



The AI Decision Framework for Litigation Teams

How legal professionals can decide when to use AI, how to trust it, and when human review matters most.



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1. Executive Summary

Imagine it's 4:30 on a Thursday afternoon, and the work on your desk hasn't gotten any lighter. A research question needs answers before tomorrow morning. A document set needs summarizing before Monday. Both are urgent, and the deadlines keep inching closer. Then it hits you: Your firm recently approved a new AI tool, and it's sitting one click away. You open it, relieved for a second — until it hits you: Nobody ever explained what it's actually approved for. Is it approved for tasks like these? How much of what it gives back can you trust without checking? And who's responsible if the information is wrong? There's no company AI policy to reference, and no time to ask before the deadlines hit — so you make the call yourself, and hope it's the right one.

That moment plays out hundreds of times a week across legal practices of every size. And it rarely belongs to one role. Attorneys, paralegals, legal administrators, legal operations teams, and litigation support professionals are all being asked to decide where AI fits into their work, how much to trust what comes back, and when the output needs another level of review.

This guide is written for the legal professionals making those decisions every day. AI is already part of how legal work gets done, and the real question is no longer whether to use it — it's where it belongs and where it doesn't. What follows is a practical framework to help litigation teams make that call consistently, recognize how AI outputs can fall short in a legal context, and build review habits that catch problems while there's still time to fix them.

KEY TAKEAWAYS



- ✓ AI is already widely used across legal workflows by attorneys, paralegals, legal administrators, legal operations teams, and litigation support professionals.
- ✓ Human review is always part of the process. The framework determines the depth and focus of that review.
- ✓ Not all AI use cases carry the same level of risk. The framework helps identify which tasks benefit most from AI assistance and which require the most careful human review.
- ✓ Errors caught early cost hours. Errors caught late are far more costly to address.
- ✓ As AI handles more of the routine processing work, the legal professional's review and judgment become more important (not less).

AI is improving how information is processed, organized, and surfaced across legal workflows. That capability has real value. The professional's role is to ensure what comes out of that process is accurate, complete, and applied correctly to the matter at hand.

2. Introduction

THE UNEVEN REALITY OF AI IN LEGAL PRACTICE TODAY

Most teams are no longer asking whether AI has a place in legal work. They're trying to understand where it helps, where it needs guardrails, and where it creates more work if no one reviews the output carefully. What most teams haven't fully defined is the line between AI that moves work forward and AI that creates more problems than it solves.

Across legal teams, AI is showing up in the work attorneys, paralegals, legal administrators, legal operations teams, and litigation support professionals handle every day. It may be used to summarize source materials, organize documents, draft routine communications, surface key information, or support early research. That means the benefits of AI, and the rework when it falls short, can affect the entire team.

The numbers reflect how quickly this has become the norm. By mid-2025, 31% of attorneys reported using generative AI (GenAI) in their practice.¹ Among larger firms, usage is even higher. But what those numbers don't capture is the informal, uneven adoption happening across legal teams, where tools are being tried on individual tasks without consistent guidance.



31%

of attorneys are already using GenAI in their practice. Adoption among legal professionals nearly doubled year over year.²

The gap in most firms isn't really about access to AI so much as the lack of a shared way to decide where and how to leverage it. Without that shared framework, the same tool gets used across tasks with very different risk profiles, and the team learns where it falls short only after an error has already surfaced.

The more useful question for most teams is:

**“Where does AI belong in the workflow?
And how do we make that call consistently?”**

¹ 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

² Reuters, “New York lawyers sanctioned for using fake ChatGPT cases in legal brief.” Mata v. Avianca, Inc., No. 22-cv-1461 (S.D.N.Y. June 22, 2023). <https://www.reuters.com/legal/new-york-lawyers-sanctioned-using-fake-chatgpt-cases-legal-brief-2023-06-22/>

3. What Happens When the Review Pass Comes Too Late

When AI is used on a task it isn't suited for, the cost tends to show up twice: first when the error occurs, and again when someone has to go back and address it.

