

Litigation Support in the Age of AI: How Human Expertise and Technology Work Together



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1. Executive Summary

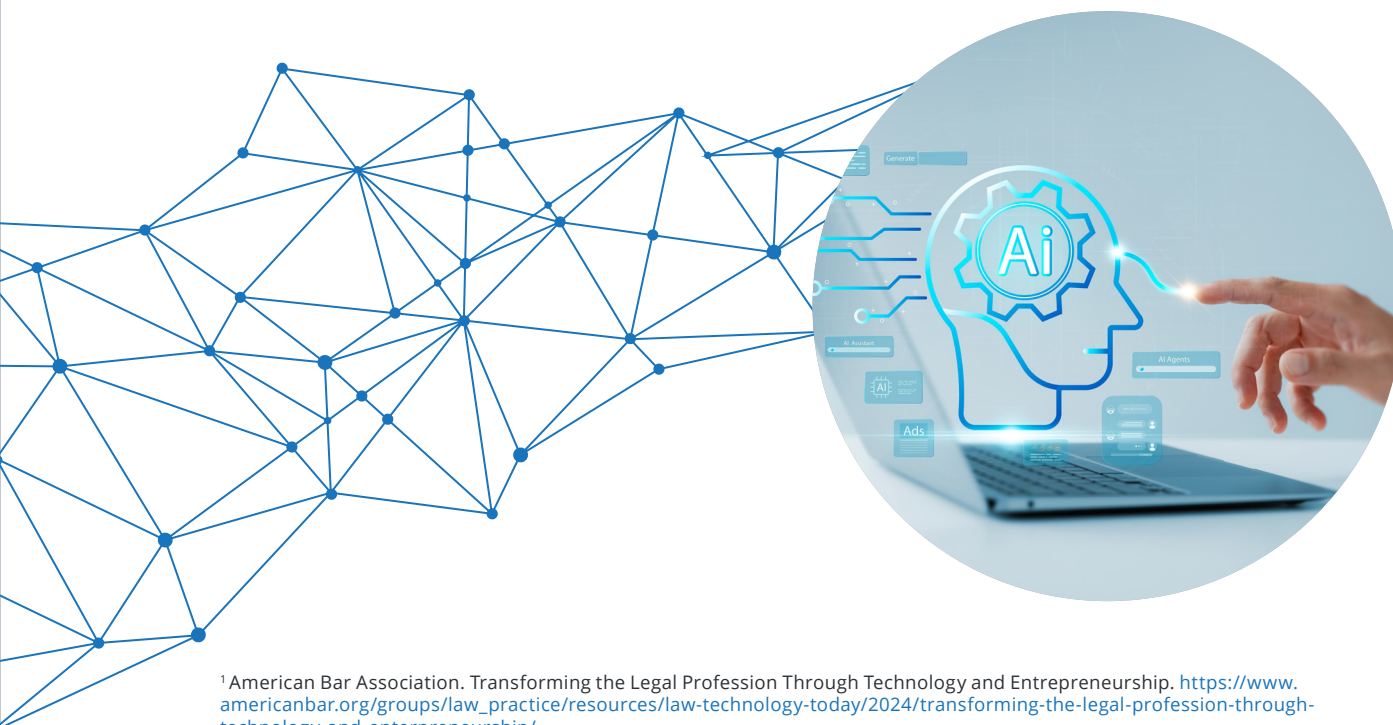
In 2022, consumer-facing Artificial Intelligence (AI) tools came into the public consciousness and began taking over many people's personal and professional lives.

They've since made an impact on every industry as individuals leverage them to get tasks done faster, process more information than was previously possible, and supercharge research and content generation.

While the legal profession has historically been slower to adopt new technologies, much of that reputation is based on the study and teaching of law rather than the business side.¹ The most forward-thinking law firms and legal teams were quick to find smart ways to use AI, with 31% of individual lawyers surveyed in 2024 indicating that they use it in their practice.²

But all that utility comes with a fair amount of risk, especially in highly sensitive industries like the legal industry. Law firms that want to get the most out of this revolutionary technology need to figure out the right balance of AI tools and human oversight for their specific contexts. In general, focusing AI utilization on lower-stakes pattern recognition and data processing while saving higher-stakes operations for human minds maximizes value while minimizing possible risks.

