Generative AI
& the Legal Profession

2023 Survey Report

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Survey Methodology

LexisNexis Legal & Professional®, a leading global provider of information and analytics, conducted a survey across 4,180 people, including 1,176 lawyers, 1,239 law students, and 1,765 consumers in the United States from March 15-16, 2023. Surveys were conducted in English and respondents were prompted for feedback via Pollfish/Forsta.

We use the term "generative AI" throughout this report. In most cases, the actual question asked refers to "generative AI tools, such as ChatGPT." We also use the term "consumers" throughout the report. Consumers refer to general population sample of adults in the US.

In all cases, with the exception of the responses to the questions "Have you heard of generative AI tools, such as ChatGPT?" and "Have you ever used generative AI tools, personally or professionally?" (which are based to total), all responses are from the group of respondents that claim to be aware of generative AI.

Due to rounding, percentages may not add up to 100.

Generative AI Is Changing Legal

In your hands is the report for an extensive survey conducted to better understand the overall awareness of generative AI, current use of generative AI tools in daily work, and willingness to adopt generative AI tools for various legal matters. The survey was conducted across 4,180 people, including 1,176 lawyers, 1,239 law students, and 1,765 consumers.

This report provides insights into the awareness, usage, impact, potential, and ethical considerations surrounding generative AI (GAI), as well as how it may impact the relationships between counsel and their clients and the education of new lawyers. Despite the recent launch of GAI tools such as ChatGPT, lawyers have already shown a high level of awareness of GAI, with 86% stating they have heard of it. In fact, lawyers have become aware of GAI at a much higher rate than the general public; only 57% of consumers have reported they have heard of GAI tools, such as ChatGPT.

More than a third of lawyers and law students have used GAI, with 19% of these lawyers using it in their work, often for research, drafting, and understanding new legal concepts. When asked about the impact of GAI on the practice of law, a majority of respondents were unsure or had mixed views, with only a small percentage expressing a positive or negative opinion. Many lawyers see potential in GAI to increase efficiency and streamline their work, with researching matters and document drafting being the top tasks where they see the most potential. Meanwhile, a third of all consumers say they have used GAI personally or professionally.

Our findings emphasize the high awareness and usage rates of generative AI among lawyers and law students, as well as their perceptions of its potential impact on the practice of law. While there are concerns about the ethical implications of this technology, the legal community's overall sentiment towards generative AI is neutral and cautious, with many still exploring its capabilities and potential applications.

As this technology continues to evolve and gain acceptance, it will be important for legal professionals to stay informed and engage in ongoing discussions about the ethical considerations and best practices surrounding its use in the legal industry.
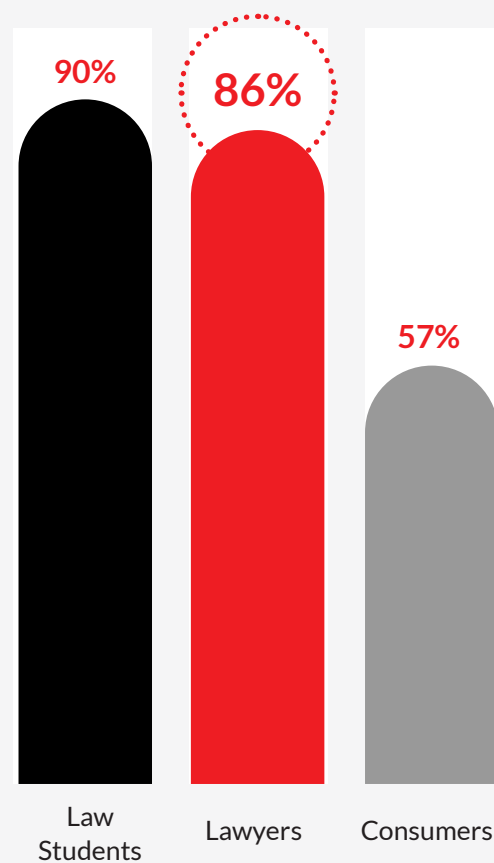
April 2023

" I do not think that AI will replace humans in the legal field, but I do believe it will create efficiency."

