

# Sample AI Usage Policy for Law Firms

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A Template for Responsible AI Adoption

Prepared by TimeNet Law

***Instructions:** This template is designed to be customized for your firm. Replace all bracketed placeholders [like this] with your firm-specific information. Review each section with your partners and ethics counsel before adoption. This document is a starting point, not legal advice.*

## 1. Purpose & Scope

This policy establishes guidelines for the responsible use of artificial intelligence tools at **[Firm Name]**. It applies to all attorneys, paralegals, legal assistants, administrative staff, and any contractors or temporary employees who perform work on behalf of the firm.

The objectives of this policy are to:

- Protect client confidentiality and privilege
- Ensure the accuracy and reliability of all work product
- Maintain compliance with applicable rules of professional conduct
- Establish clear accountability for AI-assisted work
- Promote ethical, transparent use of AI as a productivity tool

## 2. Definitions

**"AI Tools"** -- Any software that uses artificial intelligence, machine learning, or large language models to generate, summarize, analyze, or assist with text, research, or other work product. This includes but is not limited to ChatGPT, Claude, Copilot, Gemini, Westlaw AI, and similar services.

**"Work Product"** -- Any document, brief, memorandum, correspondence, research summary, contract, or other material produced in connection with client representation or firm operations.

**"Supervised Use"** -- Use of AI tools where the output is reviewed, verified, and approved by a licensed attorney before submission, filing, or delivery to a client.

**"Unsupervised Use"** -- Any use of AI tools where the output is submitted, filed, or delivered without review by a licensed attorney.

### 3. Approved Uses of AI

AI tools may be used for the following purposes, **provided all output is verified** by a licensed attorney before use in any client matter:

- Initial legal research and case law identification (all citations must be independently verified)
- Drafting assistance for correspondence, memoranda, and briefs (all content must be reviewed for accuracy)
- Summarizing lengthy documents, transcripts, or discovery materials
- Proofreading, grammar checking, and formatting assistance
- Internal administrative tasks (scheduling, billing descriptions, non-client communications)
- Generating outlines or organizational frameworks for complex matters
- Translating documents (with professional verification for material translations)

### 4. Prohibited Uses of AI

The following uses of AI are **strictly prohibited** under all circumstances:

- **Filing AI-generated content without attorney review.** No AI output may be submitted to any court, agency, opposing counsel, or client without thorough review and verification by the responsible attorney.
- **Inputting confidential client information into public AI tools.** Client names, case details, privileged communications, and any personally identifiable information must never be entered into AI tools that are not approved and vetted by the firm. See Section 5.
- **Relying on AI for case citations without verification.** AI tools fabricate citations. Every case, statute, regulation, and quote referenced in AI output must be independently verified through official legal databases.

- **Representing AI-generated work as original attorney work product** without disclosure to the supervising attorney.
- **Using AI to make strategic case decisions.** AI may inform but must never replace professional legal judgment on case strategy, settlement recommendations, or client counseling.
- **Unsupervised use of AI by non-attorney staff.** Paralegals and staff may use AI tools only under the direct supervision of a licensed attorney and in compliance with this policy.

## 5. Client Confidentiality & Data Protection

Client confidentiality is paramount and non-negotiable. The following rules apply to all AI use:

- **No client data in public AI tools.** Free-tier and consumer AI tools (e.g., free ChatGPT, public Claude) must never be used with any client information. These tools may retain and use input data for training purposes.
- **Approved tools only.** The firm maintains a list of approved AI tools that have been vetted for data security, privacy compliance, and appropriate terms of service. Only tools on this list may be used for client work. The current approved list is maintained by [Managing Partner / IT Director].
- **Data minimization.** Even when using approved tools, input only the minimum information necessary. Anonymize and redact client-identifying information whenever possible.
- **No privileged communications.** Attorney-client privileged communications must never be input into any AI tool, approved or otherwise, without explicit client consent.
- **Engagement letter disclosure.** Consider adding AI usage disclosures to engagement letters, informing clients if and how AI tools may be used in their representation.

*Note: Firms should consult their jurisdiction's ethics opinions on AI and client confidentiality. Several state bars have issued specific guidance.*

## 6. Verification & Quality Control

All AI-generated or AI-assisted work product must undergo the following verification process before it is used in any client matter:

### 6.1 Citation Verification

Every case citation, statutory reference, regulatory citation, and direct quote produced by AI must be independently verified through official legal research platforms (Westlaw, LexisNexis, official court databases, or equivalent). This is not optional. AI tools fabricate citations with high

confidence.

