

Embarking on AI Governance: Getting Started Quickly

Mark Diamond

READY. COMPLIANT. IN CONTROL.



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Mark Diamond CEO and President, Contoural, Inc.

As founder and CEO of Contoural, Mark Diamond is one of the industry thought leaders in proactive records and information management, litigation readiness and risk and compliance strategies. As a trusted advisor he and his company help bridge legal, compliance, security and business needs and policies with effective processes, technology and change management.

2024 AI Tug-of-war

AI Benefits



AI productivity
boost

Competitive
advantage

Stock
price bump

AI Risks and Challenges

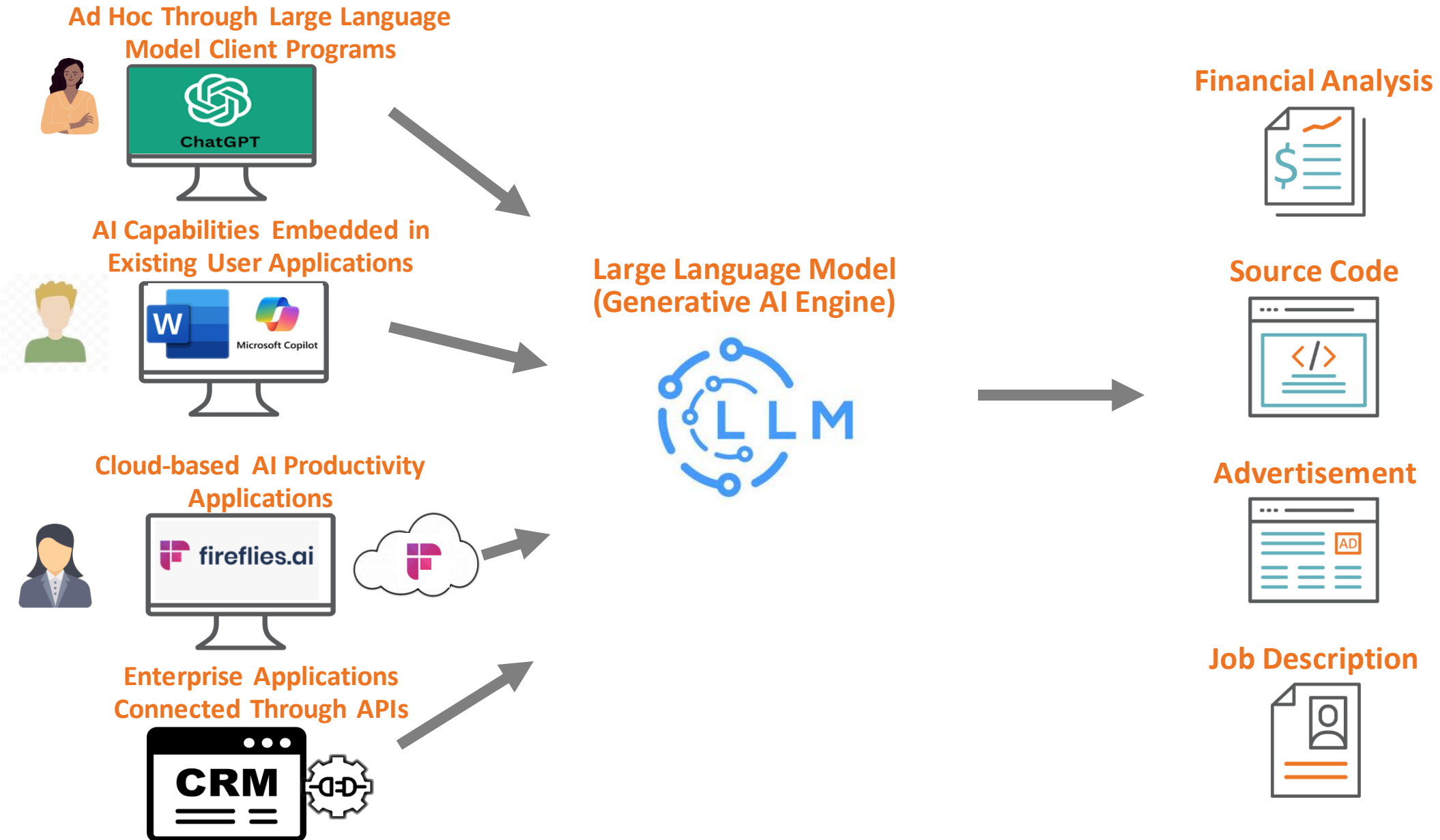


Emerging
global
compliance
requirements

Copyright and
intellectual
property
infringement
concerns

Ethical use,
safety, and
correctness

