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Becoming, Doing, Being: GenAI and the Promise of Professional Identity in Law

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Abstract

The legal profession offers its members a special identity in exchange for prolonged education and regulatory oversight. This article explores how the emergence of generative artificial intelligence (GenAI) challenges that promise – particularly for new entrants – and the profession's meaning and value. A key contribution of the article is to bridge two bodies of scholarship: the literature on institutional change (professional versus/and other logics and modes) and the growing research on technology in the professions. By bringing these together and drawing on the existing empirical research, we analyse how GenAI interacts with the processes of 'becoming', 'doing' and 'being' a lawyer – encompassing socialisation, tasks, motivation and esteem. Rather than treating GenAI as a singular threat or solution, we conceptualise its impacts as dependent on its melding with and reshaping existing professional and other belief systems and in certain workplace contexts. We argue that GenAI will reshape the profession's core promise – what it offers to its members, and by extension, to the state and wider society. In doing so, we raise critical questions: Will aspiring lawyers still be motivated to undertake extensive education and remain in the regulatory fold if the traditional professional payoff becomes more ambiguous? And is the profession capable of imagining new professional identities?

***Keywords**:* GenAI; artificial intelligence; professional identity; legal profession.

1. Introduction

Becoming and being a professional, including a lawyer, carries the promise of a special identity – a distinct way of working, belonging and seeing oneself. Professional work should allow for the exercise of critical thinking, certain and different types of reasoning and a high level of discretion in order to deliver quality, customised services.[1] It means being able to apply unique knowledge and skills[2] according to professional standards (both epistemic and ethical)[3] to specific situations. Professionals are entitled, at least in theory, to some degree of autonomy in their roles, and to work in 'relative isolation'[4] and free from excessive managerial, commercial and political pressures, including so they can focus on providing excellent, trustworthy work.[5]

In return, professional identity formation involves prolonged and 'semi-standardized'[6] education, training and socialisation, ongoing peer learning and submission to disciplinary oversight. According to the professional 'logic',[7] or structuring belief

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[1] Noordegraaf, "Hybrid Professionalism," 189–190.
[2] Larson, The Rise of Professionalism.
[3] Flatøy, "I Am Not an Employee," 137.
[4] Noordegraaf, "Hybrid Professionalism," 190.
[5] Note, theorists now treat professional autonomy as contingent and socially negotiated rather than a fixed trait – so "relative isolation" from managerial, commercial or political pressures is an aspirational part of its discourse and a context-dependent condition, rather than an inherent feature of professions. See Abbott, The System of Professions; Friedson, Professionalism, the Third Logic.
[6] Pratt, "Constructing Professional Identity," 238.
[7] Logics are belief systems that are absorbed into guidance for practice action, identities, structures and norms. Canning, "Regulation and Governance," 171.

system, completion of this odyssey and submission to intense regulation ultimately secure specialist expertise, a defined career trajectory and membership of a prestigious community. This reward is, or has been, how professions have explicitly and implicitly marketed or projected themselves to new recruits – to university students – and to their members.[8] Meanwhile, individuals are motivated to internationalise an identity, including a 'professional' one, when they can view it as stable, valuable, coherent and distinctive.[9]

This article considers the legal profession's promise of a 'professional' identity to prospective law students as future lawyers, and specifically how this promise is and might be affected by the introduction of 'Generative' Artificial Intelligence (GenAI). GenAI represents the latest technology entering the legal profession to catch the attention of lawyers, regulators, courts and scholars.[10] Since the release of open-access GenAI tools such as ChatGPT in late 2022, lawyers have grappled with both its potential and its risks – most notably, leading to cases where lawyers have mistakenly filed fabricated case law generated by AI, prompting courts to regulate its use.[11]

Through this identity promise, the profession is inviting law students and junior lawyers into a complex professional landscape. Here we consider the implications of GenAI use for lawyers' professional identity as offered and, in turn, for the legal profession as a whole, where the profession (and by extension the state/public) relies on individuals being motivated to undertake extensive education and remain in the regulatory fold, and where identity represents an important inducement. In doing so, this article raises an important question: will future lawyers remain motivated to pursue rigorous education and training and commit to ethical practice if the long-term rewards of the profession become uncertain? And what does it mean for the profession – and for society – if the motivations and bargains that once sustained legal identity begin to erode, and no clear alternative emerges? We consider that the inducement is lessened if the traditional payoff becomes more ambiguous, or if the profession is not able to imagine new identities that include GenAI.

This article contextualises the introduction of GenAI as coming into an already multifaceted and dynamic field of professional identity, where immense change has already occurred. We draw on the existing empirical research on technology (focusing on GenAI), identity and changes to the professional field, in law and other, reasonably comparable professions.[12] As a result, and as a key contribution of the article, we bridge two bodies of scholarship: the literature on institutional change (professional versus/and other logics and modes) and the growing research on technology in the professions. Rather than treating GenAI as a singular threat or solution, we conceptualise its impacts as dependent on its melding with and reshaping existing professional and other belief systems and in certain workplace contexts. As such, we attempt to go beyond a simplistic paradigm to ask what the processes and meanings of 'becoming', 'doing' and 'being' a lawyer gain or lose when GenAI is introduced to legal work.

Part 2 begins by further describing what is meant by GenAI for the purposes of this article, and how this technology has been received by the legal profession to date. We then outline our theoretical framework and methods, including the variables representing the main, diverse factors shaping any identity dynamics and 'outcomes'. We also note the limitations of this methodology. In Part 3, we review the concept of professional identity – its historical development, theoretical underpinnings and the profuse transformations it has already undergone due to structural, social and technological changes. This enables us to do two things: first, to situate GenAI within a broader trajectory of professional (and social) evolution, rather than as an entirely unprecedented disruption; and second, to allow our analysis to speak to both individual professional development as well as the wider interests of the legal profession as an institutional project. This project seeks to preserve its cultural and technical authority and translate this into special status and financial rewards,[13] where GenAI represents a massive challenge. In Part 4, we apply these insights to examine how GenAI may reshape the legal professional identity through three interrelated dimensions: 'becoming' (the process of socialisation into the profession), 'doing' (the nature of legal tasks and expertise) and

[8] See, for example, Rogers, "Representing the Bar," 202. For a study on how these have been eclipsed by more corporatist imageries, see Collier, ''Be Smart," 51.
[9] Ahuja, "Paradoxical Identity," 4.
[10] See, for example, Legg, "AI Creating Fake Legal Cases"; Legg, "Promise and the Peril"; Ogunde, "Generative AI in America," 715; Supreme Court of Victoria, "Guidelines for Litigants"; NSW Supreme Court, "Practice Note SC Gen 23"; Law Council of Australia, "Artificial Intelligence and the Legal Profession" (listing guidance from its constituent bodies); Rodgers, "Prompt Engineering."
[11] *Dayal* [2024] FedCFamC2F 1166; *Valu v Minister for Immigration and Multicultural Affairs (No 2)* [2025] FedCFamC2G 95; *JNE24 v Minister for Immigration and Citizenship* [2025] FedCFamC2G 1314; McNamara, "Generative AI"; Supreme Court of Victoria, "Guidelines for Litigants"; NSW Supreme Court, "Practice Note SC Gen 23." Note that the lawyer in *Dayal* subsequently had his conditions of practice varied by the regulator: see Victorian Legal Services Board, "Statement on the 'Mr Dayal' Matter." The Australian Government is consulting on broader AI regulation: see Department of Industry, Science and Resources, "Introducing Mandatory Guardrails."
[12] For a short summary of some studies in the area, see Armour, "AI-Enabled Business Models," 27, 28.
[13] Larson, The Rise of Professionalism, 49–52.

'being' (lawyers' motivations, ethics and sense of self). We conclude in Part 5 by drawing together these changes and pointing to avenues for future research.

Overall, this article explores how GenAI may reconfigure the identity-based promises at the heart of the legal profession, with implications for both individual motivation and institutional legitimacy. We write for a diverse audience: aspiring and early career lawyers contemplating their futures; law schools preparing students for a rapidly changing profession; firms and the profession itself in considering their offering or 'value proposition'; and scholars examining how technology interacts with professional identity, status and legitimacy.

2. Definitions, Theoretical Framework and Method

In this part, we include further explanation about the theoretical framework and terminology we employ, and the literature on which we draw, all of which comprise our method. As noted above, a significant contribution of this article is to draw together several bodies of scholarship focused on themes of professional identity and how professionals interact with technology.

Professional identity is 'the relatively stable and enduring constellation of attributes, beliefs, values, motives, and experiences in terms of which people define themselves in a professional role'.[14] In practice, finding a coherent and meaningful professional identity involves 'identity work', or real effort and struggle.[15] Research suggests that when a new technology is adopted, for instance, professionals may have to reconfigure their professional roles and ways of seeing themselves,[16] especially where the new technology is speculated to replace what they do altogether.[17]

Our focus is on GenAI – which we define more fully in the following subsection – as representing a radical change to the ways that people become lawyers, the work that lawyers do, and ultimately how it feels and what it means to be a lawyer (professional identity). However, there are two essential points to be made. First, GenAI is not simply entering a stable 'identity system' but impacting a profession already undergoing (and having undergone) transformation. Hence, in Part 3 we detail the literature on the 'identity environment' that GenAI is entering. We also explain, both below and in Part 3, that lawyers' identity is far from homogeneous and controlled, and 'individual professionals enact their identities in diverse ways – often diverging from the collective-level template'.[18] Individuals have a range of motivations (spanning the intrinsic to the extrinsic)[19] to carry out their work competently and ethically and to behave in a manner consistent with their role. Moreover, and occupying a prominent place in the literature, different organisational settings offer different possibilities for an identity that intersects with new guiding beliefs and practices.

Second, and following from this, there is very little existing research specifically on legal professionals and GenAI. Thus, the studies on which we draw in Part 3 are diverse, relating to different types of technology, including GenAI but also non-generative AI, and to different professions and different branches of the legal profession, including law students. Through a careful and detailed analysis, we use these studies to imagine where GenAI might be taking the profession and how its promise of a professional identity might be changed where that professional identity represents certain things to lawyers but also has wider implications for the profession's 'promise', in turn, to the state. However, this approach naturally has limitations, which are discussed further below.

2.1 Artificial Intelligence and Generative Artificial Intelligence

Artificial intelligence (AI) is a broad term capturing technologies that seek to mimic or emulate human intelligence. Though AI and law has a long history, interest in commercial legal AI applications, often utilising machine learning (ML), has grown rapidly over the last ten years.[20] ML refers generally to computer programs that can analyse large quantities of data to find statistical patterns and generalise to new and not previously seen data, thus performing tasks without explicit instruction.

Generative AI, or GenAI, refers to ML models that can be used to generate novel content. For the purposes of this article, we focus on GenAI that uses large language models (LLMs) – large quantities of textual data – to generate novel text. Typically,

[14] Ibarra, "Provisional Selves," 764.
[15] For a comprehensive analysis of the concept of 'identity work', see Brown, "Identities and Identity Work," 20-40.
[16] Goto, "Collective Professional Role Identity."
[17] Nelson, "Defining What We Do," 892; Korica, "Making Sense," 1879. Note, we are not suggesting that GenAI is a replacing technology in the legal context.
[18] Goto, "Collective professional role identity," 104 (citations omitted).
[19] Rogers, "The Ethical AI Lawyer," 83–84; citing Breakey, "Building Ethics Regimes," 333–34.
[20] See Legg, "Artificial Intelligence: What It Is and Why It Matters".

