improve upon those workflows.

Getting Into the Weeds

To effectively defend a case, we must look at both the forest and the individual trees. AI is equally valuable and proficient in doing both. When addressing how to tackle the day-to-day tasks of your cases, let's remind ourselves of the difference between open and closed platforms.

We do not upload or share confidential information or documents on open platforms; we do so only in closed ones. In closed platforms, you can upload expert reports, medical records, deposition transcripts, etc., and use the AI platform to summarize, evaluate, and extract information from them.

So, let's get into the weeds as far as working with documents and AI.

Documents and AI

Let's discuss the various documents in a lawsuit and how, by uploading them into an AI platform, you can use them to help advance your case and objectives.

Expert Reports

When you receive a report from the Plaintiff's expert, upload it into a closed system and consider these prompts:

- Summarize this report.
- Provide the primary and secondary opinions from this report.
- Provide all the weaknesses in this report.
- Describe in detail how I, as defense counsel, can attack this report.
- Address all the inadequacies in this report.
- Prepare a detailed cross-examination of the author of this report based on the contents of the report.
- Prepare a topic-by-topic, subtopic-by-subtopic, question-by-question deposition outline based on this report, referencing each question to a specific reference in the expert report.
- Show me how every opinion in the report can be undermined, attacked, and lacks a factual or legal basis.
- Describe how I can attack this expert and his report under Daubert.
- How can I prepare a Daubert motion based on this expert's report?

When you receive your expert's report, consider these prompts:

- How can I use this report to cross-examine Plaintiff's expert?
- How will the other side attack my expert with this report?
- What are the blind spots in this report?
- What other issues, items, or topics should my expert cover in this report?
- How will opposing counsel use this report to cross-examine my expert?
- Is my expert subject to a Daubert challenge, and if so, why?

Medical Records

Once you have Plaintiff's records, you can upload them into a closed HIPAA-compliant AI model, and use these prompts:

- Summarize these medical records.
- Summarize every reference to a pre-existing or unrelated injury.
- Summarize every reference where Plaintiff is experiencing less pain, improved conditions, and a better prognosis.
- Prepare a deposition outline based on the medical records, referencing specific records, addressing how the plaintiff's complaints and alleged injuries are not related to the accident in question.
- Create a deposition outline for plaintiff's treaters and experts based on these medical records, using and referencing the medical records in each question to show: (1) plaintiff's injuries are unrelated to the accident; (2) plaintiff's injuries are due to pre-existing or unrelated accidents or conditions; (3) plaintiff has a good prognosis; (4) plaintiff's injuries are less significant than claimed; (5) plaintiff is malingering; (6) plaintiff can largely or primarily do what she did before the accident; (7) anything else that supports defendant's case and undermines plaintiff's case.
- Prepare the copy for a slide deck I can use at trial for my opening statement and closing argument based on these medical records that support the defendant's case and undermine the plaintiff's causation and damages arguments.
- Prepare a medical chronology of these medical records, focusing on issues and items from the defense side.
- Prepare the copy for a slide deck to use at mediation or trial, referencing the relevant medical records as to items and issues that benefit and support the defense of the case.

E-mails, Text Messages, and Instant Messages

Communications have moved from long-form correspondence to e-mails, text messages, instant messages, Slack conversations, Teams exchanges, etc. That's a lot of data to review, and it's easy to overlook key statements.

Again, using a closed system, upload these documents and interact with them through various prompts. Depending on the size of these documents, you may need to split them into smaller uploads and handle them separately.

These are possible prompts after uploading these documents:

- Summarize all these documents. For each, note the sender, the recipient, the date, the time, and a summary of the content, and provide the output in chronological order.
- Search for the following words (...) in these documents and note every reference to these words.
- I am moving for summary judgment and need every reference to the following (.....). Please pull and summarize those references.
- Prepare a document chronology and summarize and set out in chronological order all the documents included here.
- From the documents enclosed, which support the defendant's case and why, and which support the plaintiff's case and why.
- Based on these documents, are there documents that are missing or that are referenced but not included, and if so, what are those documents?
- How do these documents support or undermine the elements of each cause of action and affirmative defense? The Complaint and Answer were uploaded along with these documents.
- How can these documents be used in depositions, mediation, and trial?