How Are Employees and Business Units Using Generative AI



Key Drivers of AI Governance



**Emerging global
AI compliance
and privacy
rules**



**Copyright and
intellectual
property
legal risks**



**Disclosure of
corporate
confidential
information and
trade secrets**



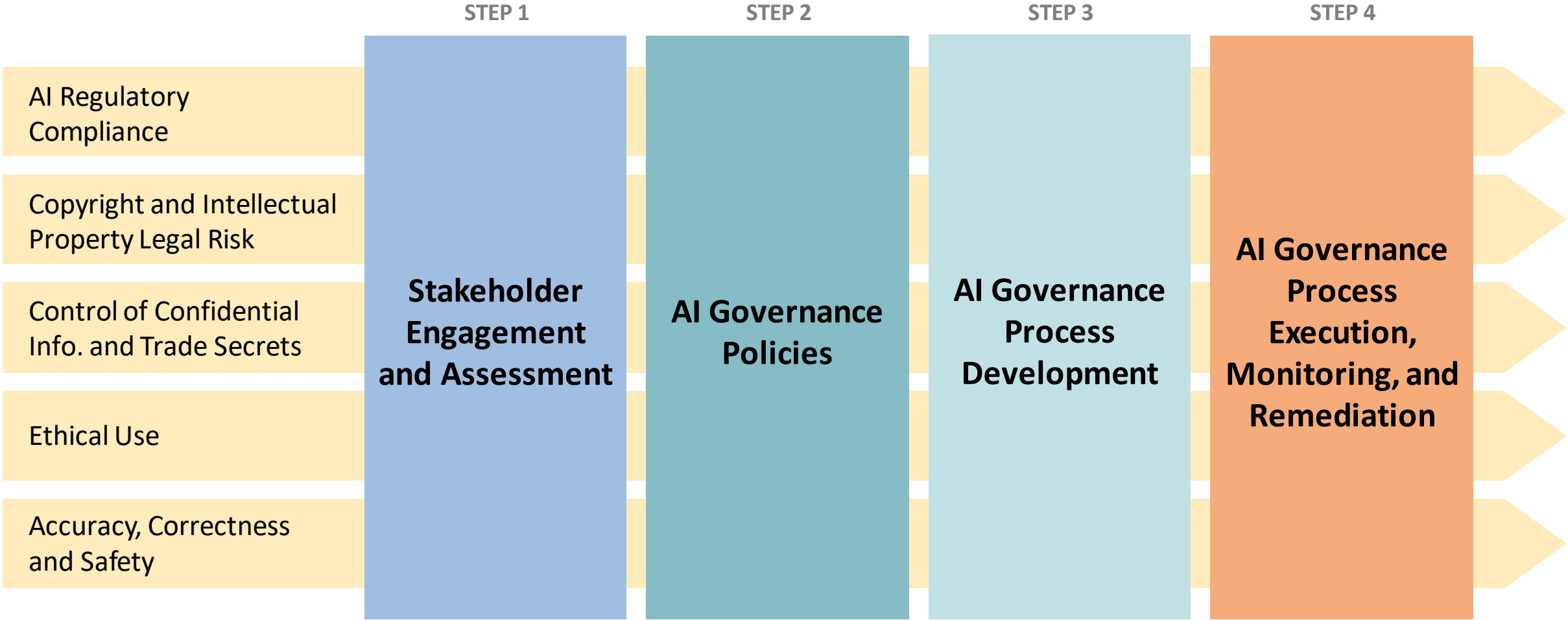
**Ethical use
of AI**



**AI accuracy,
correctness
and safety**

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Creating an AI Governance Program



Step 1: Engage Stakeholders and Conduct Assessment

STEP 1

STEP 2

STEP 3

STEP 4

AI Regulatory
Compliance

Copyright and Intellectual
Property Legal Risk

Step 1: Stakeholder Engagement and Assessment

What?

Understand AI Governance current and target maturity

Meet EU assessment requirements

Engage key stakeholders on AI Governance

Understand and decide which groups will have what roles and responsibility

How?