Lawyers Are Very Aware of Generative AI

Awareness of Generative AI – By Role

90% Law Students

86% Lawyers

57% Consumers

Awareness of Generative AI – By Age
Attorneys at Law Firms

Under 45 **98%**

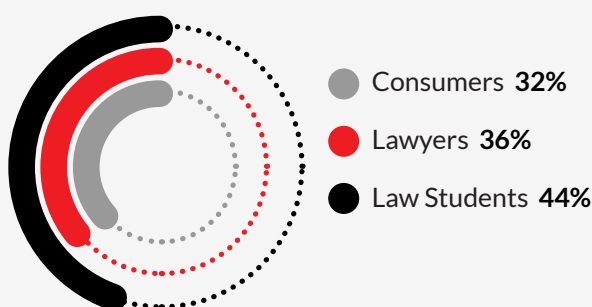45 and Older **82%**
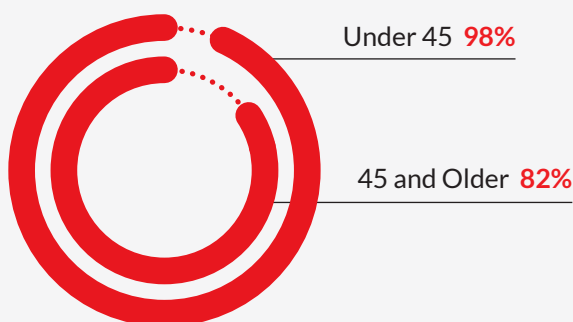
Our Analysis

This is incredible growth of awareness in a very short time period, considering how few were aware of GAI prior to the launch of ChatGPT on November 30, 2022. Lawyers have a reputation as tech-averse, so these awareness rates may seem exceedingly high. But they are knowledge professionals and GAI has the potential to have enormous impact on their jobs, so it is no surprise they – especially younger lawyers – are paying attention.

Despite the fact that it hit the market only a few months before our survey, awareness of generative AI is extremely high among lawyers, with 86% saying that they have heard of generative AI tools such as ChatGPT. This is almost 30 points higher than awareness among consumers (i.e., the general population), which despite substantial mainstream press coverage is only 57%.

While there is no meaningful difference in awareness among outside and in-house counsel, or from those at large or small firms, there is a big difference in awareness based on the lawyer's age. Almost 98% of law firm attorneys under 45 are aware of generative AI, while only 82% of attorneys 45 and older are.

Many Lawyers and Law Students Have Tried Generative AI

Current Use of Generative AI for Legal Tasks Among Lawyers

Researching matters
59%

Drafting documents
45%

Writing emails
38%

Understanding new legal concepts
25%

Document analysis
23%

Conducting due diligence
16%

Other
7%

Developing litigation strategies
6%

**Usage of Generative AI
(Personally or Professionally)**

- Consumers **32%**
- Lawyers **36%**
- Law Students **44%**

Our Analysis   **As of April 2023, questions about the privacy and security of tools such as ChatGPT are still pervasive, and very few firms or law departments have policies in place around GAI usage. Perhaps because ChatGPT is extremely easy to try, a very high percentage of those who are curious have also actually used it. It is a bit surprising, however, that considering those unknowns and risks, almost one in five attorneys have already used GAI in their work.**
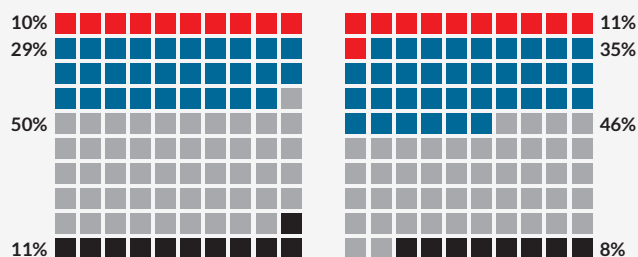
More than a third of lawyers (36%) and almost half of law students (44%) have used it either personally or professionally. Consumers have used GAI at a much higher rate, with 56% already having used GAI tools either personally or professionally.

Almost a fifth of lawyers have used generative AI in their work, and they are already using it for a variety of different types of legal tasks, leading with research, drafting, and understanding new legal concepts. More than a third also are using generative AI to help in writing their emails.

