

2019 Sustainable Industrial Processing Summit & Exhibition

McNeil International Symposium on Laws and their Applications for Sustainable Development

The AI Seat on the Governing Board

How Influential Should it be in the Decision-Making Process

Presented by
Malcolm S. McNeil
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What is AI?



Predictive
Coding



Analytics



Analysis of
Historical
Data

AI and Board Decisions

A few questions:

- How does AI influence a Board's decision when the Board needs to make decisions about the company's health?
- To what extent should a Board rely on AI?
- Should outside AI consultants be hired to advice?
- Should business decisions be made exclusively based on AI input?

AI Transforming Our Practice

Overview

- Early Origins – Simple Technology
- Carbon, Electric, Computers, Word Processing, E-mails, WEB
- Hand Held Devices (Pager, Palm Pilot, iPhone)



The next frontier for AI in the legal industry → Legal Analysis

Research providers like Westlaw will review and cite check documents.

These are still incredibly crude and early development, but may improve over time.

However, these new tools will not be able to create new creative strategies. As such AI is useful to augment and improve our work – even if it will not completely replace it anytime soon.

AI and our Fiduciary Duties in the Boardroom and the C-Suite



Duty of Care

Above all, the Business Judgment Rule insulates from scrutiny of these actions

- Which means human creativity, and a businessman's insight on how to best grow the company should control

Going forward, augmented intelligence can and will raise the standard of care

DUTY OF CARE



Implementing AI in ways to more successfully grow the company

- This will vary business by business and industry by industry depending on the company's specific challenges

Duty of Loyalty



Avoiding conflicts of interest

Not stealing corporate opportunities for oneself

People are often board members not only for one, but many companies

Juggling new opportunities and staying loyal to all companies can be a challenge

Utilizing new AI's to navigate these muddy waters will become vital in the future

Law firms use software to help track and anticipate conflicts with their clients

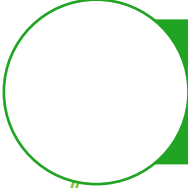
Duty of Disclosure



Often this is highly related to the duty of loyalty and care



Communication is key. Disclose any conflicts of interest between the individual and the corporation.



Candor in Boardroom discussions is also essential to meet the duty of care. Leaders cannot make the right decisions if they do not have all the facts in front of them.



Utilize AI to streamline the process

Duty of Good Faith and Fair Dealing

**No amount
of AI will
replace
your
common
sense and
your moral
compass**

Questions?



Contact

Malcolm S. McNeil

Partner and International Practice Co-Leader

213.443.7656

malcolm.mcneil@arentfox.com



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