Develop AI Governance assessment and roadmap

Create AI impact assessment

Organize AI Governance steering committee and charter

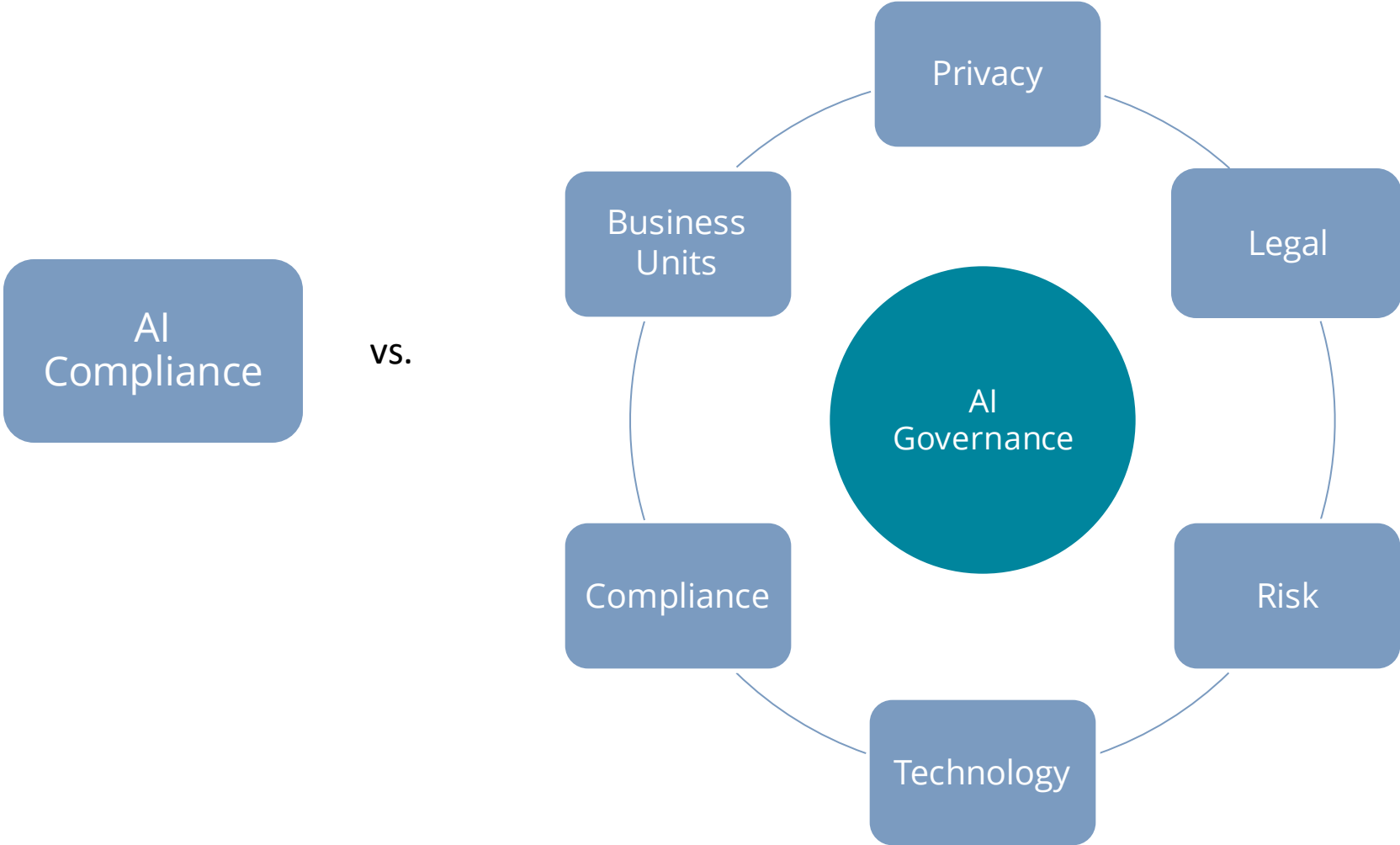
Develop AI Governance roles and responsibilities

Who?

Key stakeholders including:

- Legal
- Compliance
- Privacy
- Risk
- Information Governance
- Data Governance
- InfoSec
- IT

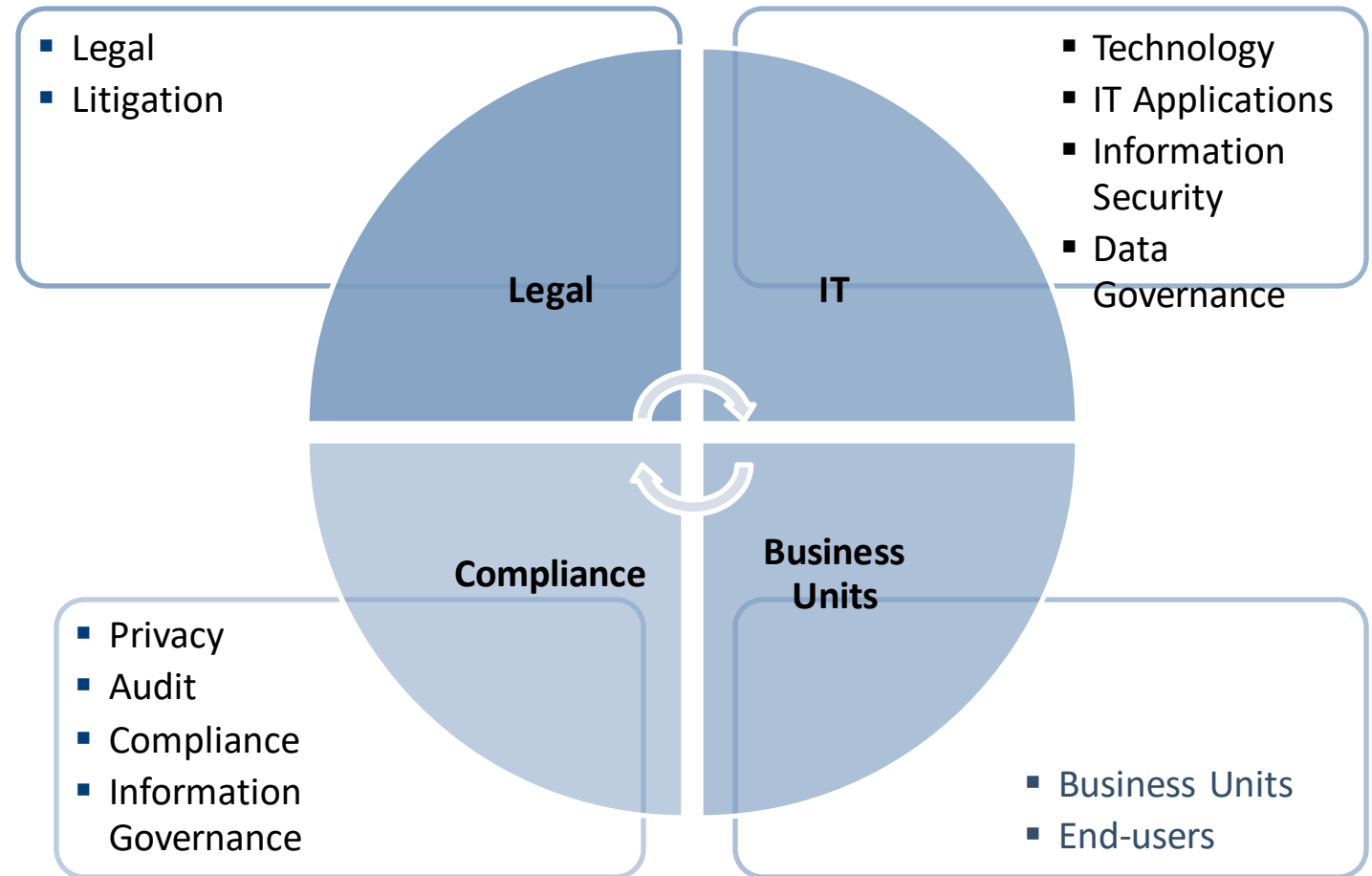
Program Focus: Just Compliance or larger AI Governance?



