May 29, 2026

The Harvey Partner

Harvey AI is at 200+ law firms. The client wasn't told. The partner signed off. Here's what your firm hasn't resolved.

01

Background

What Harvey does, who deployed it, and what the ABA said about it.

01 — BACKGROUND

200+ firms. $3B valuation. One unresolved compliance question.

- Harvey AI: legal-domain LLM, $206M raised, $3B valuation (April 2026 Series C). Deployed at A&O Shearman, Paul Weiss, Cleary Gottlieb, and 200+ other firms.
- Use cases: contract review and redlining, due diligence memo drafting, case law research, deposition transcript summarization, regulatory submission drafts.
- ABA Formal Opinion 512 (July 2024): AI use in legal practice triggers Rules 1.1 (competence), 1.6 (confidentiality), and 5.3 (supervision of non-lawyer assistance). Disclosure "may be required."
- Mata v. Avianca (2023): attorney sanctioned for submitting AI-generated citations to nonexistent cases. Harvey reduces but does not eliminate hallucination risk.
- No state has issued mandatory AI disclosure requirements for attorneys — yet. Bar opinions are accelerating in 2025–2026.
- The deployment gap: Harvey adoption outran law firm policy updates on engagement letters, data handling, supervision standards, and billing.

02

Decision Required

The compliance question your managing partner has not yet answered explicitly.

02 — DECISION REQUIRED

Does your AI deployment comply with Rules 1.1, 1.6, and 5.3 — and have you made the disclosure decision Opinion 512 requires?

ABA Opinion 512 does not prohibit AI. It requires the disclosure decision to be made deliberately — not defaulted. Most firms have not documented that decision.

The confidentiality exposure: attorneys submitting client documents to Harvey are governed by Rule 1.6, not just Harvey's data agreement. The professional obligation runs to the client, not the vendor.

The competence exposure: "review it like associate work" is not a sufficient supervision standard for AI output. Citation verification, jurisdiction-specific accuracy, and source validation require an explicit standard — not implicit partner judgment.

03 — OPTIONS

Three deployment postures.

Option A

Deploy under existing standards — no engagement letter update

Fastest. Does not address Opinion 512 disclosure obligation or define an AI supervision standard. Defers the compliance gap.

Option B

Recommended

Updated engagement letter + firm-level data handling policy

AI disclosed in engagement letter (not consent-required). Data submission limits defined by matter type. Supervision standard documented.

Option C

Per-matter client consent before any AI use

Most conservative. Appropriate for matters with MNPI, PHI, or government investigation. Slows deployment; required for highest-risk matter types.

04 — RECOMMENDATION

Update the engagement letter. Define the supervision standard. Restrict data categories.

Add AI disclosure language to engagement letters for all new matters — not requiring consent, but documenting the decision was made intentionally.

Define what attorney supervision of AI output requires: verify all citations exist, assess jurisdiction-specific accuracy, identify sections relied upon.

Create a restricted data category list before deploying Harvey on regulated matters (MNPI, PHI, government investigations).

Audit which AI tools attorneys actually use — firm-sanctioned and otherwise. Shadow use of general-purpose AI through personal accounts creates worse exposure than a governed Harvey deployment.

Establish a billing policy for matters where Harvey substantially compresses attorney time. The billable hour model has not been updated for AI; bar opinions are coming.

05 — RISKS

Four material risks.

1.

Hallucination in legal citation

Harvey reduces but does not eliminate hallucination. At 200+ firms deploying at scale, the expected number of hallucinated citations reaching a filing in any given quarter is not zero. Citation verification must be mandatory, not discretionary.

2.

Confidentiality exposure from data submission

A data breach at Harvey creates professional responsibility exposure for attorneys who submitted client confidential information — independent of Harvey's contractual liability. Rule 1.6 is an obligation to the client, not the vendor.

3.

Shadow AI use under blanket restrictions

Firms that restrict AI without providing a compliant path push attorneys to use personal ChatGPT or Claude accounts — without firm data handling protections. A blanket restriction creates the compliance exposure it was designed to prevent.

4.

Fee billing exposure on AI-compressed matters

Harvey can compress four hours of associate work to forty minutes. A firm without a billing policy for AI-assisted matters is accumulating exposure that will be material when the first state bar opinion addresses AI and fee disclosure.

06 — QUESTIONS YOUR TEAM SHOULD BE ANSWERING

If your firm cannot answer these, that is your first deliverable.

1. Do your current engagement letters contain AI disclosure language — and if not, is there a documented decision that disclosure is not required under Opinion 512?
2. What data categories may attorneys submit to Harvey, and where is that restriction documented and enforced?
3. What must a reviewing attorney verify before a Harvey-drafted memo is submitted to a client or filed with a court?
4. Which AI tools are attorneys actually using — firm-sanctioned and otherwise?
5. How does the firm bill matters where Harvey substantially compresses attorney time?
6. Which practice groups carry the highest AI compliance risk, and have they received matter-type-specific guidance?

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