

Generative AI & Law Schools: An Annotated Bibliography

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Introduction

Scope

This annotated bibliography collects recent and forthcoming scholarship on the topic of generative artificial intelligence in law schools. Articles were primarily located utilizing SSRN, BePress, and Google Scholar. Most articles are too recent to be published and available through Westlaw, Lexis, or HeinOnline. Articles were filtered to those written after December 2022 by US-based authors focusing on US legal education.

Organization

In reviewing the identified articles, the articles are divided into four sub-groups:

- Legal Education Topics Generally
- Legal Research & Writing

- Other Law School Courses
- Studying the Use & Performance of GenAI in Law Schools

Most articles focus on legal research & writing, as the technology is currently most likely to impact these functions of the teaching and practice of law. Within each category, articles are listed in reverse chronological order, then alphabetically by the author.

Bibliography

Legal Education Topics Generally

John Bliss, [*Teaching Law in the Age of Generative AI*](#), JURIMETRICS (forthcoming 2024).

This article explores the implications of AI developments for legal education, focusing on pedagogy, curriculum, and assessment. With the rise of AI models capable of passing law school exams and the Unified Bar Exam, how should legal educators prepare their students for an age of transformative AI advances? The author claims that text-generating AI is poised to become a standard tool for legal research and writing. The article provides guidance, recommending that legal educators begin teaching with emerging AI tools, while exploring how implementation might vary across the legal curriculum.

Nachman Gutowski and Jeremy Hurley, [*AI in Legal Education: Drafting Policies for Balancing Innovation and Integrity*](#), William S. Boyd School of Law UNLV and Appalachian School of Law (2023).

The authors state that the introduction of Gen AI has the potential to revolutionize legal research and drafting. Resultingly, this paper explores how law schools can ensure students maintain the analytical skills needed in legal practice through preventing the exploitation of these new tools available during their legal education. This policy focused paper outlines challenges and practical solutions legal educators can employ to ensure AI is integrated effectively into legal education while maintaining the core values of the curriculum.

Sean Harrington, [*The Ultimate Study Partner: Using A Custom Chatbot to Optimize Student Studying During Law School*](#), University of Oklahoma College of Law (2023).

Harrington discusses how AI can be leveraged to improve and bolster the studying experience of law students. This article argues that AI has significant capacities to supplement traditional pedagogical methods and that a range of AI applications can help law students study more efficiently and effectively. Harrington explores the possibilities of personal tech-enabled learning in law schools such as “creating interactive and adaptable study outlines, generating personalized practice questions and essay prompts, simplifying and restating dense legal texts, converting resources into audio and visual formats, and automating the creation of spaced-repetition flashcards.”

Michael D. Murray, [*Artificial Intelligence for Academic Support in Law Schools and Universities*](#), University of Kentucky, J. David Rosenberg College of Law (2023).

Murray advocates for Gen AI as a “democratizing force” in legal education for its ability to empower law students to write and research at a level their own educational background may not have prepared them for. Murray claims AI can empower students to participate in activities related to legal education and the practice of law at a high level thereby “catching them up to where other classmates would start.” Conversely, Murray acknowledges AI is not a panacea and has the capability to reproduce harm or bias and cannot replace critical legal education skills such as reasoning or recognizing correctness.

Legal Research & Writing

Joseph Regalia, *[From Briefs to Bytes: The GAI Renaissance in Legal Writing](#)*, TULSA LAW REVIEW (FORTHCOMING 2024).

This article explores the evolution of legal practice alongside Gen AI, with a focus on legal writing, tackling ethical pitfalls, future prospects, and what law students and lawyers can do today to train for Gen AI. Providing practical tools legal writers employ to save time and do better work, this article claims Gen AI makes people more productive and is already becoming essential in law firms. The author argues that the way legal work is being done is changing and legal practitioners must change with it or risk being less efficient while producing lower quality work products.

Michael L. Smith, *[Language Models, Plagiarism, and Legal Writing](#)*, 22 U.N.H. L. REV. (forthcoming 2024).

Smith says some LRW professors are arguing students should be learning about Gen AI tools within their curriculum to improve their writing and prepare for practice. However, Smith argues that incorporating Gen AI into legal writing education leaves out a key technique employed by lawyers throughout the country—plagiarism, with law schools continuing to condemn the practice. Smith states this practice is inconsistent with calls to adopt AI and incorporating AI into legal writing ought to be done in conjunction with plagiarism as well. Moreover, arguing students should still be taught the foundational skills of legal writing so they develop the understanding needed to use all their legal writing tools effectively.

Paul D. Callister, *[Generative AI and Finding the Law](#)*, University of Missouri-Kansas City School of Law (2023).

Callister states effective legal information use involves utilizing principles and theories. The article outlines five principles or considerations that discussions of Gen AI and its role in finding the law must include. In addition, this article harnesses media theories to understand the relationship among the legal community’s cognitive authority, institutions, and technology from the past and future to appreciate the changes brought by Gen AI. The author presents examples of Gen AI responses to various legal research problems and the issues that occur in its use.