![LexisNexis]

Most Are Not Yet Sure of Generative AI's Impact

Feelings About Impact of Generative AI on the Practice of Law

Legend: ● Positive ● Mixed ● Unsure ● Negative

Lawyers: Positive 15%, Mixed 62%, Unsure 12%, Negative 11%
Law Students: Positive 13%, Mixed 64%, Unsure 7%, Negative 16%

Impact of Generative AI on the Practice of Law

Legend: ● Transformative ● Significant ● Some ● Low

Lawyers: 10%, 29%, 50%, 11%
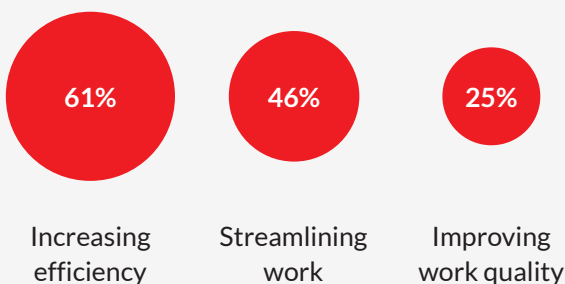Law Students: 11%, 35%, 46%, 8%
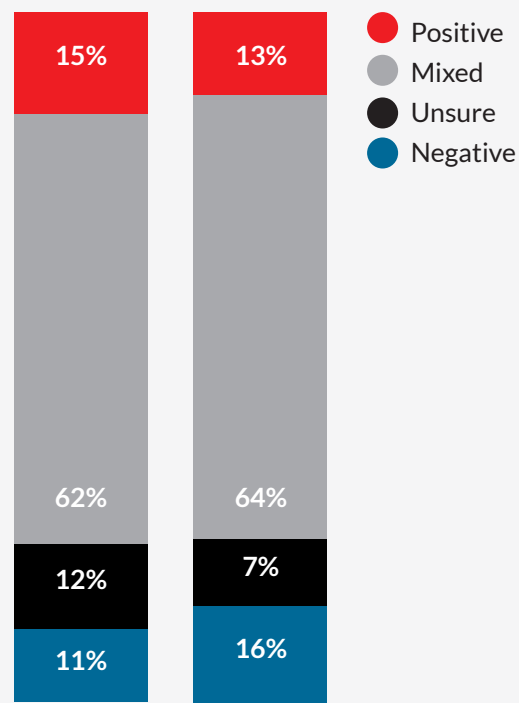
Our Analysis

Contrary to the alarmism that has been expressed about both the risks and rewards of generative AI, the legal community's sense of the impact on the practice of law remained neutral and rarely fell into extremes, regardless of age or role. Most respondents either have yet to form an opinion or see both positive and negative implications. While we believe the potential for productivity gains in legal organizations and influence on access to justice means the impact on the legal profession will be meaningful and positive, the general feeling in the marketplace is "wait and see."

When asked what impact generative AI will have on the practice of law, almost all lawyers (89%) and law students (92%) think it will have at least some impact. And a meaningful percentage (39% of lawyers; 46% of law students) see that impact as "significant" or "transformative."

When asked how they feel about the impact of generative AI on the practice of law, few lawyers had a strong opinion one way or the other, with 15% expressing a positive response and 11% expressing a negative one. This lack of strong opinions held true among all of the respondent subsets of lawyers: in-house counsel (13% positive, 12% negative); lawyers at large firms (15% positive, 9% negative); lawyers at small firms (16% positive, 12% negative); law firm lawyers under 45 years old (14% positive, 9% negative); and law firm lawyers 45 and up (15% positive, 12% negative). Law students responded slightly more negatively (16% negative, 13% positive). The vast majority across all groups responded "unsure" or "mixed."

