

Generative AI Trends Shaping Law Office Administration and Paralegal Practice

Lawyers, law office administrators, and paralegals are stewards, determining which technologies, such as artificial intelligence, should be allowed into the legal ecosystem. Here are a few things to know about GAI as a new year begins.

BY CHRISTOPHER C. SHATTUCK

In 2024, the discussion in this trends section focused on how generative artificial intelligence, or GAI, was beginning to translate into tangible software platforms for legal professionals. That earlier discussion occurred less than a year after *ChatGPT Artificial Intelligence: Will It Replace Lawyers and Legal Staff?*¹ was published in *Wisconsin Lawyer*, shortly after ChatGPT became freely available to the public at the end of November 2022. The rapid evolution of legal AI since then is reminiscent of the launch of Windows 98, which was groundbreaking at the time but only the beginning of what the technology would eventually achieve.

GAI Snapshot and Expected Near-term Developments

The race between LexisNexis and Westlaw remains close, with both services now offering the ability to answer legal questions, draft briefs and arguments, summarize issues, and analyze uploaded materials. The option to upload case materials and receive GAI analysis now creates an opportunity for entire matters to be reviewed in a GAI environment. Complaints, answers and defenses, discovery requests and responses, expert testimony, and motions can all be evaluated for consistency, strategy, and legal sufficiency. For example, users can upload a set of discovery responses and have GAI identify incomplete answers or inconsistent positions. In time, as capacity grows, entire cases may be uploaded into this analytic environment, similar to how users currently upload case files into a case management system.

Key improvements expected in 2026 include faster processing times, higher quality

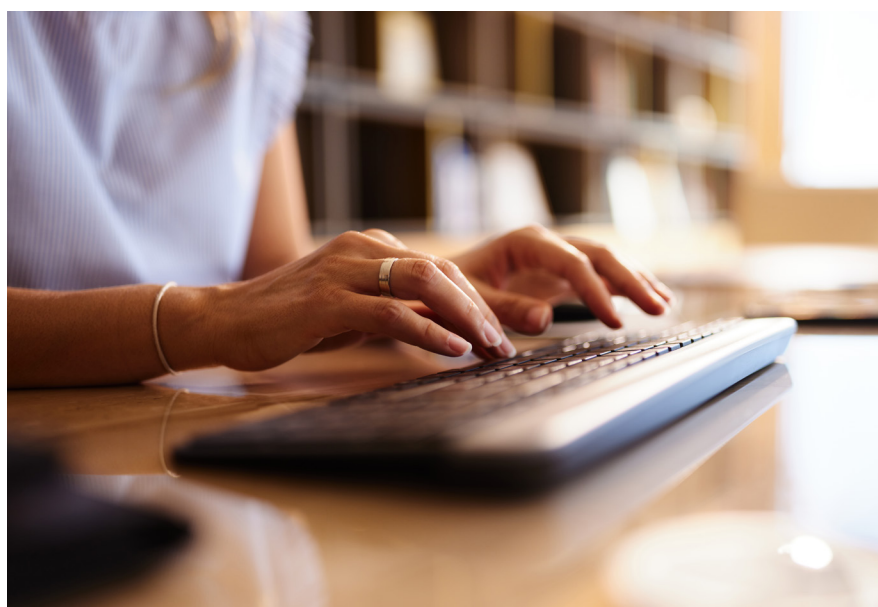
responses, and broader functionality for uploading and analyzing multiple documents. The ability to download GAI drafts directly into Word documents, already available in ChatGPT, is likely to become standard across legal research platforms. It seems, based on emerging developments, that judicial analytics from state and federal courts will eventually be integrated into these systems, allowing users to draft language aligned with how specific judges rule and to identify case law they commonly cite when granting or denying motions.

Consequences for Lawyers, Clients, and Self-Represented Individuals

The consequences of these rapid advancements have already surfaced. Attorneys and clients have been sanctioned across the country for



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citing fictitious cases, and the Georgia Court of Appeals recently overturned a trial court order that relied on bogus citations. States including Illinois, Delaware, and California have issued positions on the use of GAI in their jurisdictions, and federal and state judges have begun incorporating GAI requirements into standing and scheduling orders. These responses highlight the growing need for proper vetting, accuracy checks, and disclosure.