Daniel Schwarcz & Jonathan H. Choi, *[AI Tools for Lawyers: A Practical Guide](#)*, 108 MINNESOTA LAW REVIEW HEADNOTES 1 (2023).

This article provides lawyers and law students with practical guidance on effectively using AI in legal research and writing. It primarily focuses on ChatGPT and emphasizes opportunities to use traditional lawyering skills to refine and verify AI’s work products. The authors demonstrate that lawyers and law students can effectively use AI tools to become much more productive.

Mark Shope, [*The AI Writing Assistant Handbook for Law*](#), Indiana University Robert H. McKinney School of Law (2023).

This handbook serves as a practical guide for law professors, students, and lawyers on utilizing AI in legal writing and research contexts. It contains a list of writing prompts and ideas that can be used for teaching, learning, and practice. In addition, it introduces a structured methodology for crafting effective prompts that can optimize results when using with AI.

Carolyn Williams, [*Bracing for Impact: Revising Legal Writing Assessments Ahead of the Collision of Generative AI and the NextGen Bar Exam*](#), 28 LEGAL WRITING 1 (2024).

This article explores how GenAI works, its strengths and weaknesses, its use among students, its ability to produce legal documents, the shortcomings of GenAI detectors, and the skills students need to pass the NextGen bar. This article does not provide much guidance on teaching GenAI to law students, but instead it discusses how to effectively continue to teach and assess the legal research and writing skills of students when GenAI is available for performing these tasks.

Other Law School Courses

Gregory S. Crespi, [*How to Grade Law Students Taking 'Paper Classes' Given Student Access to Artificial Intelligence Programs: The Experience from One Class*](#), Dedman School of Law Legal Studies Research Paper No. 607 (2023).

Crespi states AI programs are now able to produce research papers in response to structured prompts that with minimal editing for style and correctness will obtain a passing grade for students, and these programs are improving rapidly in their capabilities. This paper describes and discusses a new approach to teaching in law school, given student access to artificial intelligence programs such as ChatGPT and Lexis+ AI.

Ben L. Fernandez, [*We Need to Understand How ChatGPT Can be Used for a Contract Drafting Class and Change Our Pedagogy to Compensate*](#), 30 PERSPS. 63 (2023).

Fernandez claims that despite the fact ChatGPT was not created for contract drafting it is wrong to assume it does not work well in assisting law students in this task. This is because although there are deficiencies in its output, if a student “knows what they are doing” those deficiencies can easily be overcome. As a result, Fernandez argues professors who teach Contract Drafting need to understand how this tool affects legal pedagogy so that they can account for it.

Michael L. Smith, [*Generative AI in the Attorney-Client Relationship: An Exercise in Critical Revision and Client Management*](#), St. Mary's University School of Law (2023).

This essay proposes an exercise template for law students which illustrates how Gen AI may be misused or abused. Presenting students with an AI-generated motion and asking them to reason through a scenario in which the hypothetical client demands that they file the motion. Taking note of shortcomings in AI-generated legal writing, students must think through how to communicate these mistakes to a stubborn client. Smith argues doing so engages students with deeper questions of empathizing with client needs, developing their professional identity, and preparing for a world in which generative AI will not only be used, but also abused.

Studying the Use & Performance of GenAI in Law Schools

Jonathan H. Choi and Daniel Schwarcz, [*AI Assistance in Legal Analysis: An Empirical Study*](#), 73 JOURNAL OF LEGAL EDUCATION (forthcoming 2024).

Can AI strengthen human legal reasoning? These authors designed an experiment to find out by administering law school exams to students with and without access to GPT-4. Assistance from GPT-4 significantly enhanced performance on simple multiple-choice questions but not on complex essay questions. Additionally, the starting skill level of students had an impact on the outcome. Students at the bottom of the class saw performance gains with AI assistance, while students at the top saw performance declines.

Jonathan H. Choi, Amy Monahan, and Daniel Schwarcz, [*Lawyering in the Age of Artificial Intelligence*](#), MINNESOTA LAW REVIEW (forthcoming 2024).

These authors conducted the first randomized controlled trial to study the effect of AI assistance on human legal analysis, randomly assigning law students to complete realistic legal tasks either with or without the assistance of GPT-4. They found that access to GPT-4 only slightly and inconsistently improved the quality of participants' legal analysis but induced large and consistent increases in speed. The article finds that the lowest-skilled participants saw the largest improvements and assistance saved participants roughly the same amount of time regardless of their starting speed.

Tammy Pettinato Oltz, [*'ChatGPT, Professor of Law,'*](#) University of North Dakota School of Law (2023).

In this paper, Oltz recounts her experiment to ascertain whether—and if so to what degree—ChatGPT possesses the potential for lightening the service and teaching loads of law school professors. Oltz chose several common tasks typical for law professors to perform and ran prompts for each task through ChatGPT to see how well the tool performed them. Oltz found ChatGPT useful in creating first drafts for many of the tasks and argues ChatGPT could be useful in freeing-up a professor's time to work on more sophisticated tasks.

Jonathan H. Choi, Kristin E. Hickman, Amy Monahan, and Daniel Schwarcz, [*ChatGPT Goes to Law School*](#), 71 JOURNAL OF LEGAL EDUCATION 387 (2022).