- Are there any smoking guns, as to either the plaintiff or defendant, in these documents, and if so, why?

Third Party Records

In addition to the records exchanged between parties, we often received a multitude of third-party records. Having AI review and opine on them is immensely helpful. Consider uploading them into a closed system and providing these prompts:

- Considering the pleadings in this case, uploaded here, where do these documents fit into this case, and how?
- Summarize these records and bold any references that are helpful to the defense of the case and italicize any references helpful to the plaintiff's case.
- Prepare a chronological summary of these records and incorporate this chronology into the earlier chronology you prepared based upon the records Plaintiff produced.
- Evaluate how I can use these documents to depose the Plaintiff.
- Evaluate how I can use these documents to depose Plaintiff's experts.
- Create a deposition outline for the plaintiff based on these documents.
- Create a deposition outline for plaintiff's experts based on these documents.
- Evaluate what additional records to secure based upon these records.
- How can these documents be used to advance the defense interests in this case?

Contracts

Contracts are often nuanced, complex, and subject to interpretation. AI can assist in evaluating the terms, clauses, and language in contracts. As mentioned earlier, we're asking an AI platform to conduct a legal analysis, and it is up to you to double-check and authenticate its output.

Here are some prompts to consider:

- What responsibilities does each party have under this contract?
 - How do you interpret clause (.....)?
 - How do you interpret the following definitions (....) in this contract?
 - Provide a summary of the key terms of this contract.
 - Create a chart of what each side's duties, obligations, and responsibilities are under this contract.
 - Is there a basis to move for summary judgment under the theory of (....) under this contract?
 - Comparing the contract to the complaint and answer, also uploaded, what aspects of the contract support the plaintiff's claims, and what aspects support the defendant's defenses.
 - How can I use this contract to depose the Plaintiff?
 - How can I use this contract to prepare my client for their deposition?
 - Prepare a deposition outline based on the contents of this contract.
 - Prepare a deposition outline that plaintiff's counsel would prepare to cross-examine my client based on this contract.
 - Prepare a slide deck for mediation and trial, culling out the most favorable language from this contract for my client.

Insurance Policies

As with contracts, different parties will reach different conclusions about the language of the same insurance policy. And as with contracts, AI can assist when there is a dispute over coverage under a policy.

When asking AI for legal opinions about policy language, remember to use your own judgment and legal research to confirm the outputs to your queries.

Here are some proposed prompts:

- Review the following clauses (.....) in this policy and provide your opinions as to the meaning of those clauses and why.
- Summarize what coverage and exclusions this policy provides as to the claims alleged in the attached complaint and explain why.
- Is there coverage under this policy for (....)? If so, why? If not, why?
- How would I conduct a coverage analysis for coverage of (...) under this policy?
- Is Plaintiff an insured under this policy? Why or why not?
- Is (....) a covered claim under this policy? Why or why not?
- Are there any applicable exclusions for (....) under this policy? Why or why not?
- How does this policy language compare to the language in similar policies related to issues (...)?
- How will plaintiff's counsel argue there is coverage under this policy?
- What are the insurer's obligations to this insured under this policy?

Written Communications, Templates, and AI

AI is a powerful tool for improving your writing and communication skills. Beyond spelling and grammar, it assists with your tone, cadence, style, and approach. We, lawyers, spend a lot of time revising our own writing and that of others, and AI streamlines and improves this process. Imagine everyone on your team communicating exactly how you want them to, and doing so more quickly and efficiently?

Let's start with style.

Your Writing Style

We each have our own writing style. The following prompt reflects mine.

- For the following document, please apply the following rules:

Use only the active voice.
Use strong nouns and verbs.
Use fewer adjectives and adverbs.
Typically, fall back on the noun-verb-object form for sentences.
Use 20 words or fewer per sentence, preferably 15 words or fewer.
Avoid legalese.
Write clearly, plainly, and directly.
Keep the writing simple.
Make the cadence strong.
Avoid sarcasm, impoliteness, and hostility.
Be direct without being rude.