GenAI models such as ChatGPT (Generative Pretrained Transformer) are trained on publicly available internet data.[21] As explained below, this may be supplemented by other sources, such as licensed third-party information. These models are trained to recognise patterns between words and estimate the probability of certain words appearing within a particular context.[22] Probability is not deterministic (i.e. the most likely next word is not consistently selected) and can be increased or decreased, giving GenAI applications the appearance of creativity and enabling novelty. However, this may also mean that – especially in a legal context – important precision around terminology is absent. It further means, as others have explained, that GenAI applications are not 'truth tellers',[23] and are not knowledge banks or internet search engines (though they may be augmented with internet access, or trained on specific datasets). They can generate human-like text in response to user 'prompts' or inputs, but without self-awareness or context, and without engaging in a reasoning process.[24] While GenAI may generate content that does align with accepted facts, it may also be incorrect or irrelevant – termed 'hallucinations'.[25]

In legal settings, GenAI models may be used for tasks such as drafting, editing, summarising, rewording or paraphrasing, data extraction, sentiment analysis (assessing the tone of digital text) and checking for clarity and comprehension. GenAI can be used to generate drafts or provide feedback on drafts: it can give 'creative' suggestions,[26] and it might be conceptualised as a 'cognitive partner'.[27] GenAI models may be used to undertake tasks such as drafting legal documents or legal research,[28] and legal databases and practice management software increasingly offer 'GenAI' features.[29] In their recent (unpublished) study of lawyers using 'LegalGPT', an LLM that had been designed for legal use, Rodgers and Sako explain: 'This range of LegalGPT's capabilities was more general-purpose than other AI-based IT found in law firms, which were generally "point solutions" [or specific software] used for particular data-processing tasks.'[30]

In a 2024 article, Magesh and colleagues compared the performance of ChatGPT-4, alongside legal research tools using AI, both for the completeness of responses and the degree to which the programs hallucinated or invented text that did not accurately reflect the state of the law.[31] The legal tools utilised Retrieval Augmented Generation (RAG), where user queries are answered first by searching a closed body of content – in this case, legal databases – then sent to an LLM to generate a response to the user.[32] All the products produced incorrect results and hallucinations some of the time, and Magesh et al. found that lawyers could not responsibly rely on any without checking the results (noting the individualised responsibility that lawyers bear for their professional work).[33] Magesh et al. concluded, however, that 'even in their current form, these products can offer considerable value to legal researchers compared to traditional keyword search methods or general-purpose AI systems, particularly when used as the first step of legal research rather than the last word'.[34] Meanwhile, there is an added appeal in terms of time saving.[35] The Law Council of Australia has noted that GenAI in the legal context is improving, and is expected to continue to improve, as it:

> creep[s] into many aspects of routine legal work. Moreover, the same will apply in other aspects of the economy, such that AI involvement in material produced by clients, experts, witnesses, government departments, and computerised record systems will become almost ubiquitous.[36]

[21] See OpenAI, "How ChatGPT and Our Foundation Models Are Developed".
[22] Khurana, "Natural Language," 3713.
[23] Wachter, "Limitations and Loopholes," 671; Moses, "Stochastic Judges," 648.
[24] Bender, "Dangers of Stochastic Parrots," 610.
[25] Hillier, "Why Does ChatGPT?"
[26] Bloomberg Law, "Why are Lawyers?"
[27] Moore, "The Change We Work," 27; Reuters, "Generative AI."
[28] See *Handa & Mallick* [2024] FedCFamC2F 957, [7]; Harvey.
[29] See the summaries of the Law Council of Australia, Submission to Artificial Intelligence Use in the Federal Court of Australia; Ogunde, "Generative AI in America," 722–724. Note also CAIDE, "AI in the Law SnapShot"; Reuters, "Generative AI"; Moses, "Stochastic Judges."
[30] Rodgers, "Prompt Engineering."
[31] Magesh, "Hallucination-Free." Magesh et al. looked at Lexis+ AI made by LexisNexis and two Thomson Reuters products.
[32] Magesh, "Hallucination-Free," 5.
[33] See VALS Legal AI Report (benchmarking different legal GenAI products).
[34] Magesh, "Hallucination-Free," 24.
[35] Chien, "Generative AI and Legal Aid."
[36] Law Council of Australia, Submission to Artificial Intelligence Use in the Federal Court of Australia, 8–9.

In contrast, around Australia, some professional associations[37] and courts[38] have issued guidance advising caution regarding the use of GenAI for legal work, particularly in relation to material put before the court. Yet, in discussing the role of courts in regulating GenAI use by lawyers, Ogunde writes: 'A forward-thinking approach to regulation should assume that lawyers will use generative AI, whether disclosed or not, and direct its focus on facilitating proper usage.'[39] Increasingly, the lawyer population will comprise people who have used GenAI throughout their studies. This, combined with its ubiquity, will render it impossible to disregard.

Indeed, some law firms are publicising their lawyers' use of GenAI.[40] For example, large Australian firm MinterEllison was reported to be 'pushing' its staff to engage in a rapid uptake of AI tools,[41] as was UK firm Shoosmiths;[42] and lawyers are being bombarded with seemingly endless 'use cases' for GenAI, as legal tech companies rush to integrate this technology into their products.[43] Rodgers and Sako described the high level of engagement of lawyers with GenAI as 'unprecedented', noting that they were working in large law firms that had adopted custom GenAI tools for legal work.[44]

In the following section, we discuss the importance of context in terms of how lawyers might use GenAI. However, it is worth noting that the relative legitimacy of GenAI in the work setting will be key: are lawyers supported in their use, or are they doing so covertly?[45]

2.2 Theoretical Framework, Methods and Limitations

As flagged above, there is an extensive literature on professional identity, which has been understood, historically and discursively, as an essential part of professional power in the context of a wider social compact between the state (on behalf of the public) and the profession. We highlight this 'regulative bargain'[46] as it is essential to making sense of the profession's 'promise'. As part of their acculturation, aspiring and new lawyers are made aware that professionals are obligated to meet certain standards of knowledge (and its validation), competence and ethics, and operate in the spirit of public mindedness.[47] But this is an exchange: in return, they are rewarded with certain guarantees about professional life – an exclusive, protected knowledge domain (e.g. over law, legal practice and the courts), financial and social rewards, intellectual engagement and meaningful work, a sense of mastery and purpose, and membership of a distinct community with shared practices and values.[48] The profession exerts significant control over its membership, and the identity of those comprising it, through formal mechanisms such as entry requirements in the form of qualifications and licensing. Because they have agreed to submit to high standards, the state also allows professions to discipline (and, if needed, expel) their members – that is, to self-regulate – and for professionals to be 'trained, socialized and supervised by peers'.[49]

As 'social entities',[50] professions also expand their jurisdictional or 'social' boundaries[51] where possible – often in competition, but sometimes in cooperation, with other occupational groups or in response to external forces such as technology.[52] Without seeking to reduce the messiness and slippage of these dynamics, boundaries between the expertise of one profession and that

[37] See, for example, Queensland Law Society, "AI Companion Guide"; Victoria Legal Services Board and Commissioner, "Generative AI and Lawyers".
[38] Supreme Court of Victoria, "Guidelines for Litigants"; NSW Supreme Court, "Practice Note SC Gen 23"; see also Legg, "Generative AI." The courts in Western Australia and South Australia, and the Federal Court, are currently consulting on whether to introduce forms of guidance for the use of GenAI.
[39] Ogunde, "Generative AI in American," 737.
[40] Tadros, "MinterEllison Pushes"; Ward-Brennan, "UK Law Firm Shoosmiths."
[41] Tadros, "MinterEllison Pushes."
[42] Ward-Brennan, "UK Law Firm Shoosmiths."
[43] LexisNexis (2024) "Exploring the Growing Appetite"; see generally VALS Legal AI Report.
[44] Rodgers, "Prompt Engineering," 19.
[45] Webb and Paterson report that 31 per cent of law firm professionals surveyed were using an 'AI tool' at work that was not officially approved by the firm: Webb, "The Evolution of Legal Knowledge Work," citing Thomson Reuters, "Tech, AI and the Law 2024," 13.
[46] Cooper, "Regulating the UK Accountancy Profession," 8. Cooper is attributed with first coining the phrase 'regulative bargain': see, for example, Evetts, "New Directions," 341, 346. Often, the definition of the phrase used aligns with that given by Macdonald: when a body possessing abstract knowledge forms a group in which they dominate that knowledge and its market, they are in a position to enter the 'regulative bargain' with the state, which grants them a monopoly over that market: Macdonald, "The Sociology of the Professions," 10.
[47] Benner, "Formation in Professional Education," 342.
[48] Fitzgerald, "Professional Identity," 447; MacIntyre, After Virtue.
[49] Noordegraaf, "Protective or Connective Professionalism," 205, 206. We describe changes to the self-regulatory model in Part 3.2.
[50] Liu, "Boundaries and Professions," 46, citing the approach of earlier theorists.
[51] "Boundaries and Professions," 46.
[52] Francis, "Law's Boundaries," 70.

of another enable professions to 'clearly differentiate their identity'.[53] While these boundaries are rarely fixed or uncontested, and they are sometimes 'ambiguous and elastic',[54] maintaining at least a workable sense of where professional expertise lies helps to differentiate identity and sustain legitimacy.[55] Boundaries allow professions to narrate a coherent identity, and this coherence in turn supports jurisdictional claims. Rodgers and Sako theorise that professionals working with, or resisting, GenAI are engaging in different types of 'boundary work'.[56]

We use this framework as our concerns about GenAI are with both aspiring lawyers – what they are being promised as a legal professional identity – and with the profession – whether it can maintain its jurisdictional boundaries in the same ways it has (at least symbolically) as part of its exchange with the state and where GenAI is outside the profession's main institutional controls.

Turning more squarely to methods and limitations, first and as noted, there is little research specifically on legal professionals and GenAI, and our method is therefore to draw widely on the existing literature. Further, when considering the workings of GenAI on lawyers' professional identity, we also note that the profession does not (and could not) have entire control over these processes, in part because there are several variables at play, which will be outlined shortly. These dynamics are not entirely controlled or predictable, and in practice GenAI will impact lawyers' professional identity in diverse ways. Yet we assume for the purposes of our analysis that there are common threads across what lawyers do, how and what they are taught and how they see themselves; and that all will be affected, at least to some meaningful extent.