In this article the authors examine how well AI models can write law school exams without human assistance. They used ChatGPT to generate answers on four real exams at the University of Minnesota Law School then blindly graded the exams as part of their regular grading process—to which ChatGPT received a low but passing grade in all four courses. Furthermore, this article explores these implications for legal education and provides example prompts and advice on how ChatGPT can assist with legal writing.

Appendix A: Teaching Methods & Exercises

Based on the articles collected in this annotated bibliography, the following courses may provide strong opportunities to integrate the use of Generative AI in the classroom:

- First-year Legal Research & Writing Courses
- Advanced Legal Research Courses
- Upper-Level Legal Writing & RWE Courses
- Law & AI Courses
- Clinics & Experiential Courses

The following methods of implementing the use of GenAI tools in the classroom may prove useful for law professors teaching the above courses.

Evaluate AI-generated output.

One of the most common examples of incorporating GenAI into legal teaching is to provide students with AI-generated output which they then evaluate for various factors, such as errors, omissions, and other weaknesses. Law professors suggest this is an excellent way for students to take accountability for critically evaluating and reflecting on the answers provided by GenAI.

1. John Bliss, [*Teaching Law in the Age of Generative AI*](#), JURIMETRICS (forthcoming 2024).
2. Michael L. Smith, [*Generative AI in the Attorney-Client Relationship: An Exercise in Critical Revision and Client Management*](#), St. Mary's University School of Law (2023).
3. Ashley B. Armstrong, [*Who's Afraid of ChatGPT? An Examination of ChatGPT's Implications for Legal Writing*](#), University of Connecticut School of Law (2023).

Integrate GenAI into the writing process.

There are many opportunities proposed for how GenAI may be integrated into the writing process. Generally, the recommendations are to utilize these tools for brainstorming, topic development, outlining, drafting targeted sections, and editing/improving grammar of drafted works. There is some debate about the critical thinking students miss out on when they utilize these tools for brainstorming and outlining.

1. **Prompt examples.** These articles provide examples of prompts that may be useful during the writing process, broken down into topics such as brainstorming, drafting, and editing.
 - a. Joseph Regalia, [*From Briefs to Bytes: The GAI Renaissance in Legal Writing*](#), TULSA LAW REVIEW (forthcoming 2024).
 - b. Daniel Schwarcz & Jonathan H. Choi, [*AI Tools for Lawyers: A Practical Guide*](#), 108 MINNESOTA LAW REVIEW HEADNOTES 1 (2023).
2. **Contract drafting.** These articles evaluate how GenAI tools may be useful for contract drafting, including suggested prompts and how to evaluate potential use by students.

- a. Ben L. Fernandez, [*We Need to Understand How ChatGPT Can be Used for a Contract Drafting Class and Change Our Pedagogy to Compensate*](#), 30 PERSPS. 63 (2023).
 - b. Daniel Schwarcz & Jonathan H. Choi, [*AI Tools for Lawyers: A Practical Guide*](#), 108 MINNESOTA LAW REVIEW HEADNOTES 1 (2023).
3. **Reflection papers.** This article discusses how an RWE may switch from a 20–30-page final paper to short reflection papers in an effort to counter student use of GenAI.
- a. Gregory S. Crespi, [*How to Grade Law Students Taking 'Paper Classes' Given Student Access to Artificial Intelligence Programs: The Experience from One Class*](#), Dedman School of Law Legal Studies Research Paper No. 607 (2023).

Conduct a lawyer-client simulation with GenAI.

Two articles specifically discuss how students in a clinic may engage with GenAI to mimic a lawyer-client interaction. Options include having students roleplay with GenAI as a client or having students consider how to interact with a client who presents them with GenAI work product.

1. Michael L. Smith, [*Generative AI in the Attorney-Client Relationship: An Exercise in Critical Revision and Client Management*](#), St. Mary's University School of Law (2023).
2. John Bliss, [*Teaching Law in the Age of Generative AI*](#), JURIMETRICS (forthcoming 2024).

Encourage the use of GenAI as a study tool.

There are many ways students may utilize GenAI to help in preparing for class and studying for exams. It is important that if students are being encouraged to utilize these tools for these purposes that they also understand the limitations – especially as it relates to the tool’s ability to produce case synthesis or analysis.

1. **Case summary and rule identification.** Students may input case language into a GenAI tool and request a summary of the case or the rules from the case. LLMs may specifically be prompted to explain complex law in more simplistic terms. Students may also utilize this type of tool during live lectures.
2. **Outlines.** Students may input a topic, text, or PDFs into a GenAI tool and request outlines of materials. Alternatively, they may request that materials be organized into tables, charts, or other lists.
3. **Study Aids.** GenAI may be prompted with similar material as above and utilized to create study aids, such as flash cards, quizzes, practice questions, or essay prompts.

For more detailed discussion of these examples, see Sean Harrington, [*The Ultimate Study Partner: Using A Custom Chatbot to Optimize Student Studying During Law School*](#), University of Oklahoma College of Law (2023).