Ultimately, AI can support legal workflows, but does not and cannot, replace human expertise. Knowing where and how to use it wisely, while maintaining compliance with legal and ethical standards, will be the key to thriving in the years to come.



¹ American Bar Association. Transforming the Legal Profession Through Technology and Entrepreneurship. https://www.americanbar.org/groups/law_practice/resources/law-technology-today/2024/transforming-the-legal-profession-through-technology-and-entrepreneurship/

² American Bar Association. The Legal Industry Report 2025. https://www.americanbar.org/groups/law_practice/resources/law-technology-today/2025/the-legal-industry-report-2025/

2. Introduction

As law firms search for ways to innovate and thrive in the constantly changing legal landscape, the best and brightest minds are looking for smart ways to use AI.

As noted above, overall usage at the individual level was at roughly 31% in 2024 per the American Bar Association.

A closer look at the data illustrates that interest and usage may likely be even higher. Usage is higher (39%) in firms employing 51 or more lawyers.³ This suggests that larger firms are seeing more of a need to leverage AI's capabilities, which means smaller firms may follow suit as their needs change or as they see their colleagues experiencing the benefits.

This trend can also be seen in how the most successful firms are investing in AI solutions. According to one study, 43% of the Am Law 200 had a dedicated budget for AI tools in 2024, and 53% had already purchased custom-built AI tools. Chances are, smaller firms will be doing the same sooner rather than later. Those best positioned for success will be the ones who adopt AI *soundly*.

Below, we'll take a deep dive into how legal teams can approach AI, including:

01.

An overview of the evolving role of AI in the legal profession

02.

An analysis of four use cases in which AI provides value

03.

A comparative look at AI, human, and hybrid use cases

04.

A practical guide to using AI soundly and compliantly



U.S. Legal Support has been helping law firms and legal professionals integrate emerging technology and operate more smoothly for the better part of three decades. This whitepaper is dedicated to the same mission: helping you take advantage of this technology safely and intelligently.

³American Bar Association. The Legal Industry Report 2025. https://www.americanbar.org/groups/law_practice/resources/law-technology-today/2025/the-legal-industry-report-2025/

3. The Evolving Role of AI in Legal Services

Artificial Intelligence is an umbrella term. It's used to refer to a wide array of tools, many of which have been used across nearly every profession for decades.

On one level, legal professionals have long made use of automation technology, fundamental algorithms that streamline rote tasks like basic document review (e.g., spellcheck), scheduling, or notifications.

On another level, the rise in AI mostly refers to the use of complex AI tools for substantive functions like speech to text, machine translation, and the generation of documents and materials. Natural Language Processing (NLP) allows Large Language Models (LLMs) to be trained on vast sets of data to internalize trends in written, spoken, and other communication. An AI algorithm can then predict what the next words will be in response to a user's request by indexing its intake of similar situations and information. The more data a model is fed, and the better the quality control of the algorithm itself and the information it's given, the better these predictions will be. This is what gives rise to Generative AI (gen AI or GAI) tools.

When used responsibly, gen AI has many benefits. Legal teams can enjoy greater speed in document preparation and general litigation work, leaving more time for strategic case activities.



POTENTIAL RISKS OF AI USAGE IN THE LEGAL PROFESSION

AI's benefits also come with risks. Because AI works by projecting the most likely sequence of characters that would follow a given request, its outputs are always educated guesses. Data quality and accuracy gaps are inherent concerns, and they can create legal or ethical issues.