A key variable is the organisational response to GenAI, with organisations being for practitioners these days the immediate 'site and source' of professionalism.[57] Professional organisations such as law firms are not passive recipients of change, but may in fact be active drivers of it,[58] and introduce new technologies including GenAI as a means of competitive advantage.[59] As we noted above, some lawyers are being encouraged or even required to use GenAI tools. Others may be using GenAI more covertly, as shadow IT, without an organisational mandate.[60]

Kronblad and Jensen's (2023) study of lawyers working in legal tech firms examined digitisation efforts rather than 'AI' as such.[61] However, it illustrates this pivotal organisational influence over the impacts of technology on lawyers' identities. Kronblad and Jensen's study found that lawyers in legal tech organisations and newly established, technology-enabled firms (what we might term 'NewLaw') were engaging in reconfigured work practices – that is, 'doing' things that lawyers would normally not.[62] They were redefining what it meant to be a professional, combining traits of 'business people' and tech experts, as well as knowledge workers/traditional professionals.[63]

In addition to organisational setting, the type of technology being introduced, and its purpose, are salient variables.[64] Strich et al.'s (2021) study of professional loan consultants underscores this.[65] The loan consultants studied were having their decision-making substituted (as distinct from having their work augmented) by ML technology.[66] The experienced consultants found their role identity deeply challenged when they could not apply their own skills and competencies to fulfil their tasks.[67] As we explain in Part 3, legal GenAI is not presently a substitutive technology in the same way as the system described in Strich et al.'s study. There are varied applications, and subtle differences in use cases may have substantial outcomes – for instance, the

[53] Larson, The Rise of Professionalism, 14; cited by Francis, "Law's Boundaries," 71.
[54] Liu, "Boundaries and Professions," 47.
[55] Professions can sometimes intentionally create and maintain 'blurred' boundaries, where the lines between them and other professions are deliberately 'porous', occasionally resulting in the emergence of 'hybrid professionals': "Boundaries and Professions," 48.
[56] 'Boundary work' is defined as 'efforts by individuals or groups to influence the boundaries – social, symbolic, material, or temporal boundaries – that differentiate entities such as professions': Rodgers, "Prompt Engineering," 6; citing Gieryn, "Boundary-Work," 781 and Langley, "Boundary Work.' See also Liu, "Boundaries and Professions," 46–49.
[57] Flood, "Re-landscaping," 510.
[58] Faulconbridge, "How Professionals Adapt," 2.
[59] Kronblad, "Generative AI," 1.
[60] See Clark, "It Pays to Use AI."
[61] Kronblad, "Being a Professional," 99.
[62] Kronblad, "Being a Professional," 99.
[63] Kronblad, "Being a Professional," 109.
[64] Armour, "Augmented Lawyering" 71, 80–81; Remus, "Can Robots be Lawyers?" 501; Acemoglu, "Skills, Tasks and Technologies," 1043; Anteby, "Three Lenses," 189.
[65] Strich, "What Do I Do?" 304.
[66] Strich, "What Do I Do?" 318.
[67] Strich, "What Do I Do?" 311.

'quality' of prompts given by the user and the nature of using GenAI as a tool to augment, rather than replace, elements of work or work tasks. But this augmentation may be significant or substantial.[68]

Before we consider the professional identity offered to future lawyers, it is worth commenting further on the important variables of experience and/or age. Strich et al.'s study also demonstrated the key role of seniority in professionals' interactions with technology.[69] Experienced loan consultants, who had invested in significant education and training (marking them out as professionals), found adapting to substitutive AI immensely confronting to their professional identity.[70] Junior consultants, meanwhile, considered that they could leverage technology to boost their work and status.[71] We return to this theme in Part 4. Note, we do not suggest that Strich et al.'s findings would be the same for law students or new lawyers, but rather that important variables related to seniority and degree of expertise come into play, especially when using GenAI in legal contexts.

For everyone, the process of professional identity-formation will be intrinsically multifaceted and individualised, reflective of and dependent on age/experience, personal background, values, expectations, goals, relationships and role models.[72] As well as this range of variables, becoming and being a professional can be more difficult for certain groups and individuals as they engage in 'identity work' to conform to the professional image.[73] Sommerlad has described how new, diverse entrants to the legal profession struggle to overcome exclusionary barriers, 'gendered and classed differentiation and division'.[74] Finally, we are also aware that, for new lawyers, the employment contract – including compensation and working conditions – represents a 'closer' and more tangible 'promise' that they must evaluate. However, this contract is also influenced by, and in several ways 'borrows' from, the broader professional promise (professional rewards for professional sacrifice). Indeed, Bleasdale and Francis's (2020) study of millennial lawyers highlighted their special attachment to interesting work, high standards of excellence and the fulfilment of one's professional obligations as hallmarks.[75] Citing this study, Dunne has written that 'even if the law has lost some of its external distinctiveness [for reasons we explore below in Part 3] … the perceived status and role of the lawyer may continue to have internal resonance, in shaping how lawyers view and what they expect from each other'.[76] Law students are likely still anticipating or attached to a distinctly 'professional' career, even if their vision of it is unclear.

3. Professional Identity in Conditions of Change

3.1 Professional Identity, Community and Authority

Our interest in the impact of GenAI on lawyers' professional identity stems from the latter's centrality to an individual's self-concept and behaviour, and their career.[77] Further, the ways professional identity represents what it means to be a professional, and how this is projected at law school, during legal training and via firm and law society marketing and actions. Mutual recognition between individual and professional community needs to be in place for professional identity to develop. From the individual side, it involves answering fundamental questions: 'Who am I as a member of this profession?' and 'What do I do?', given that membership.[78] It involves cognitive awareness – a sense that 'I am a lawyer'; evaluative assessment – 'Because I am a lawyer, I ought to behave this way'; and emotional investment – 'Being a lawyer and being part of the legal community feels good'.[79] These elements are supported and enacted through associational membership, contributing to the profession, sensing that personal and professional values are aligned and behaving consistently with professional standards, both formal and informal.[80]

[68] Faulconbridge, "How Professionals Adapt," 2. Webb and Paterson examine how the evolution of GenAI, from 'digital law clerks' to 'robot lawyers', has shaped and will shape legal work, with impacts depending on the technology's capabilities and its adoption in practice: Webb, "The Evolution of Legal Knowledge Work."
[69] Strich, "What Do I Do?" 311. Adams has examined this in the context of managerialism: Adams, "Professional employees," 101.
[70] Strich, "What Do I Do?" 311.
[71] Strich, "What Do I Do?" 311.
[72] Sharpless, "The Becoming," 713.
[73] Zikic, "Professional Identity," 139; Wyatt, "What Does Context?" 1587; Sommerlad, "Researching and Theorizing," 190; Ashley, "Differentiation and Discrimination," 219, 221.
[74] See also Sommerlad, "What are You Doing Here?"; Sommerlad, The New "Professionalism", 226.
[75] Bleasdale, "Great Expectations," 386.
[76] Dunne, "Liberalisation and the Legal Profession," 295–96, citing Bleasdale, "Great Expectations," 386.
[77] Barbour, "Measuring Professional Identity," 38.
[78] Strich, "What Do I Do?" 305.
[79] Adapted from Flatøy, "I Am Not an Employee," 139, citing Ashforth, "Identification in Organizations," 325.
[80] Barbour, "Measuring Professional identity," 41–42.

From the profession's side, professional peers need to recognise and validate the individual as a member of their community[81] via sustained, patterned interaction.[82] Through this prolonged socialisation, lawyers become especially attached to being a lawyer: their work and professional community.[83] Although this is no longer as uniformly true, fellow members of a profession – colleagues – often have shared backgrounds, shared language, tastes and style, ways of self-presenting and common answers to the question of what being professional means.[84]

To construct a professional identity, members need to have common work practices[85] and experiences of work:[86] what they do must be agreed upon as 'professional'.[87] Everett Hughes was one of the first scholars in this area to point out (in the mid-twentieth century) how professions have agreed ways of perceiving problems (e.g. 'legal' problems) and their possible solutions.[88] Scholars have emphasised the relationship between doing (practice) and being (identity): 'being', in this case a professional, enables understanding of the self as one whose specific practices require specific tools and devices for a particular purpose.[89] Where tasks differ from those expected, it may generate uncertainty about identity, isolation and even a sense of exclusion from the profession.[90]

In his (1988) pioneering work on professions,[91] Andrew Abbott pinpointed critical features of such professional work.[92] In doing so, and for our purposes, Abbott's framework answers the identity question we posed above, 'What do I do (given that I am a member of a profession)?' Another benefit of Abbott's insight, which we elaborate upon shortly, is that it relates professional identity to the bigger questions of the professional 'project' or the acquisition and maintenance of professional status that we signalled in our discussion of the 'regulative bargain' in Part 2. Abbott divided professional practice or 'doing' into three steps: diagnosis, treatment and inference.[93] Learning these stages comprises a critical part of professional development. The work of *diagnosis* translates the client's problem into the relevant category and terms (legal) and *treatment* encompasses the reformulation back into the client's terms, imposing a subjective structure to the problem according to professional classifications and standards.[94] The work of *inference* allows (once the diagnosis work has been done) the application of professional knowledge to solve the now abstracted issue: connecting diagnosis with treatment where such a connection is initially unclear or non-obvious.[95] In the classical formulation, it is here that the lawyers' professional expertise and judgement are given full expression. This work might encompass the critical legal aspects of the matter, identified through drawing on legal expertise, conducting legal research, analysing and constructing legal arguments.

To be protective of a profession's identity and status, continuing this 'social closure' approach to understanding professions,[96] professional work (its knowledge and ethics) needs to achieve and maintain a certain composition. It must be the right blend, on the one hand reified and even standardised, and on the other customised/bespoke and discretionary. If the work is too straightforward and accessible, it could be performed by someone without legal expertise.[97] If every client/patient case involved the professional being uncertain about the proper treatment, and having to use individual discretion, there might be no real professional field[98] – and could, we add, amount to quackery.

[81] Barbour, "Measuring Professional Identity"; Wackerhausen, "Collaboration," 455.
[82] Strich, "What Do I Do?" 305.
[83] For a detailed explanation see Rogers, "The Large Professional Service Firm," 218, Pt II.
[84] As we discuss below, this has been widely problematised: see Abel, Lawyers in 21st Century Societies; Rogers, "Representing the Bar," 202; see also Harrington, "Habitus and the Labor," 282.
[85] Goto, "Collective Professional Role Identity," 88.
[86] Fitzgerald, "Professional Identity," 447.
[87] Thompson, "I'm Not Sure I'm a Nurse," 1049.
[88] Evetts, "Professionalism," 780, citing Hughes, Men and their Work, and Dingwall, The Sociology of the Professions.
[89] Ahuja, "Professional Identity and Anxiety," 589, 591.
[90] Thompson, "I'm Not Sure I'm a Nurse."
[91] Abbott, The System of Professions.
[92] Abbott, The System of Professions.
[93] Abbott, The System of Professions, 40, 47, 48.
[94] Abbott, The System of Professions, 40, 47, 48; as described by Sandefur, "Work and Honor," 382. See also Adediran, "Negotiating Status," 635.
[95] Sandefur, "Work and Honor," 400.
[96] The term 'social closure' is associated with the work of Max Weber (1947), who introduced the term in relation to a group's selection of eligibles and the broader dynamics of social power and order. In relation to the professions, it refers to the way in which professional groups restrict entry to their field, regulate membership and conditions for remaining in the profession.
[97] Kronblad, "Being a Professional," 102; citing Abbott, The System of Professions.
[98] Kronblad, "Being a Professional," 102; citing Abbott, The System of Professions.

Our point is not that GenAI tools can perform the substance of professional work as described by Abbott, and certainly not that they can perform the work of inference. Rather, it is that GenAI tools can be used to perform tasks that until now have been considered to be foundational to both the development and maintenance of the expertise necessary to perform professional legal work, such as summarising and writing. In other words, if GenAI can undertake tasks such as these, and (some) lawyers do not perform them, the expertise and judgement needed to conduct Abbott's 'inferential' work is likely to be diminished. As we discuss in Part 4, studies of lawyers point to a symbiotic relationship between the performance of work tasks and formation and refinement of expertise.

