

Ethical Considerations In AI-Powered Personal Injury Practice Management

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Abstract- The rapid integration of artificial intelligence (AI) into personal injury law practice management has generated a wide array of ethical challenges that legal practitioners, bar associations, and policymakers are only beginning to address with rigor. This article provides a comprehensive scholarly examination of the ethical considerations arising from AI deployment across personal injury practice management functions, including client intake, medical record analysis, legal research, discovery, settlement negotiation, and billing. Drawing on formal ethics opinions from the American Bar Association and state bar authorities, recent landmark judicial decisions, and empirical research on AI adoption in law, the article analyzes the professional responsibility obligations that govern attorney AI use including duties of competence, confidentiality, candor, supervision, and communication. It further examines the systemic ethical challenges posed by algorithmic bias in insurance claim valuation, attorney-client privilege vulnerabilities arising from consumer-grade AI platforms, and the tensions between AI-driven efficiency gains and equitable fee practices. The article concludes that the ethical integration of AI into personal injury practice requires a proactive governance framework grounded in professional responsibility principles, transparent client communication, robust oversight protocols, and continuous education and that the legal profession must engage these obligations deliberately rather than reactively.

Keywords: *AI Ethics, Personal Injury Law, Professional Responsibility, ABA Formal Opinion 512, Algorithmic Bias, Attorney-Client Privilege, Informed Consent, Generative AI, Legal Technology Governance, Billing Ethics.*

I. INTRODUCTION

Artificial intelligence has moved from a nascent curiosity to a foundational operational tool in personal injury law practice management. Personal injury practices increasingly rely on AI to manage client intake, analyze thousands of pages of medical

records, conduct legal research, support discovery, and forecast settlement values tasks that once

consumed large proportions of attorney and paralegal time (Attorney at Work, 2025). This operational transformation, while undeniably beneficial in efficiency terms, carries with it a corresponding expansion of ethical complexity that the legal profession is obligated to confront.

Unlike the incremental adoption of prior legal technologies word processors, electronic databases, e-filing systems generative AI and machine learning tools are qualitatively different in their capacity to produce legal-quality outputs, engage in probabilistic reasoning, and process confidential client information in ways that may traverse the boundaries of established professional responsibility doctrines (ABA Formal Opinion 512, 2024; Justia, 2025).

The ethical stakes, accordingly, are correspondingly elevated.

In the personal injury context, these issues take on particular urgency. Personal injury clients are often among the most vulnerable legal consumers: they are frequently injured, medically distressed, financially strained, and dependent on contingency-fee representation that may limit their ability to scrutinize how their attorneys conduct their work (Baric Law, 2025).

AI tools deployed in their representation whether processing their most sensitive medical information, generating demand letters in their names, or predicting the value of their suffering affect them directly, yet are rarely transparent to them.

This article provides a systematic analysis of the ethical considerations arising from AI deployment

across the personal injury practice management lifecycle.

Part 2 establishes the foundational professional responsibility framework applicable to AI use, anchored in ABA Formal Opinion 512 (2024) and the Model Rules of Professional Conduct. Parts 3 through 7 examine specific ethical issue domains: competence and the duty to understand AI; confidentiality and privilege vulnerabilities; AI hallucinations and candor obligations; informed consent and client communication; algorithmic bias and equitable representation; and billing ethics in an AI-accelerated practice environment. Part 8 addresses systemic governance obligations, and Part 9 examines emerging regulatory and judicial developments. Part 10 concludes with a synthesis and forward-looking governance framework.

The central argument advanced here is that the ethical integration of AI into personal injury practice management is not a passive compliance exercise but an active professional obligation one that demands genuine engagement with each technology's capabilities, limitations, and vulnerabilities, applied through the lens of each lawyer's paramount duty to the client.