## 6.2 Substantive Review

The responsible attorney must review all AI-assisted work product for:

- Accuracy of legal analysis and conclusions
- Correct application of law to the specific facts of the matter
- Consistency with the client's position and case strategy
- Absence of hallucinated or fabricated content
- Appropriate tone and professional standards

## 6.3 Documentation

Attorneys should maintain a brief record of AI use on significant work product, including which tool was used and what verification steps were taken. This documentation protects the attorney and the firm in the event of any challenge to the work product.

# 7. Staff & Paralegal AI Disclosure

All non-attorney staff, including paralegals, legal assistants, and clerks, must:

- **Disclose all AI use.** Any use of AI tools in the preparation of work product must be disclosed to the supervising attorney. This includes using AI for drafting, research, summarization, or any other task that contributes to client work.
- **Obtain approval before use.** Staff must confirm with the supervising attorney that AI use is appropriate for the specific task and matter before proceeding.
- **Never submit AI output directly.** Staff-generated AI output must always be reviewed by the supervising attorney before it is incorporated into any work product, filed, or delivered.
- **Report concerns.** If any staff member becomes aware of AI use that violates this policy, they must report it to [Managing Partner / Ethics Partner] immediately.

***Why this matters:** Paralegals are increasingly using AI to complete their work, sometimes without the knowledge of the supervising attorney. The attorney of record is ultimately responsible for all work product submitted under their name. If AI-assisted work contains errors, fabrications, or confidentiality violations, it is the attorney -- not the paralegal, and certainly not the AI -- who faces sanctions.*

# 8. Supervision & Accountability

Responsibility for AI-assisted work product rests with the attorney of record. AI tools have no license, no oath, and no liability. The following accountability framework applies:

- **Attorney responsibility.** The attorney whose name appears on any filing, correspondence, or work product is fully responsible for its accuracy, regardless of whether AI was used in its preparation.
- **Supervisory duty.** Partners and senior attorneys have a duty to supervise the AI use of associates, paralegals, and staff working under their direction, consistent with Rules 5.1 and 5.3 of the Model Rules of Professional Conduct.
- **Competence obligation.** Attorneys must develop sufficient understanding of AI tools to supervise their use effectively. Ignorance of how AI works is not a defense to sanctions.
- **No delegation of judgment.** Legal judgment, case strategy, and client counseling may not be delegated to AI. These remain the exclusive responsibility of licensed attorneys.

## 9. Training Requirements

All firm personnel must complete AI usage training before using AI tools for any firm work:

- **Initial training.** All current personnel must complete AI policy training within [30/60/90] days of policy adoption. New hires must complete training during onboarding.
- **Annual refresher.** All personnel must complete annual refresher training on AI policy updates, emerging risks, and best practices.
- **Training topics** must include: AI capabilities and limitations, hallucination risks, confidentiality requirements, verification procedures, and this policy's specific requirements.
- **CLE compliance.** Attorneys should seek AI-related CLE credits where available to satisfy competence obligations.

## 10. Incident Reporting

Any actual or suspected violation of this policy must be reported immediately to **[Managing Partner / Ethics Partner / Compliance Officer]**. Reportable incidents include:

- Discovery of fabricated citations or inaccurate AI-generated content in filed work product
- Unauthorized input of client confidential information into AI tools
- Use of unapproved AI tools for client work
- Failure to disclose AI use to a supervising attorney
- Any AI-related ethics complaint or court inquiry

The firm will investigate all reported incidents promptly. Violations of this policy may result in disciplinary action, up to and including termination. The firm will also assess whether any client notification or court disclosure is required.

## 11. Policy Review & Updates

AI technology evolves rapidly. This policy will be reviewed and updated:

- At least **annually**, or more frequently as needed
- Whenever significant new AI tools or capabilities emerge
- Whenever new ethics opinions, court rules, or bar guidance are issued regarding AI
- Following any incident involving AI misuse at the firm

The [Managing Partner / Ethics Committee] is responsible for maintaining this policy and communicating updates to all firm personnel.

## 12. Acknowledgment

All firm personnel must sign this acknowledgment confirming they have read, understand, and agree to comply with this AI Usage Policy.

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Name (Printed): \_\_\_\_\_

Signature: \_\_\_\_\_

Title / Position: \_\_\_\_\_

Date: \_\_\_\_\_

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*It is provided for informational purposes only and does not constitute legal advice.*

*Customize this policy for your firm and consult ethics counsel before adoption.*