ABA Formal Opinion 512² and a *Wisconsin Lawyer* article, *Ethical Considerations When Using Generative Artificial Intelligence*,³ offer helpful guidance, emphasizing that fees and expenses must be reasonable when using GAI. Firms are familiar with the expense component, having long charged clients for electronic legal research database searches. What remains uncertain is how GAI-driven efficiencies will affect the billable hour, flat fees, and contingency arrangements as GAI tools become more sophisticated and faster.

Two different potential realities could emerge. In the first, firms incorporate GAI as they once did electronic legal research, using efficiencies to maintain their business models while adjusting fees according to market conditions. In the second, clients who have adopted GAI to reduce their own costs will increasingly pressure firms to justify the time spent preparing cases, researching case law, and litigating matters. This second scenario represents something unprecedented in the profession: Technology might be used to entirely perform tasks traditionally done by legal professionals.

Outside of law firms, self-represented

litigants now have far more advanced tools at their disposal. They can take pictures or upload documents to ChatGPT, ask for explanations, receive guidance on potential defenses, and even import GAI content into existing pleading templates. Although these interactions do not safeguard confidential information and remain susceptible to hallucinated cases, self-represented litigants can now ask questions, prepare documents, and at a minimum identify statutes relevant to their matters, all of which significantly expand the ability to proceed without a lawyer.

Implications for Law Firm Administrators & Paralegals

So, what do these developments mean for law firm administrators and paralegals in 2026? Much like the transition to electronic legal research databases, administrators who invest in GAI must now encourage widespread adoption across their firms. Most legal research providers require firmwide subscriptions and do not permit accounts for only a small number of users. For firms without GAI, monitoring market trends and lawyer adoption rates will help determine whether upgrading current legal research subscriptions is necessary to stay competitive, which will likely soon be the case.

Regardless of whether permitted GAI tools are used within a firm, administrators must reduce reliance on third-party GAI services that do not ensure client confidentiality or that conflict with client requirements prohibiting the use of their information in any GAI systems. Another emerging task includes updating fee agreements to disclose the firm's

use of GAI and obtaining client consent, as recommended by both the ABA and the State Bar of Wisconsin.

As in the past, paralegals must remain diligent in reviewing local rules for each state and federal court, as well as standing orders for specific judges. Scheduling orders increasingly require disclosure when GAI is used or expressly prohibit its use. When disclosure is required, paralegals must determine whether the software they use includes GAI components. This can be difficult when tools such as spell checkers, grammar checkers, or writing-enhancement applications incorporate GAI in ways that are not immediately obvious. Many rules require disclosure when GAI is used to prepare a brief, but the line between traditional proofreading tools and GAI-enhanced features is often unclear.

Conclusion

Paralegals and all legal professionals must stay current on how GAI works, what information it interacts with, and the risks and benefits associated with its use. Careful vetting of new technologies, especially those offering free services that may analyze or sell user data, remains essential. One certainty in 2026 is the continued emergence of new startup companies and significant investment in GAI. Lawyers, law office administrators, and paralegals remain the profession's stewards, determining which technologies should be allowed into the legal ecosystem. **WL**

ENDNOTES

¹Christopher Cody Shattuck, *ChatGPT Artificial Intelligence: Will It Replace Lawyers and Legal Staff?*, 96 Wis. Law. 41 (Feb. 2023), <https://www.wisbar.org/NewsPublications/WisconsinLawyer/Pages/Article.aspx?Volume=96&Issue=2&ArticleID=29597>.

²ABA Formal Op. 512, *Generative Artificial Intelligence Tools* (July 29, 2024), https://www.americanbar.org/content/dam/aba/administrative/professional_responsibility/ethics-opinions/aba-formal-opinion-512.pdf.

³Sarah E. Peterson, *Ethical Considerations When Using Generative Artificial Intelligence*, 97 Wis. Law. 29 (Oct. 2024), <https://www.wisbar.org/NewsPublications/WisconsinLawyer/Pages/Article.aspx?Volume=97&Issue=9&ArticleID=30672>. **WL**