Using AI in Legal Practice

This handout organizes AI use in legal work into three tiers of professional risk.

Never. Absolute prohibitions

- ✕ **Paste identifying client information into a consumer chatbot**
  Names, matter numbers, medical details, opposing-party identifiers, and specific locations are confidential under Rule 1.6. Public AI systems are not secure environments.
- ✕ **Trust an AI citation without verifying**
  Every case, every pin cite, every quoted passage must be confirmed in Lexis or Westlaw before it enters any document. Rule 3.3 candor obligations apply.
- ✕ **Accept the legal analysis without reading the source**
  Even when a citation is real, AI routinely misstates holdings and ignores distinguishing facts. The source controls — not the summary.
- ✕ **Misrepresent AI use to a court, client, or supervisor**
  If you used it, say so when asked. You must be able to confirm: I independently verified every authority cited in this document.
- ✕ **Rely on AI to proofread a near-complete document**
  AI can hallucinate errors into work it did not originally draft. Final review must be human and line-by-line.

Model Rules directly implicated: 1.1 (competence), 1.6 (confidentiality), 3.3 (candor to tribunal), 5.3 (supervision of non-lawyers).

NOTES

Rarely. Exercise caution

Proceed only with deliberate oversight. These are not prohibited — but each requires you to actively compensate for AI's known failure modes.

⚠ **Continuing to prompt after a model has already failed**
Once AI has fabricated a cite or contradicted itself, further prompting in the same thread is unlikely to correct the underlying error. Start fresh or abandon the thread.

⚠ **Letting AI prose travel unedited into a filing**
Beyond just checking every cite, avoid using too much AI-generated writing. Especially for persuasive writing, a human touch can be beneficial.

⚠ **Ask AI to evaluate a case's precedential weight**
AI cannot reliably assess how courts have treated a holding over time. Use Shepard's or KeyCite directly for any authority question.

Generally. Permissible with oversight

With appropriate oversight, these tasks represent AI's strongest value-add in legal work.

✓ **Summarize a case you supply**
Paste the opinion. Ask for a high-level orientation. It may help you decide whether to read the full text.

✓ **Semantic search within a document**
Find discussion of concepts like implied-warranty argument without exact keyword matches. Useful across large records and transcripts.

✓ **Flag errors — don't fix them**
Ask AI to identify weak passages or possible errors; you make the edits. Judgment stays with you.

✓ **Generate counter-arguments**
Stress-test your draft before it reaches the partner or judge. You are not obliged to adopt any suggestion.

✓ **Orient yourself in an unfamiliar area of law**
As an initial step only — analogous to scanning secondary sources before beginning substantive research. Do not cite anything AI provides without independent verification.

> *Core principle: AI accelerates legal research — it does not replace it. Your professional judgment, and your professional liability, cannot be delegated to a language model.*

Need more AI training? Check out BC Law Library's research guide at https://lawguides.bc.edu/researchai for additional information, including the HotShot Legal AI video series.

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