3.2 Changes and External Pressure

As flagged in Part 2, GenAI is not entering a simple 'identity' field where professionalism and professional identity are otherwise fixed and GenAI represents the first 'scary', new intrusion. The classic model of professionalism, including professional identity and other forms of what Noordegraaf calls its 'protective "shields"',[99] has already been reshaped by several forces, both long-term and new. The professions and their organisations (law firms, associations, regulators) have undergone massive upheaval and remain under pressure. With the impacts felt at each point of the analysis of professional identity, the (in part idealised, projective) 'regulative bargain' model of professionalism is no longer so popular in academic discussions.[100]

One fundamental pressure driving these field-level changes is managerialism, the promotion of standardisation and accountability as key methods used to appraise and assess how people work.[101] Increasingly, professionals are working in larger organisations and their work is subject to efficiency-driven, cost-conscious practices that prioritise profitability and 'value add' performance over traditional self-regulation and collegialism.[102]

A critical driver of managerialism in the legal context 'is the corporate client becoming more demanding and the lawyer–client relationship drastically changing',[103] as clients and their values directly influence lawyers' careers.[104] Clients no longer perceive themselves to be loyal to a single firm – seeking tenders, faster and less bespoke options, innovative approaches and greater justification of costs or different methods of costing work.[105] In parallel, a government competition and consumerist agenda has reframed professionals, including lawyers, as 'service providers', and their professional bodies as joint partners or co-regulators. This has shifted the focus – with good reason in some respects – from professional discretion to client-driven and market-based evaluations of legal services,[106] and imposed additional state oversight. Against a backdrop of huge growth in the profession, it is argued that in the process its expertise has become again less 'bespoke' and more standardised, perhaps broken down into smaller components, which are parcelled out among different workers or outsourced.[107] These shifts have accelerated other (political, social, economic) trends segmenting the legal profession and its organisations into specialised fields.[108]

In this context, as distinct from assuming anything about the traits of a profession or its power, scholars have turned to the processes of professionalisation, with a special focus on how organisations have negotiated tensions and contradictions between managerialism and professionalism.[109] This includes the extent to which these organisations (or their leaders) have been able to maintain and even increase authority, prestige and financial advantage,[110] or face increasing external regulation and constraints.[111] This scholarship describes how 'professional service firms' or 'managed professional businesses'[112] are striking different amalgamations where the practices and beliefs of managerialism and professionalism are competitive or, on the other hand, well-aligned with one another, producing multiple possible meanings.[113]

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[99] Noordegraaf, "Protective or Connective Professionalism," 206. Note, Noordegraaf later agreed with critics that connective work by professions might also be protective: Noordegraaf, "Protective or Connective Professionalism," 228, 231.
[100] Flatøy, "I Am Not an Employee," 137.
[101] Kirkpatrick, The New Managerialism, 43−44.
[102] Pinnington, "Archetype Change," 86–87; Adams, "Professional Employees," 101.
[103] Rogers, "Legal Project Management," 137.
[104] Gustafsson, "They Are Your Testimony," 73.
[105] Brivot, "Digitalization and Promotion," 808.
[106] For a full description of these regulatory and discursive changes, see Rogers, "The Large Professional Service Firm."
[107] Evetts, "A New Professionalism?" 415; Soubise, "Professional Identity," 425.
[108] Soubise, "Professional Identity"; Parker, "The Ethical Infrastructure," 158.
[109] Flatøy, "I Am Not an Employee," 137.
[110] For some of this discussion, see: Muzio, "Consequences of Defensive Professionalism," 615; and Brock, "The Reconstructed Professional Firm," 145.
[111] Sommerlad, 'Implementation of Quality Initiatives," 311.
[112] For discussion of the term 'managed professional business' see De Haas, "Archetypes," 170–71.
[113] Lander, "Drift or Alignment," 123.

Writers have observed so-called 'hybrid' professional identities when, for instance, professionals take on concurrent roles,[114] documenting identity dynamics and struggles, including where one identity replaces another, where they blend or exist in isolation, either in conflict or as complements.[115] Writing in the organisational management literature, Noordegraaf has emphasised especially the ability of professionals to manage both 'logics', being trusted, independent advisers as well as subject to external controls and efficiencies even if they never entirely reconcile them.[116] There may be major tension points between professionalism and managerialism, but when professionals 'feel and see contradictions' between them, they are 'able to deal with them'[117] and navigate these 'imperatives, objectives, interests and requirements'.[118] At the same time, a person wishes for their professional self to feel congruent with their inner self-conception, and works to reduce discrepancies between them.[119]

More recently, Noordegraaf has observed that today's professionals are more willing to cross (and 'breach') traditional disciplinary boundaries to make connections with others and to provide what their 'stakeholders' need.[120] Further, they are capable of carving out new forms, accompanied by new manifestations, of professional identity while still retaining a sense of themselves as professionals.[121] Thus, being a professional means working out the blends of professionalism (carefulness) and managerialism (efficiency) and, importantly for our discussion in the next section, doing so jointly with others (clients, managers, staff, other stakeholders) and using new technologies.

Overall, across settings, the research agrees that professional identity is no longer uniform; various combinations of professional and managerial arrangements and values have emerged and interdisciplinary collaborations with other professions, management disciplines[122] and, increasingly, technologists and legal innovators have become more common. GenAI thereby does not disrupt a previously stable system but instead enters an already evolving, complicated professional landscape with multiple resources for a lawyer's professional identity. As we explore in Part 4, however, it is unclear whether that identity, and the professional promise more broadly, will continue to resonate as GenAI further unsettles the terrain.

3.3 AI and Collective Identity

In this shifting landscape, Goto has observed that 'technology' represents a curious addition to the field because it does not itself represent a logic – professionalism or managerialism, for example, 'a priori'.[123] It can be used to support autonomous, publicly minded, customised work (professionalism), or organised, standardised and measured work (managerialism), or both; or other types of 'logic' – creative, entrepreneurial and so on. Others have also emphasised how technology does not enter an occupational field fully defined but rather is constituted within the context.[124] Goto's point is that research has tended to look either at the relationship between institutional logics and individual identities, or between technology and professional identity, but not at the more complex intersections of these.[125] Goto asserts that technology therefore needs to be treated as an 'environmental condition' that surrounds and supports both logics.[126] Webb, drawing on others, has looked at tech as part of a number of forces transforming the 'ecosystem' of law as a professional service.[127] He explains: 'If we see the profession as a process bound up with knowledge construction and the maintenance of knowledge claims, then we should consider technology as not just a tool but also an actor and mediator in that process.'[128] Meanwhile, Flood and Robb also consider tech 'an actor'.[129] Rodgers and Sako conceive of GenAI, an emerging technology, as an artefact with which professionals have evolving and dynamic relations, rather than as an entity.[130] We conceptualise it somewhere between these descriptions: we can see technology as implicated in shifts occurring within different institutional logics, which themselves influence and are influenced by professionals' identity work.

[114] Noordegraaf, "Hybrid Professionalism"; Adams, "Professional Employees," 101.
[115] Sirris, "Coherent Identities"; Noordegraaf, "Enterprise."
[116] Noordegraaf, "Hybrid Professionalism," 199.
[117] Noordegraaf, "Hybrid Professionalism," 202.
[118] Olakivi, "Rethinking Managerialism," 21
[119] Ibarra, "Provisional Selves", cited in Ibarra "Identity Work," 14–15.
[120] Noordegraaf, "Protective or Connected Professionalism," 206.
[121] Kronblad, "Being a Professional".
[122] Rogers, "Legal Project Management"; Rogers, "Transforming the Legal Profession," 446. See also Empson, "Managing Partners," 808.
[123] Goto, "Collective Professional Role Identity," 87.
[124] Leonardi, "What's under construction here," 1.
[125] Goto, "Collective Professional Role Identity," 87.
[126] Goto, "Collective Professional Role Identity," 89, citing Thornton, The Institutional Logics Perspective.
[127] Webb, "Legal Technology," 516.
[128] Webb, "Legal Technology," 531.
[129] Flood, "Beyond Traditional Expertise."
[130] Rodgers "Prompt Engineering."

As distinct from the developed, nuanced discussion of professionalism and managerialism, the discussion of what new technologies might mean 'in situ'[131] tends to conform, as we raised in the introduction, to black or white thinking, often in the form of bleak predictions.[132] Indeed, the claim that technology may lead to professional expertise being supplanted or diminished, with destabilising effect on professional identity and professions, is not new.[133] In 2001, Leicht and Fennel argued that new technologies had changed ways of working, undermining professional autonomy and status.[134] In the case of the legal profession, Susskind predicted that demand for lawyers' bespoke services would be undercut by cheaper, scalable and technology-enabled services.[135] Increased interest in AI applications for legal services as potentially threatening to lawyers' jurisdiction, role and expertise has reinvigorated some of these investigations and, in many cases, 'doomsday' predictions.[136]

For example, Jones predicts that society will be reordered 'in a way that makes lawyers unnecessary in the first place'.[137] Others have said that if lawyers are still needed, their knowledge and service will be accessible and no longer scarce, with the result that their expertise will not have the same meaning, value or status it once had.[138] Tredinnick predicts that lawyers' redundancy is a few decades away, but for now 'the biggest challenge' is in AI 'nibbling away at the edges' of professional roles and in the process, 'undermining professional identity and professional bodies of knowledge'.[139] He also notes its 'tremendous opportunities' for working in new ways and developing new expertise.[140] Others assert that there are special parts of professional work and identity that, for now, are outside AI's reach. Armour and colleagues, for instance, referred to the 'classical legal tasks which AI cannot yet do'.[141] They also refer to a more complex process of mapping technical capability onto legal services, directing us to consider which of lawyers' tasks 'can be automated, which cannot, and which new tasks does automation itself engender?'[142]

In terms of the professional organisations or law firms themselves, some writers have shown how professions or their organisations have resisted or been very careful about introducing new technologies.[143] Indeed, some argue that the professions actively oppose new technologies and the external knowledge they entail, even where they might widen access to those professional services or have other positive effects.[144] Legal organisations may either introduce AI in a careful, purposive or self-serving way, or simply be resistant.[145] Simultaneously, other studies have shown that adopting digital technologies can actually assist organisations to maintain their boundaries and identity.[146] It seems the drivers are perhaps unsurprisingly for the benefit of the organisation itself.[147] Of course, within the bounds of the organisation, lawyers may still mediate the extent to which they embrace or reject new technologies,[148] as we discuss in Part 4.