Lawyers See Potential for Generative AI in a Variety of Areas

Tasks Where Lawyers See Potential to Use Generative AI

Researching matters
59%

Drafting documents
53%

Document analysis
40%

Writing emails
30%

Conducting due diligence
27%

Understanding new legal concepts
19%

Developing litigation strategies
11%

Other
5%

Where Lawyers See Potential Benefits From Generative AI

61%
Increasing efficiency

46%
Streamlining work

25%
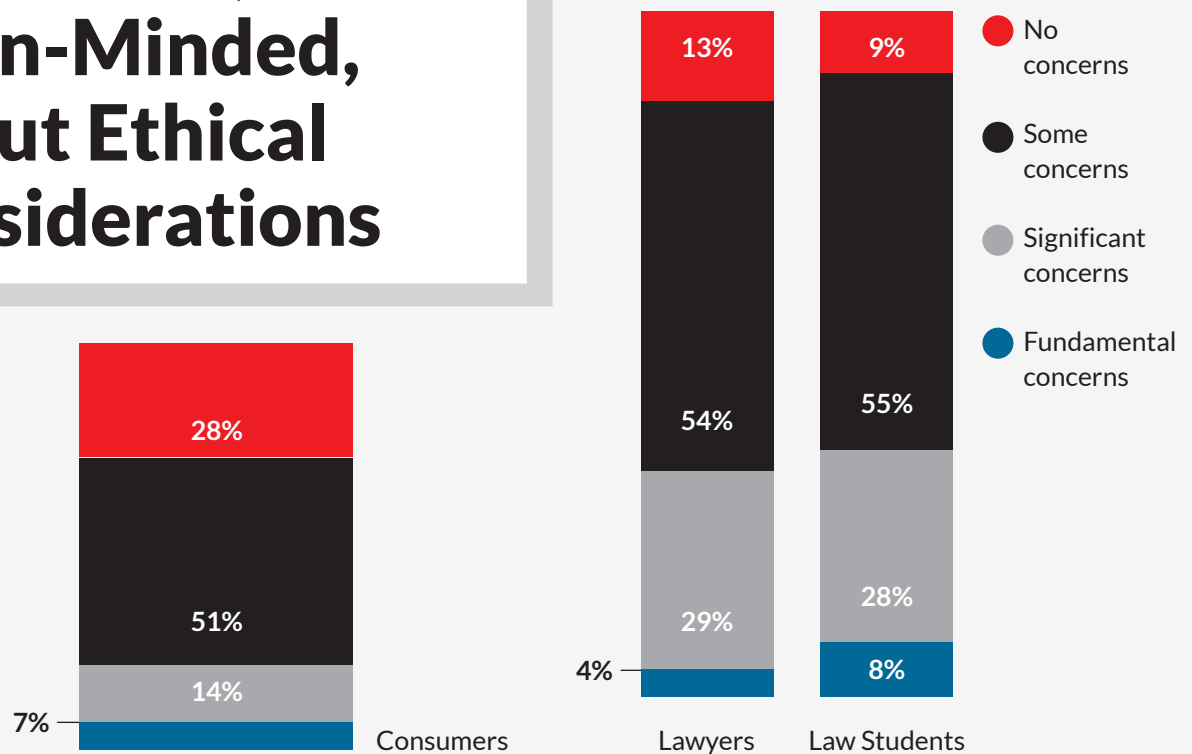Improving work quality

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Our Analysis

In alignment with how they typically view innovation, lawyers see less potential in high value areas. Due diligence, understanding new legal concepts, and developing litigation strategies all should be well suited for GAI. For example, summarizing large troves of documents – which is considered one of GAI's best use cases – represents much of the work required to develop litigation strategies.

Respondents were asked to assess GAI's potential benefits to the delivery of legal work. Close to half of all lawyers (40%) are researching and exploring opportunities to use generative AI in their work, and they suggest a variety of ways it may impact the productivity of their practice. Over time, they expect generative AI to potentially be able to increase their efficiency (61%) and streamline their work (46%). A quarter expect that generative AI will even help them improve the quality of their work.

Respondents were also asked to select from a list of legal tasks where they see the most potential to use generative AI in their practices. Many of these responses aligned with those currently in use by early adopting attorneys, with researching matters in the top spot, followed by document drafting. Document analysis and conducting due diligence are two areas with substantial unrealized potential, with each showing expectations of a double-digit jump from current usage rates. Conversely, while 25% are currently using generative AI to understand new legal concepts, only 19% see the potential for that use case. The same is true for writing emails (38% are using currently but only 30% see potential).

Most Lawyers and Consumers Are Concerned, but Open-Minded, About Ethical Considerations

Concern About the Ethical Implications of Generative AI on the Practice of Law

Legend:
- 🔴 No concerns
- ⚫ Some concerns
- ⚪ Significant concerns
- 🔵 Fundamental concerns