II. THE PROFESSIONAL RESPONSIBILITY FRAMEWORK FOR AI IN LEGAL PRACTICE

2.1. ABA Formal Opinion 512 and the Model Rules

The American Bar Association's Formal Opinion 512, issued on July 29, 2024, constitutes the most authoritative and comprehensive guidance to date on the ethical obligations of lawyers using generative AI tools (ABA, 2024).

Opinion 512 does not establish new ethical rules but rather applies the existing Model Rules of Professional Conduct to the specific characteristics and risks of generative AI an approach that both reflects the adaptability of the existing ethical framework and highlights the insufficiency of that framework's anticipation of AI-specific challenges (UNC Law Library, 2025).

The Opinion identifies six primary areas of ethical obligation: competence (Model Rule 1.1);

confidentiality (Model Rule 1.6); communication with clients (Model Rule 1.4); candor toward tribunals (Model Rules 3.1, 3.3, and 8.4(c)); supervisory responsibilities (Model Rules 5.1 and 5.3); and fee reasonableness (Model Rule 1.5) (Debevoise Data Blog, 2024).

Each of these obligations takes on heightened complexity in the personal injury context, where AI is being deployed across high-stakes, information-intensive functions that directly affect injured clients' legal rights and recovery prospects.

2.2. State Bar Responses and Regulatory Variation

In the absence of uniform federal regulation, state bar associations have issued their own guidance, producing a patchwork of requirements that varies meaningfully across jurisdictions.

A comprehensive 50-state survey published by Justia in 2025 documents wide variation in the specificity and stringency of state AI ethics guidance, with some jurisdictions adopting detailed disclosure requirements and others deferring entirely to the ABA framework (Justia, 2025).

The California State Bar proposed formal amendments to the Rules of Professional Conduct specifically addressing AI use in 2026, reflecting the state's traditionally assertive role in legal technology regulation (Cal. State Bar, 2026).

Texas Bar Practice has issued a dedicated AI Toolkit affirming that attorneys cannot blindly rely on generative AI outputs and must critically assess and verify accuracy before relying on such outputs in client representation or court filings (Texas Bar Practice, 2026).

For personal injury attorneys operating in multiple jurisdictions a common feature of catastrophic injury and mass tort practice navigating this regulatory landscape requires ongoing monitoring of jurisdiction-specific developments.

III. THE DUTY OF COMPETENCE: UNDERSTANDING WHAT AI CAN AND CANNOT DO

3.1. Technological Competence as a Professional Obligation

Model Rule 1.1 requires lawyers to provide competent representation, encompassing the legal knowledge, skill, thoroughness, and preparation reasonably necessary for the representation. Comment 8 to Rule 1.1 explicitly extends this duty to technological competence, requiring lawyers to keep abreast of changes in the law and its practice, including the benefits and risks associated with relevant technology (Justia, 2025).

In the context of generative AI, Opinion 512 specifies that technological competence means having a reasonable and current understanding of the specific capabilities and limitations of any generative AI tool that a lawyer wishes to use, including an understanding of inherent risks such as hallucination, reliability concerns, accuracy limitations, completeness failures, and bias (ABA, 2024).

For personal injury lawyers, these competence requirements have concrete practical implications. An attorney deploying AI to review medical records must understand how the tool's NLP engine handles clinical terminology, whether its training data encompasses the specific injury types relevant to the case, and what quality assurance processes the vendor employs.

An attorney using predictive analytics for settlement valuation must understand what data sources the model draws upon, whether those sources reflect the relevant jurisdiction and current market conditions, and what confidence intervals attach to the model's outputs. Competence is not satisfied by a general familiarity with AI's existence; it requires tool-specific understanding at a level sufficient to make informed deployment decisions and catch material errors (Simplelaw, 2025).

3.2. The Supervision Obligation

Model Rules 5.1 and 5.3 impose obligations on supervising and managerial lawyers to ensure that the work of subordinates whether human or AI-assisted

conforms to the Rules of Professional Conduct. ABA Formal Opinion 512 extends this supervisory obligation expressly to AI tools and the non-lawyer staff who deploy them (Debevoise Data Blog, 2024).