Creating an AI Governance Committee & Charter

Committee Authority

- Committee charter
- Policy decisions
- Process approval
- Technology approval
- Training
- Change Management
- Internal Communications
- Roadmap
- Organizational development
- Milestone achievement



AI Governance One Off or Repeatable Process?



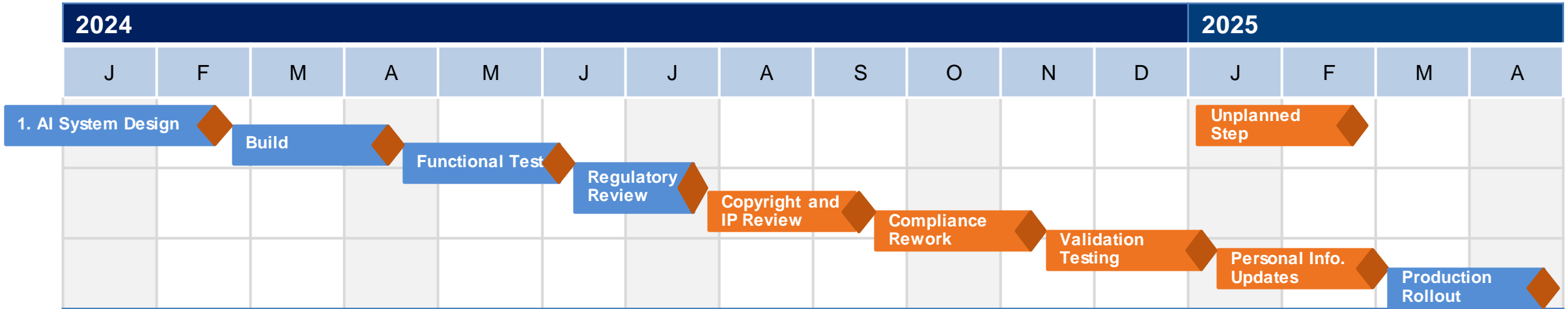
Agenda for Your First Meeting

- What are our initial use cases for generative AI?
- Who will be driving these use cases?
- What are the risks and challenges of AI?
- What does a mature AI Governance program look like for us?
- Who else should be involved in addressing these challenges?
- What should our committee charter be?
- How do we create a “plan for a plan” to address these issues?
- What’s our committee timetable?