For example, two high-profile stories emerged in 2023 and 2024 when separate legal teams submitted inaccurate citations as a result of poorly executed AI-aided case preparation:



In 2023, a New York judge imposed sanctions on two lawyers and their firm after determining that a legal brief they submitted cited six artificial cases. While the judge commented that using AI for case preparation is not “inherently wrong,” the attorneys’ failure to recognize and remove fabricated cases resulted in \$5,000 total in fines.⁴



In 2024, similarly, a Texas judge sanctioned an attorney for submitting court filings with nonexistent cases that had been generated using gen AI tools. The lawyer’s failure to verify gen AI findings resulted in a \$2,000 fine and mandatory classes.

To avoid issues like these or concerns related to compliance, using **AI in law** selectively and backing up all uses with careful human training, oversight, and quality control is essential.



⁴ Reuters. New York lawyers sanctioned for using fake ChatGPT cases in legal brief. <https://www.reuters.com/legal/new-york-lawyers-sanctioned-using-fake-chatgpt-cases-legal-brief-2023-06-22/>

4. Where AI Enhances Litigation Support Services

AI tools provide optimal value where they can leverage what algorithms are uniquely good at—pattern recognition—and minimize the number and severity of errors.

This can be applied across whole categories, such that AI is only used for specific tasks like first-draft outlines or transcriptions. Or it can be applied more broadly across different use cases, such that any time it's applied, a certain level of caution and quality control is applied alongside the AI.

To determine the best use cases for AI in your practice, a great question to start with is:



“Which manual, repeatable tasks are we spending the most time on?”

Applying AI to labor-intensive tasks with relatively low stakes, or little room for potential hallucinations, will free up your best minds to focus more of their attention on the things that AI can't or shouldn't do.

The specific tools and solutions we'll detail below are excellent entry points for any legal team looking to start using AI. However, the optimal uses will depend on your specific needs.

DEPOSITION SUMMARIES

One of the most impactful uses of AI in litigation support is in preparing and mobilizing deposition summaries. Generative AI can create accurate, detailed summaries that give attorneys easy access to the most important information from a deposition transcript.

The way it works is that AI tools extract key information from the transcript. With training, algorithms can easily detect elements like key testimonies or admissions and flag them as such. The technology creates both an overall summary and a granular walkthrough of the deposition, with time-stamped and hyperlinked citations to corresponding moments in the transcript. The inclusion of a table of contents makes it easy for legal teams to quickly scan for useful information, optimizing planning based on the summary.

Legal teams looking to implement AI into [deposition summary](#) production should:



Start by having AI summarize a deposition transcript



Delegate quality assurance to an attorney or paralegal

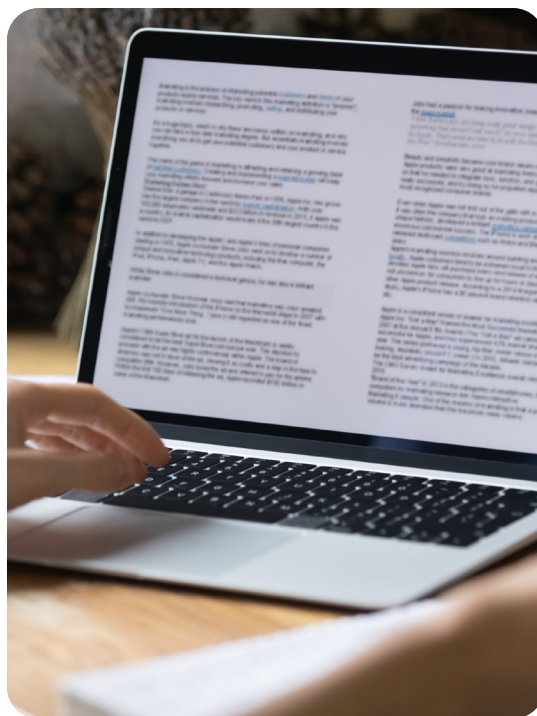


Use the AI tool to flag key testimony with timestamps

EVEN BETTER THAN DOING IT IN-HOUSE, CONSIDER WORKING WITH A LITIGATION SUPPORT SERVICES PARTNER WHO HAS VETTED AND OPTIMIZED THIS TECHNOLOGY FOR LEGAL TEAMS.