In personal injury practices, where paralegals and case managers often serve as the primary operators of AI-powered intake, document review, and case management platforms, the supervising attorney bears responsibility for ensuring that staff receive adequate training on AI tools, understand their limitations, and follow established verification protocols before presenting AI-generated outputs for attorney reliance.

Managerial lawyers must establish clear firm-wide policies governing generative AI use, including identifying which tasks may be AI-assisted, defining verification requirements, and establishing data governance protocols that protect client confidentiality (Debevoise Data Blog, 2024; NC Bar, 2026).

Absent such policies, the risk of unauthorized AI use, inadequate output verification, and inadvertent privilege waiver increases substantially each of which implicates the personal injury attorney's professional liability exposure as well as the client's case outcomes.

IV. CONFIDENTIALITY, ATTORNEY-CLIENT PRIVILEGE, AND CONSUMER AI PLATFORMS

4.1. The Confidentiality Obligation Under Rule 1.6

Model Rule 1.6 obligates lawyers to make reasonable efforts to prevent the unauthorized disclosure of, or unauthorized access to, information relating to the representation of a client. In the context of AI, this obligation is most acutely implicated when lawyers input client information including sensitive medical records, accident narratives, financial data, and strategic case assessments into generative AI tools operated by third-party vendors (ABA, 2024;

Attorney at Work, 2025). The risk of disclosure arises from vendors' data practices, including the retention of user inputs for model training purposes, exposure of data to vendor employees, or vulnerability to security breaches.

ABA Formal Opinion 512 specifically warns that self-learning AI tools that train on input data create material risks that confidential information may be disclosed to others, and accordingly mandates that lawyers obtain informed client consent prior to inputting confidential client information into such tools (Debevoise Data Blog, 2024).

For personal injury attorneys whose case files consist almost entirely of medical records, treatment histories, and personal injury narratives the most sensitive categories of client data this obligation demands particular vigilance and robust vendor due diligence protocols.

4.2. The Heppner Decision: A Landmark Privilege Warning

On February 17, 2026, the United States District Court for the Southern District of New York issued a landmark ruling in *United States v. Bradley Heppner*, No. 25 CR 503 (JSR), holding that documents a criminal defendant generated using a publicly available AI platform (Claude, in its consumer version) were not protected by attorney-client privilege or the work product doctrine, and were therefore subject to government inspection (Dorsey, 2026; Perkins Coie, 2026; White & Case, 2026).

Judge Rakoff's ruling rested on three interlocking rationales. First, the court found that no attorney-client relationship existed between the defendant and the AI platform, as 'Claude is plainly not an attorney' (Dorsey, 2026).

Second, confidentiality the cornerstone of privilege was fatally compromised because the defendant voluntarily disclosed sensitive information to a third-party platform whose terms of service explicitly permitted data collection, retention, and use for model training (Ogletree, 2026).

Third, the documents could not qualify as work product because they were not prepared by or at the direction of counsel in anticipation of litigation (Perkins Coie, 2026). Critically, the court held that the defendant's later sharing of the AI-generated documents with his attorney did not retroactively cloak them with privilege (Michigan IT Law, 2026).

For personal injury practitioners, the Heppner decision delivers an unambiguous compliance message: consumer-grade AI platforms that retain user data, train on inputs, or permit third-party access to user communications cannot safely be used to process client information without risking privilege waiver. Attorneys should deploy only enterprise-grade, closed-loop AI platforms that contractually prohibit data retention, training on client inputs, and third-party disclosure and should use such tools at the direction of counsel, documented in the matter file (White & Case, 2026; Ogletree, 2026).

