

Epstein Becker Green Forms Collaboration With Data, Social Scientists For AI Consulting

By **Emma Cueto**

Law360 (August 1, 2023, 3:52 PM EDT) -- Epstein Becker Green PC and its consulting arm EBG Advisors have entered into a formal collaboration with a data science consulting company and an organization of social scientists focused on technology and bias reduction, saying the relationship will better allow the firm to provide bias auditing and risk counseling around technologies such as artificial intelligence.

In an announcement Monday, the firm said the collaboration with Mosaic Data Science and Ethics Through Analytics is part of its long-standing efforts to advise clients in its core areas of health care and labor and employment about their legal obligations when utilizing new technologies, such as AI tools.

Bradley Thompson, a partner with the firm's health care practice who focuses on machine learning and artificial intelligence, told Law360 Pulse that while other firms have launched AI task forces or practices recently, EBG has long had a team working on AI issues, which now includes more than 70 attorneys. This new collaboration, he said, was an extension of that long-term commitment.

"We decided that we needed to expand EBG Advisors to be a three-legged stool," Thompson said, saying the three legs were legal expertise, data science expertise, and social scientists' ability to evaluate for bias. "The only way to evaluate these algorithms is having those three types of expertise."

Thompson said the firm decided to enter a formal relationship with a data firm and a team of social scientists after realizing that clients in both its core practices were running into the same common issue with machine learning and AI: bias.

Because these tools are trained on real-world data sets, and because bias exists in the real world and therefore influences the outcomes that make up those data sets, AI and machine-learning technologies have long been known to often produce biased results. This is especially concerning in employment or health care decisions, Thompson noted, where bias can expose clients to potentially large legal liability.

Thus, he said, the firm knew that if it wanted to provide more robust advice to clients, it needed to collaborate with people who had the skills to evaluate these tools and their impacts.

Mosaic is a Washington, D.C.-based data science consultancy founded under aviation research company Mosaic ATM. Mosaic now provides analytics beyond the aviation industry and counsels clients such as Boeing, Santander and Johnson & Johnson, as well as health care clients such as Northwell Health, which

made it attractive to EBG, according to Thompson.

Ethics Through Analytics is a group of social scientists founded in December 2022 and led by David Schwartz, a data scientist and consultant who Thompson said acts as a "bridge" to the world of academics and researchers.

Thompson said that as more and more jurisdictions begin weighing regulations that would place a greater burden on employers to understand and prevent bias stemming from the use of AI tools, he expects more clients will be looking for the types of auditing and risk consulting that the firm has in mind with this collaboration.

"We have a legislative tracker, as a lot of folks do, and we're convinced that there are going to be a number of state laws that require some form of auditing," he said. "So we wanted to be able to do that auditing."

EBG is a firm focused primarily on employment, health care and litigation. It has 19 offices, including outposts in Washington D.C., New York and Los Angeles. Other recent moves by the firm include adding a trio of former Butler Snow LLP attorneys in June and seeing a former policy adviser for U.S. Rep. Steny Hoyer rejoin the firm after her time on the Hill.

--Editing by Marygrace Anderson.