No matter your approach, AI-generated deposition summaries should be reviewed carefully by legal professionals to ensure nuance, accuracy, and relevance to the matter at hand. Automating the time consuming work of summarizing each line of text and linking them to moments in the transcript allows legal teams to devote more resources to higher-order operations.

This balanced approach reduces turnaround time without compromising on quality.



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summary**PRO™
powered by Metis Search Technologies

ELEVATE ANALYSIS WITH FAST, ACCURATE, AND DYNAMIC AI DEPOSITION SUMMARIES

DepoSummary Pro leverages best-in-class AI technology to quickly review hundreds of pages of testimony to deliver a thorough and accurate deposition transcript summary. Identify key admissions and testimony, enhance strategic decision making, and allocate more time to critical case development.

[EXPLORE NOW](#)

MEDICAL RECORD SUMMARIZATION & REVIEW

As with deposition transcripts, medical records are extremely critical to the success of many legal matters. But, given their complexity and sensitivity, along with the volume of overall pages, reviewing them for actionable insights can be challenging and time consuming.

Enter [AI-assisted medical record review](#), which leverages algorithmic processing to extract key information and generate actionable summaries to extract pertinent information from records faster.

Medical record summaries generated via AI can offer the following features:



A TOP-LINE ABSTRACT

Summaries begin with a succinct overview of all critical and relevant information, along with guidance on which sections to focus on for analysis.



STREAMLINED NAVIGATION

Summaries are automatically broken down into sections indexed in a live, hyperlinked Table of Contents.



ORGANIZED INTO KEY SECTIONS

Analyzing the full set of records, AI tools can distill pertinent information from the records into key sections for a more complete narrative overview. This can include:

- Medical treatments and events
- A timeline of conditions and treatments
- Key medical records
- A list of involved practitioners
- Medication and treatment modalities



SURFACE KEY CONCERNS

AI can also help to quickly identify discrepancies in records and, potentially, liability issues such as delays in diagnosis, complications, and medical management errors to help build your case.



COMPREHENSIVE DATA CAPTURE

Summaries account for and standardize common nonstandard information and data sources such as handwritten notes or images.



STREAMLINE REVIEW AND ANALYSIS WITH RAPID MEDICAL RECORD SUMMARIES

RecordSummary Pro leverages advanced AI technologies to extract key details from large volumes of medical records. The detailed summary is organized into key sections with actionable intel, including medical conditions and events, a timeline of conditions and treatments, quickly identify discrepancies in records and potential liability issues.

[LEARN MORE](#)

As a best practice, outputs should always be reviewed for quality assurance by professionals who have deep practical knowledge of medical record processing and compliance. Allowing AI to take on the brunt of the data summarization work unburdens teams to realize records' value more quickly and completely, integrating them into case preparation faster than expected.

Legal teams looking to implement this technology into their medical record retrieval and review process should start by tagging large files (e.g., 200+ pages) for AI processing. Support staff and leaders should be trained on best practices for reviewing AI outputs to ensure accuracy and completeness.

Implementation is most effective when providers partner with a litigation support firm that offers both medical record retrieval and summarization, ensuring these services are integrated and accessible within a single workflow.



LEGAL TRANSLATION AND TRANSCRIPTION

When legal teams need to translate between languages and formats, the human labor required includes extensive pattern recognition. Translating a legal document from one language to another and producing text transcriptions from video or audio files are time-intensive tasks, but algorithmic processing and generation can make them much easier.

For the former, AI enables swift, accurate translation of bulk documents. Sophisticated algorithms can translate documents between eligible languages near instantaneously with approximately 90% accuracy. If translations are needed for internal or low-stakes processes, the initial pass may suffice. For more official purposes like certified translations, human oversight and human translation is required to ensure context, cultural accuracy, and legal acceptance.

For audio and video transcription, advanced AI tools can detect speech and create text with high degrees of accuracy. Additionally, outputs can be configured to include navigation links, timestamps, and hyperlinks to moments in the video/audio file. Transcriptions can also include summaries for scannability. Once produced, human editors are called on to resolve unclear audio, clarify legal terminology, and confirm that speaker attribution is accurate throughout.