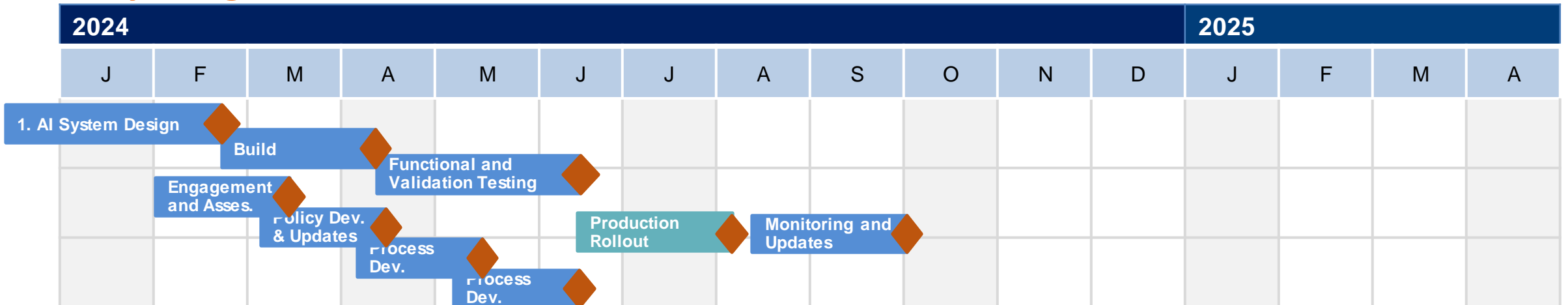


Messaging AI Governance Internally

Late Integration of AI Governance



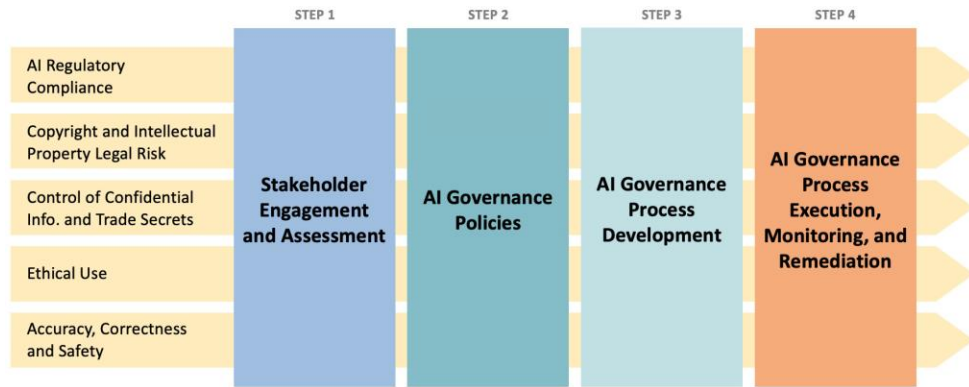
Early Integration of AI Governance



Designing an AI Governance Structure That Fits Into Your Organization and Culture

- Evaluate leveraging any existing Matrix structures
- Determine appropriate operational structure – options may include developing a Matrix by Function/Department, by Geography or Location...or some combination
- Review which governance structures work well within your organization
- Use Key Stakeholders/IG Governance Committee for nomination of Champions.
- Develop relevant metrics, dashboards and reporting to AI Governance Program Manager
- Report and update to senior management on a regular basis

Step 2: Develop and Update Policies



Step 2: AI Governance Policies

What?

- Which AI regulations apply to us?
- How do we ensure proper use of personal information?
- What types of confidential and other sensitive information do we have?
- What information do we retain and which should we delete?

How?

- Develop AI Governance policy
- Update data security classification policy
- Update and synchronize privacy policy
- Update data and records retention policy

Who?