V. AI HALLUCINATIONS, FALSE CITATIONS, AND THE DUTY OF CANDOR

5.1. The Hallucination Problem in Legal AI

Perhaps the most widely documented AI ethics risk in legal practice is the problem of AI hallucination the tendency of generative AI systems to generate plausible-sounding but entirely fabricated legal citations, case names, statutory provisions, or factual assertions (Spellbook, 2026; Sterne Kessler, 2026).

By late 2025, aggregated datasets had recorded nearly 800 documented cases of AI-related citation errors across at least 25 jurisdictions (International Tax Journal, 2026). In the legal profession, the submission of AI-hallucinated authorities to courts represents not merely an accuracy failure but a potential violation of Model Rules 3.1, 3.3, and 8.4(c), which collectively prohibit making false statements of fact or law to tribunals and engaging in conduct involving dishonesty (ABA Formal Opinion 512, 2024).

The pattern of hallucination-related judicial sanction is well-documented. Courts have consistently found that attorneys who submit AI-generated briefs containing non-existent citations without adequate verification violate their candor obligations and are subject to sanctions, regardless of whether the submission was made with knowing intent (LawNext, 2025; Sterne Kessler, 2026).

Courts appear to respond with particular severity when AI use is evident but denied by the attorney, treating denial as an independent ground for enhanced sanction (Sterne Kessler, 2026). At the time

of writing, no uniform federal rule governs AI disclosure in court filings, though many district courts have adopted local rules requiring disclosure and certification of AI-generated content.

5.2. Verification Obligations in Personal Injury Practice

ABA Formal Opinion 512 does not require verification of every AI output but specifies that the appropriate level of verification depends on the specific task and tool used, noting that it may be appropriate to review only a subset of documents in a large corpus summarized by an AI tool (Debevoise Data Blog, 2024). For personal injury lawyers, this calibrated verification approach requires deliberate judgment: an AI-generated medical chronology identifying treatment gaps directly affects case valuation and demands close attorney review; an AI-assisted legal research output citing specific cases as authority for a court filing demands independent verification of every cited case's existence, accuracy, and continuing validity.

The Texas Bar Practice AI Toolkit specifically requires attorneys to independently verify any information generated by AI, ensuring accuracy and reliability before relying upon such outputs in client representation or court filings (Texas Bar Practice, 2026). For personal injury practitioners, establishing standardized verification checklists tailored to the specific AI tools deployed, the nature of the task, and the consequence of error is both an ethical best practice and an essential risk management measure.

VI. INFORMED CONSENT, CLIENT COMMUNICATION, AND TRANSPARENCY

6.1. The Disclosure Obligation Under Rule 1.4

Model Rule 1.4 requires lawyers to keep clients reasonably informed about the status of their representation and to explain matters to the extent reasonably necessary to permit clients to make informed decisions. ABA Formal Opinion 512 identifies several specific circumstances in which Rule 1.4 requires affirmative disclosure of AI use to clients: when the client directly asks how work was conducted or whether AI was used; when the attorney proposes to input client information into an AI tool that presents confidentiality risks; and when AI use is

relevant to the basis or reasonableness of the attorney's fees (Debevoise Data Blog, 2024; Mitchell Williams Law, 2024).

Beyond these specific triggers, Opinion 512 adopts a 'facts and circumstances' standard, acknowledging that it is not possible to catalogue every situation in which disclosure is required.

The Texas Bar Practice AI Toolkit and the Form Tool's analysis of informed consent obligations both recommend a proactive approach to client communication: initiating the discussion of AI use early in the representation, ideally in the engagement letter, and revisiting it as the scope of AI use evolves (Texas Bar Practice, 2026; The Form Tool, 2025).

For personal injury clients many of whom may have limited legal sophistication clear, accessible disclosure of how AI tools will process their medical records, generate their demand letters, or predict the value of their claims is not merely an ethical compliance matter but a foundational element of the attorney-client relationship's trust structure.