With these rules, you can expect clear, direct, powerful writing. Again, this is my approach to writing. I'm sure you can reduce yours to a series of rules like these. Do so, use that as a prompt, and, to the extent you want your team to emulate your style, ask them to use your prompt.

As to your team, note for yourself and them how they can change their style. Is it too aggressive? Too timid? Too direct? Too wordy? Provides too much detail? Not enough? Identify the issues, include them in your standard style prompt, and run your draft through AI using your comprehensive style prompt.

Let's go from your style to your templates.

Templates

We, lawyers, use more templates and forms than we care to admit. We have standard letters to clients, opposing counsel, and courts. We have a form-written discovery and motions. We have form communications, interview templates, deposition outlines, etc. AI can assist in revising and updating all of these.

Here are some proposed prompts to create templates:

- Prepare the initial letter to the client, addressing our representation of them, addressing our role, theirs, and what happens next.
- Prepare a form letter to potential eyewitnesses about speaking with them about the incident in question.
- Prepare a preservation letter for relevant evidence to opposing counsel.

- Prepare a preservation letter for relevant evidence to third parties.
- Prepare a letter to a third-party requesting documents (....).
- Prepare a template letter to the court regarding proposed order on motion (....).
- Prepare a list of standard interrogatories for the plaintiff in an auto accident case.
- Prepare a list of non-standard interrogatories for the plaintiff in an auto accident case.
- Prepare a list of clever, imaginative interrogatories for the plaintiff in an auto accident case.
- Prepare a list of additional interrogatories that would assist in presenting this case trial in an auto accident case.
- Prepare a list of documents to request from the plaintiff in an auto accident case.
- Prepare a list of documents and data to request from the plaintiff for all relevant information from her smartphone and smartwatch.
- Prepare a list of documents to request from the plaintiff that will address her medical treatment, health, and related issues.
- Prepare a list of documents that the defense is entitled to, which the plaintiff will likely object to, but are discoverable and should be turned over.
- Prepare a list of documents and data that the plaintiff may have discarded, deleted, or destroyed that are relevant and that should be produced.
- Prepare a list of documents and data that the plaintiff is obligated to produce, and if unavailable, can serve as a basis for a claim for spoliation.
- Prepare a list of requests for admission for an auto accident case.

- Prepare a list of nontraditional requests for admission in an auto accident case.
- Prepare a list of requests for admissions that go to the heart of the plaintiff's cases and the defendant's defenses.
- Prepare a list of requests for admissions that are so simple and direct that the plaintiff cannot legitimately try to avoid responding to them with legal objections or jargon.
- Prepare a template for a motion to compel better responses to written discovery in Florida state court.
- Prepare a template for a motion to compel better responses to a third-party subpoena in Florida state court.
- Prepare a template for a compulsory medical examination in Florida state court.
- Prepare a template for an inspection of land in Florida state court.
- Prepare a template for a motion for a protective order for a deposition of a corporate representative in Florida.
- Prepare a template for a witness list.
- Prepare a template for an exhibit list.

What We Are Trying to Accomplish with AI

Before sharing more prompts, let's take a break, step back, and look at what we're doing with AI. It is a tool, not a replacement for our judgment. It's a sounding board in a legal world where we acknowledge we don't have all the ideas and answers. It is imperfect. In fact, often, it lies. And it's terrible at keeping secrets. There are many caveats here. But if you learn to navigate all of this, it will be the most powerful tool in your arsenal 10x over. It is very much like handling uranium – you can fuel your cases beyond your imagination, or you can cause Chernobyl. Have a healthy fear, but be prepared to handle the nuclear material.

Can AI make us more efficient? Of course. But its true superpower is that it can make us more creative, imaginative, effective, and successful. Having the universe of

knowledge and experience on a topic and culling the wheat from the chaff to reimagine and reevaluate how you handle, litigate, and try your cases is revolutionary.

Once we understand what AI is capable of, its limitations, its risks, and its value, we can practice law at unimaginable levels. It changes everything, and yes, sometimes for the worse, but often for the better, and its overall value outshines its shortcomings. And the vision you and your team should focus on is how we leverage AI while protecting ourselves from its dangers. I am talking about a paradigm shift in how we practice, and a failure to adopt it will leave one behind.