Consumers:
- 28%
- 51%
- 14%
- 7%

Lawyers:
- 13%
- 54%
- 29%
- 4%

Law Students:
- 9%
- 55%
- 28%
- 8%

Our Analysis

The number of both lawyers and consumers who express fundamental concerns and therefore claim they will not use generative AI is extremely low, especially for such a new technology. By far, the majority of respondents are open-minded, which gives us reason to believe that their ethical concerns may be overcome with time.
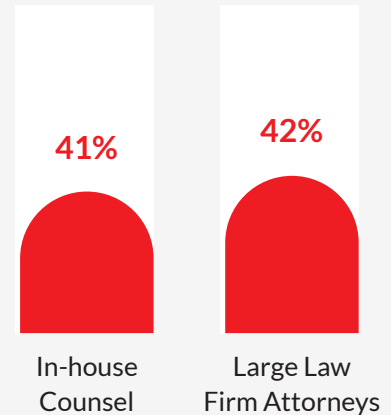
A very high percentage of lawyers (87%, with 33% responding that their concerns are at least "significant") are concerned about the ethical implications of generative AI. But only a very few (4%) say their concerns are fundamental and they will absolutely not use it due to those concerns. Law students believe similarly, also with 83% expressing concerns. But interestingly, twice as many claim they have fundamental concerns and therefore will not use generative AI (8%).

Consumers are much less likely to be concerned – only 72% express concern on any level. More consumers (28%) are not concerned at all than have significant (14%) or fundamental (7%) concerns combined.
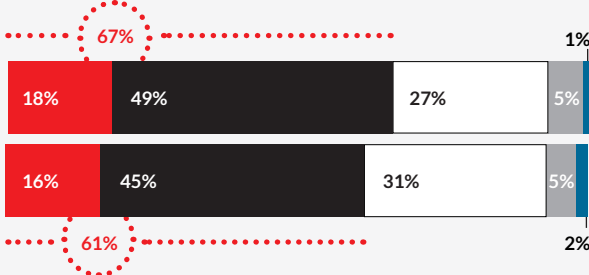
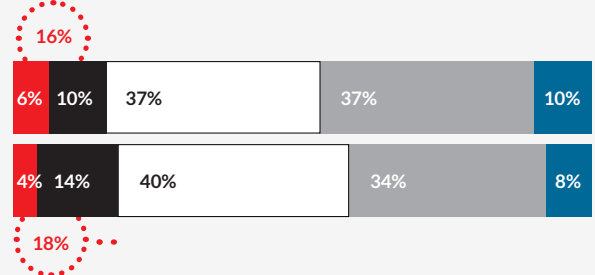# Changes in the Relationship Between Large Law Firms and Corporate Clients

Generative AI will change the relationship between in-house counsel and their outside firms

41%
In-house Counsel

42%
Large Law Firm Attorneys

In-house counsel: "I expect the law firms I work with will use cutting-edge technology, including generative AI tools."

67%

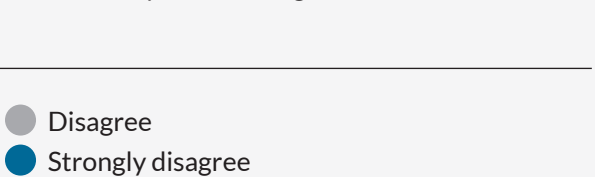| 18% | 49% | 27% | 5% | 1% |

| 16% | 45% | 31% | 5% | 2% |

61%

Large law firm attorneys: "I think clients will expect my firm to use cutting-edge technology, including generative AI tools."

In-house counsel: "I do not want law firms I work with using generative AI tools."

16%

| 6% | 10% | 37% | 37% | 10% |

| 4% | 14% | 40% | 34% | 8% |

18%

Large law firm attorneys: "I do not think my clients will want my firm to use generative AI tools."
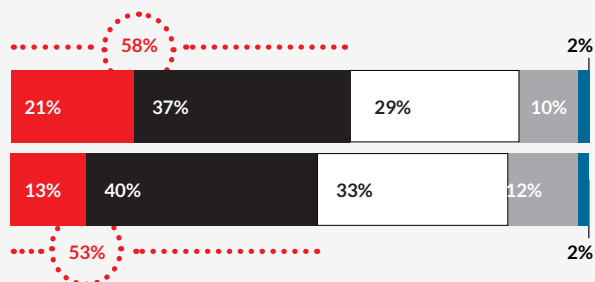

🔴 Strongly agree ⚪ Neither Agree nor Disagree 🔘 Disagree

⚫ Agree 🔵 Strongly disagree

Many lawyers from large law firms (42%) and law departments (41%) believe that GAI will change the relationship between in-house attorneys and their outside firms. In fact, most corporate counsel expect their law firms to use cutting-edge technology, including generative AI (67%). Lawyers from large firms are generally on the same page: 61% overall say they think their clients will expect their firm to use such tools.

