

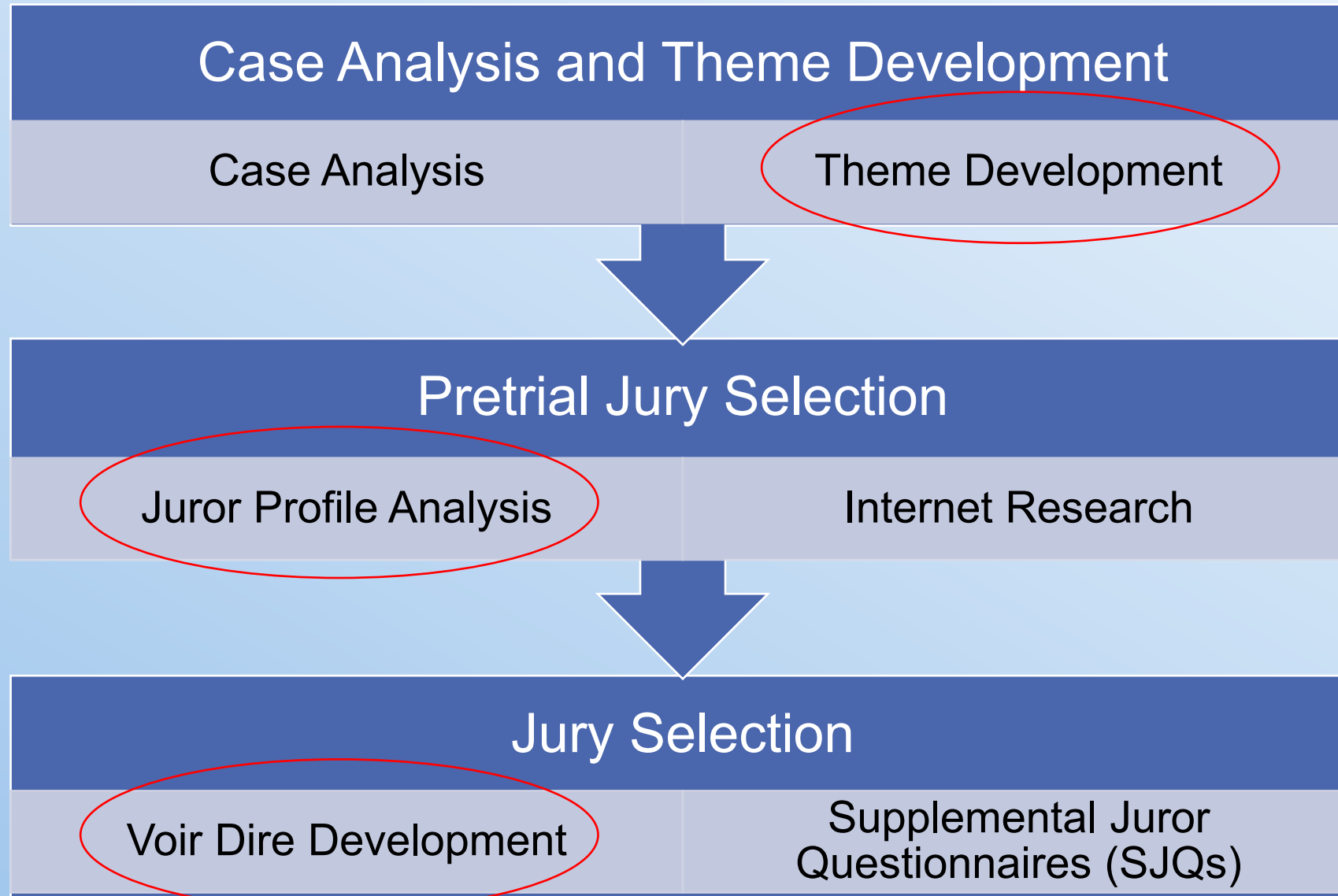


# AI at Trial

Presenters:  
ChatGPT, Gemini,  
and Copilot (and  
mere humans)



# AI in Jury Selection





NO. 22-00022-CV

LONNIE MENNINGER, INDIVIDUALLY  
AND AS INDEPENDENT EXECUTOR OF  
THE ESTATE OF LAURA MENNINGER

*Plaintiff,*

v.