So, with that recalibration, let's move on to the three phases of a case and how AI can assist in each: (1) pre-suit; (2) pre-trial, and (3) trial.

Using AI in Presuit

As discussed, AI can be used to secure records, draft correspondence, and assist with case investigation. One overlooked use is assisting in evaluating liability, causation, damages, and settlement value.

In a closed platform, upload all the documents you have for your case (for example, police report, medical records, sworn statements, photos of vehicles, repair records, EDR reports, etc.) and then consider these prompts (we're revisiting our car accident scenario):

- How significant was this car accident?
- Based on the photos of the cars, accident scene, repair estimates, and EDR reports, provide a complete accident reconstruction report and evaluate what injuries Plaintiff, if any, sustained from this accident.
- Based on the uploaded file, who caused the accident, how, and why do you make these conclusions?
- Based on the uploaded file, what injuries, if any, did the plaintiff sustain?
- Is the medical treatment Plaintiff received reasonably related to the accident? Is it possible that it is unrelated, pre-existing, or caused by another accident, and if so, how and why?
- Based on the records, how do I attack Plaintiff's assertion that his injuries are related to the subject accident?

- What evidence am I missing about this accident, and how should I go about securing it?
- Which third-party records may have relevant documents, and what should I ask them for?
- If you were to measure the plaintiff's comparative fault from 0% to 100%, what would you measure it at and why? What evidence, documents, or information do I need to secure to raise that percentage of comparative fault?
- If you were to measure my client's fault from 0% to 100%, what would you measure it at and why? What evidence, documents, or information do I need to secure to lower that percentage of fault?
- What future medical treatment, if any, should the plaintiff undergo related to the incident in question, and what is the appropriate cost for those medical services?
- What medical treatment appears appropriate and related to the accident, and which seems excessive and unrelated to the accident?
- If you were to put a dollar value on this case right now, based on the information we have, what would it be and why?
- If you cannot put a dollar value on this case right now, what information, documents, and evidence are you missing to do so?
- Create a flow chart, decision tree, and checklists on how to handle this case through trial. No detail is too small to leave out.
- If I were Plaintiff's counsel, and asked you how to maximize the value of this case, what would be your response?
- If I were Plaintiff's counsel and asked you how to pursue this matter, what would be your response?

These are sample prompts to help you brainstorm your case. The most potent aspect of LLM prompting is helping you think through approaches, strategies, and plans

to tackle your cases best. I've been doing this for almost thirty years, and the ideas these platforms concoct never cease to amaze me.

It bears noting that no case is too complex, sophisticated, or challenging to benefit from LLM brainstorming. I have had the pleasure and privilege of showing legal departments, claims teams, and law firms how to brainstorm any case, often with astonishing results. Usually, lawyers' perception of what AI can do doesn't match what, in fact, it can do. These platforms offer valuable assistance extending beyond personal injury matters. They are potent tools for malpractice, employment, commercial, eminent domain, civil rights, and other complex cases. Each practice group, within the confines of your team's approved AI platforms, should hold prompting sessions on Teams or Zoom and explore how to leverage these platforms together.

Using AI During the Pre-Trial Phase

Once a suit is filed, AI can assist with every aspect of litigation. As with every prompt, question the response and cross-reference the output. The purpose of these interactions is to spur you to expand your typical approaches into something new, clever, and imaginative. Many of the following prompts seek legal analysis. You need to corroborate the legal analysis on Lexis, Westlaw, or whatever legal research platform you use.

Here are proposed prompts to walk you from the Complaint to the eve of trial.

- I have uploaded the Complaint. The case is venued in Miami-Dade County, Florida, in state court. Is there a basis to move to dismiss, and if so, what?
- As to the Complaint, is there a basis for removal, and if so, why?
- List 30 affirmative defenses, from the strongest to the weakest. Show the legal basis for each.
- Based on the Complaint, which witnesses should I interview? Depose? Why?
- Based on the Complaint, which documents should I secure? From whom? How?
- Based on the Complaint, create a workflow, flow chart, decision trees, checklists, and to-do lists on how to defend this case up until trial, sparing no details.

