

Indiana Federal Court Finds You Cannot Rely on AI As a Replacement for Good Lawyering

Minding Your Business on April 30, 2026

On April 14, 2026, United States Magistrate Judge Tim A. Baker for the United States District Court for the Southern District of Indiana (the “Court”) entered an order in connection with certain unresolved discovery disputes in *White v. Walmart*, Case No. 25-cv-01120, finding Plaintiff’s counsel’s “exclusive reliance” on AI to identify discovery deficiencies in Defendant’s discovery responses does not “satisfy counsel’s obligation to meet and confer in good faith before asking the Court to wade into a discovery dispute,” and that while AI is a “useful tool,” it is “not a substitute for good lawyering.” *Id.* at 4.

Relevant Background

Plaintiff, Cynthia White (“Plaintiff”), filed a lawsuit against Walmart, alleging that Walmart inappropriately terminated her in retaliation for Plaintiff’s submission of a worker’s compensation claim. Walmart and Plaintiff exchanged discovery requests and responses. After failing to be able to schedule a meet and confer with Plaintiff’s counsel, Walmart requested a status conference with the Court to discuss the outstanding discovery issues including Walmart’s position that Plaintiff’s discovery responses were deficient.

Prior to the status conference, Plaintiff’s counsel raised Plaintiff’s supposed concerns with Walmart’s discovery responses to the Court through email correspondence, and the Court was able to quickly identify those concerns as having been generated by AI. The Court held a status conference on April 10, 2026, where the Court raised the issue of Plaintiff’s counsel’s potential generation of its discovery concerns with Defendant’s responses using AI. In response, Plaintiff’s counsel told the Court he fed Walmart’s discovery responses straight into an AI-program that identified deficiencies with Walmart’s responses. Counsel then used the information generated for the correspondence sent to the Court prior to the status conference.

The Court’s Ruling

Following the status conference, on April 14, 2026, the Magistrate Judge entered an order holding:

1. Parties cannot exclusively rely on AI to identify discovery deficiencies; and,
2. By exclusively relying on AI, parties fail to satisfy their obligation to meet and confer in good faith in accordance with the Federal Rules of Civil Procedure.

The Court found that independent discretion by parties is mandatory “to appropriately narrow the dispute and identify what discovery supplementation may be needed to move the case forward,” so where counsel solely relied on AI that identified deficiencies to all of Walmart’s responses, counsel “[took] a perilous shortcut around his responsibilities as a trained legal professional.” Order at 3.

Also, because Plaintiff’s counsel failed to independently review and identify deficiencies in Defendant’s responses before raising the discovery dispute with the Court, Plaintiff’s counsel “also [] failed to confer in good faith before bringing the alleged deficiencies to the Court’s attention.” *Id.*.

The Court ultimately decided Plaintiff’s responses were insufficient and required Plaintiff to supplement the discovery responses to Walmart.

Practical Takeaways

While courts recognize the usefulness of AI, it remains of the utmost importance to carefully decide *when* the use of AI is appropriate, and to ensure AI is only being used to *assist* with work product, not to function as a *replacement*. This case is another example demonstrating that in submitting correspondence or making a filing on the docket, courts take into consideration whether there was usage of AI in generating work product, and how much, and those answers can ultimately affect the court’s ultimate analysis and decision on an issue. It is apparent from the Magistrate Judge’s order in this case that the legal system is increasingly improving its ability to recognize when lawyers utilize AI in generating work product, so everyone must continue to educate themselves on when the usage of AI is appropriate (and allowed), and the appropriate way to use it in practice.

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- **Ashley M. Weringa**
Associate