

Guidelines for Responsible Adoption of AI in the Legal Sector

1. Build a Strong Governance Framework

A responsible artificial intelligence (AI) program starts with clear policies and accountability.

1. Draft an AI Use Policy aligned with guidance from the American Bar Association 2024 Annual Meeting guidance, court requirements, and firm values.
2. Define approved tools that are enterprise-grade, secure, and properly vetted.
3. List prohibited uses such as uploading confidential documents into public chatbots.
4. Establish an AI Committee with risk, information technology, knowledge management, partners, and other relevant members to oversee adoption, evaluate new tools, and update policies.
5. Require audit trails that document how AI-assisted work was generated and verified.

2. Prioritize Security and Confidentiality

Client confidentiality remains paramount — especially when AI enters the workflow.

1. Use private, enterprise, or on-premises AI tools, not consumer-grade chat interfaces.
2. Restrict data sharing: No confidential, privileged, or identifiable information should ever be entered into unvetted services.
3. Require vendor security certifications, such as SOC 2 Type II, ISO 27001, HIPAA/HITECH for health-related matters.
4. Ensure data segregation so client data is not used to train public models.
5. Review contracts carefully with a focus on data retention, model training, deletion rights, and audit rights.

3. Implement Verification and Quality Controls

Using AI can accelerate work but it does not replace legal judgment. Use this verification workflow to protect against errors, hallucinations, and malpractice risks:

1. No copy-paste rule — AI drafts must be reviewed, edited, or rebuilt by a human.
2. Independent citation verification — Use Westlaw/Lexis or official sources.
3. Quote-checking — Compare against primary documents to eliminate hallucinated language.
4. Grounding required — Tools must cite sources and link to underlying materials.
5. Final human sign-off — A supervising attorney must approve drafts before submission.

4. Use a Layered Oversight Model

Embed responsibility into daily workflows. This approach satisfies court expectations (e.g., Judge Brantley Starr’s AI disclosure requirement) and malpractice standards:

1. Prompt Discipline — Provide clear facts, jurisdictions, and instructions.
2. Tool Grounding — Use AI tools tied to trusted research databases or firm content.
3. Human Quality Assurance — Associates or specialists need to review outputs for accuracy, bias, and completeness.
4. Partner Accountability — Partners must certify the final product is accurate and verified.

5. Start with Safe, Measurable Use Cases

Pilot projects allow firms to adopt AI thoughtfully, without risking client matters. Start small, measure impact, refine policies, then scale. There are a variety of ideal starting use cases:

1. Drafting outlines or skeletons (not final briefs)
2. Summarizing long documents
3. Generating chronologies and timelines
4. Reviewing standard contracts with playbooks
5. Discovery classification and translations
6. Internal research memos or issue-spotting

6. Train Lawyers and Staff Continuously

Today, AI competence is part of legal competence. A well-trained team is the strongest defense against AI-related errors. Make sure your training protocols follow best practices:

1. Mandatory training on the firm’s AI policy
2. Workshops on prompting, verification, and safe workflows
3. Practice-specific guidance, with segments such as litigation, contracts, and regulatory.
4. Partner-level coaching for accountability and client communication
5. Ethical risk scenarios to reinforce judgment

7. Communicate Transparently with Clients

Clients are increasingly asking “How is my lawyer using AI?” Proactive communication positions the firm as responsible, modern, and trustworthy. Follow these best practices:

1. Explain the firm’s AI verification standards.
2. Describe approved tools and security safeguards.
3. Clarify billing expectations for AI-assisted work.
4. Offer AI-augmented fixed-fee or phase-fee options.