- Based on the Complaint, what do I need to do to secure summary judgment on each of the counts?
- Based on the Complaint, which interrogatories, requests for documents, and requests for admission should I serve?
- Based on the Complaint, which third-party subpoenas should I serve, and what documents should I seek in them?
- Based on the Complaint, whom should I depose, and what topics should I cover with them?
- Based on the Complaint, what are the plaintiff's likely theories and themes?
- Based on the Complaint, what are potential defense theories and themes?

These are all prompts you can run through upon receiving the Complaint to help you think through your case. Some content will be rubbish. Some will be brilliant. Some will be serviceable. Your expertise in handling these cases, plus independent legal research, will help you cull the wheat from the chaff.

Let's shift our attention to motion practice. These platforms assist in brainstorming, writing, and arguing motions. Here are sample prompts related to motions:

- I am preparing a motion for _____. I have uploaded the documents related to this motion. Prepare a list of arguments to raise in this motion.
- I am preparing a motion for _____. What are the likely arguments opposing counsel will respond with, and how do I pre-emptively address them in this motion?
- I am preparing a motion for _____. What are the issues the court will want me to address in the motion, and how should I address them?
- I am preparing a motion to compel. I have uploaded my discovery requests and the opposing party's responses. Prepare the motion to compel, addressing each objection in the motion.

- I am responding to a motion to compel. I have uploaded their discovery requests and my responses. How do I respond to their motion? What arguments do I raise? What items should I try to resolve before filing my response (before the hearing)?
- I am responding to a motion for _____. Summarize the opposing party's arguments, evaluate how strong or weak they are, and how best to respond to each.
- I am uploading several orders by this judge on similar motions. How do I prepare a (motion or response) that will address what is important to the judge, using terms, arguments, diction, and cadence that suit this judge?
- I am preparing for a hearing on motion for _____. I have uploaded our motion and their response. How do I address my arguments and respond to theirs in a manner where: (1) you provide catch phrases, bullet points, sound bites, and related phrases to catch and keep the court's attention in a respectful but engaging manner? (2) addressing our best arguments and supporting our weakest ones; (3) addressing their arguments, from strongest to weakest, head-on and showing how we prevail. Create a detailed outline that I can use for a (5-minute, 15-minute, 30-minute, one-hour, etc.) hearing, where I have _____ minutes to argue our position.
- I am preparing for a hearing on motion for _____. I have uploaded the motion and the response. What questions will the judge likely ask me at the hearing, and how should I respond?
- I am preparing for a hearing on motion for _____. I have uploaded the motion and the response. Prepare the opposing counsel's argument at the hearing on how I can respond to it point by point.
- I am preparing for a hearing on motion for _____. I have uploaded the motion and the response. I have included various detailed orders by this judge on similar motions. What will the judge focus on at the hearing, and how do I tailor my arguments to address his views, concerns, and approach?
- The hearing will be virtual. Are there any visuals I can use to assist in my oral argument? Is there a diagram, a document, a photo, an image, or evidence that will drive my points home?

- How would opposing counsel use you to prepare for this hearing, and how can I counter that?

Motion practice is anticipating what will resonate with your judge and driving those points home, both in your writing and through your oral argument. These prompts do not replace your analysis and judgment. They augment them, fill in the blanks, and address the blind spots.

Let's move from motions to discovery, specifically written discovery. Some of the prompts above addressed those. Let's share more:

- This is a factual summary of this case: _____. This case is venued in _____ in (state/federal) court. What are:

Standard interrogatories

Non-standard interrogatories

Creative and imaginative interrogatories

Interrogatories based on the allegations in the Complaint

Interrogatories based on the affirmative defenses

Standard document requests

Non-standard document requests

Creative and imaginative document requests

Document requests based on the allegations in the Complaint

Document requests based on the affirmative defenses

Standard requests for admissions

Non-standard requests for admissions

Creative and imaginative requests for admission

Requests for admissions based on the allegations in the Complaint

Requests for admissions based on the affirmative defenses

Requests for admissions that avoid objections or clever or cute responses

- This is a factual summary of this case: _____. This case is venued in _____ in (state/federal) court. Which third parties should I subpoena? What should I ask them for?
- This is the opposing party's interrogatories. How should I respond to these? Which ones are objectionable? What is the basis for the objections? What are all the objections I can pose? How should I pose them and in what order, and

what factual basis do I have for each? Which ones should withstand a challenge from the opposing party?