- Legal
- Compliance
- Privacy
- InfoSec
- Information Governance

Input From

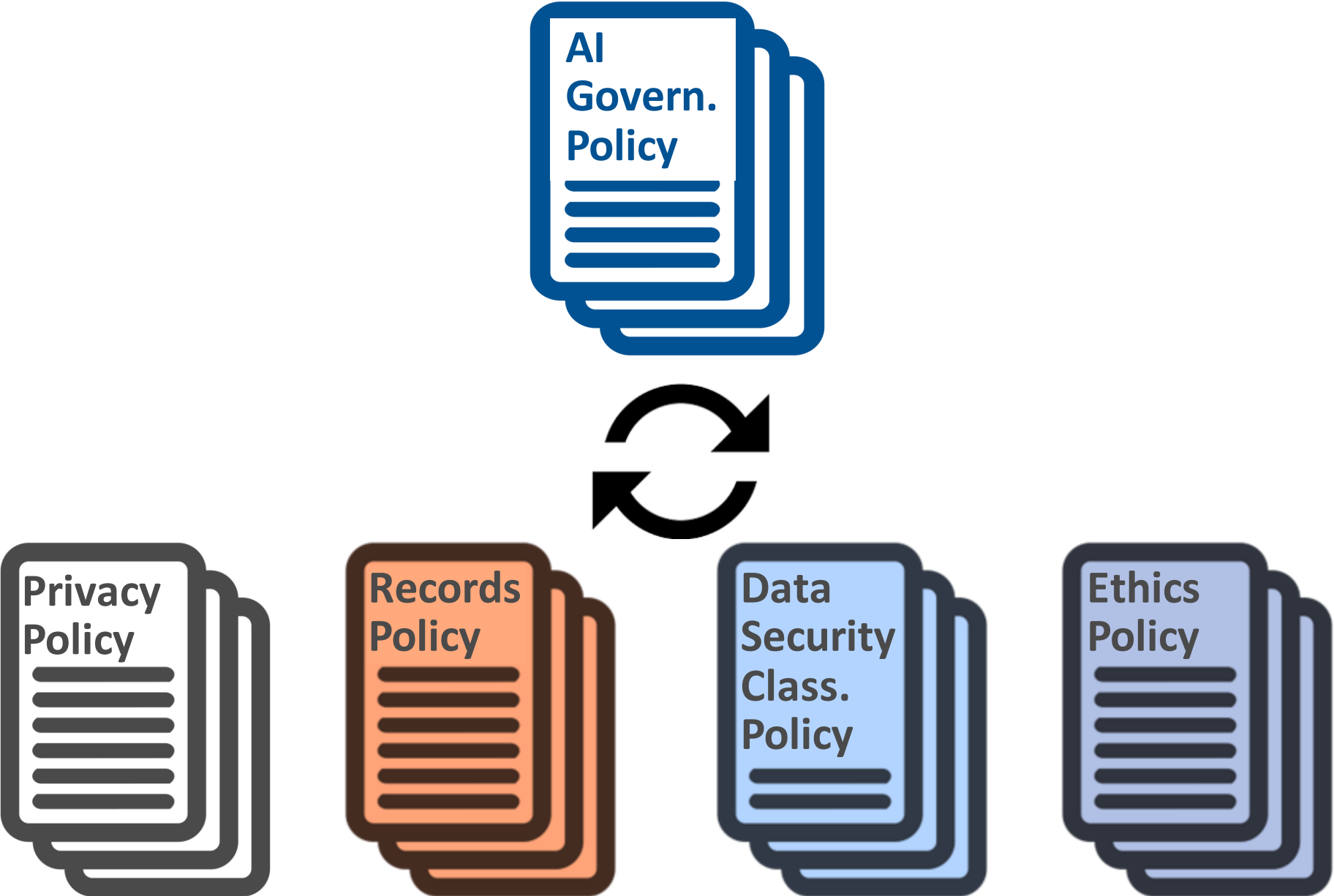
- Risk
- Data Governance
- IT

Creating an AI Governance Policy



- Scope of policy
- How AI will be used compliantly, legally, securely, ethically, and safely.
- Process for ensuring compliance with regulatory requirements.
- Protection of third-party intellectual property.
- Protection of personal information, trade secrets and other sensitive information.
- Transparency and documentation of AI development and testing processes.
- Synchronization with privacy, records management, data security classification and ethics policies.
- Processes for assessing policy both in development and ongoing management.
- Processes for monitoring and enforcement

Synchronizing AI Governance with Existing Policies



Ethical Use of AI

Fairness



Preventing AI bias, which can lead to discrimination and unfairness in decision-making processes.

Examples of AI Bias

Amazon's algorithm discriminated against women.

COMPAS race bias with reoffending rates.

US healthcare algorithm underestimated black patients' needs.

Transparency



Making AI understandable and interpretable to humans, eliminating “black box” mystery.

Examples of Transparency

Informing users they are conversing with a chatbot, not a human.

Documenting and logging decisions made throughout the development and implementation of a system.

Communicating to users or that an AI or automated system will use their data.

Accountability



Define policies and communicate them on company’s responsibility for AI, and where this responsibility ends.

Examples of Accountability

Develop clear human review and escalation processes.

Continue to test AI systems, even after deployment to ensure they meet requirements.

Privacy Ethics



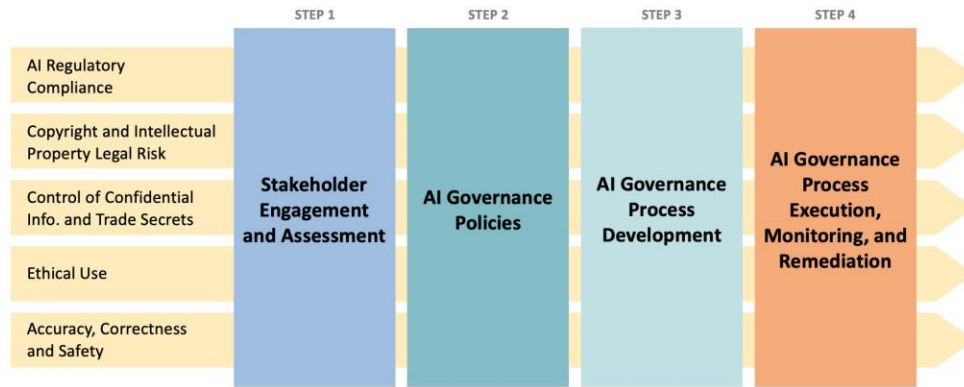
Above Privacy compliance, AI Privacy Ethics prioritizes and safeguards individuals' privacy and data rights and provides explicit assurances to users about how their personal data will be used and protected.

Examples of Privacy Ethics

Ensure proper data classification of personal data and data protection measures to avoid polluting training data.

Test AI to be certain it does not un-anonymize personal information.

Step 3: Develop AI Governance Processes



Step 3: AI Governance Process Development

What?

How do we stay abreast of regulations?

How do we make sure we are not violating copyrights and using personal information appropriately?

Are we using AI ethically?

Are we producing accurate and correct AI results? Are they safe?

How?

Regulatory review process

Data provenance process

Privacy and sensitive information review process

Ethical use validation process

AI accuracy, correctness, and safety validation process

Who?