6.2. Content and Documentation of Disclosure

Best practice guidance from bar authorities and legal ethics scholars identifies several essential elements of adequate AI disclosure to clients: the intended use of AI tools in the specific matter; the potential benefits, including efficiency and cost savings; the risks and limitations, including the possibility of AI-generated errors, data privacy considerations, and the firm's verification processes; and the safeguards implemented to mitigate those risks (Texas Bar Practice, 2026).

Disclosure should be made in non-technical, accessible language tailored to the individual client's understanding (Esquire Solutions, 2025). Written documentation of the disclosure and any client consent provided is strongly recommended, both to satisfy ethical obligations and to protect the attorney in the event of subsequent disputes.

Where AI use constitutes a significant means of representation or involves sharing client data with third-party vendors, affirmative informed consent not merely passive disclosure is ethically required (Texas

Bar Practice, 2026; ABA, 2024). For personal injury practices that rely heavily on AI-powered medical record review, this means specifically informing clients that their medical records will be processed by a third-party AI platform, explaining the data security measures in place, and obtaining written consent before proceeding.

VII. ALGORITHMIC BIAS AND THE ETHICAL IMPERATIVE OF EQUITABLE REPRESENTATION

7.1. Mechanisms and Manifestations of Algorithmic Bias

Algorithmic bias refers to the inclination of AI systems to yield outcomes that mirror and reinforce existing human biases embedded in their training data, algorithmic design, or deployment context (Reuters, 2026). In personal injury law, bias can manifest across multiple dimensions.

Historical bias arises when AI models trained on past settlement data replicate historical patterns of undercompensating claims presented by members of demographic groups who have been systematically disadvantaged in the civil justice system. Labeling bias emerges when training datasets include outputs such as prior claim approvals or settlement amounts that were themselves products of biased human decision-making.

Framing bias can occur in the model design phase when optimization objectives prioritize cost minimization over equitable outcomes (Reuters, 2026; Baric Law, 2025).

These biases are most consequentially deployed in the insurance claim valuation context. Major insurance carriers have adopted proprietary AI platforms including Colossus, ClaimIQ, and Guidewire to evaluate claims and recommend settlement offers to adjusters (Enjuris, 2025).

Research and practitioner accounts indicate that AI-generated insurance valuations systematically undervalue non-economic damages including pain and suffering, emotional distress, and loss of enjoyment of life because these categories of harm

are inherently difficult to quantify in algorithmic terms (Edelstein's Law, 2025).

Attorney Gus Anastopoulos, a plaintiff's personal injury specialist, has documented cases in which major insurers deployed AI systems with error rates as high as 90% in claim denial decisions, with appeal success rates of approximately 80% demonstrating the systematic nature of the algorithmic undervaluation (Anastopoulos, 2025).

7.2. The Ethical Obligations of Plaintiff Counsel

The deployment of biased AI in insurance claim valuation imposes specific ethical obligations on plaintiff personal injury attorneys. First, attorneys must maintain sufficient familiarity with AI-valuation methodologies to identify when an insurer's offer reflects an AI-generated anchor rather than a reasoned human assessment of the claim's merits and to challenge such offers through individualized evidentiary analysis rather than accepting algorithmic output as authoritative (Virginia Lawyers Weekly, 2025).

Second, attorneys have an ethical obligation to evaluate whether plaintiff-side AI tools they deploy are themselves producing biased outputs for instance, whether a settlement prediction platform systematically underestimates recovery for claims brought by plaintiffs from particular demographic groups or jurisdictions (Attorney at Work, 2025).

The Illinois State Bar Association's ethics guidance specifically identifies algorithmic bias as a primary ethical concern requiring attorneys to prioritize diverse data collection, ensure thorough testing across different demographics, monitor algorithms for bias in deployment, and use diverse development teams when selecting or deploying AI tools (ISBA, 2025).

California's Physicians Make Decisions Act, while directed at medical claim processing, signals the emerging regulatory trajectory: legislators are increasingly receptive to requirements that AI-driven claim decisions be subject to individualized human review rather than sole algorithmic determination (Anastopoulos, 2025).

