

California Estate Planning Workflows Are Evolving with AI: How to Adapt Without Breaching Ethics Rules



In a practice area built on decades of carefully crafted best practices and longstanding principles, statutes and case law, estate planning attorneys are facing a rare pivot point as developments in artificial intelligence (AI) reshape how legal services are delivered. No longer confined to Silicon Valley hype, this technology is redefining efficiency in attorney-client relationships.

The legal profession has always been about judgment, strategy and client trust — and AI won't replace that anytime soon. For lawyers willing to adapt, the upside is significant: leaner operations and a client experience that aligns with modern expectations. Meanwhile, those who ignore the shift may find themselves outpaced not only by competitors but also by ethics rules.

The [American Bar Association's Formal Opinion 512](#) and the [State Bar of California's AI Guidance \(2023\)](#) emphasize that attorneys have a duty of competence under [Rule 1.1 of the California Rules of Professional Conduct](#) to "keep abreast of the changes in the law and its practice, including the benefits and risks associated with relevant technology." Hallucinations also pose an ongoing challenge, requiring attorneys to independently verify AI-generated output to avoid providing inaccurate advice.

Here's what California estate planning attorneys need to know when it comes to AI, including how to harness it to elevate both their practice and professional responsibility.

AI's place in estate planning today

Estate planning is a detail-heavy and document-intensive area of law, which means AI's ability to create new text and analyze large data sets can streamline many tasks. These include:

- Drafting wills and trusts: AI can generate initial drafts based on client inputs, allowing attorneys to focus on complex customization and client counseling.
- Document review and risk analysis: AI tools can quickly scan documents for inconsistencies, missing clauses or potential legal risks, all of which improve accuracy and reduce liability exposure (when leveraged appropriately and with careful oversight).
- Client intake and data gathering: Conversational AI assistants can gather preliminary client information, saving time and improving accuracy.
- Predictive analytics: While this technology is still developing, AI can help predict potential probate issues or tax implications based on historical data, allowing for proactive planning.



Tips for integrating AI into your practice

1 Understand the tools before you use them

AI platforms can support estate planning tasks like drafting wills and trusts, but it's crucial that attorneys know how to use them effectively. ABA Formal Opinion 512 is clear: you don't need to be an expert, but you do need to understand the risks and benefits of any AI product you implement. Take time to learn how your chosen platform works, its terms of service, data privacy policies and whether it uses self-learning algorithms.

Before integrating AI into document generation, client intake processes or any other aspect of your practice, make sure to review:

- The platform's terms of service
- Whether it uses client data to train its models
- Its data privacy protections and jurisdiction of data storage
- Whether it offers options to opt out of model training or third-party data sharing

Ask your vendors:

- Will the platform store or process sensitive client financial or health data?
- Is data encrypted at rest and in transit? This is particularly important for client estate plans and tax details.
- Does the tool support HIPAA or other applicable compliance frameworks (for elder care/medical directives)?
- Can generated documents be saved and version-controlled securely for compliance audits?



2 Protect client confidentiality at all costs

Estate planning frequently involves highly personal and confidential matters, including complex and emotionally charged family dynamics and detailed asset disclosures. Attorneys have a duty to preserve this confidentiality under Rule 1.6.

Many generative AI platforms are self-learning, meaning they may retain and use your input data to improve their models. Avoid public or noncompliant AI tools that may retain input data or use it for training. Opt for “enterprise-grade” AI platforms with data protections in place, or deploy tools internally behind firm firewalls.

If your firm uses AI tools in client work, disclose this clearly. Clients have a right to understand how their information is being handled, especially if it's being processed by technologies that may raise privacy or ethical concerns.

3 Train your firm

Don't assume everyone in your office understands the risks. Provide [regular training](#) for attorneys and staff that includes:

- How to securely use AI tools during document drafting or client intake
- What types of information should never be entered into public-facing AI tools
- How to identify and correct AI "hallucinations" in estate documents, such as incorrect statutory citations or fictional tax strategies
- How AI outputs should be integrated into legal analysis — rather than taken at face value



4 Use AI to enhance, not replace, your judgment

AI can offer draft language for trusts or wills, suggest asset allocation clauses or help flag probate risks, but it cannot understand the family dynamics, financial goals and nuanced tax implications specific to your clients. Always review, customize and contextualize AI-generated content with your legal skills and experience.

5 Stay on top of regulatory changes

AI rules are evolving rapidly. The U.S. has not historically had comprehensive federal AI regulation. Instead, we've seen various executive orders and sector-specific agency guidance.

The Biden administration issued a 2023 executive order establishing new standards for AI safety, security, and civil rights, and promoting responsible innovation. The Trump administration has since repealed that order and shifted focus to promoting U.S. dominance in AI, encouraging innovation and removing some restrictions (including the AI Bill of Rights provisions that limited certain uses of AI by tech companies such as Google).

Stay informed through [California State Bar updates and resources](#), [ABA opinions](#) and [legal news coverage](#) to ensure compliance.

AI is a tool, not a replacement

AI can help automate routine tasks such as organizing client information, flagging missing documents or generating first drafts of estate plans. But its real value lies in freeing up time for what matters most: counseling clients, handling complex planning scenarios and mitigating or resolving potential conflicts. The key for estate planning attorneys is to use it strategically, without outsourcing judgment, discretion or compliance. Aim to use AI to elevate — not eliminate — the human element of estate planning work.

At CEB, we believe AI is a transformative and exciting technology for the legal profession, but attorneys remain the primary content creators and curators of our legal content and offerings. Get in touch to [schedule a free demo](#).



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