

Incorporating Student Reflections as Part of GAI-Assisted Legal Research and Writing Assignments

Presented by Prof. Wendy Garewal

Academic Director, Legal Writing and Research Program

Professor of Legal Writing

University of San Diego School of Law

Objectives

- ☐ Course Context, Policies, and GAI-Assisted Assignments
- ☐ Student Reflection and Documentation of Use Form
- ☐ Key Considerations from ABA Formal Opinion 512
- ☐ Influence of Student Reflections on Teaching and Learning
- ☐ Adjustments for Future Use

Course Context and Policies

Course	First Year Legal Writing and Research Courses
Law School Policy	Prohibits use of GAI tools unless specifically permitted by the professor. Requires students using a GAI tool to disclose the use.
LWR Course Syllabus Policy	Permits use of GAI tools only for specific assignments as described in each assignment's instructions.
Assignment Instructions	Specifies the permitted GAI tool, if any, and the scope of use. Provides the disclosure form.

GAI-Assisted Assignments

Semester	GAI-Assisted Assignments ¹	GAI Tool
Fall	Portion of Open Research Assignment	Lexis Protégé
	E-Memo Assignment	Lexis Protégé
Spring	Portion of Open Research Assignment	Westlaw AI-Assisted Research
	Demand Letter	Westlaw CoCounsel Draft

¹All other course assignments excluded use of GAI tools.

Reflection and Documentation of Use Form

- Created by USD School of Law Legal Writing Faculty
- Accompanied each GAI-Assisted Assignment for students to complete and return
- (Form posted in the chat)

Reflection and Documentation of Use of GAI Tool		
Assignment and Permission Source	Please identify the task for which you used a GAI tool and the source of permission to use that GAI tool in completing that task.	
GAI Tool	Identify the GAI tool that you used in completing this assignment. (E.g., <i>Westlaw's CoCounsel Draft.</i>)	
Scope of Use	Please write a paragraph specifically describing how you used the GAI tool while completing this assignment. Include a description of your initial and refining prompts, the GAI tool's outputs, and the stages of the research or writing process where you used the tool.	
Output Evaluation and Editing	Describe the steps you employed to evaluate the GAI tool's output for accuracy and comprehensiveness. Include notes about edits and corrections, additions, or deletions you made to the GAI tool's output when preparing your final work product for submission. Also note whether you evaluated any primary sources it generated with a citator.	
Reflection	Please note the GAI tool's "capabilities and limitations" ¹ that you observed when using it for this assignment with specific notes about its impact on the accuracy of the final work product and your efficiency in completing the assignment. Based on your observations, describe how you would adapt your use of this tool for future tasks.	
Certification	By typing your name in the box to the right, you certify that (1) your use of the GAI tool for this assignment complies with the course syllabus and assignment's GAI policy and (2) you have exercised your independent legal analysis to evaluate and validate all sources and content submitted for this assignment, including sources and language originally generated by the GAI tool.	

Considerations from ABA Formal Op. 512

Reflection Form Content	ABA Formal Opinion 512 ¹
Assignment and Permission Source	Consider whether permission is required prior to use. (Formal Op. 512 at 6-7).
GAI Tool	“Some courts have responded by requiring lawyers to disclose their use of GAI.” (Formal Op. 512 at 10).
Scope of Use	“[L]awyers may tell clients how they employ GAI tools to assist in the delivery of legal services. Explaining this may serve the interest of effective client communication.” (Formal Op. 512 at 9).

¹ABA Comm. on Ethics & Pro. Resp., Formal Op. 512 (2024) (available at https://www.americanbar.org/content/dam/aba/administrative/professional_responsibility/ethics-opinions/aba-formal-opinion-512.pdf).

Considerations from ABA Formal Op. 512

Reflection Form Content	ABA Formal Opinion 512
Output Evaluation and Editing	<ul style="list-style-type: none">• “[A] lawyer’s reliance on, or submission of, a GAI tool’s output—without an appropriate degree of independent verification or review of its output—could violate the duty to provide competent representation” (Formal Op. 512 at 3-4).• “As a matter of competence, . . . lawyers should review for accuracy all GAI outputs.” (Formal Op. 512 at 10).
Reflection	“[L]awyers must have a reasonable understanding of the capabilities and limitations of the specific GAI technology that the lawyer might use.” (Formal Op. 512 at 2-3).
Certification	“[T]he lawyer is fully responsible for the work” (Formal Op. 512 at 4).

Influence of Student Reflections on Teaching and Learning

Learning	Teaching
Habit Formation	Feedback for Adjustments
Efficiency	Platform for Commenting on Process Decisions
Integration of Technology and Professional Judgment	Credit for Process in Submitted Work Product
Critical Thinking and Assessment	Verification of Compliance

Adjustments for Future Use

- When students should complete each segment of the form
- Anonymously-graded assignments
- Impact on the grading process

Questions