Faulconbridge et al. (2023) studied the impact of a variety of AI tools used for review and search, automation of contract review and drafting, e-discovery and prediction/litigation support in legal and accounting firms.[149] They found that professional organisations are not victims of change, but rather their workforces are usually highly autonomous, including in how they drive change.[150] Faulconbridge and colleagues report that managers of 'professional service firms' are responding to the introduction of AI technology by defending 'professional' claims (or asserting what AI *cannot* do compared with a human professional); adjusting those claims (for example, carving off as legitimately the domain of AI where the AI made them quicker and less

[131] Goto, "Collective Professional Role Identity," 87.
[132] Moore, "The Change We Work." There are, of course, exceptions to this, such as Rodgers, "Prompt Engineering"; Armour, "Augmented Lawyering"; and Faulconbridge, "How Professionals Adapt."
[133] Also note the differing meanings that may be attributed to 'technology': Orlikowski, "Sociomateriality," 433.
[134] Leicht, Professional Work.
[135] Susskind, The End of Lawyers.
[136] Kronblad, "Being a Professional," 117.
[137] Jones, "AI and the Legal Profession," 637, 640.
[138] Tredinnick, "Artificial Intelligence," 37; see also Farrell, "Technology and Lawyering," citing Corrales, Legal Tech; and Pasquale, "Automating the Professions."
[139] Tredinnick, "Artificial Intelligence," 37.
[140] Tredinnick, "Artificial Intelligence," 37.
[141] Armour, "Augmented Lawyering," 78–79; see also Pasquale, "Prediction," 63; Hildebrandt, "Law as Computation," 12.
[142] Armour, "Augmented Lawyering," 82; see also Autor, 'Skill Content," 1279.
[143] Kronblad, "Beyond Digital Inventions," 123; Callegari, "Digitalization and Law," 291.
[144] Bell, "Artificial Intelligence," 257–258; see also Webb, "Legal Technology," Part 4.
[145] Kronblad, "Being a Professional"; Callegari, "Digitalization and Law."
[146] Pareliussen, "Professions, Work, and Digitalization," 100.
[147] Kronblad, "Generative AI"; Tadros, "MinterEllison Pushes"; Ward-Brennan, "UK Law Firm Shoosmiths."
[148] Rodgers, "Prompt Engineering."
[149] Faulconbridge, "How Professionals Adapt," 2, 8–9 (Table II).
[150] Faulconbridge, "How Professionals Adapt," 7; citing Faulconbridge, "Organizational Professionalism," 7; Muzio, "The Global Professional Service Firm," 897.

mundane, sometimes in the process relabelling those tasks as routine and 'non-professional'); and restating what made certain tasks 'professional', centring on 'professional judgement'.[151] Managers saw AI as an opportunity to create and claim new domains, often in cooperation with groups of new employees who were not 'professional' in the classical sense. In the legal context, these workers are perhaps trained as lawyers but no longer practise; their work may focus on technology for firm operations and away from clients and other 'professional' work.[152] This resonates with the concept of 'coproduction of expertise', as new legal technologies necessitate collaboration between lawyers and others.[153] Meanwhile, the NewLaw arrangements that Kronblad and Jensen investigated were even freer from the structures of the traditional law firm and professional community, including their physical environments and symbols.[154] To return to and tie in our earlier 'social closure' discussion, this new work jurisdiction – of law and technology – created by the firms allowed lawyers to express Noordegraaf's 'connective professionalism'.[155] This meant being free from the structures of the traditional law firm and professional community, including their physical environments and symbols. Indeed, as we further describe in Section 4.3, they deliberately eschewed the image of traditional lawyers and law firms, forging a new and contrasting form of 'professional legitimacy'.[156]

It has been argued that the current shift to GenAI is different from previous changes.[157] Reflecting on how AI may change the professional advisory role and the ways professional organisations configure themselves, Faulconbridge et al. argue that AI has 'distinctive implications for professional work compared with earlier technologies such as knowledge management and decision support systems'.[158] In our view, this is even more the case for GenAI, as it is able to perform a wide range of tasks that are central to the development and display of expertise;[159] however, it is also due to its accessibility and ubiquity, as discussed above. While previous AI applications tended to be confined to particular use-cases and tasks within legal organisations, it is likely that GenAI will be a feature of many legal applications and can be used across a variety of tasks.[160] Studies such as that of Remus and Levy (2015), which examined the time lawyers spent doing different tasks and therefore how AI would replace those tasks,[161] are less applicable in a context where GenAI can augment lawyers' work across a range of activities.

4. What Does GenAI Mean for Lawyers' Professional Identity?

In this part, we draw on existing empirical research to consider how GenAI, as part of broader technological change, may affect the construction of a desirable professional role identity for lawyers. We examine the processes of identity-formation: how lawyers become lawyers (learning and community); what they do as lawyers (the attainment of professional expertise and the practice of law); and who they are as lawyers and how that feels (ethics, motivations and self-concept). Our interest is in whether we can say there are foundational elements of a lawyers' professional role that – while compelled by various motivations, imperfectly enacted and possibly challenged in different ways and in different contexts – remain pivotal to the professional self-concept, and whether these elements may be changed by GenAI.

4.1 Becoming

In this section, we focus primarily on the lawyer's identity-formation, or the processes of 'becoming' that occur through workplace socialisation and training within legal firms or organisations. These settings remain the most concentrated sites of professional development for new lawyers and are where they may be required, allowed or choose (either covertly or overtly) to use GenAI for their learning, practice and induction to the profession. However, it is important to briefly acknowledge the substantial body of literature on how law schools shape early-stage professional identity and teach the critical skills, attitudes and values involved in 'thinking like a lawyer'.[162] On a macro level, Larson (1977) notes that formal education is integral to modern professionalism, with universities serving as the principal purveyors of professional knowledge, including that which

[151] Faulconbridge, "How Professionals Adapt," 18–19.
[152] Faulconbridge, "How Professionals Adapt," 22–23; see also Rogers, "Transforming the Legal Profession."
[153] Webb, "Legal Technology," 531; citing Liu, "Boundaries and Professions," 51.
[154] Kronblad, "Being a Professional".
[155] Noordegraaf, "Protective or Connected Professionalism"; see also Pareliussen, "Professions," attributing Noordegraaf, "Hybrid Professionalism" and "Protective or Connected Professionalism." 'Connective professionalism' means retaining the authoritative meaning and hallmarks of professions while recognising their connection and relation to outsiders. It emphasises how professional status relies on outside 'actors' and external factors.
[156] Kronblad, "Being a Professional," 100.
[157] Law Council of Australia, Submission to Artificial Intelligence Use in the Federal Court of Australia, 17 [81].
[158] Faulconbridge, "How Professionals Adapt," 2.
[159] See Rodgers, "Prompt Engineering" on how expertise in prompting was not divorced from but adjacent to substantive legal expertise.
[160] Law Council of Australia, Submission to Artificial Intelligence Use in the Federal Court of Australia, 18 [86].
[161] Remus, "Can Robots Be Lawyers?"
[162] Mertz, The Language of Law School.

is considered objective or 'scientific', thus playing a key role in maintaining professional status.[163] The decisions made by today's law schools regarding the integration of GenAI will influence the skills and attitudes of 'day one' lawyers in practice.

The process of 'becoming' a lawyer, like other evolving aspects of professionalism, does not adhere to a singular model that GenAI might then disrupt. Notwithstanding, for new lawyers effectively using GenAI as a (digital) mentor or 'companion' on their own and/or at the request of a partner or senior lawyer (for instance, to receive first round feedback), their experiences will differ markedly from those of earlier generations. Flood and Robb suggest that professional development will occur through 'AI-enabled learning systems that can provide immediate feedback and personalized guidance'.[164] Here, we consider GenAI as a supplement to traditional forms of learning, recognising that this may well change in the longer term.

Historically, and representing 'traditional professionalism', becoming a professional – including a lawyer – was rooted in an apprenticeship model, an 'on-the-job' learning process where novices learned directly from experienced practitioners. This mentorship-based model involved a sustained (usually year-long) period of shadowing senior lawyers, observing their practices and seeking their guidance through questions and discussions. Cain described this apprenticeship in the context of the barristers' profession as 'esoteric education' and secretive knowledge shared through (and while enjoying) 'intimate conviviality'.[165] Supervised practice represents the modern from of the apprenticeship. In Australia, for example, newly admitted lawyers are required to complete a period of supervised practice, typically 12 to 24 months under the guidance of a qualified lawyer in the same legal practice, with the duration dependent on previous studies and whether they are entering the solicitors' profession or the Bar.[166]

Several studies have indicated that this intense process of professional socialisation between novice and expert mirrored or incorporated features of traditional rites of passage – marked by rituals of subordination, uncertainty and secrecy, and the forging of strong hierarchies and loyalty.[167] This apprenticeship model was not only a method of professional development but, in being an intense and unusual ordeal, also served as a signal to external audiences (such as clients and government) and to practitioners themselves. It attested that the profession, and those within it, possessed rare and special qualities,[168] belonging (as a result of the mortifying experience) to a different 'moral universe'.[169] These qualities were often linked to the profession's status and authority, exemplified by its association with powerful institutions, such as the legal system's connection to government.

Before considering how GenAI might affect elements of the classical apprenticeship model, we should note that this model has already changed (on which we elaborate shortly), and avoid assuming that further change would be an inherently negative development. It is possible that, at some point, GenAI could bring positive changes to professional socialisation by mitigating some of the 'darker' aspects of the classical model that represent drivers for change.[170] These features include rituals of humiliation, high stress, minimal instruction and an over-emphasis on technical competence at the cost of empathy and ethics.[171] Moreover, the traditional apprenticeship model can sometimes reinforce discriminatory or self-reproducing professional norms.[172]

As with other aspects of professionalism, professional socialisation has developed, albeit slowly,[173] in complex and intertwined ways, and now involves formal, structured and regulated vocational and workplace training. This movement has been driven in part by the profession itself, as signalled, and reflects wider social changes toward meritocratic, standardised systems and away from personalised, hierarchical models.[174]

[163] Larson, The Rise of Professionalism.
[164] Flood, "Beyond Traditional Expertise," 4.
[165] Cain, "Necessarily Out of Touch," 241.
[166] For example, SLP is a statutory condition (condition 2) imposed under section 49 of the Legal Profession Uniform Law on every first Australian practising certificate issued by the Council of the Law Society of New South Wales.
[167] Examples of professional studies that draw on Van Gennep's famous model include: Arkin, "Military Socialization and Masculinity," 151; Haas, "Taking on the Role of Doctor," 187; Elkin, "Rites De Passage," 27; McNamara, "Rites of Passage," 863; Schleef, Managing Elites.
[168] Haas, "Taking on the Role of Doctor," 187; Schleef, Managing Elites, 5.
[169] Nugent, Elite Cultures, 5.
[170] For a comprehensive look at the politics surrounding change in the English context, see Abel, English Lawyers.
[171] Rogers, "Feeling Bad"; see also in the context of medicine, Becker, Boys in White; Haas, "Taking on the Role of Doctor"; Hafferty, "Into the Valley."
[172] This is Richard Abel's main thesis: see, for example, Abel, The Legal Profession in England.
[173] For some of the reasons, see Fitzgerald, "Stirring the Pot," 151.
[174] Fitzgerald, "Stirring the Pot," 151. Mandatory vocational courses, which aspiring lawyers must complete prior to practice, were introduced to bridge the knowledge and skills gap between law school and the apprenticeship, reflecting what were perceived to be deficiencies in both.

