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Apprenticeship Is Being Automated

By Trey Cox

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For a century or more, this has been a job that trained young lawyers from the bottom up. First-years read the documents, checked the citations, and drafted the memos no client would ever see, and the ones paying attention turned into lawyers.

AI is taking that bottom layer now, and firms are right to let it. The privilege log that once consumed a first-year's autumn now comes back tagged in a single afternoon. Research, first drafts, review — the machine is faster and cleaner on the mechanical parts, and the billable hours that paid for a young lawyer's training are disappearing with the work.

Most of the worry I hear rests on a premise that does not survive examination: that the grind was how lawyers got made and its disappearance is existential to the future of our profession.

Reading 40,000 documents does teach you something worth naming. It teaches attention to detail. You come out of a big review knowing a case can turn on a bcc in an email or a word changed between two drafts of a contract, and you cannot try a case without that. But that is not judgment. No one becomes a

trial lawyer by reviewing more documents; I have watched plenty review a great many and stay exactly what they were. Detail and judgment are separate skills that may or may not arrive at the same address, and our profession got in the habit of assuming one naturally followed the other.

Where Judgment Actually Comes From

Judgment comes from a narrow kind of experience: time under real tension, with something on the line. You ask a question in a deposition, the witness does not break the way you expected, and success hinges on your ability to adjust in the next breath. An objection lands in the middle of your best cross and you handle it standing up with the jury watching, no chance to look up the rule. The judge asks the question you did not want, and you answer in the way that moves the ruling toward you. None of that lives in a document. You learn it at the point of attack, by failing the first time.



Trey Cox of Gibson Dunn.

Courtesy photo

This is something AI cannot do for you. It may draft your outline and cross you in rehearsal at two in the morning until your questions are clean; use it for that. What it will never do is stand up when the judge is irritated and the witness is rambling and the ruling is about to go sideways. You will always own that, and the only preparation is having been there before.

So hand the detail work to the machine and keep the visceral experiences for yourself. That sounds tidy; it is hard, and you must pursue it deliberately.

Going faster is the mistake

When something that took a week now takes an hour, the instinct is to fill the extra time: more matters, faster turnarounds, more output. That instinct gets you beaten, because volume was never the constraint. Being right is, and moving fast toward the wrong record only gets you to the wrong place sooner.

The moment demands the opposite of speed: slow down enough to build a way of checking the machine. AI is most dangerous when it is confident, and its mistakes do not announce themselves. They come back formatted and cited — and sometimes flat wrong.

The profession is already running the experiment in public. In 2023, in *Mata v. Avianca*, two New York lawyers filed a brief resting on six decisions ChatGPT had made up, with fabricated citations and quotations and real judges' names pasted onto opinions they never wrote. Getting nervous, they asked ChatGPT whether the cases were real; it told them yes. Judge P. Kevin Castel called the fake reasoning gibberish and sanctioned the

lawyers and their firm \$5,000. That era of leniency is over. Three years later, a federal court in Oregon levied roughly \$110,000 on two lawyers for the same failure. The penalties in between are climbing through fee-shifting, disqualification, suspended licenses, and bar referrals. Courts have run out of patience for lawyers who do not read and own what they file.

That trend tells you where the value moved: to the lawyer who catches what the machine got wrong, the old attention-to-detail skill pointed at the output instead of the input. A human still signs the brief, owes the duty, and answers to the court when it is wrong; the machine answers to no one. The lawyer who can run it and stand behind the result is worth more now. The one who passively forwards the machine's work and hopes for the best is a sanction waiting to happen.

It's up to you to get the reps

The old apprenticeship produced judgment the way a slot machine produces winners: occasionally and for a few, with no reliable link between input and result.

Count reps, not hours. A rep is you, live, against a real opponent on a real record, doing the thing rather than watching: taking or defending a deposition, arguing a contested motion, examining a witness. It's also having impactful interactions with clients, delivering a hard truth and demonstrating your value. Carrying the binders is not a rep; second-chairing is watching, worth something but not standing up yourself. Set a limit and hold it: one real rep a quarter, at least one a year on your feet before a live judge. Then grade it against a standard, not against

your relief that it is over. Can you question in all three settings, cross and direct and deposition? Do you know the rules of evidence well enough to use them in real time, not look them up? Those are real tests, and they do not soften for juniors.

The machine earns its value as a sparring partner, not a ghostwriter: an opponent you can summon at any hour and set to any difficulty, one that will cross-examine you until your questions come clean and press you on a ruling until the argument stops leaking. Let it carry the volume of rehearsal no mentor has time to give you. The live one you still walk into alone.

Put every name, place, date, and document inside the question, so the answer is a fact that stands on its own in a motion or an impeachment. “You were aware of the risks, right?” is a missed opportunity. “On June 12, in the fortieth-floor conference room, you read the memo warning the structure could fail, and you signed the approval that same afternoon,” gives you a sentence you can read to the jury a year later, transcript in hand. Put your question and the witness’ response on a page alone and evaluate; if it does not resonate, it is not built. You own it only when you can do it live, with a witness fighting you and the clock running, and rebuild the next one clean after the first blows up.

If you are the labor right now, this is for you

The obvious objection from anyone reading this in a document-review seat or a mid-market shop: fine advice for someone with jury trials on the calendar, but useless for me. The lawyer with the marquee matter has reps handed to him; if you are the labor the machine is replacing, it’s up to you to go take yours, and the discipline is not a luxury but the whole game. You do not need a bet-the-company case. Opportunities can be found in the smallest contested motion on your desk. Ask for the opportunity. If you ask and are told no, the system failed you and should be fixed. Never ask, and the missed opportunity is yours alone. Nobody will promote you out of the replaceable work. You get out by piling up the work the machine cannot do. Start doing that now, if you haven’t started already.

Like it or not, the grind that we once considered indispensable to career development is not coming back, and not worth much grief. It may have given you an eye for detail, and it may have let everyone pretend that the experience had an educational purpose. What it never gave anyone was judgment, and that part is still available on the old terms. You have to stand up and earn it.

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