Consider a scenario that plays out more often than the high-profile cases that make the news:

THE SITUATION	A legal professional uses an AI tool to extract key information from a large set of documents ahead of a tight deadline.
WHAT HAPPENED	The AI surfaces the primary documents accurately but misses a critical detail buried in supplemental materials. The attorney moves forward based on the summary. The gap surfaces during opposing counsel's review.
WHAT SHOULD HAVE HAPPENED	AI may have helped speed up the first pass, but the summary should have been checked against the source materials before anyone relied on it for case preparation or strategy.

Costly errors stemming from AI in legal practice don't always make the news. The most visible failures have involved fabricated citations and invented case references submitted in court filings, resulting in sanctions, fines, and reputational damage.² But the errors that happen more frequently are quieter: a critical detail missing from a document summary, a draft that reads confidently but mischaracterizes the source material, an oversight caught only after it has already shaped how someone prepared for a proceeding.

AI errors produce consequences along a predictable path:

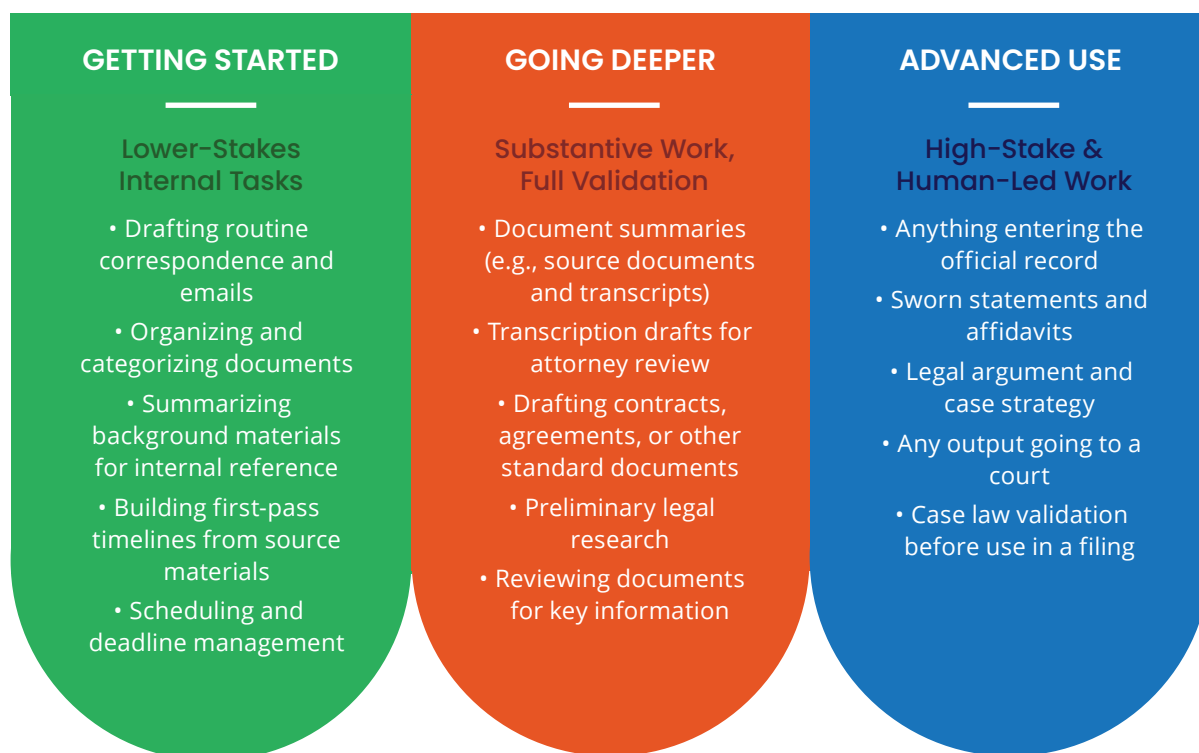
- 
REWORK
 When an error gets past the first review, correcting it often means going back through the source materials, revising the output, and re-checking any work that depended on it. That work often falls back on the legal professional or team who ran the tool, under a deadline that was already tight.
- 
DELAYS
 Rework takes time that wasn't in the schedule, creating pressure on everything that follows, including the attorney's review window.
- 
LOSS OF CREDIBILITY
 Once an error becomes visible to the court, opposing counsel, or the client, the process of rebuilding trust takes considerably longer than rebuilding the document.