In practice, legal teams should use a combination of AI processing and human oversight for translation and transcription. While AI maximizes speed, humans ensure complete accuracy and quality.

5. AI vs. Human Expertise:

A Comparative Matrix

AI tools have the power to supercharge litigation support services when they're used effectively, but effective use always requires human oversight.

One way to think about sound AI implementation is to categorize which use cases it's most ideal for, as opposed to human expertise, and vice versa. That way, there are clear priorities about where to use it.

Here are some litigation support use cases for which AI or human expertise (or both) is best:

TASK	BEST RESOURCE	EXPLANATION
Deposition Summaries	AI + Human	AI speeds up summarization; human review provides context and ensures accuracy and quality.
Medical Record Summarization	AI + Human	AI surfaces data; humans interpret and validate it.
Basic Translation	AI	AI speeds up bulk translation for low-stakes uses.
Certified Translation	Human	Human oversight in review or throughout generation ensures accuracy.
Audio Transcription	AI + Human	AI speeds up drafting; human review provides context and ensures accuracy and quality.

No two legal teams operate in exactly the same ways, and some firms may find more utility in an AI application than others do. The best practice in all environments is to take a careful, measured approach to AI implementation and always rely on human quality control.

6. Adopting AI Without Compromising Operations

Implementing AI tools in the legal industry is about optimizing processes in support of strategic case work. However, care needs to be taken to avoid quality control issues. Mistakes in outputs and processes can lead to poor performance and ethical or regulatory concerns.

As noted above, high-profile instances of lawyers misusing AI tools have led to sanctions and fines, which can have secondary effects of reputational harm. Another result of AI's adoption in the legal profession has been formal rulemaking to address concerns around it. The ABA put out Formal Opinion 512 in July of 2024, detailing specific guidelines that legal teams should follow to prevent deception and other breaches of trust. The general thrust of this document is a reminder that AI tools need to abide by the ABA's Model Rules of Professional Conduct, even if there are no specific regulations applicable to AI yet.

In particular, Formal Opinion 512 directs legal teams' attention to the following Model Rules⁵:



COMPETENCE (1.1)

Legal teams must exercise the knowledge and skills reasonably required for a matter—including understanding the risks of the technology they use.



COMMUNICATIONS (1.4)

Legal teams must communicate with clients promptly about information relevant to their matters, including consulting them on the means they use.



CONFIDENTIALITY OF INFORMATION (1.6)

Legal teams need to protect their clients' information, which may include requiring consent to algorithmically process data.

⁵ American Bar Association. *ABA issues first ethics guidance on a lawyer's use of AI tools*. <https://www.americanbar.org/news/abanews/aba-news-archives/2024/07/aba-issues-first-ethics-guidance-ai-tools/>

To follow these rules and steer clear of ineffective, unlawful, and inefficient AI use, legal teams should **start with lower-risk applications** like internal documentation or intake. Once these use cases provide a proof of concept, firms can **vet AI tools for ethics, security, and compliance** (see below). Firms need to **train team members** on how to perform quality assurance and **implement hybrid workflows** rather than delegating entire processes to AI. Last, but not least, legal teams need to **monitor and adjust AI applications regularly**, making changes to inputs and workflows when issues arise or new processes emerge.



COMPLIANCE, SECURITY, AND RISK MANAGEMENT CONCERNS

Beyond following ABA best practices and any rules or expectations within a local jurisdiction, legal teams need to abide by applicable security regulations. Processing information with AI tools can potentially subject sensitive information to conditions that violate confidentiality requirements, which can create legal and ethical concerns for all involved.