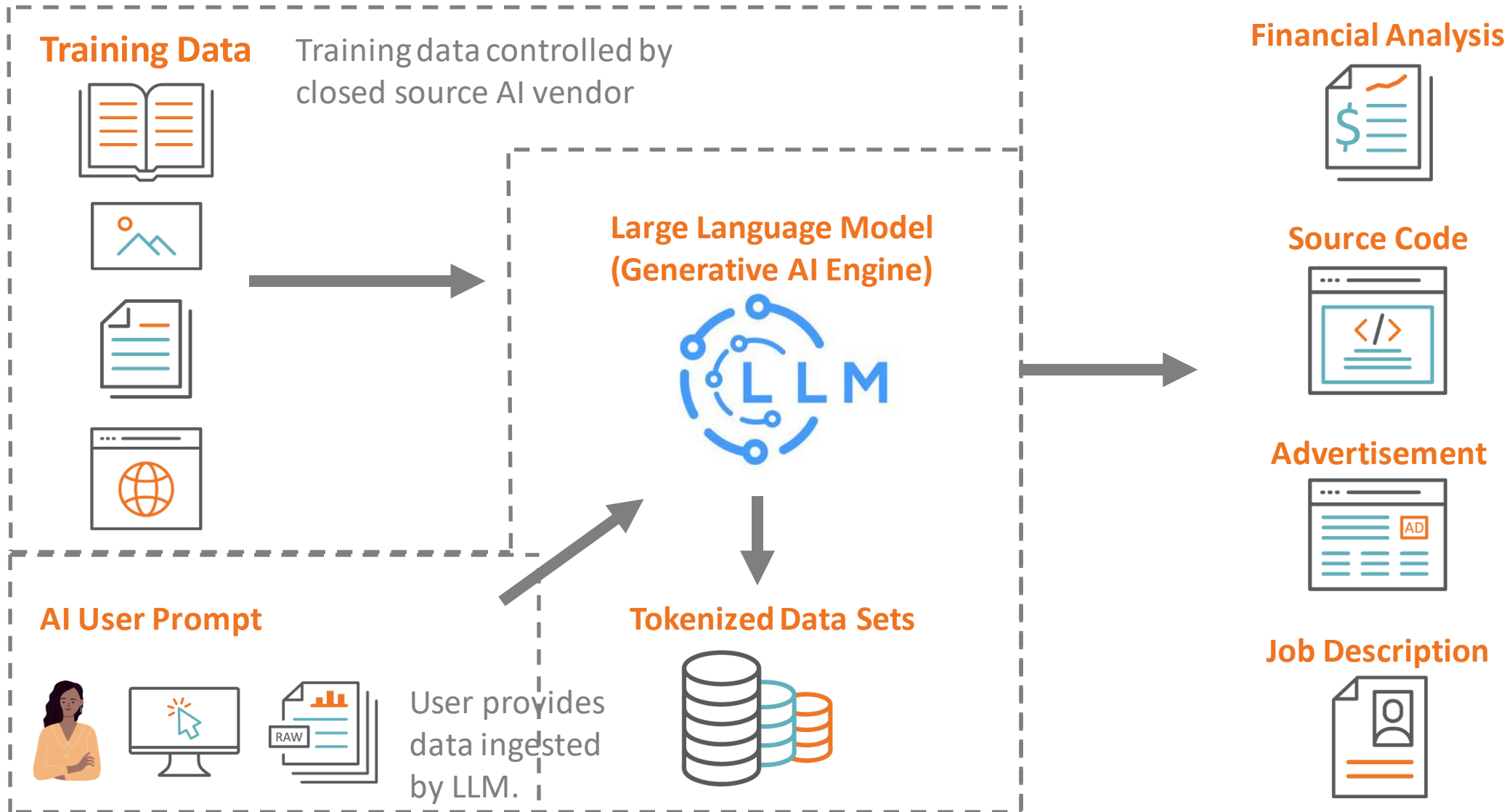
Key stakeholders including:

- IT
- Compliance
- Privacy
- Risk
- Information Governance
- Data Governance

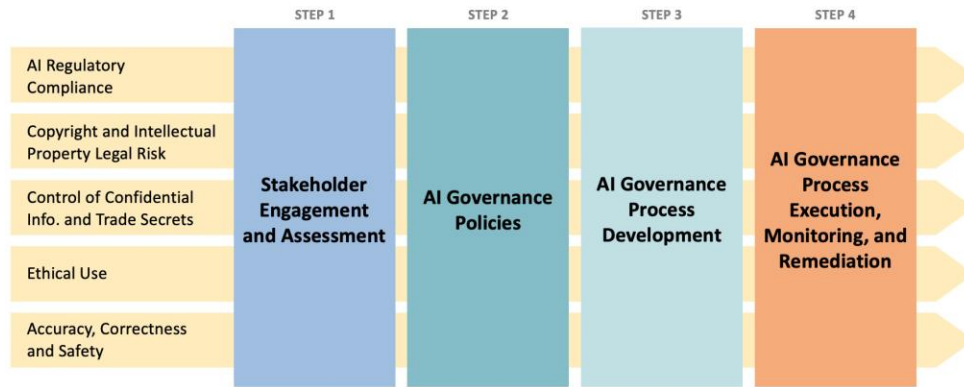
Input From

- Legal

Generative AI Training Data and User Prompt Data



Step 4: Process Execution, Monitoring and Remediation



Step 4: AI Governance Process Execution, Monitoring, and Remediation

What?

How do we start our governance processes during design and into production?

How do we monitor?

When we have issues, how to remediate and document?

How do we show regulators we are following the rules?

How?

Set up AI Governance as ongoing process.

Monitor processes.

Remediate processes.

Document processes and remediation.

Who?

Key stakeholders including:

- Legal
- Compliance
- Privacy
- Risk
- Information Governance
- Data Governance
- IT

Program Rollout Guidelines

Pilot rollout:

- Always do a pilot(s) first along with technology pilot
- Apply all processes for pilots
- Document, document, document
- Review early and often
- Review not only results of AI, but also governance processes
- Start with individual AI-assisted applications, with an eye towards creating a repeatable process



Production rollout:

- Do rollout in waves where applicable
- Include education and awareness

Maintenance:

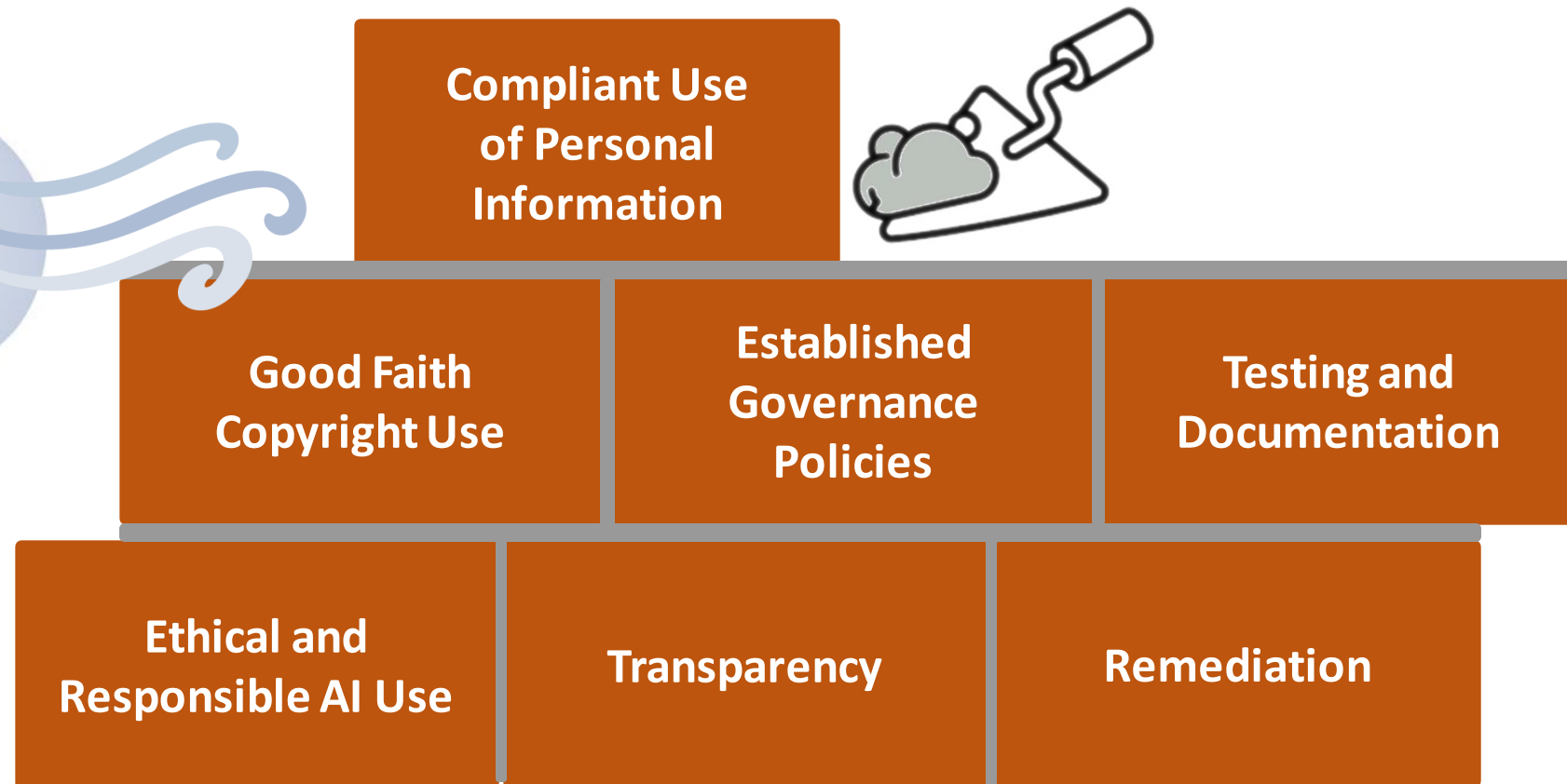
- Monitor, monitor, monitor
- Keep abreast of regulatory changes
- Manage data provenance, data security classification

Strong Foundation of AI Governance Allows Agility in a Rapidly Evolving Environment

AI Governance Winds of Change

New regulations
Expansion of privacy rules
New copyright case law
Protection of trade secrets
Changing technology
Updated transparency requirements

Foundational Elements of AI Governance



About Contoural

Largest independent provider of AI Governance, Privacy and Information Governance consulting services, including governance, records and information management, litigation readiness and control of sensitive information consulting services.

Independent Contoural does not sell any products, provide document storage services or offer “reactive”, matter-specific discovery services.

Cross Functional Our engagements incorporate a combination of governance, legal, compliance, risk management, records management, information technology, security and change management best practices.

Flexible Services can be tailored for part of a specific project or an entire enterprise-wide program.

Experienced Contoural has served more than 30% of the Fortune 500, a number of federal agencies, as well as numerous mid-sized companies and public entities. Our consultants average more than 24 years of experience in their respective fields.

Real Impact Contoural services provide measurable impact on real-world business needs.

Contoural Services Include:

AI Stakeholder Engagement and Assessment

- AI Governance assessment and roadmap
- AI impact assessment
- AI Governance steering committee development
- AI Governance roles and responsibilities

AI Governance Policies Development

- AI Governance policy development
- Data and records retention policy update
- Data security classification policy update
- Privacy policy update

AI Governance Process Development

- Regulatory review process
- Data provenance process
- Privacy and sensitive information review process
- Ethical use validation process

AI Governance Process Execution, Monitoring, and Remediation

- Updates and remediation

Questions and Additional Content, and Thank You

White Paper



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