VIII. BILLING ETHICS IN AN AI-ACCELERATED PRACTICE ENVIRONMENT

8.1. The Efficiency Paradox and Model Rule 1.5

AI integration in personal injury practice creates a profound tension at the intersection of technology and billing ethics one that legal scholars have termed the 'AI efficiency paradox' (ISBA, 2025). As AI automates legal tasks previously billed at hourly rates, the ethical framework governing fee reasonableness requires adjustment: it becomes progressively less justifiable to charge clients for time not genuinely spent, even as the underlying legal work product delivered may be of equal or superior quality to that produced by hours of human labor alone.

ABA Formal Opinion 512 addresses this tension directly. Under Model Rule 1.5, lawyers must ensure that fees and expenses charged to clients are reasonable and communicated transparently. Opinion 512 clarifies that lawyers who bill hourly must bill for actual time spent, accounting for AI-driven efficiencies;

that overhead costs such as general access to an AI platform integrated into standard legal software should not be billed to clients as a disbursement; and that lawyers may not charge clients for time spent learning how to use AI tools they plan to use regularly in their practice (Debevoise Data Blog, 2024). The Texas Bar Practice Opinion 705 echoes these requirements, emphasizing that AI efficiency gains must benefit clients financially when services are billed on an hourly basis (Texas Bar Practice, 2026).

8.2. Value-Based Billing and the Future of Fee Arrangements

Multiple state bar ethics opinions have grappled with whether the fee reduction requirement extends to flat-fee and contingency arrangements, producing meaningful variation. Virginia's Legal Ethics Opinion 1901 (2025) takes a relatively permissive stance, holding that reduced time does not automatically mean reduced value: where AI enables more efficient delivery of high-quality legal services, a non-hourly fee may remain reasonable under Rule 1.5 provided the overall fee is justified by all applicable factors

including the lawyer's skill, experience, and the results obtained and is adequately explained to the client (Virginia Lawyer, 2026; ProPlaintiff AI, 2026).

For personal injury attorneys operating on contingency where fees are calculated as a percentage of recovery rather than time billed the efficiency paradox takes a distinctive form: contingency fees are not directly affected by the time AI saves in case preparation, but AI-enhanced preparation quality may increase recoveries, thereby increasing the absolute fee.

The ethical obligation in this context shifts to transparency: attorneys must communicate to clients how AI use may affect the basis of fees and costs, particularly where AI vendor charges are being passed through to clients as case expenses (In-House Counsel Guide, 2025; ISBA, 2025). Emerging vendor pricing models that charge \$200 to \$500 or more per case for AI medical record review and explicitly encourage pass-through to clients as disbursements demand particular scrutiny against ethics rules governing reasonableness and transparency of expenses.

IX. TOWARD AN ETHICAL GOVERNANCE FRAMEWORK FOR AI IN PERSONAL INJURY PRACTICE

9.1. Core Components of Firm-Level AI Governance

A firm-level AI governance framework for personal injury practice should address several core domains. First, vendor selection and due diligence: before deploying any AI tool that processes client data, firms should conduct rigorous evaluation of vendors' data privacy policies, model training practices, data residency and security certifications, and breach notification protocols (Attorney at Work, 2025).

Enterprise-grade platforms with contractual prohibitions on data retention and model training on client inputs should be preferred over consumer-grade alternatives, particularly following the Heppner decision (Dorsey, 2026). Second, written AI use policies should define which AI tools are approved for firm use, which tasks may be AI-assisted, the verification protocols required for each task category, and the documentation requirements that govern AI-

assisted work product (NC Bar, 2026; Debevoise Data Blog, 2024).

Third, training and ongoing education are essential. Given the rapidly evolving landscape of AI capabilities and limitations, one-time training at point of adoption is insufficient. Firms should implement regular training on new AI tools, updates to existing tools, emerging bias research, and evolving ethics guidance across relevant jurisdictions (ABA, 2024; NC Bar, 2026).