One of the most important regulations to abide by is the Health Insurance Portability and Accountability Act of 1996 (HIPAA). HIPAA requires special treatment of protected health information (PHI) such that only certain individuals (in certain cases) are able to access personally identifiable PHI. HIPAA compliance for law firms also requires safeguards in place to monitor for and address risks to privacy, and any instance of unauthorized access could qualify as a breach and require formalized reporting.⁶

Another widely applicable regulation is the SOC 2 framework, governed by the American Institute of Certified Public Accountants (AICPA). SOC 2 is not a governmental ruleset, but standard operating procedures in many industries require organizations to protect all their information by SOC 2 standards. For legal teams working with said information, this means meeting AICPA's Trust Service Criteria (TSC) for Security, Availability, Processing Integrity, Confidentiality, and Privacy—and ensuring that AI tools used to process data meet them.⁷

The best way to ensure that AI tools are meeting these and other standards is to work with a trusted provider who employs these credentials and policies. Conducting regular audits and implementing proactive risk mitigation will further enhance compliance assurance.

⁶ U.S. Department of Health and Human Services. HIPAA Administrative Simplification. <https://www.hhs.gov/sites/default/files/hipaa-simplification-201303.pdf>

⁷ American Institute of Certified Public Accountants. 2017 Trust Services Criteria (With Revised Points of Focus – 2022). <https://www.aicpa-cima.com/resources/download/2017-trust-services-criteria-with-revised-points-of-focus-2022>

WHY AND HOW TO TRAIN TEAMS FOR EFFECTIVE AI USE

One of the most important considerations for effective and compliant use of AI is making it a targeted, intentional part of ongoing training and development for legal professionals. For firms already embracing AI, it's imperative to educate professionals on which tools they should target and how to get the most out of them while minimizing risks. Legal professionals should be encouraged to seek out AI tools that streamline the more repetitive parts of their legislative preparation so they can devote their full attention to more demanding tasks.

For practices or professionals hesitant to embrace AI, effective training can help assuage concerns while preparing for a future in which AI tools are here to stay.

Training in AI capabilities can be key to firms' goals on multiple levels. A Berkeley Law study found that adequate education and preparation with AI tools could help bridge the gap in access to justice by allowing teams to cover more ground in civil legal assistance.⁸ These same synergies can power rapid and sustained growth in pro bono operations, helping firms and individual professionals meet minimum requirements and benefit their communities.⁹

To realize results like these, firms need to take a strategic approach to training.

At a base level, firms should look to educate attorneys and other professionals on the ABA's Formal Opinion and the ways in which AI tools intersect with other regulations. Introductory materials can be provided as part of onboarding, and ongoing professional development should include lessons and interactive demos to give professionals hands-on experience.

At a more advanced level, working with a legal support services partner can boost the effectiveness of training. By seeking out partners committed to supporting internal teams with education and guidance, firms maximize both the immediate impact of the tools they're integrating and the long-term benefits of a team that's comfortable using emerging tech.



⁸ Berkeley Law. *Generative AI and Legal Aid: Results from a Field Study and 100 Use Cases to Bridge the Access to Justice Gap*. https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4733061

⁹ The Pro Bono Institute. *The Power of Training: The Importance of Educating Lawyers on AI Tools to Successfully Scale Pro Bono Efforts*. <https://www.probonoinst.org/2024/08/28/the-power-of-training-the-importance-of-educating-lawyers-on-ai-tools-to-successfully-scale-pro-bono-efforts/>

8. AI in Litigation Support: A New Era of Opportunity

The explosion of AI capabilities in the past three years is an inflection point for firms, legal professionals, and other stakeholders in the legal industry.

Implementing the right solutions effectively and getting the most out of them will be the key differentiating factor for success in the years to come. That includes selecting the right AI-assisted litigation support for the task at hand.

Ultimately, finding the right combination of AI-aided efficiency and careful human quality control will be a de facto requirement for teams looking to optimize their operations.

U.S. Legal Support is committed to helping firms and legal professionals understand and utilize this groundbreaking technology. Our tools leverage AI's potential, and our professionals provide oversight and guidance to equip your team for long-term success.



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POWER AND BENEFITS OF AI
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for an overview of how we can help - from AI-powered deposition and medical record summaries to transcription and translation.

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