Adding more formal training to the apprenticeship is also market-led, initiated by firms themselves. As law firms have grown, and become more specialised, corporatised and responsive to powerful clients, the nature of training within them has also evolved to reflect their own strategic needs[175] and a broad competency framework.[176] Firms might provide formal induction and orientation programs and then lectures and/or workshops in some or all of the following: substantive law, including emerging areas; legal practice (research, writing, negotiation, advocacy, and even GenAI or legal technology itself); interpersonal skills (for example, client relations, communication and collaboration); practice management; and how to work in a firm.[177] To address current legal developments or emerging areas of practice and client demands, firms may also use 'non-lawyer', professional manager staff, including hybrid professional-technologists and/or external providers to provide specialised training. Many of these topics cross into non-legal disciplines, such as leadership, management and technology.[178]

In large firm settings at least, these arrangements – apprenticeship-plus-training – are a response to firms' typical bottom-heavy workforce structure, with a small number of partners relative to a higher number of novice lawyers. There may not always be work that can be delegated to a junior lawyer, or clients willing to pay for a new lawyer's training through their matter.[179] At the same time, and an example of a 'defensive' response to changing conditions,[180] firms want to capitalise on the labour of juniors while they are paid the least in the firm. Formal training becomes essential to get young lawyers up to speed or otherwise provide controlled, targeted and accelerated learning.[181] If GenAI disrupts the classical apprenticeship, firms are already providing structured alternatives and supplements to this model, and have been for some time. Moreover, it seems likely that firms will increasingly use GenAI to create their training systems and even, possibly, to capture the tacit knowledge (knowledge that is usually unspoken, learned informally) of senior professionals before they retire,[182] especially the last cohort of those who developed their expertise without GenAI.

One contemplation is whether professional training and socialisation must be prolonged in order to foster a certain, special type of identity. Strich et al.'s study of the identities of loan consultants showed that substitutive AI can create new 'discrepancies' in how professionals perceive their roles in the field.[183] For the senior loan consultants, before the introduction of AI, the role had allowed considerable freedom in approaching loan solutions,[184] earning them high esteem among colleagues and friends.[185] These senior professionals singled out the loss of decision-making authority as the critical threat to their status as 'full-fledged' consultants,[186] with most feeling that the AI system had deskilled them and reduced their role to that of data entry assistant.[187] This relates to aspects of 'doing' and 'being' discussed below. But there was also something significant in the nature of the learning process. These consultants felt they had earnt their status through prolonged and difficult education and training, and that now, with AI and (in the language of this article), the promise of that investment (of thoughtful, autonomous work) was not being honoured. This is a common sentiment among professionals: that their status is well-deserved, having been hard won through years of effort, dedication and difficulty.[188]

With law firm strategic goals of controlled, targeted and accelerated learning in mind, the novice consultants in Strich et al.'s study saw the AI technology quite differently: as a fast-track to 'becoming' a qualified professional. Within its guidelines, the AI system enabled them to take on tasks and responsibilities similar to those of their senior colleagues. It allowed them to join a previously exclusive group of experts and engage in the same type of work, flattening a traditional professional hierarchy.[189] They did not perceive their role in the way the senior loan consultants did, under either the 'classic' professional model (professional loan consultants) or the AI-professional model (the threatened professional, 'data entry assistants'), but rather as a newer, more optimistic identity of 'service-oriented customer companions'.[190]

[175] Blunden, "Designing and Running," 35.
[176] Sherrin, "Practice Makes Perfect," 131, 134; Hamilton, "Law Firm Competency Models," 6.
[177] Adapted from Blunden, "Designing and Running."
[178] See de Perio Wittman, "Taking on the Ethical Obligation," 1.
[179] See Bosbach, "How will People Enter," 231.
[180] Muzio, "Consequences of Defensive Professionalism".
[181] Blunden, "Designing and Running."
[182] Fenoglio, "Tacit Knowledge Elicitation."
[183] Strich, "What Do I Do?".
[184] Strich, "What Do I Do?"
[185] Strich, "What Do I Do?"
[186] Strich, "What Do I Do?"
[187] Strich, "What Do I Do?"
[188] Rogers, "Representing the Bar."
[189] See also Klimkeit, "No Longer Second-class Citizens," 115.
[190] Strich, "What Do I Do?" 318.

The novice consultants indicated that they found AI empowering as it helped them develop their knowledge and skills while also masking their lack of expertise.[191] This is important because, in some respects, GenAI can and will help novice lawyers and, in the process, alleviate some of the uncomfortable and potentially distressing elements of lawyers' 'traditional' socialisation. These tools can offer, for example, immediate access to vast amounts of legal information and provide responses in real time, allowing trainee lawyers to bypass having to ask a senior for their time and/or wait for their supervisor's availability. GenAI tools could also encourage lawyers to consider a wider range of ethical considerations and viewpoints, which a novice lawyer – despite guidance from senior colleagues, or even because of this guidance – might otherwise overlook due to biases and blind spots inherent in professional role identity and life within a law firm.[192] The ability to ask GenAI 'obvious' questions or to run a draft through it for feedback before submitting it to a supervisor –something supervisors might require – can be invaluable in the early stages of a lawyer's career. During this time, when juniors are also being evaluated, GenAI could be a helpful support. In the context of the Bar, for example, where fellow practitioners often feel more like competitors than colleagues,[193] having a private, non-anxiety-inducing source of mentorship could be a significant benefit.

But discerning when the use of GenAI is supporting professionals to learn and perform to a higher standard, or simply masking lack of expertise, may be difficult. Choi and Schwarcz found that weaker law students could use GenAI to improve their answers in an assessment.[194] However, this is a measurement of masking, not genuine learning – there is no evidence that the students developed any new understanding by using GenAI. Masking is a risky and uncertain strategy where the professional is learning and does not have the required domain knowledge and skills against which to compare and otherwise assess its value. This risk is perhaps heightened where the tool is not fully substitutive and/or where the professional is expected to overlay their own expertise. As outlined in Section 4.2, GenAI is often wrong, incomplete and/or sycophantic. If a lawyer fails to pick up on its errors or omissions, the use of GenAI may make a junior lawyer appear significantly less, rather than more, competent in the eyes of their supervisor and colleagues, even leaving aside the potential ethical, liability and disciplinary risks that could flow.[195] Writers have concluded that a real risk of GenAI for lawyers is that it 'embarrasses' them.[196]

Various studies have shown the capacity for AI and GenAI to lift up the weaker performers in a cohort.[197] It may also be effective and efficient for senior lawyers to use GenAI, as they will have sufficient knowledge and experience to adequately judge its outputs,[198] provided they understand the limitations of the tool they are using, and take adequate time to review.[199] Junior lawyers will, however, be unlikely to have these capacities. Moreover, it has been suggested that experts have better ability to recall their knowledge when that knowledge becomes relevant in context, as opposed to when they are expressly prompted.[200] This is a result of a process of 'skilled encoding' into long-term memory.[201] As we discuss below, it is unclear how the availability of GenAI tools will impact law students' and lawyers' acquisition and encoding of legal knowledge – the knowledge that enables the exercise of judgement. Further, a key facet of professional judgement is ethical judgement, pointing to the need for education at both university level and beyond to develop this in the context of GenAI.[202]

While GenAI can appear to replicate certain levels of legal knowledge and feedback, it cannot (as yet) replicate the nuanced, real-world experiences that come from shadowing or otherwise working with a mentor, such as interaction with clients, handling ethical, interpersonal and procedural issues under pressure and making strategic decisions in real time. Although the quality of supervision varies, a senior lawyer's ability to mentor through dialogue, providing insight into how they themselves balance competing interests or make 'judgement calls' under uncertainty, is a critical component of the traditional apprenticeship. Using GenAI for feedback or training might promote solo, siloed work, unintentionally limiting the opportunities for networking and mentorship within the profession. In the traditional apprenticeship model, the face-to-face interaction between senior and junior lawyers fosters not only collaboration and knowledge transfer, but also professional relationships that can have significant long-term benefits. Additional interpersonal, collaborative and collegial elements may also be changed by the use of GenAI tools.

[191] Strich, "What Do I Do?" 316, 319.
[192] Rodríguez-López, "Artificial Moral Experts," 1371. But see also Selten, "Just Like I Thought," 263.
[193] Rogers, "Representing the Bar."
[194] Choi, "AI Assistance in Legal Analysis."
[195] See Legg, "Promise and the Peril."
[196] Cyphert, "AI Cannibalism," 301, 316.
[197] Choi, "AI Assistance"; Alimardani, "Generative Artificial Intelligence," 777; Nielsen, "Building a Better Lawyer," 979; Choi, "Lawyering in the Age," 147.
[198] Legg, "Better Than a Bot," 273.
[199] Noting that some reported cases of lawyers using incorrect material produced by GenAI have involved senior lawyers.
[200] Feltovich, "Studies of Expertise," 59, 71.
[201] Feltovich, "Studies of Expertise," 59, 71.
[202] Legg, "Better Than a Bot". To understand the wider challenge of teaching ethical judgement in the law context and some possibilities, see Rogers, "Legal Ethics Education," Parts 3 and 4. For a framework in the context of AI, see Rogers, "The Ethical AI Lawyer."

Dennis et al. (2023) looked at whether AI agents could be perceived as team members in a virtual team (by American undergraduate students) and what biases would be for or against the AI agent as a team member.[203] They found that the AI team members were perceived to have higher ability and integrity, but lower benevolence towards other members. AI team members had more complex effects on perceived conflict within the group and 'process satisfaction' in the procedures used within the team about how they functioned together as a unit – probably due to the lowered human relationality.[204] Likewise, in their (2022) empirical study of the 'artificial colleague', Sadeghian and Hassenzahl found that that working with a human was more motivating and meaningful compared with working with an AI agent independent of the task (i.e. tested across different task distributions).[205]

A final aspect of the apprenticeship model that might eventually be eroded further through GenAI use concerns the ways it was intended to forge strong, collegial mentoring relationships supporting a broadly staged progression up each level of the professional hierarchy. That traditional path has been rendered less linear by changing conditions.[206] Yet, at some point, if fewer juniors are trained because their work is significantly augmented by AI,[207] and the experienced seniors with 'real' (human, non-automated) expertise phase out of practice, where will the tacit knowledge reside and who will be the human 'in the loop' of learning and quality control? Webb and Paterson have referred to AI as having the capacity to 'externalise' legal knowledge, as data becomes a capital asset rather than being bound up in the 'elevator assets' or human capital.[208] It is unclear what this might mean for future lawyers and their roles, including who becomes an owner of data and how the entity's knowledge is advanced and built. Others have noted that the use of AI in law firms has added implications for career paths, as cohorts with different, more tech-oriented skillsets strive to be rewarded,[209] challenging 'some of the fundamental organizational structures and assumptions governing [professional service firms]'.[210] The more formal and widespread introduction of AI technologies, including GenAI, further unsettles the aspiration and path to partnership and what it means to be a member of and move through this profession.