Fourth, bias auditing protocols should be established to regularly evaluate whether AI tools deployed in case management, settlement prediction, or client communication are producing outputs that may reflect demographic or geographic bias, with remediation plans triggered by audit findings (Reuters, 2026; ISBA, 2025).

9.2. Access to Justice Implications

The ethical dimensions of AI in personal injury practice extend beyond individual attorney-client relationships to systemic access-to-justice concerns. The deployment of sophisticated AI tools by large insurance carriers, corporate defense firms, and well-resourced plaintiff firms creates a technological asymmetry that may systematically disadvantage claimants whose attorneys lack access to equivalent tools (Stanford Law, 2026).

A personal injury claimant represented by a solo practitioner who lacks AI-powered medical record review and settlement analytics faces a qualitatively different adversarial dynamic than one represented by a large plaintiff firm with comprehensive AI infrastructure and the injured claimant, as the party with the most at stake, bears the consequences of that asymmetry.

Bar associations and legal aid organizations have begun to examine how AI tools can be deployed to democratize access to legal quality, particularly through low-cost or subsidized AI platforms for small plaintiff practices (Stanford Law, 2026; Virginia State Bar, 2025). The ethical imperative of equitable access to justice embedded in the preamble to the Model Rules and the professional obligations of the bar requires the profession to engage proactively with

these structural implications rather than allowing technological advantage to determine case outcomes independently of legal merit.

CONCLUSION

The ethical integration of AI into personal injury practice management is one of the defining professional responsibility challenges of the current era. The analysis presented across the preceding sections demonstrates that the ethical landscape of AI deployment is not reducible to a single risk or a single rule but spans an interconnected web of obligations competence, confidentiality, candor, supervision, communication, and fee reasonableness each of which is implicated by the specific characteristics of AI systems deployed across the personal injury case lifecycle.

Several findings emerge as central to the article's argument. First, consumer-grade AI platforms present unacceptable confidentiality and privilege risks for attorneys processing client information, as confirmed by the Heppner decision, and must be replaced with enterprise-grade alternatives featuring robust data governance protections (Dorsey, 2026). Second, AI hallucination remains a material risk that demands calibrated but genuine verification protocols at every stage of the practice lifecycle where AI outputs influence court submissions or client advice (Sterne Kessler, 2026; LawNext, 2025). Third, algorithmic bias in insurance claim valuation constitutes an ethical threat to equitable plaintiff representation that demands both defensive competences knowing how insurers' AI tools work and plaintiff-side vigilance against bias in the tools deployed on clients' behalf (Reuters, 2026).

Fourth, informed consent and transparent client communication about AI use are ethical obligations that must be operationalized at the engagement stage, not addressed reactively after problems arise (ABA, 2024; Texas Bar Practice, 2026). Fifth, billing ethics in an AI-accelerated practice environment demands honest reflection on the relationship between time, value, and fee reasonableness and transparent communication with clients about how AI-driven efficiencies are reflected in costs and disbursements (ISBA, 2025; Virginia Lawyer, 2026).

Finally, and perhaps most importantly, the ethical obligations addressed in this article are not static. AI capabilities, vulnerabilities, and deployment contexts are evolving at a pace that outstrips the regulatory and ethics guidance cycle. Personal injury attorneys who discharge their ethical obligations adequately in 2026 may find that same level of diligence insufficient by 2028 if they fail to update their AI governance practices, bias monitoring protocols, and client disclosure frameworks in response to new developments.

The duty of competence under Model Rule 1.1, Comment 8 is precisely calibrated for this dynamic: it requires not a one-time demonstration of technological understanding but ongoing attentiveness to a rapidly evolving practice environment. For attorneys who serve injured clients who are among the most vulnerable legal consumers, that ongoing attentiveness is not merely an ethical obligation it is a fundamental expression of professional fidelity.

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