OUCHI MOTOR COMPANY, INC.

*Defendant.*

§ IN THE 445<sup>th</sup> DISTRICT COURT  
§  
§ IN AND FOR  
§  
§  
§ BEXAR COUNTY  
§  
§ STATE OF LONE STAR  
§

Prepared by:

Marvin W. Jones  
Sprouse Shrader Smith PLLC  
701 S. Taylor, Suite 500  
Amarillo, TX 79101

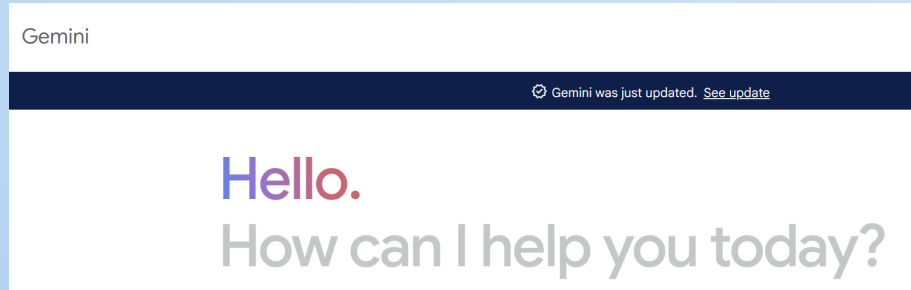
This case file was commissioned by the Texas Young Lawyers Association and was prepared by Marvin W. Jones for the 2023 National Trial Competition

**93 pages w/exhibits**

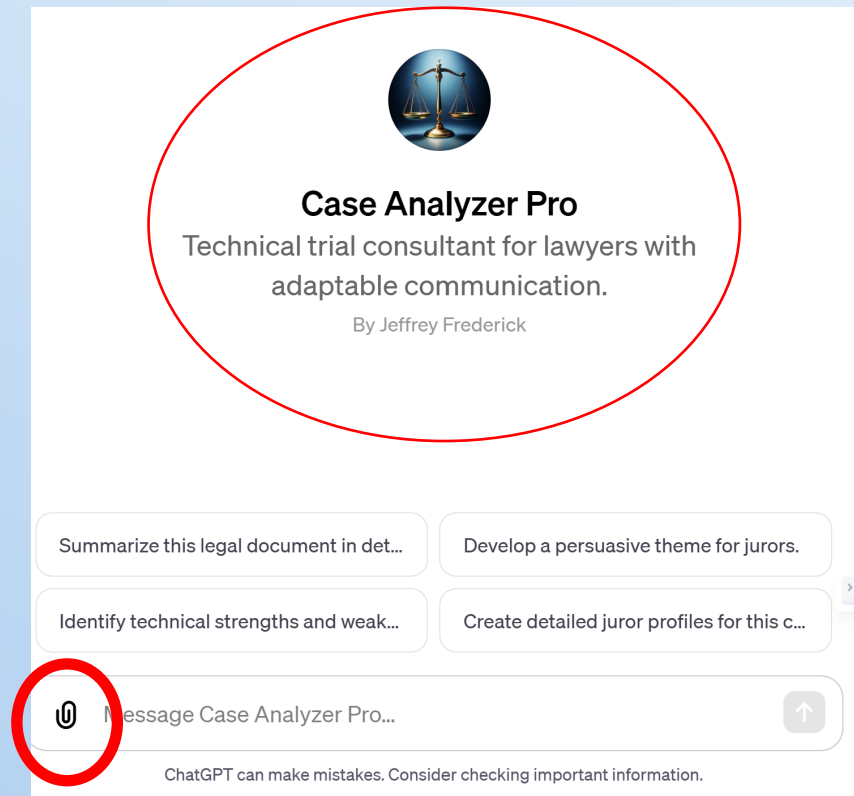
# Case Materials Loaded



# Prompts for uploading/inputting information in Gemini or upload PDF in ChatGPT



- I will be providing information over several prompts for you to summarize. I will tell you when I have finished providing the information and ask for a summary. Thanks.