4.2 Doing

What lawyers *do* has a symbiotic relationship with who they perceive themselves to be.[211] In this section, we consider the ways GenAI may change the actual tasks performed within classical legal work. Disaggregating 'types' of legal tasks is, in practice, complex. Lawyers typically undertake a wide range of context-dependent tasks.[212] Moreover, the role is a 'thick' one, where tasks are performed within the context of relationships and with a sense of externally owed duties.[213] Maister et al. conceive the lawyer–client relationship as developing over time: beginning at the level of utilising technical skills (the 'vendor' level, where specific tasks or 'one-off' services are provided), but perhaps moving beyond, where the lawyer places issues in context and gives perspective to the client, and ultimately to the 'trusted adviser', who dispenses wisdom and exercises judgement.[214]

In a similarly linear way, earlier legal AI applications tended to avoid (discursively) the suggestion that AI could become the 'trusted adviser': positioning themselves as non-threatening to lawyers' core professional role. Instead, AI was (and continues to be) positioned as 'freeing' lawyers from tedious – indeed menial – work, which can be undertaken by AI, leaving professionals with 'high-value', more intricate or meaningful tasks, or where 'AI work' is de-professionalised.[215] An example is the use of Technology Assisted Review (TAR), utilising machine learning to undertake voluminous document review, traditionally carried out in large scale-matters by teams of junior lawyers or paralegals.[216] As TAR for discovery became more widely endorsed,[217] it was hard to argue that either lawyers or clients were 'losing' much in its automation – lawyers did not miss spending days, weeks or months reading through a multitude of documents, in each case identifying whether they were

[203] Dennis, "AI Agents as Team Members," 307.
[204] Dennis, "AI Agents as Team Members," 307.
[205] Sadeghian, "The 'Artificial' Colleague."
[206] Muzio, "Consequences."
[207] See Herbert, "Artificial Intelligence."
[208] Webb, "The Evolution," 25.
[209] Rodgers, "Transforming Law Firms," 299, 311; Faulconbridge, "How Professionals Adapt," 10.
[210] Faulconbridge, "How Professionals Adapt," 10; citing Empson, "Partnership versus Corporation," 139; Smets, "25 Years," 91 and Nordenflycht, "What is a Professional Service Firm?" 155.
[211] See Sandefur, "Work and Honor."
[212] See, for example, Remus, "Can Robots Be Lawyers?"; Sinsheimer, "Lawyers at Work," 63; Howarth, Law as Engineering; Mather, Divorce Lawyers at Work.
[213] Pasquale, "Automating the Professions"; Webb, "Legal Technology," 530.
[214] Maister, The Trusted Advisor.
[215] Faulconbridge, "How Professionals Adapt," 18–19; Bell, "Artificial Intelligence," 257–58.
[216] Faulconbridge, "How Professionals Adapt," 18–19; Bell, "Artificial Intelligence," 257–58; see also Sandefur, "Work and Honor."
[217] Grossman, "Technology-Assisted Review."

relevant and should be discovered, were not relevant or were privileged; and clients did not miss paying for the lawyers' and paralegals' time.[218] When TAR is used, training the machine learning system to correctly classify documents continues to be done by lawyers, ideally supervised and overseen by a lawyer with some seniority and expertise in the matter in question.[219] But the process of undertaking the review could largely be outsourced to AI without diminishing the value of that expertise, and generally without fear that lawyers would lose fundamental skills if they no longer performed the review themselves. Note, however, Sinsheimer and Herring's (2016) observation in their study (discussed further below) that reviewing documents did seem to teach junior lawyers new, important ways of reading quickly and purposefully.[220]

However, other, later applications are quite different from the use of TAR – which, while it uses ML, is a relatively confined and mechanistic application.[221] Rodgers et al. wrote of lawyers using AI:

> In an industry survey, 25% of respondents in law firms said they used AI-assisted legal technology for 'legal research'. This suggests that it is the most widely adopted Legal AI/ML use case in law firms' legal practice. Although until recently Legal AI/ML for legal research typically helped only at the periphery of the process – for instance, by identifying and retrieving potentially relevant cases or statutes – the latest developments succeed in actually generating legal arguments, moving much closer to the core of the workflow.[222]

As these authors indicate (noting that their data were collected prior to the launch of open-access LLMs), the move into generating legal arguments brought the legal technology closer to a lawyer's work of 'inference'. That is, the types of tasks that GenAI is capable of performing (albeit not infallibly, and indeed not necessarily even well), such as researching, drafting, rephrasing, summarising and giving feedback on text, arguably are more closely connected to the lawyer's 'classical' legal work, or the areas where specialist expertise has been both developed and is also most evident.

Studies of lawyers' tasks show the interconnectedness of different 'types' of task, as well as their deep connection to ('professional') thinking, critical analysis and problem-solving.[223] That is, reading, writing and rewriting are more than technical tasks, but enable (both in the sense of learning to do and in doing) lawyers to develop and exercise more esoteric skills, involving degrees of discretion and autonomy, critical and creative thinking and the exercise of ethical and epistemic judgement. Sinsheimer and Herring's (2016) ethnographic study (referenced above) focused on the reading and writing tasks of one senior and six junior lawyers working in different organisational settings (large firm, mid-sized firm, non-profit, sole practice).[224] These authors found that the junior lawyers spent the majority of their time engaged in 'purposeful' reading.[225] When engaged in writing tasks:

> their writing process began by reading and rereading the information they would use to substantiate their written texts. They often worked from templates and revised their work multiple times … their composing process for email exhibited meticulousness and a high degree of concern for word choice and tone.[226]

Lawyers also moved between reading and writing tasks, continually thinking and reflecting.[227]

GenAI's capacity to produce human-like text has obvious relevance for these critical components of lawyers' work. Its use carries risks as mentioned before: even GenAI products trained on 'legal' databases may nevertheless hallucinate, leave out information or produce imperfect summaries.[228] Nevertheless, at times GenAI materials can appear astonishingly capable. Research studies have suggested that ChatGPT-4 could pass student law exams and bar exams. While initially performing at a below-average level,[229] it subsequently improved performance.[230] Choi et al. found that using GenAI could assist weaker

[218] Of course, it may be that law firms did miss billing for all that time.
[219] See Legg, Artificial Intelligence and the Legal Profession: "AI, Pre-Trial Information Gathering (Discovery and Disclosure) and Litigation Lawyers."
[220] Sinsheimer, "Lawyers at Work."
[221] Note that GenAI may be used in TAR: Law Council of Australia, Submission, 11, para [38].
[222] Rodgers, "Transforming Law Firms," citing Sako, Lawtech Adoption and Training; Baker, "Legal Research Odyssey," 5.
[223] See also Stratman, "When Law Students Read Cases," 57, 79.
[224] Sinsheimer, "Lawyers at Work."
[225] Sinsheimer, "Lawyers at Work," 72.
[226] Sinsheimer, "Lawyers at Work," 72–73.
[227] Sinsheimer, "Lawyers at Work," 87. This was identified through the lawyers talking through their thoughts for the benefit of the observing researcher.
[228] Magesh, "Hallucination-Free," analysing Retrieval Augmented Generation, and see further below in Section 4.3.
[229] Blair-Stanek, "GPT-4's Law School Grades."
[230] Blair-Stanek, "GPT Gets B-pluses," 4; Katz, "GPT-4 Passes the Bar Exam."

students to improve, but had little positive impact on high-performing students.[231] However, much depended on the sophistication of prompts that the tool was given, 'with optimal prompting it outperformed *both* the average student *and* the average student with access to AI'.[232] In an Australian study, Alimardani concluded that GenAI programs displayed below-average capabilities in answering law exam questions requiring a depth of critical legal analysis (responding to complex problem scenarios), but outperformed students in open-ended questions and essay writing tasks.[233] These studies show the critical importance of the nature of the task, the setting for use and the product used, and the capacities of the user.[234]

Other studies have also shown that GenAI tools can substantially boost the speed at which law students and lawyers undertake such tasks.[235] Nielsen et al. found that when AI highlighted key parts of the text of legal complaints, law students were able to assess the merit of the complaints considerably faster, with no diminution of quality.[236] Chien and Kim (2024) reported the results of a study of practising lawyers who were given access to and training in a legal LLM. Those with access self-reported higher levels of productivity.[237]

As Nielsen et al.'s study concluded and as we flagged in Part 2, it is important not to treat GenAI tools as monolithic.[238] There is also nothing new about lawyers leveraging their existing databases and knowledge to avoid reinventing the wheel for each piece of new work. The complexity of modern law is such that lawyers are often now highly specialised, and the development of knowledge management and use of precedents have a lengthy history.[239] The question is whether GenAI replaces more than the work of producing text, or reading – whether it will affect critical analysis skills, judgement and expertise – in both actuality and perception. Expert knowledge is essential to lawyers,[240] and GenAI may allow lawyers to do tasks much, much faster, potentially supporting both quality and efficiency, or professional *and* managerialist aims.[241] However, this may squeeze out time for reflection and judgement. In particular, as mentioned, tasks such as writing and rewriting drafts play a critical role in refining thinking, critical analysis, exercising creativity and working through ethical issues. There is also the likelihood of mental fatigue if all work is 'high level' rather than being interspersed with different types of tasks – although this depends on what lawyers 'do' with any time saved.

4.3 Being

The above sections have considered GenAI's interactions with certain dimensions of 'becoming' a lawyer and 'doing' legal work. In this section, we consider what GenAI means for an individual 'being' a lawyer, in terms of the more introspective elements of legal practice. This includes the self-concepts, behaviour, motivations and feelings attached to the role. These are the evaluative (How should I behave as a lawyer? Am I being adequately esteemed?) and emotional (pride, belonging, satisfaction) aspects of lawyer identity.[242] Beneath these evaluative and emotional dimensions is the complex task of reconciling these factors – or at least enough of them – into a coherent and desirable professional identity. Writers have described a self-disciplining effect whereby if professionals feel satisfied as members of an elite community, they are more likely to be motivated.[243]

GenAI might both support these dimensions of identity if lawyers perceive its use to be accepted and, where used 'responsibly', supportive of ethical and other professional values such as independence, excellence or access to justice. Conversely, they may be undermined if GenAI upends notions of expertise or reduces a sense of mastery, and/or where lawyers must use it in a covert way or are not able to access it (or access premium, legal applications) due to cost.

[231] Choi, "ChatGPT Goes to Law School," 387; Choi, "AI Assistance in Legal Analysis."
[232] Choi, "AI Assistance in Legal Analysis," 1 (emphasis in original). The importance of prompting was also discussed by participants in Rodgers, "Prompt Engineering."
[233] Alimardani, "Generative Artificial Intelligence."
[234] See Clark, "It Pays to Use AI."
[235] Choi, "AI Assistance in Legal Analysis," cited by Nielsen, "Building a Better Lawyer"; Uriel Socol de la Osa, "Artificial Intelligence at the Bench," 2.
[236] Nielsen, "Building a Better Lawyer."
[237] Chien, "Generative AI and Legal Aid."
[238] Nielsen, "Building a Better Lawyer"; see also Amann, "Expectations and Attitudes," 1, 2.
[239] See Schweighofer, "Knowledge Management," 47.
[240] Francis, "Law's Boundaries."
[241] Noordegraaf, "Hybrid Professionalism"; Rogers, "Legal Project Management."
[242] Flatøy, "I Am Not an Employee," 139.
[243] Alvesson, "The Best and the Brightest," 195, 206.

As we described earlier, uptake among the legal profession (and, indeed, law students) is likely quite high, and some large law firms have made public their intentions to rapidly promote GenAI use.[244] However, the discourse from firms is potentially confusing for lawyers trying to respond to evolving normative cues. It may be that new lawyers are the most prepared for this complicated picture, but they need clear direction, and the optimistic language from some firms stands in strong contrast to the profession-level approbation directed at lawyers who have 'misused' the technology. For example, the Chief Justice of the NSW Supreme Court connected GenAI use to 'laziness'.[245] Following multiple cases in which incorrect information, attributed to GenAI use on the part of either litigants or lawyers, was placed before courts,[246] some courts have, as noted previously, also issued guidance. For example, in the (2024) case of *Dayal*, the solicitor in question (whose name was not disclosed) was referred to the professional standards body for producing to the court a list of non-existent authorities that had been generated by 'an artificial intelligence tool incorporated in the legal practice management software he subscribes to'.[247] Court responses range from requiring lawyers and others to disclose whether they have used GenAI in preparing material[248] to prohibiting its use without first obtaining the court's permission.[249]

The submission of 'fake cases' or hallucinated material to a court obviously does perpetuate serious harms – wasting the court's time, potentially calling into question the administration of justice and, by extension, impugning courts and the legal profession.[250] Another risk is that a client's personal information may be compromised through a lawyer submitting confidential information to a GenAI system without awareness of the use to which that data is being put – for example, whether it is being stored and/or used to engage in the ongoing training of the system. For lawyers, inadvertently misleading the court or breaching client confidentiality opens up the possibility of disciplinary sanction, professional embarrassment (as mentioned) and undermining one's own competence and expertise. Young lawyers still hold these values closely as important to achieving high professional standards,[251] and presumably wish to maintain a current and unrestricted practising certificate.