- This is the opposing party's request for production. How should I respond to these? Which ones are objectionable? What is the basis for the objections? What are all the objections I can pose? How should I pose them and in what order, and what factual basis do I have for each? Which ones should withstand a challenge from the opposing party?
- This is the opposing party's request for admissions. Which ones should I admit? Which should I deny? Which are irrefutable? Which ones do I have any basis to deny? Is there a basis to object to any? Which ones? Basis? What objections would withstand any motion to compel?

Beyond motion practice and written discovery, depositions are central to pre-trial practice. AI prompts can help prepare to take and defend depositions. Here are sample prompts:

- I have uploaded the pleadings and discovery responses. Whom should I depose and in which order?
- Who will opposing counsel likely depose and in what order?
- How will opposing counsel approach my client's deposition? What topics will he cover? What issues will he address? What questions will he ask? What traps will he lay? What admissions will he try to secure? How can I best prepare my client for these lines of questioning?
- If I were opposing counsel, what approach would I take with my client at deposition to secure valuable admissions? What admissions would I seek, and how would I seek them in deposition? How would I phrase questions to avoid my client from circumventing them? With all this in mind, how can I help my client answer these questions without committing to admissions that hurt our case or support theirs?
- What are the leading approaches plaintiff attorneys are using and applying when deposing defendants? Defense experts?

- How are plaintiff lawyers using the reptile theory in depositions? What topics do they cover? What questions do they ask? What traps do they lay and how do they lay them? How can defense counsel prepare the client for them when it comes to deposition? What is the counter-narrative? What answers drive home the counter-narrative? How does the defense outmaneuver the reptile theory?
- What are other approaches plaintiff attorneys use beyond the reptile theory? What methods do they find valuable and practical? How do they use these approaches? How can they be countered?
- What documents will plaintiff's counsel likely show my client at deposition? How will he use them at deposition? How will he try to secure admissions through these documents? How can my client counter these approaches?
- Prepare the definitive list of rules and guidelines to review with my client to prepare her for her deposition.
- Prepare a list of topics and subtopics of items opposing counsel will likely cover with my client during her deposition.
- Prepare a series of tough questions for each of these topics and subtopics, and prepare three alternative reasonable responses by my client that are truthful and effectively defang the questions and turn them harmless.
- I have a scared client. What can I do to prepare my client for his deposition?
- I have a mister-know-it-all client. What can I do to prepare my client for his deposition?
- I have an impatient, angry client. What can I do to prepare him for his deposition?
- I have a client who talks too much, volunteers too much, and can't parse out questions. How do I prepare him for his deposition?
- How do I turn a poor witness into a strong witness when preparing him for his deposition?

- I have uploaded the pleadings, discovery responses, and third-party records. What topics should I cover during the plaintiff's deposition?
- How should I organize the topics for the plaintiff's deposition to increase the likelihood of securing favorable admissions?
- If the purpose of this deposition is to lay the foundation for a summary judgment as to topic _____, how should I go about deposing the plaintiff? What topics and subtopics should I cover? What questions should I ask? What soundbites do I need for my motion?
- If the purpose of this deposition is to undermine the elements of the plaintiff's causes of action and support the defendant's affirmative defenses, what is the best approach when examining the plaintiff during his deposition?
- If the purpose of this deposition is to secure a multitude of admissions to use at trial, what questions should I ask to commit the plaintiff to favorable testimony?
- What are the topics to cover with the plaintiff to address each element of each of plaintiff's causes of action? How do I cover duty, breach, causation, and damages? How about beyond that?
- I have a plaintiff who refuses to answer even obvious, fundamental questions. How do I use that against him? What questions can I ask to show he is obstinate and lacks credibility?
- I have a plaintiff who always wants to elaborate when providing any answer. How do I ask questions to make it difficult for him to do this?
- I want to secure "yes" and agreeable answers from the plaintiff. The plaintiff seeks to opine and elaborate with every response. How do I ask questions to ensure the short, direct responses I want and avoid rambling answers?
- How do I deal with opposing counsel who insists on making speaking objections during a deposition?
- I want to approach my deposition of the plaintiff from general to specific, from fact-finding to securing admissions, from safe questions to admission-seeking questions. Prepare an outline of 500 questions applying this approach.