# Prompt for Theme Development

- Thank you. Now, please provide the best theme for the plaintiff to use at trial in shaping its arguments to the jury.
- Thank you. Now, please provide the best theme for the defense to use at trial in shaping its arguments to the jury.

# Best Theme for the Plaintiff



JF

## You

Thank you. Now, please provide the best theme for the plaintiff to use at trial in shaping its arguments to the jury.



## Case Analyzer Pro

For the plaintiff, Lonnie Menninger, a compelling theme at trial could be "Trust Betrayed: A Promise of Safety Undelivered." This theme emphasizes the trust consumers place in manufacturers, especially in the context of groundbreaking technology like autonomous vehicles. It highlights the expectation that these vehicles, marketed as the pinnacle of safety and innovation, should not only meet but exceed the safety standards of traditional vehicles. The theme underscores the tragedy of Laura Menninger's death as a direct result of this trust being betrayed, focusing on the emotional impact of losing a loved one due to a failure in the technology that was supposed to protect them. This narrative can effectively resonate with jurors by connecting on a human level, emphasizing the responsibility of Ouchi Motor Company to ensure their products do not pose a danger to the community.



# Best Theme for the Defense



JF

## You

Thank you. Now, please provide the best theme for the defense to use at trial in shaping its arguments to the jury.



## Case Analyzer Pro

For the defense, Ouchi Motor Company, an effective theme could be "Navigating the Road to Innovation: Balancing Progress and Safety." This theme underscores the company's commitment to advancing automotive technology through autonomous vehicles, emphasizing the meticulous design, rigorous testing, and compliance with safety standards. It positions the incident as a tragic but rare occurrence in the journey toward a safer, more efficient future of transportation. This narrative appeals to the jury's appreciation for innovation and progress, framing Ouchi as a pioneer in the field, diligently working to improve safety and reduce human error on the roads.



# Prompts for Juror Profiles

- Thank you. Based on the information provided, please create a profile for the jurors who would be favorable and jurors who would be unfavorable for the Plaintiff, Lonnie Menninger, in this case.
  - (Probe) Could you be more specific about the characteristics of favorable and unfavorable jurors for the plaintiff?
- Thank you. Based on the information provided, please create a profile for the jurors who would be favorable and jurors who would be unfavorable for the Defendant, Ouchie Motor Company, in this case.





JF

## You

Good work. Based on the information provided, please create a profile for the jurors who would be favorable and jurors who would be unfavorable for the Plaintiff, Lonnie Menninger, in this case.



### Case Analyzer Pro

For the plaintiff, Lonnie Menninger, favorable jurors would likely include individuals who have a strong empathy towards personal loss and can connect emotionally with the tragedy of losing a loved one. They may be more skeptical of autonomous technology, valuing human judgment over machines. Such jurors might include older individuals, cyclists, or those with a cautious stance towards technology.

Unfavorable jurors for the plaintiff would likely include tech-savvy individuals, engineers, or those with a strong belief in technological progress and innovation. They may be more inclined to understand and accept the limitations and risks associated with new technology, viewing them as part of the advancement process. Individuals with a background in the automotive industry or related fields might also be less sympathetic to the plaintiff's case, as they may have a deeper understanding of the complexities and challenges in designing autonomous vehicles.

**You**

Could you be more specific about the characteristics of favorable and unfavorable jurors for the plaintiff?