Looking at the issue another way, a small percentage of corporate counsel (16%, including 6% feeling strongly) absolutely do not want their firms to use generative AI. Large law firm expectations are in line: only 18% do not think their clients will not want them to use such tools.

**In-house counsel:** "I expect the law firms I work with to give me a choice regarding the use of generative AI tools."

58%

2%

| 21% | 37% | 29% | 10% | |

| 13% | 40% | 33% | 12% | |

53%

2%

Large law firm attorneys: "I think clients will expect my firm to give them a choice regarding the use of generative AI tools."

In-house counsel: "I expect to be made aware of the use of generative AI tools by the law firms with which I work."
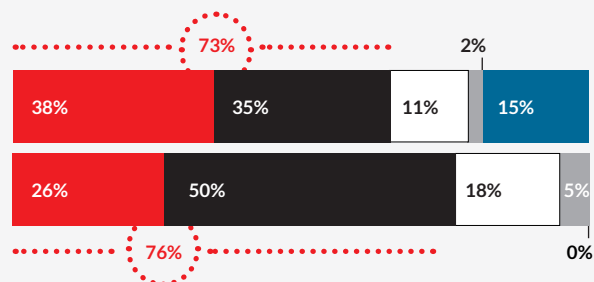
73%

2%

| 38% | 35% | 11% | 15% |

| 26% | 50% | 18% | 5% |

76%

0%

Large law firm attorneys: "I think clients will expect to be made aware of any generative AI tools which my firm uses."
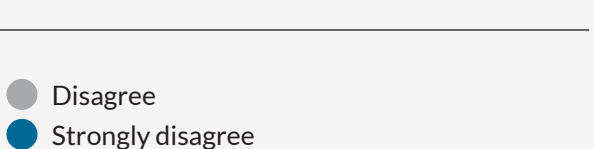
● Strongly agree   ○ Neither Agree nor Disagree   ● Disagree

● Agree   ● Strongly disagree

Our Analysis

Despite enormous technology gains, service delivery models have changed slowly over the past few decades. The fact that approximately 40% believe that generative AI will change the relationship speaks to the potential of these very new tools. It is obvious, however, that those changes will only take place with clear guardrails in place governing how and where these tools can be used.

One thing both in-house counsel and large law firm attorneys believe strongly: Firms should not be using generative AI tools without the consent, or at least notification, of their clients. More than half (58%) of corporate clients expect the law firms they work with to give them a choice regarding the use of generative AI tools, and almost three-quarters (73%) expect the firms they work with to make them aware of the use of generative AI tools. Again, large law firm lawyers are generally in line, with 53% agreeing with the first statement and 76% in agreement with the second.

" [Generative AI] will allow in-house counsel to play a larger and more significant role in determining the best strategy and the most effective and efficient way to handle matters. It will also permit in-house counsel to not rely on outside firms for assessing and evaluating legal risks. Most importantly, it will provide in-house counsel new tools for assessing and evaluating the legal advice received from outside firms."

Changing the Way Law Is Taught

Our Analysis

Law students may be less likely to believe that generative AI will change the way law is studied and taught, because they focus on law as an academic pursuit. Only when in practice must they focus on serving clients efficiently. Law students' concern about academic integrity issues may also be a limiting factor.

A majority of lawyers (61%) expect generative AI to change the way law is taught and studied. Interestingly, it is older lawyers who are more likely to expect meaningful change. More than 64% of law firm attorneys 45 years old and up believe that generative AI will drive such change; only 54% of attorneys under 45 believe so. Those still in law school are actually much less likely to see generative AI changing the way law is taught and studied – only 44% expect to see this change.

Generative AI will change law schools and the way law is taught and studied

All attorneys

61%

Law firm attorneys 45 and up

64%

Law firm attorneys under 45

54%

Law students

44%

"Law schools must prepare law students for this new development in the legal practice. In addition to learning about the ethics of using generative AI, law students must also learn how to use AI in legal research, writing, and analysis. Law students must also learn of the risks and issues with AI and how to detect and defend when it is being used."

Conclusion: Generative AI Summary of Our Findings

To put it to the test, we provided generative AI (in a secure LexisNexis environment) with the open-ended comments we collected as part of the survey, and asked it to write a conclusion for each segment. An unedited summary of findings by segment is presented below.

