

# STATE OF NEW YORK

11723

## IN ASSEMBLY

September 16, 2026

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Vanel) --  
read once and referred to the Committee on Judiciary

AN ACT to amend the civil practice law and rules, in relation to the use  
of artificial intelligence and attorney-client privilege and work  
product

The People of the State of New York, represented in Senate and Assem-  
bly, do enact as follows:

1 Section 1. The civil practice law and rules is amended by adding a new  
2 section 4552 to read as follows:

3 § 4552. Attorney-client privilege and work product; artificial intel-  
4 ligence. (a) For purposes of sections forty-five hundred three, forty-  
5 five hundred forty-eight of this article, and subdivisions (c) and (d)  
6 of section thirty-one hundred one of this chapter and any provisions of  
7 law or common law which may relate thereto, a communication or attorney  
8 work product otherwise protected by the attorney-client privilege or  
9 which otherwise shall not be obtainable by another party shall not lose  
10 its privileged or unobtainable character solely as a result of it being  
11 produced by, transmitted to, processed by, stored on, or otherwise  
12 facilitated through an artificial intelligence technology, as defined in  
13 subdivision one of section seventeen hundred of the general business  
14 law, including one operated by a third-party or on a private server,  
15 provided that such communication or work product was made in confidence  
16 for the purpose of rendering legal advice or strategy, or preparing,  
17 editing, validating, or otherwise assisting in the preparation of legal  
18 materials.

19 (b) Prior to utilizing artificial intelligence pursuant to subdivision  
20 (a) of this section an attorney shall provide each client a form to be  
21 signed and notarized authorizing such attorney to use such technology  
22 for such purposes.

23 (c) The form described in subdivision (a) of this section shall be  
24 effective on the date the client first engages with the attorney,  
25 regardless of the date such form is signed or notarized.

26 (d) Such form shall explain the risks of using artificial intelli-  
27 gence, which shall include the risk of:

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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1 1. Hallucinated content or case law;

2 2. Inaccurate content or case law;

3 3. Unthorough review of content or case law; and

4 4. Poor, inadequate or ill-advised legal strategy or arguments.

5 (e) No client of an attorney shall be responsible for errors with  
6 respect to the use of artificial intelligence by an attorney, except  
7 where the attorney is the client representing themselves pro se.

8 (f) No client shall be barred from asserting legal malpractice, inef-  
9 fective assistance of counsel, any disciplinary complaint, or any other  
10 related matter by authorizing the use of artificial intelligence under  
11 this section.

12 (g) The form required by this section shall not permit an attorney to  
13 use artificial intelligence technology to engage in such authorized  
14 purposes under this section without human review. Where such form  
15 contains such a provision, the form shall be deemed void ab initio, and  
16 all information produced by, transmitted to, processed by, stored on, or  
17 otherwise facilitated through such artificial intelligence technology  
18 with respect to the particular client shall lose its privileged charac-  
19 ter and shall be obtainable.

20 (h) Where a litigant is a pro se litigant, no form shall be required,  
21 and the protections provided by this section shall presumptively apply  
22 to such litigant.

23 § 2. This act shall take effect immediately.