These issues rarely stay contained. An error in one output can shape the work that depends on it downstream. Catching issues early, before they influence strategy or find their way into a filing, is where the framework in this guide does its most important work.

4. The AI Task Framework

Responsible AI use in a legal context depends on understanding what a task requires and where the output goes next. A document summary used to orient the team internally calls for a different level of review than a first draft going directly to an attorney for a filing. The review standard should always reflect where the output lands and what depends on it.

The AI Task Framework organizes tasks into three zones that reflect how much AI can assist and how much human validation is required before the output moves forward. The zones progress from tasks where AI is a reliable starting point to tasks where the professional must lead and AI plays only a supporting role.



GETTING STARTED

Tasks in this zone are generally internal and lower stakes. The output is used to orient the team, manage information, or support preparation work rather than going directly into case strategy or a filing.



DRAFTING ROUTINE CORRESPONDENCE AND INTERNAL COMMUNICATIONS

A working draft comes back quickly. A human reviews it for accuracy, appropriate tone, and anything case specific before it leaves the team.



ORGANIZING AND CATEGORIZING DOCUMENTS

Materials get sorted and categorized automatically. A human reviews the organization before the team relies on it for case work.



SUMMARIZING BACKGROUND MATERIALS FOR INTERNAL REFERENCE

A working summary is generated for internal orientation. A human reviews it against the source before making a decision or passing it forward.



BUILDING FIRST-PASS TIMELINES OR TASK LISTS

Dates, deadlines, and tasks get an initial pass at organization. A human confirms accuracy before the team acts on it.



SCHEDULING AND DEADLINE MANAGEMENT

Scheduling materials and deadline trackers start with an initial draft. A human confirms all dates and dependencies before they enter the system of record.

Even on lower-stakes tasks, human review matters. AI can organize and draft, but it doesn't know the case. A complete review before anything moves forward ensures the output is accurate and nothing has been missed or misrepresented.



GOING DEEPER

Tasks in this zone feed directly into how a case is prepared or how the attorney approaches the matter. AI accelerates initial work, but the output requires full human validation before moving forward. How the information will be used and where it goes next determines the depth of review required.



DOCUMENT SUMMARIES (e.g., Source Documents and Transcripts)

A structured summary is produced for the attorney's use in case preparation. A human reviews the full output against the source document confirming accuracy, completeness, and that no materials have been missed or misrepresented.



TRANSCRIPTION DRAFTS FOR ATTORNEY REVIEWS

An initial transcription draft is produced from the source. A human reviews it for accuracy, clarity, and completeness before it is used.



DRAFTING CONTRACTS, AGREEMENTS, OR OTHER STANDARD DOCUMENTS

An initial draft is generated for attorney review. A human reviews the full draft for accuracy before it goes forward.



PRELIMINARY LEGAL RESEARCH FOR ATTORNEY VERIFICATION

AI can help identify cases, statutes, or regulations that may be relevant. A human still needs to confirm each source is real, current, and applicable before it is used to support case preparation or legal argument.



REVIEWING LARGE DOCUMENT SETS FOR KEY INFORMATION

Relevant content is surfaced across a large volume of materials. A human verifies the findings against the source documents before the output is used.

**LITIGATION REQUIRES CONTEXT,
NUANCE, AND ACCOUNTABILITY.
THIS IS WHERE HUMAN OVERSIGHT
BECOMES CRITICAL.**

A single word can change meaning and change outcomes. Human review at this level ensures the output is not just fast, but accurate, defensible, and aligned with the needs of the case. It also provides a checkpoint when something doesn't look right, which technology alone will miss.



ADVANCED USE

Tasks in this zone produce work that carries direct legal consequences or that will be seen by a court, a client, or opposing counsel. The output reflects the professional judgment of the attorney or the credentialed professional behind it. AI may assist in a supporting role, but ownership and accountability cannot be transferred to the tool.



ANY WORK PRODUCT ENTERING THE OFFICIAL RECORD

Once something is filed, submitted, or entered into the record, errors can affect the case, the client, and the attorney's credibility. AI may support research or initial drafting, but the final review and accountability belongs to the attorney.



