

Hinshaw GC Steve Puiszis Discusses Protecting Attorney-Client Privilege in an AI Age

Via *Mealey's Litigation Report: Artificial Intelligence*

In The News | 1 min read

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As generative AI reshapes the practice of law, recent court rulings raise urgent questions about the technology's impact on work product and attorney-client privilege protections. Hinshaw general counsel Steve Puiszis was among three firm leaders recently asked by *Mealey's Litigation Report: Artificial Intelligence* to weigh in on how these privileges apply in circumstances when clients use AI tools—and what firms should be doing now to alert them about the risks.

Steve discussed some of the practical steps Hinshaw is taking to guide both its attorneys and clients through this evolving landscape, including emerging best practices around engagement letters and client communications.

Here are his comments:

“While attorney-client privilege and work product protection are well established doctrines, their application to a client’s potential use of generative artificial intelligence is a new development which courts are beginning to address.

While the application of attorney-client privilege and work product are fact dependent, a client’s use of a public, consumer grade generative AI tool, which uses the information submitted to it for training purposes, is particularly problematic. As a result, firms are considering how to effectively alert their clients about this risk.

Suggestions which are starting to emerge have included the possible addition of a statement not to use such a tool in an engagement letter or via a stand-alone communication. Our clients’ use of generative AI will generate new areas of discovery, and disputes, through which the parameters of these traditional protections to GenAI queries and outputs will be hammered out.”

Read the full report (PDF)

- *Mealey's Litigation Report: Artificial Intelligence*: “Attorneys Weigh In On Work Product, Attorney-Client Privilege In The AI Age” (May 5, 2026)

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