Lawyers

Attorneys see potential benefits of legal AI like increased efficiency and productivity. However, they believe human lawyers are still essential to avoid over-reliance on the technology, ensure accuracy, and provide the human judgment and analysis required in the practice of law. They worry about job losses, especially for junior attorneys, and see legal AI as a tool to assist human lawyers, not replace them. The impact will depend a lot on how the technology develops and is implemented in the legal field.

Law Students

Law students recognize potential benefits of legal AI like efficiency and streamlining routine tasks. However, they have significant concerns about job security, quality of work, accuracy, bias, and ethics. They feel AI cannot replicate the complex, nuanced thinking that law requires. Legal AI may be useful for some tasks but is not yet capable of replacing human legal work. Oversight and fact-checking are essential to avoid mistakes, inaccuracy, and discrimination.

Consumers

The general public sees both promising benefits and real risks with legal AI. They desire human oversight and expertise, worry about job loss and inaccuracy, but see potential benefits like accessibility, efficiency, and cost-savings. Their views suggest the impact will be complex with both pros and cons, depending on how the technology develops and is implemented.

Overall

While all groups see potential benefits of legal AI, attorneys and law students have more significant concerns about job security, quality of work, accuracy, bias, and ethics compared to the general public. Attorneys believe human lawyers are still essential, while law students feel AI cannot replicate the complex, nuanced thinking that law requires. The general public desires human oversight and expertise but is less worried about job loss. All groups agree the impact will depend on how the technology develops and is implemented.

Awareness
- Have you heard of generative AI tools, such as ChatGPT?

Ever Used
- Have you ever used generative AI tools (e.g. ChatGPT) personally or professionally?

Current Use (Lawyers/Students only)
- Are you currently using generative AI tools (e.g. ChatGPT) in your (work/studies)?

Current Use (Consumers only)
- Have you used generative AI tools (such as ChatGPT) for legal advice or assistance?

Plan to Use (Lawyers/Students only)
- Do you plan to use generative AI tools (e.g. ChatGPT) in your (work/studies)?

How Using (Lawyers/Students only)
- How are you using generative AI tools (e.g. ChatGPT) in your (work/studies)? Select all that apply.

How Using (Consumers only)
- How have you used generative AI tools (such as ChatGPT) for legal advice or assistance? Select all that apply.

Potential for Use (Lawyers/Students only)
- Where do you see the most potential to use generative AI (e.g. ChatGPT) in your (work/studies)? Select all that apply.

Consider Using (Consumers only)
- Which of the following areas would you consider using generative AI for legal advice or assistance? Select all that apply.

Impact
- What impact will generative AI (e.g. ChatGPT) have on the practice of law?

Sentiment Toward AI
- How do you feel about the impact of generative AI (e.g. ChatGPT) on the practice of law?

Ethics
- Are you concerned about the ethical implications of generative AI (e.g. ChatGPT) on the practice of law?

Increase Efficiency
- Do you believe generative AI tools (e.g. ChatGPT) will increase the efficiency of lawyers, paralegals, or law clerks?

Change Law Schools
- Will generative AI (e.g. ChatGPT) change law schools and the way law is taught and studied?

Change Corporate Counsel Relationship (Lawyers only)
- Will generative AI (e.g. ChatGPT) change the relationship between in-house counsel and their outside firms?

How Will In-House Relationship Change (Law Firms only)
- Thinking about your corporate clients, to what extent do you agree or disagree with the following statements?
  - I think clients will expect my firm to use cutting-edge technology, including generative AI tools
  - I think clients will expect to be made aware of any generative AI tools which my firm uses
  - I think clients will expect my firm to give them a choice regarding the use of generative AI tools
  - I do not think my clients will want my firm to use generative AI tools

How Will In-House Relationship Change (Corporate Counsel only)
- To what extent do you agree or disagree with the following statements?
  - I expect the law firms I work with will use cutting-edge technology, including generative AI tools
  - I expect to be made aware of the use of generative AI tools by the law firms with which I work
  - I expect the law firms I work with to give me a choice regarding the use of generative AI tools
  - I do not want law firms I work with using generative AI tools

LexisNexis

For more information, visit lexisnexis.com/en-us/about-us/legal-ai-tools.page.

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