- I want to cover topics not generally covered in a plaintiff's deposition that attack the plaintiff's case and support the defendant's case. What are these topics, and how should I approach them?
- How do I prepare my expert for her deposition?
- What documents do I need to provide my expert to ensure she has reviewed all relevant records in formulating her opinions and be prepared for her deposition?
- I have uploaded my expert's report and file. How will opposing counsel likely attack him, and how do I prepare him for those attacks? Is my expert subject to a Daubert or 702 challenge? If so, why and how? How do I prepare her for those attacks during her deposition?
- How will opposing counsel approach my expert in deposition? What traps will they lay? How do I immunize my expert from these attacks?
- I am deposing the plaintiff's expert. I have uploaded her report and file. Create a detailed outline for her deposition, with each question tied to a specific page and line in the expert report or file. Attack the report, the basis for the report, the facts, documents, and information that allegedly support the report, and every other aspect of the expert, her credentials, her methodology, alleged use of scientific method, and any other basis to undermine the expert and subject her to a Daubert or 702 challenge.
- I am deposing the plaintiff's expert. I have uploaded her report and file. Prepare a detailed outline covering all aspects of her background, experience, training, analysis, opinions, report, conclusions, etc.
- I am deposing the plaintiff's expert. I have uploaded her report and file. I want to challenge this expert under Daubert or 702. How do I approach the deposition to secure all the answers I need to argue to the court that the expert should be stricken.
- How do I depose the expert to secure short, succinct responses to use in a motion for summary judgment or for impeachment at trial?

- I have an expert who knows how to answer every question as if it's an essay question and takes five minutes to say everything and nothing all at once. How do I stop this? What questions do I ask? How do I phrase the questions? How do I stack the questions? I need short answers, and if I don't get them, I need the expert to come across as a pompous jerk. How do I set that up?
- How do I depose this expert to create a script for trial?

Treat your deposition prompts as if you're asking yourself what you need to do to accomplish task X or Y. What would be your approach? What topics would you cover? What questions would you ask? How would you ask these questions? LLMs can help you brainstorm every aspect and every question for a deposition.

When prompting, ask the platform anything you want and tailor the questions to your case, facts, and law to secure responses most useful for your goals, needs, and wants. Think about what you want to accomplish in your depositions, tell the platforms, and see how well they help you achieve your goals.

Using AI for Trial

Of all aspects of litigation, AI's best use may be for trial. Whenever I prepare for a trial, I use our closed Co-Pilot LLM to think through every aspect of the trial. Through a series of prompts, each building on the last, I question the LLM on case themes and theories, openings and closings, directs and crosses, exhibits and demonstratives, jury selection, and jury persuasion, among other topics. In about an hour, you can brainstorm every aspect of the trial from jury selection through closing and have the ingredients to develop an entire trial plan.

Let me walk you through a series of prompts to help you develop a trial plan. Start by uploading the complaint, answer and affirmative defenses, interrogatory answers, deposition transcripts, expert reports, witness lists, exhibit lists and a summary of the facts and legal issues for the case (possibly use client case report). You may need to add or remove items based on whether the size and content of what you upload negatively affect the scope and effectiveness of prompt responses.

Once you've uploaded these documents, consider the following prompts:

- What are the plaintiff's likely themes? Theories?