**Case Analyzer Pro**

For the plaintiff, favorable jurors may include:

1. **Individuals who have experienced loss or injury due to technology** - They may empathize more deeply with the plaintiff's loss.
2. **Cyclists and pedestrian advocates** - Likely to sympathize with the victim, emphasizing road safety for non-vehicle users.
3. **Skeptics of autonomous technology** - Those wary of replacing human decision-making with AI, possibly due to safety concerns or distrust in technology companies.
4. **Older individuals** - May prefer traditional driving and be more skeptical of new technologies.

Unfavorable jurors for the plaintiff might be:

1. **Tech enthusiasts and professionals** - More likely to understand and accept the limitations of current technology, and possibly more forgiving of technological failures.
2. **People with a strong belief in progress and innovation** - Likely to view the accident as an unfortunate but necessary risk in the advancement of autonomous vehicles.
3. **Individuals with backgrounds in engineering, AI, or the automotive industry** - May have a better understanding of the complexities and challenges involved in designing and implementing autonomous driving systems, leading to a more sympathetic view of the defendant's challenges.
4. **Young, tech-savvy individuals** - More likely to be enthusiastic about new technologies and more accepting of the risks associated with technological advancement.



## You

Thank you! Based on the information provided, please create a profile for the jurors who would be favorable and jurors who would be unfavorable for the Defendant, Ouchie Motor Company, in this case.



### Case Analyzer Pro

For the defendant, Ouchi Motor Company, favorable jurors might include:

1. **Professionals in technology, engineering, or automotive fields** - They can appreciate the complexities and challenges in developing autonomous vehicles.
2. **Tech enthusiasts** - Individuals who are optimistic about technology and innovation, likely to see the benefits and potential of autonomous driving.
3. **Younger, tech-savvy individuals** - More likely to be familiar with and supportive of new technologies, including autonomous vehicles.

Unfavorable jurors for the defendant could be:

1. **Cyclists and pedestrian advocates** - Likely to be more critical of autonomous vehicles' safety regarding non-motorized road users.
2. **Individuals with a distrust of technology** - Those wary of the over-reliance on technology for critical tasks like driving.
3. **Older individuals** - May prefer traditional driving methods over new technologies, possibly due to concerns over safety and reliability.
4. **People who have experienced technology-related accidents or malfunctions** - More likely to be skeptical of claims regarding the safety and reliability of autonomous technology.





# Prompts for Voir Dire Development

- Good work. Now, please use only the information provided, the plaintiff's theme, and profiles of unfavorable jurors for the plaintiff that you developed to create voir dire questions that would help the plaintiff identify any potential jurors who would be unfavorable to the Plaintiff, Lonnie Menninger.
  - (Probe) Great job. Now, please develop questions that address the psychological underpinnings of those individuals unfavorable to the plaintiff.

[Demo: Go to Case Analyzer Pro](#)



# Prompts for Voir Dire Development

- Great. Now, please use only the information provided, the defendant's theme, and profiles of unfavorable jurors for the defense that you developed to create voir dire questions that would help the defense identify any potential jurors who would be unfavorable to the Defendant, Ouchi Motor Company.
  - (Probe) Great job. Now, please develop questions that address the psychological underpinnings of those individuals unfavorable to the defendant.

[Demo: Go to Case Analyzer Pro](#)





# Communication and Persuasion

- Theme development (Covered earlier)
- Opening Statement development
- Witness preparation/evaluation





# Prompt for Opening Statement

- Thank you. Acting as if you were a lawyer, please use the information provided in the allegations, facts, and potential theme to craft an opening statement for the plaintiff, Lonnie Menninger.
- Thank you. Acting as if you were a lawyer, please use the information provided in the allegations, facts, and potential theme to craft an opening statement for the defendant, Ouchie Motor Company, Inc.

# Plaintiff's Opening Statement



## Case Analyzer Pro

Ladies and gentlemen of the jury, thank you for your service and attention to a case that touches the very core of our shared values: safety, trust, and accountability. We are here today because of a tragedy that struck the Menninger family—a tragedy that was both preventable and forewarned.