SWORN STATEMENTS AND AFFIDAVITS

These documents reflect the personal knowledge of the individual signing them. They cannot be generated by a tool. The professional's knowledge and signature are the substance of the document.



CASE LAW VALIDATION BEFORE USE IN ANY FILING OR ARGUMENT

AI can suggest cases that may be relevant, but every citation must be checked by a human before it is used. That means confirming the case exists, the citation is accurate, and the law still supports the point being made.



ANY OUTPUT GOING TO A CLIENT, COURT, OR OPPOSING COUNSEL

Anything that leaves the firm requires full review. If it reaches a client, court, or opposing counsel, it should reflect the same level of care as any other attorney-reviewed work product.



LEGAL ADVICE AND ATTORNEY-CLIENT COMMUNICATIONS

Communications that carry professional responsibility or privilege must be drafted and reviewed by the attorney responsible for the matter. Background research or initial drafting can be assisted, but the attorney must own and review every communication that goes out under that responsibility.



LEGAL ARGUMENTS AND CASE STRATEGY

The analysis, the argument, and the strategy belong to the attorney. Research and information can be surfaced, but the attorney determines how it gets applied to the case.

At this level, human judgment is the work. Even when AI surfaces information correctly, interpreting and applying it within the context of the law and the specific case belongs to the professionals.

KEY TAKEAWAY

When the stakes are this high, human oversight has to be part of the workflow from the start. If an output could affect the case, the client, or the professional responsible for the work, the review step needs to hold up even when deadlines are tight.

5. How AI Output Can Fall Short and What to Look For

AI tools are built to produce plausible-sounding output. In legal work, plausible is not the same as accurate, and the difference has consequences regardless of how much time was available for review. Knowing what to look for in AI output is what makes a review substantive rather than cursory.



CONTEXT GAPS

AI can produce output that is accurate at the surface level but misses the broader meaning or significance that a professional would recognize. The output reads correctly on its own, but doesn't reflect the full picture of what the source material actually shows.



HALLUCINATIONS

AI generates content that sounds authoritative but has no basis in the source materials. Details, references, or conclusions can appear specific and credible while being entirely fabricated.



OVERCONFIDENT OUTPUTS

AI rarely signals its own uncertainty. When the source material is ambiguous or incomplete, AI still tends to produce definitive-sounding output rather than flagging what it could not resolve.



LOSS OF NUANCE

Some outputs require expertise to interpret accurately, and AI consistently underperforms here. Tone, context, and the significance of what is or isn't present in the source material can all be missed.

These patterns are the foundation of a substantive review. The next section covers why that review belongs to a credentialed professional and what makes human judgment irreplaceable at the points where it matters most.

6. Why Human Oversight Is Required

AI can process, organize, and surface information quickly. But speed is only useful if the output is accurate, complete, and applied correctly to the matter at hand.

That is why human oversight is required. Legal work depends on context, judgment, and accountability. A tool may identify a pattern or generate a useful first draft, but a person needs to determine whether the output reflects the source materials, fits the facts of the case, and can be relied on before it moves forward.



WHAT AI IS GOOD AT

Processing and organizing large volumes of information quickly

Surfacing relevant content across lengthy documents

Generating first drafts that a professional can refine

Identifying patterns across data sets



WHAT HUMANS OWN

Interpreting outputs within the context of the case

Applying legal judgment to AI-generated insights

Ensuring accuracy, completeness, and defensibility

Accountability for everything that reaches a filing or a client

AI is really only useful when the team can trust what comes out of it. That trust comes from checking the output against the source, catching what the tool missed, and making sure the final work is accurate enough to move forward. Done well, review helps teams move faster without giving up control.

For attorneys, paralegals, legal administrators, legal operations teams, and litigation support professionals, this review role is especially important. Any legal professional who touches AI-generated work may be the first to determine whether a summary, draft, or research output accurately reflects the source materials. Building that review into the workflow from the start helps prevent issues from reaching the client, the court, or the next person relying on the work.

7. A One-Minute Decision Check for AI Tasks

Before running a task through AI, use the checklist below to route it to the appropriate review level. The goal is to make quick, consistent decisions that route the task to the right level of review every time.

