

Akerman Intelligence Alert

What California's New Lawyer AI Law Means for Litigants

October 12, 2026

By [Evelina Gentry](#) and [Joshua R. Mandell](#)

California's [Senate Bill 574](#), signed by Governor Gavin Newsom on September 30, 2026, takes effect January 1, 2027. The law bars lawyers from delegating the practice of law to generative AI, adds a court-disclosure requirement for AI use, and requires personal verification of citations in court papers, regardless of whether AI was used. It also addresses confidentiality and verification of AI-generated work.

For businesses involved in California litigation and their counsel, these changes raise practical questions about handling client information and preparing court submissions. In-house lawyers licensed or registered in California who use generative AI also have reason to review the requirements.

Many of the underlying duties are familiar from the State Bar of California's [2026 Practical Guidance](#) on generative AI. SB 574 puts specific requirements into statute while leaving some important details unresolved.

Delegation and AI-Assisted Work

Under new Business and Professions Code section 6068.1, a lawyer "shall not delegate the practice of law to generative artificial intelligence," and a lawyer who uses it "to assist in the practice of law" takes on

Related People

[Evelina Gentry](#)
[Joshua R. Mandell](#)

Related Offices

[Los Angeles](#)

Akerman Intelligence

Akerman Intelligence is Akerman's platform for AI strategy, research, and thought leadership. Through original analysis, client collaboration, and strategic partnerships, we help organizations navigate the legal, operational, and governance challenges of artificial intelligence.

[Learn more](#)

the duties described below. Neither “delegate” nor “the practice of law” is defined.

One of those duties is verification: a lawyer must take “reasonable steps” both to confirm that AI output is accurate, including “all case and statutory citations,” and to fix “any erroneous or hallucinated output in any material used by the attorney.” By its terms, that language covers a client memo or an internal research summary just as it covers a brief.

The statute appears to leave room for AI-assisted research and drafting, provided the lawyer continues to exercise independent professional judgment. The boundary becomes less clear when a system can carry out legal tasks without further instruction.

For example, using AI to summarize deposition testimony for a lawyer’s review is different from allowing an AI system to determine which discovery objections to assert without attorney review. The first assists the lawyer; the second may cross the line into delegating legal judgment. As AI systems become more capable of performing more steps in a legal workflow, that line may become harder to draw.

Court Disclosure

The disclosure duty is in section 6068.1(a)(3)(C): a lawyer who uses generative AI must “[d]isclose the use of generative artificial intelligence to the court for all documents submitted to the court.”

The provision can be read two ways. If “the use” means use in preparing a particular document, disclosure attaches only to filings that generative AI helped produce. Read more broadly, it would require a lawyer who uses generative AI anywhere in practice to disclose that fact with every filing. Nothing in the statute addresses what a disclosure should say or where it belongs.

The application may be straightforward when generative AI drafts portions of a brief. It is less clear when a lawyer writes the brief but relies on a generative summary from a research platform or uses a generative AI feature embedded in ordinary software. The State Bar’s guidance notes that familiar research and practice tools may contain AI without being labeled as such.

In federal litigation, the Central District of California’s Local Rule 83-3.1.2, for example, adopts State Bar Act standards, which may bring section 6068.1’s duties into federal practice by incorporation. SB 574 does not address that interaction.

The same provision separately requires lawyers to consider whether to disclose generative AI use when it creates content provided to the public.

Confidentiality and Access Restrictions

The confidentiality restriction turns on access. The statute bars lawyers from entering “confidential, personal identifying, and other nonpublic information” into a generative AI system if access to what they input “is not restricted to the attorney and persons authorized by the attorney under obligations to protect the confidentiality of the information.”

For example, using AI to prepare a medical chronology from thousands of pages of medical records may involve both confidential client information and personal identifying information. The statutory definition expressly includes medical, psychiatric, and financial information.

The State Bar’s guidance cautions that protecting client confidences requires more than generalized marketing assurances. An enterprise label or a no-training promise does not, by itself, establish who can access inputs. Retention terms and vendor review practices help answer that question. Separate confidentiality duties, client restrictions, and court

orders still apply, and compliance with this access condition does not itself resolve privilege questions.

Personal Verification of Citations

SB 574 also adds a citation rule to Code of Civil Procedure section 128.7: “[a] brief, pleading, motion, or any other paper filed in any court shall not contain any citations that an attorney responsible for submitting the pleading has not personally verified, including any citation provided by generative artificial intelligence.” On its face, the requirement applies to every citation, whatever its source.

The personal-verification duty is express. Two questions are left open: which lawyer counts as “responsible for submitting” a filing that several lawyers worked on or signed, and what personal verification involves.

For example, a partner reviewing a summary judgment brief may receive a draft in which an associate or paralegal has already checked every citation. The statute nevertheless requires an attorney responsible for submitting the filing to personally verify the citations.

Violations can draw sanctions under the procedures section 128.7 already provides, and “[a]bsent exceptional circumstances, a law firm shall be held jointly responsible for violations committed by its partners, associates, and employees.” Section 128.7 continues to exclude “disclosures and discovery requests, responses, objections, and motions,” though other verification and professional obligations still apply to those materials.

Another open question is whether California’s existing rules will be amended to require a formal certification regarding citation verification or AI-generated work. SB 574 requires attorneys responsible for filing papers to personally verify citations but does not require a separate attestation or certification. Other jurisdictions have adopted

more explicit filing certifications. For example, Florida's statewide rules require a signing attorney to certify that the legal authorities identified in a filing exist and are accurately cited. Some courts in California already impose certifications of their own. The Orange County Superior Court's appellate division treats a signature on a filing that contains AI-generated content as a certification that the signer has personally verified the content's accuracy. In the Central District, Judge Josephine L. Staton requires a separate declaration disclosing generative AI use and certifying that the filer has verified the AI-generated content. Whether the State Bar or the Judicial Council will adopt a statewide requirement remains to be seen.

Arbitrators and Judges

For arbitrators, new Code of Civil Procedure section 1282.1 provides that they "shall not delegate any part of their decisionmaking process to any generative artificial intelligence tool." An arbitrator who wants to rely on AI-generated information from outside the record must first make "appropriate disclosures to the parties" and give them a chance to comment on its use "as far as practical." Parties can ask the arbitrator or provider whether generative AI will be used and how the arbitrator will comply with these limits.

For judges, new Code of Civil Procedure section 180 directs the Judicial Council to publicly revisit, and revise as necessary, Standard 10.80 on judicial use of generative AI.

Preparing for January

Businesses and their counsel can review how these requirements fit their existing AI practices and matter instructions. Useful questions include which generative features are in use, who can access information entered into them, and how AI-assisted work is checked.

For litigation teams, the review can also address who personally verifies citations and how AI use will be identified and disclosed before a court submission. Before January 1, clients and counsel can decide which generative features belong in their matters and under what conditions.

This Akerman Intelligence Alert is intended to inform clients and friends of the firm about developments that may affect their business. It is not intended as legal advice for any specific matter and does not create an attorney-client relationship. Please consult with counsel to determine how this information may apply to your specific situation.