On a day like any other, Laura Menninger, a beloved member of our community and a devoted wife and mother, set out on her bicycle. She trusted that the roads in her community were safe and that the vehicles sharing those roads, including the autonomous vehicles touted for their safety, would protect her. That trust was misplaced.

The defendant, Ouchi Motor Company, introduced the 2020 Ouchi Model T, a vehicle they claimed represented the pinnacle of autonomous driving technology. A white sedan, the very embodiment of modern innovation, promised to make driving safer, to reduce human error, and to protect lives. Yet, it failed to detect Laura Menninger on her bicycle. It failed to stop. It failed to save her life.

This case is not merely about a malfunctioning vehicle. It is about a company that, despite knowing the limitations and risks associated with its autonomous driving system, chose to prioritize profits over people. They marketed their vehicle as a beacon of safety, yet when it came to ensuring that their technology could reliably detect and respond to all road users, they fell tragically short.





We will present evidence that Ouchi Motor Company was aware of the deficiencies in their autonomous system. Despite this knowledge, they failed to take adequate steps to correct these issues or to warn consumers of the risks. Instead, they continued to sell the 2020 Ouchi Model T, leading consumers like the Menninger family to believe in a safety that was, in reality, incomplete.

Through witness testimonies, expert analysis, and a thorough examination of the facts, we will demonstrate that the loss of Laura Menninger was a direct result of the defendant's actions and inactions. We will show that there were feasible and more effective safety measures that could have been implemented but were ignored in the race to market.

The Menninger family's world has been irrevocably shattered. While we cannot bring Laura back, we can pursue justice on her behalf. We can hold Ouchi Motor Company accountable for their decisions, for their technology, and for the promise of safety they failed to deliver.

We trust that, upon hearing all the evidence, you will find Ouchi Motor Company responsible for Laura Menninger's death. Thank you for your attention and your commitment to justice.

# Defendant's Opening Statement



## Case Analyzer Pro

Ladies and gentlemen of the jury, thank you for your service in this important matter. We are here today not just to discuss a tragic accident, but to carefully examine the nature of innovation, responsibility, and the shared road to a safer future.

The case before you involves the untimely death of Laura Menninger, a tragedy that has deeply affected all who knew her and one that Ouchi Motor Company profoundly regrets. However, this case is also about understanding the complex interplay between human actions, technological advancements, and the unpredictable nature of life itself.

Ouchi Motor Company has been at the forefront of autonomous vehicle technology, driven by a commitment to reduce traffic accidents, save lives, and improve the quality of transportation worldwide. The 2020 Ouchi Model T, a vehicle equipped with state-of-the-art autonomous driving technology, represents a significant step toward that future. This technology, while not perfect, has the potential to drastically reduce human error, which is the leading cause of traffic accidents today.

The incident involving Mrs. Menninger was a heartbreaking anomaly in an otherwise exemplary safety record. It is crucial to recognize that no technology can completely eliminate the risk of accidents, especially in a world where unpredictable variables are always at play. The evidence will show that Ouchi Motor Company has always been transparent about the capabilities and limitations of its technology, consistently emphasizing the need for driver awareness and engagement.





We will present evidence that Ouchi Motor Company has complied with all regulatory standards, conducted extensive safety testing, and continuously worked to improve its autonomous driving systems. Experts will testify about the challenges of developing technology that must anticipate and react to an infinite variety of scenarios on the roads.

It is also important to consider the broader context of this incident. The evolution of transportation technology is a journey with many participants, including vehicle manufacturers, regulatory bodies, drivers, and the broader community. As we navigate this road together, it is inevitable that we will encounter challenges and setbacks. However, these should not deter us from pursuing the significant benefits that these technologies promise for society.

In conclusion, while we cannot undo the events that brought us here, through this trial, we seek to provide you with a full understanding of the facts, the science behind autonomous technology, and the diligent efforts of Ouchi Motor Company to contribute positively to the future of transportation. We trust that, after considering all the evidence, you will find that Ouchi Motor Company acted responsibly and with the safety of the public as its guiding principle.

Thank you for your attention and consideration.