The Future of Litigation & AI: Three Things I Know, Three Things I Think, and Three Things I Predict

By Trey Cox

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Over the last 90 days, I've spent a great deal of time thinking about and immersing myself in artificial intelligence, not in the abstract, but in real terms. I've been working with AI hands-on, inside our proprietary and confidential platforms, experimenting and learning how these tools can actually be applied day-to-day in a high-level litigation practice. My focus has been specific: how can we use AI to develop and prepare for trial more effectively?

It's been an intense, immersive period. I've tested generative tools, reviewed draft pleadings and memos created with AI input, built models to explore jury dynamics, and examined how machine learning can assist in complex discovery. I've seen where AI shines and where it stumbles. I've asked hard questions about its reliability, ethics, efficiency—and where it fits in a lawyer's workflow without compromising the craft.

There's still more to learn. Every week, I discover a new limitation, a new use case, or a new
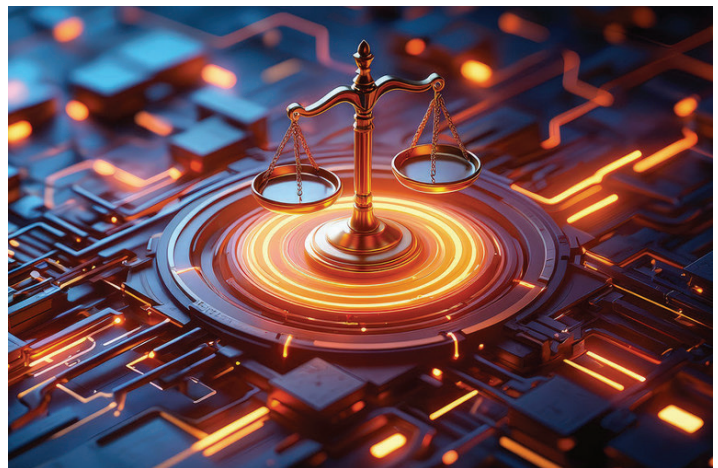
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angle that alters my perspective on this technology. But after three months of deep work, I can say this with confidence: AI will not eliminate the work of litigators, but it will absolutely reshape it.

Here are three things I know, three things I think, and three things I predict about the role of AI in litigation—and what that means for clients and lawyers alike.

Three Things I Know

First, AI is already changing how cases are built—and it's doing so in ways that help lawyers

do better work, faster. In my own testing, I've used AI tools to quickly analyze massive summary judgment motions, to assemble invoices from three different firms for a significant fee application, and to flag inconsistencies across expert reports and transcripts. These are real-world examples of how AI can accelerate the parts of our job that are repetitive and mechanical, freeing up more time to focus on strategy, advocacy, and judgment. It's not about replacing lawyers; it's about augmenting their ability to deliver.

Second, junior lawyers stand to benefit the most from this shift—if they're trained the right way. In traditional litigation teams, new associates spend years buried in document review, slowly earning the chance to contribute meaningfully to case strategy. But when AI handles some of that initial lift, those same lawyers can engage earlier with the substance of a case. I've already seen this happen in practice. Exercises that once required days of human review now produce results in hours, giving associates a clearer view of the whole case from the outset. This opens the door for earlier responsibility, faster learning, and deeper growth.

Third, AI doesn't reduce risk—it changes where the risks lie. Anyone who assumes AI will always be accurate is setting themselves up for failure. Models hallucinate. They make confident but incorrect assumptions. They can be biased or trained on flawed data. In legal work, where precision matters, this isn't a minor problem. It means lawyers must stay deeply involved in validating outputs, questioning assumptions, and interpreting results through the lens of legal judgment. AI is not an "answer engine." It's a powerful assistant—but one that requires supervision.

Three Things I Think

I think that the legal industry is still underestimating how fast this shift is coming. There's a lot of surface-level chatter about legal tech and AI, but when you look deeper, most firms are still treating AI as a novelty—something to dabble in, not something to build around. That's a mistake. In the last 90 days alone, I've seen developments that would have been unthinkable six months ago. The pace of improvement is exponential. The firms that wait for the dust to settle will find themselves far behind.

I also think that the billable hour is going to come under serious pressure. When AI can reduce the time it takes to perform routine tasks by 80% or more, clients are going to start asking why they're still paying for the old model. And they're right to ask. Value in litigation has never really been about hours—it's about outcomes. I expect we'll see a shift toward outcome-based pricing, with AI-driven efficiency making that model more practical than ever. Clients will demand it. Firms that resist will lose ground.

Finally, I think that the most successful litigators over the next decade will be those who can move fluidly between legal reasoning, technology, and storytelling. AI doesn't care about the courtroom. It can't read a jury, negotiate a settlement, or build trust with a client. Those are human skills, and they're more important than ever. But the litigators who combine those

human strengths with technical fluency. But the litigators who combine those human strengths with technical fluency—the litigators who understand what AI can do, what it can't, and how to make it work for their clients—will be the ones who lead.

Three Things I Predict

I predict that entirely new roles will emerge within litigation teams. We'll see specialists who focus not on law or tech alone, but on the space in between: lawyers who guide AI integration, oversee validation of model outputs, or design litigation strategies that account for AI-driven insights. These roles will become essential, especially in large-scale litigation where speed and precision are everything.

I also predict that AI will dramatically change how trial teams prepare and execute. Imagine a junior lawyer using an AI tool to draft a motion, while a mid-level lawyer tests voir dire strategies through simulated jury models, and a senior litigator refines arguments based on AI-assisted risk analysis. That's not science fiction—in many ways, it's already happening. In my work over the past three months, I've seen just how powerful these tools can be when deployed correctly. The team structure will evolve, but the need for human expertise will not disappear. It will concentrate in the areas that matter most: judgment, persuasion, and connection.

And finally, I predict that trust will become the defining currency of litigation in the AI era.

Clients will not just hire lawyers for their legal minds—they'll hire them for their ability to harness AI responsibly, strategically, and ethically. The lawyer who can say, "Yes, we use AI, and here's how we safeguard your data, validate the outputs, and protect your privilege," will win that trust. The one who can't—or who hides behind jargon—will lose it.

In the end, the mission hasn't changed. As litigators, our job is to advocate for our clients, navigate complex problems, and deliver results. But the way we do that job is changing—fast. Over the past 90 days, I've tried to get as far ahead of that change as possible. I've explored AI's capabilities, tested its limits, and begun to map out how it can help us build stronger cases, work more efficiently, and deliver more value.

There is still more to learn. I expect the next 90 days will reveal even more than the last. But I share all of this now—for clients, colleagues, and anyone thinking about where litigation is headed—because I believe we have a responsibility not just to react to change, but to shape it. AI is not coming for our jobs. It's coming for our habits, our assumptions, and our comfort zones. The lawyers who engage with it fully, critically, and creatively will lead the next generation of legal practice.

I plan to be one of them.

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