

Hallucination / Error Taxonomy for AI-Assisted Legal Research

Use this taxonomy when reviewing AI-generated or AI-assisted legal research, memos, briefs, summaries, or drafts. A polished answer is not the same as a verified answer.

1. Citation Fabrication

The cited authority does not exist, or the case name, reporter citation, statute, regulation, or source cannot be found.

Common signs:

- The case name sounds plausible but cannot be located.
- The reporter citation leads to a different case.
- The jurisdiction, court, or year does not match the citation.
- The tool gives a citation but no reliable source link or database result confirms it.

Verification move: *Search the exact citation and the party names in a legal research database. If neither confirms the authority, do not rely on it.*

2. Citation Drift

The authority exists, but the AI tool misstates what it says.

Common signs:

- The case is real, but the parenthetical is wrong.
- A quotation is inaccurate, incomplete, or taken out of context.
- The AI tool overstates a narrow holding.
- The cited case discusses the topic but does not support the proposition.

Verification move: *Open the full case or source. Read the cited page, surrounding paragraphs, and procedural context.*

3. Doctrinal Distortion

The legal rule is real, but it is used in the wrong jurisdiction, wrong procedural posture, wrong claim, or wrong doctrinal setting.

Common signs:

- A rule from another circuit is described as controlling.
- A standard from one claim is applied to another.
- A federal rule is treated as state law, or vice versa.
- A persuasive authority is presented as binding.

Verification move: *Check jurisdiction, court level, cause of action, procedural posture, and whether the authority is binding or persuasive.*

4. Assumed Fact

The AI tool adds factual details that were not provided.

Common signs:

- The output invents dates, conversations, motives, documents, procedural history, or witness statements.
- The tool fills in “normal” facts that sound likely but are unsupported.
- The draft makes the client’s position stronger or weaker by adding facts not in the record.

Verification move: *Compare every factual statement against the client materials, record, assignment facts, or source documents.*

5. Source Mismatch

The AI tool cites a source that is not appropriate for the task.

Common signs:

- A general web source is used for a legal proposition.
- A secondary source is treated as binding law.
- A summary or headnote is treated as the court’s reasoning.
- A statute is cited without checking annotations, effective dates, or related provisions.

Verification move: *Ask: what type of source is this, and is it the right source for the claim being made?*

6. Jurisdictional Slippage

The AI tool moves between jurisdictions without signaling the shift.

Common signs:

- Cases from different states are blended together.
- Federal and state standards are combined.
- The answer gives “general law” when jurisdiction-specific law is required.
- The output omits local rules, agency rules, or state-specific exceptions.

Verification move: *Confirm the governing jurisdiction before relying on any legal rule.*

7. Temporal Error

The AI tool relies on outdated, proposed, repealed, superseded, or not-yet-effective law.

Common signs:

- The answer does not distinguish current law from proposed law.

- It ignores effective dates or amendments.
- It cites cases that have been overruled, abrogated, superseded, or negatively treated.

Verification move: *Check currency, amendment history, effective dates, and treatment.*

8. Overclaiming

The AI tool states a conclusion with more certainty than the authority supports.

Common signs:

- “Clearly,” “always,” “never,” or “courts uniformly hold.”
- The answer ignores contrary authority.
- The legal standard is described as settled when it is fact-specific or contested.
- The tool turns a possible argument into a definite outcome.

Verification move: *Look for contrary authority, exceptions, split authority, and factual limitations.*

BOTTOM LINE

When reviewing AI-assisted legal work, do not ask only whether the answer sounds right. Ask whether every legal proposition, citation, factual statement, and conclusion can be independently verified.