BEFORE USING AI, CONFIRM:

-  **Where is this output going?**
Internal team use, attorney review, client communication, or a filing. The destination determines the level of review required.
-  **What does this output affect?**
If it informs case strategy, supports a filing, or reaches the client, treat it as Going Deeper or Advanced Use regardless of the task type.
-  **Does the input involve protected, privileged, or confidential information?**
If yes, confirm the tool's data handling before use. Default to firm-approved tools only.
-  **Has this tool been vetted by the firm or a trusted litigation support partner?**
Consumer AI tools and professionally vetted tools are not equivalent.
-  **Where does this task fall on the AI Task Framework?**
Getting Started: AI produces, human reviews.
Going Deeper: AI assists, human validates in full.
Advanced Use: human leads, AI supports only.

AFTER AI PRODUCES THE OUTPUT, CONFIRM:

-  **Does the output accurately reflect the source materials?**
Review it against the source, not just for internal consistency.
-  **Does it read more clearly or confidently than the source material actually supports?**
If so, check for gaps, missing context, or overstatement
-  **Is there anything in this output that needs to be flagged before it reaches the attorney or moves forward?**
-  **Would I be comfortable putting my name on this as reviewed and accurate?**

WHEN IN DOUBT

If you are not sure how much review a task needs, use the more careful review standard. A few extra minutes checking the output is almost always easier than fixing an error after it has shaped case preparation, client communication, or a filing.



PRO TIP

For convenience, print this page and keep it nearby.

8. Building AI Into the Workflow Without Breaking It

The most effective AI rollouts tend to start small and build deliberately. Beginning with lower-stakes work gives the team time to develop fluency with both the tools and the review process before applying them to higher-stakes tasks.

STEP 1

START LOWER-STAKES TASKS

Routine correspondence, document organization, internal summaries, and other lower-stakes preparation work. Build familiarity with how the tools behave before applying them to more consequential work.

STEP 2

TRAIN THE TEAM TO REVIEW AI OUTPUT

Reviewing AI output is different from reviewing a colleague's work. Everyone who touches it needs to understand how AI output can fall short and know what to look for.

STEP 3

ESTABLISH OUTPUT CHECKPOINTS

Define what review looks like at each level of the AI Task Framework and where outputs must be validated before they move forward. Build it into the workflow from the start.

STEP 4

TRACK, ADJUST, & EXPAND

Note where AI saved time and where it caused rework. Use that pattern to refine which tasks AI handles and how the review process gets applied.

This sequence works because it builds the review capability alongside the AI capability. By the time the team expands into more complex tasks, the habit of reviewing AI output thoroughly is already established, and the team has a clear sense of where the tools perform reliably and where they need more attention.

9. What Doesn't Change as AI Gets Better

AI will continue to deepen its presence across legal workflows. The tools will improve, the use cases will expand, and more routine work will be accelerated by technology. For legal teams, that creates a real opportunity, but only when AI is paired with sound judgment, role clarity, and careful review.

What won't change is the need for professional oversight at the points where the law, the case, and the client intersect. AI can find information faster and process larger volumes of material than any individual could review manually. It cannot apply the legal judgment, the contextual understanding, or the professional accountability that makes that information useful in the context of an actual case.

The durable skill set for legal professionals in an AI-enabled environment is the one that has always mattered: the ability to recognize when something requires closer scrutiny, to understand what an output means in context, and to take responsibility for the work that moves forward. Those skills become more important as AI handles more of the processing layer, not less.

KEY TAKEAWAY

**AI is improving how information is processed and surfaced.
The professional's role is to ensure that what comes out of that
process is accurate, defensible, and genuinely useful to the case.**

10. How U.S. Legal Support Can Help

For nearly 30 years, U.S. Legal Support has provided litigation support services to law firms, enterprise legal teams, and insurance carriers nationwide. With a full suite of court reporting, record retrieval, process serving, interpreting, translations, and trial services, we help legal professionals work smarter, faster, and with greater confidence at every phase of litigation.



Contact U.S. Legal Support to learn how we can help support your cases with nationwide service and expertise.

CONTACT US TODAY

11. Sources & Further Reading

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