

Misuse as Mirror: What AI Reveals About Lawyers, Law Students, and Wellbeing

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DRAFT ABSTRACT

Recent examples of lawyer misuse of generative artificial intelligence have generated widespread concern within the legal profession. Lawyers have been sanctioned for citing nonexistent cases, relying on fabricated quotations, and submitting work product containing inaccurate information generated by AI systems. Discussions of these incidents typically focus on technological limitations, attorney incompetence, or failures of professional responsibility. While these concerns are important, they may also obscure a deeper question: why are lawyers increasingly turning to AI tools in ways that fail to account for their limitations?

Drawing on the framework developed in the book AI Snake Oil, this paper argues that lawyer misuse of AI should be understood not only as a technological or individual failing, but also as a reflection of broader pressures within legal services institutions. In this respect, highly publicized examples of misuse can function as a mirror, revealing conditions that make AI solutions particularly attractive to lawyers and legal organizations. These conditions may include resource scarcity, time scarcity, workload pressures, and demands for efficiency and optimization that have long been associated with concerns about lawyer wellbeing. The paper also examines how AI hype, anthropomorphism, and other cognitive biases may shape perceptions of AI systems and contribute to misplaced trust in their outputs.

By shifting attention from AI itself to the professional environments in which AI is adopted and used, this paper contributes to emerging scholarship at the intersection of legal technology, lawyer wellbeing, and professional responsibility. It suggests that meaningful responses to lawyer misuse require more than technological competence and individual accountability. They also require greater attention to the institutional pressures, professional incentives, and cognitive dynamics that influence how lawyers understand and use AI. In doing so, the paper offers a framework for viewing AI misuse not merely as a problem to be solved, but as an opportunity to better understand the challenges confronting the legal profession itself.