- How will the plaintiff drive home these themes and theories with the jury?
- What are the defendant's effective themes? Theories?
- How can I use these themes and theories at trial?
- List the plaintiff's likely exhibits he will rely on at trial? How will he depend upon them? How will he use them? Which witness will discuss them? How can I counter them? Which exhibits provide a counter-narrative?
- List what demonstratives the plaintiff may use. Describe and explain them. How will the plaintiff likely use them? How can I counter them? What are possible counter-narrative demonstratives?
- What exhibits should I use? How should I use and rely upon them? What points do I want to drive home through them? How do I use them in my opening? With witnesses? In closing?
- What demonstratives should I use? How do I maximize their visual impact? How should I use them? When should I use them and to what end?
- Prepare three versions of plaintiff's opening, each with a 60-minute detailed outline, including any references to exhibits or demonstratives she may use.
- Prepare three versions of my (defense) opening, each with a 60-minute detailed outline, including any references to exhibits or demonstratives she may use.
- Considering the three plaintiff openings and the three defense openings you prepared, how can you reconsider, re-evaluate, and redraft the defense opening to address our best arguments and neutralize theirs?
- Prepare a detailed cross-examination for the Plaintiff. Include in the examination what exhibits to use, how to use them, and what to ask the plaintiff about them. Have every question sourced to the plaintiff's deposition, records, or another document, which I can use to impeach the plaintiff if she provides the wrong response. Conduct the examination like a traditional cross-examination – leading questions, no tags, one fact per question, as basic and simple a fact as possible, each question leads from the last into the next, have the questions read like declarative statements, short questions, strong nouns

and adverbs, etc. Start and finish the examination strongly. Address both the plaintiff and the defense case. Secure admissions that undermine the plaintiff's case and support the defense case. Create an outline with chapters that build on one another. Tell a story with the questions that support defense themes and undermine the plaintiff's themes.

- Do the same for each expert deposition. Start with expert _____.
- Do the same for each remaining witness. Start with witness _____.
- Prepare the direct examination of the defendant, telling the defendant's story in a manner that humanizes the defendant, tells her story, explains what she did, addresses liability and causation issues in the best light possible for the defendant, anticipates cross-examination, and removes the sting from any such questions during the direct examination. Tell my client's story in a way that is compelling, persuasive, and convincing.
- Prepare the direct examination of defendant's expert _____, covering all aspects of the expert's background, training, experience, testing, methodology, opinions, conclusions, spelling out the defense case and undermining the plaintiff's case. Anticipate plaintiff's lines of attack and pre-empt them during the direct examination. Ensure the questioning is done in a way that makes the expert appear competent, likable, and credible, and able to teach the jury. Have the examination address that exhibits and demonstrates how the expert should rely upon it.
- Prepare the direct examinations of the remaining witnesses, including _____, covering all aspects of his testimony that support defendant's affirmative defenses and undermine the elements of plaintiff's causes of action.
- Prepare three versions of plaintiff's closing, each with a 60-minute detailed outline, including any references to exhibits or demonstratives she may use.
- Prepare three versions of my (defense) closing, each with a 60-minute detailed outline, including any references to exhibits or demonstratives she may use.
- Considering the three plaintiff closings and the three defense closings you prepared, how can you reconsider, re-evaluate, and redraft the defense closing to address our best arguments and neutralize theirs?

- Having prepared all these responses to all these trial-related prompts, prepare an outline for the defense for the entire trial.
- Do the same for the plaintiff.
- Prepare a line-item response for every item you included in the plaintiff's trial outline.

You can run through these prompts quickly and secure an overview of every aspect for trial to discuss with your team. This exercise helps you think through the case from 360 degrees to avoid missing anything and overlooking crucial facts, evidence, vantage points, and perspectives.

Creating Your Own Prompt Guide

Every case you handle can be helped by AI with the right closed LLM and effective prompts. It takes time in the sandbox to learn how to build a sandcastle, and it takes time to learn how to prompt. The prompts I provided are suggestions to guide you on your prompt journey. Take time with your team to explore helpful prompts for each type of case you handle, and keep track of them in your own prompt guide, which evolves, expands, and grows as your team changes, modifies, and adds to it.

I wish you the best on your AI and prompting journey.

I am a partner at Goldberg Segalla, where I practice commercial litigation, products, and catastrophic personal injury. You can follow me on LinkedIn or reach me at framos@goldbergsegalla.com.