Moreover, lawyers who have made mistakes in their GenAI use may be portrayed as ignorant and lazy, not simply within their firms but in the wider profession[252] – as lawyers attempting to cut corners in their work, showing their lack of understanding of the tools they are using and their professional obligations. Even when the results are error free, there may be stigma attached to using GenAI in legal work. An early study of lawyers and law students found that they preferred documents they believed to have been authored by a human over those they believed to have been generated by AI,[253] indicating a perception of poor quality associated with GenAI material. Rodgers and Sako reported a group of lawyer interviewees in their study who resisted the integration of GenAI into their work, seeing their existing work practices as satisfactory, and considering the GenAI tool to be untrustworthy.[254] Another group, by contrast, actively developed their prompt engineering expertise and 'acted to claim and control GenAI's integration into their professional work'.[255] We note that this is similar to the way different organisations may choose to engage in different strategies around GenAI use, mediating its impact on work and identity. Choi et al., meanwhile, reported that law students also derived satisfaction from using ChatGPT-4 effectively to complete solo tasks.[256] However, it is important to note that a sense of satisfaction in using AI to augment one's expertise (as for the lawyers in Rodgers and Sako's study) or as a novelty or challenge (as for the students in Choi et al.'s study) could be quite different from using it on an ongoing and indefinite basis.

Where courts have issued rules or guidelines discouraging lawyers from using GenAI or mandating disclosure, this also sends a message emphasising the importance of a lawyer's independent judgement and the inferiority of GenAI. Again, these could

[244] Thomson Reuters reported that in a 2024 survey, the highest use (approximately 30 per cent of respondents) was found in 'legal corporate risk and fraud departments': Reuters, "Generative AI for Legal Professionals"; Tadros, "MinterEllison Pushes."
[245] Lawyerly, "AI Rules Guard."
[246] For example, *Dayal* [2024] FedCFamC2F 1166; *DPP v Khan* [2024] ACTSC 19; *Kaur v Royal Melbourne Institute of Technology* [2024] VSCA 264. For discussion, see Legg, "Promise."
[247] *Dayal* [2024] FedCFamC2F 1166, [1] (identified as LEAP: *Handa & Mallick* [2024] FedCFamC2F 957, [7]); see also *Valu v Minister for Immigration and Multicultural Affairs (No 2)* [2025] FedCFamC2G 95.
[248] Supreme Court of Victoria, "Guidelines for Litigants."
[249] NSW Supreme Court, "Practice Note SC Gen 23"; see further Legg, "Promise."
[250] *Dayal* [2024] FedCFamC2F 1166, [11]; citing *Mata v Avianca Inc,* 678 F.Supp.3d 443 (S.D.N.Y. 2023) 448. See also the discussion in *Ayinde v London Borough of Haringey; Al-Haroun v Qatar National Bank* [2025] EWHC 1383 (Admin); Patrice, "Trial Court Decides Case."
[251] Bleasdale, "Great Expectations."
[252] Lawyerly, "AI Rules Guard"; Schnitzer, ""Humiliated" NY Lawyer."
[253] Harašta, "It Cannot Be Right."
[254] Rogers, "The Ethical AI Lawyer," 25–26.
[255] Rogers, "The Ethical AI Lawyer," 22.
[256] Choi, "Lawyering in the Age."

be confusing normative signals (especially for novice lawyers), where they are being encouraged or otherwise incentivised to use GenAI by some within their firms, but cautioned against it by others or by the courts.[257]

For lawyers who are *not* novices, GenAI is similarly potentially divisive. It may be that using GenAI is in clients' best interests,[258] if it allows lawyers to work significantly faster or more efficiently.[259] Yet, while GenAI use might be advanced by some firms or those within them, the professional and ethical responsibility for work product remains squarely with individual lawyers. Experts may also be unwilling to 'defer' to or trust AI.[260] In a (2023) study of AI in policing, Selten et al. found that police officers did not blindly trust AI recommendations but instead compared them with their own intuitive professional judgement (developed via training and experience) in deciding whether to accept and implement the AI outputs.[261] Experienced professionals were less likely to succumb to 'automation bias' – a tendency for users to neglect their own decision-making and discretionary capabilities for the apparent rationality of AI.[262] Nonetheless, and of concern, AI advice that was incongruent with their professional view was also not trusted, even when it would have acted to correct the police officers' stereotypes, biases and errors. In other words, there was a risk of 'confirmation bias'.[263] Despite much of the identity work among professionals doubling down on 'professional judgement' as a special domain that marks them out, in some areas AI-informed decisions may be better and fairer, revealing some of the weaknesses in even expert professional judgement. It appears that it will be confusing for young lawyers to know whose judgement to follow – their own or that of their seniors, given it may rely on their ability to assess the nature and workings of an AI model itself and also domain knowledge which they do not yet possess.[264]

Experienced loan consultants in Strich et al.'s study found AI to be undermining of their expertise and the years spent acquiring it.[265] Mirbabaie et al. found that employees who feared a loss of their own autonomy and competence as a result of AI perceived a greater identity threat from AI.[266] New ways of working, incorporating AI and GenAI, may mean 'that individuals cannot do their jobs with the same values and convictions as they are used to'.[267] In a similar vein, Yao's (2021) study of lawyers working both traditionally (in firms) and digitally (via an online platform) showed that, in the latter case or when lawyers' work is standardised with fixed prices, and where there is low interaction with clients and low control, lawyers felt unappreciated, subservient and more like 'waiters or customer service representatives' than professionals.[268] GenAI use may also come with detrimental impacts for lawyers' enjoyment of their work and a sense that their work is meaningful and valuable if legal work becomes less about 'legal' expertise and what it has traditionally entailed: high skill in research, analysis and written communication.

However, as indicated, these tensions and attachments to traditional ways of working will not have resonance for all lawyers, as the studies by Rodgers and Sako, and Kronblad and Jensen (discussed earlier) illustrate.[269] Kronblad and Jensen found that lawyers working in legal tech organisations and newly established, technology-heavy firms were, in these more contemporary legal settings, able to do things differently compared with 'established' law firms.[270] For instance, legal tech lawyers felt they were better able to support access to justice (a core professional value) as they were less intimidating to clients and offered simpler and cheaper legal options to suit clients' needs and means, including free automated services.[271] They saw themselves as 'visionaries' in possession of a new 'legal tech' identity, with which Kronblad and Jensen contrast the grim scenarios proposed in the literature.[272] It was, they argue, a new way of seeing oneself as a 'professional being'.[273] Kronblad and Jensen

[257] See Rodgers, "Prompt Engineering"; Supreme Court of Victoria, "Guidelines for Litigants"; NSW Supreme Court, "Practice Note SC Gen 23."
[258] For example, Legal Profession Uniform Law Australian Solicitors' Conduct Rules 2015, r 4.1.1.
[259] See Ogunde, "Generative AI." Chien, "Generative AI" found that lawyers self-reported doing tasks about 30 per cent faster.
[260] Amann, "Expectations and Attitudes," 14.
[261] Selten, "Just Like I Thought," 264–65.
[262] Selten, "Just Like I Thought," 264–65.
[263] Selten, "Just Like I Thought," 271.
[264] Note also comments by junior lawyers in Rodgers, "Prompt Engineering" that they were obliged to follow the prevailing attitude of their immediate superiors regarding GenAI: at 26.
[265] Strich, "What Do I Do?"
[266] Mirbabaie, "The Rise of Artificial Intelligence," 73, 87, citing (on identity threat) Petriglieri, "Under Threat."
[267] Mirbabaie, "The Rise of Artificial Intelligence," 73, 87, citing (on identity threat) Petriglieri, "Under Threat."
[268] Yao, "One Foot in the Online," 273.
[269] Rodgers, "Prompt Engineering"; Kronblad, "Being a Professional."
[270] Kronblad, "Being a Professional," 114.
[271] Kronblad, "Being a Professional," 108, 111.
[272] Kronblad, "Being a Professional," 113 (visionaries), 117 (doomsday scenarios), citing as an example Susskind, The Future of the Professions.
[273] Kronblad, "Being a Professional," 102, citing Ibarra, "Identity as Narrative."

surmised that legal tech lawyers were not just lawyers who used technology but had purposefully created and embraced a self-concept that was qualitatively different to 'traditional' lawyers.[274] Rodgers and Sako, meanwhile, found that lawyers who had developed their expertise in relation to prompt engineering considered this to be adjacent to (rather than replacing) their substantive legal expertise, with the latter remaining essential for them to judge the outputs of GenAI.[275] In both these studies, lawyers appeared to have developed a self-image of themselves as legal experts enhanced by their adaptation and use of new technologies.

Service to the client, as discussed previously, is and has been a key driver of many changes to the legal profession, including the rise of managerialism and changes to many work practices that once seemed timeless. It is not surprising, then, to find that client service, or client demands, are likely to be a key motivator for legal organisations to use GenAI. Bleasdale and Francis's study of millennial lawyers showed that young lawyers have broadly accepted the service-provider ideal as part of their lawyer identity or role.[276] Yet, as signalled at the start of this section, lawyers are typically motivated by more than efficiency and have a strong sense of their own value and purpose, not only to clients but as part of their role in the administration of justice. The studies by Yao, Rodgers and Sako, and Kronblad and Jensen all point to factors that make professional work more or less enjoyable – such as deployment of expertise, autonomy, collegiality, creativity and a sense of promoting access to justice. Groups of lawyers in the studies of Rodgers and Sako, and Kronblad and Jensen continued to enjoy these aspects of their work – and indeed, some may have been enhanced when compared with 'traditional' ways of working.[277] But without these factors, as Yao's study shows, a sense of 'being' a professional declines into low-skilled, low-morale work.

5. Conclusion

This article has examined the legal profession's promise to its members: a promise of a particular kind of identity, centred on closed expertise, meaningful and independent work, a community of competent and ethical peers and a set of commensurate rewards. These characteristics represent the core inducements offered to those who commit to prolonged legal study and submit to professional regulation. We have shown how the introduction of GenAI tools into legal practice poses new and potentially confounding challenges to that promise, particularly for new entrants seeking to construct an identity that is stable, coherent and meaningful. While GenAI may flatten hierarchies, it may also flatten expertise. Emerging professional identities – such as legal visionary, prompt-writer or customer service companion – may not carry the same status, satisfaction or coherence as those previously held out. This raises critical questions: will aspiring lawyers still be motivated to undertake rigorous education and training if the professional payoff is unclear? And what will this mean for the profession's own promises of ethics and expertise, and its narratives of professional status and community?

To address these questions, we drew from both power/closure and neo-institutional theories of professions, and constructivist, discursive and embedded approaches to identity. Our aim was to bridge existing literatures on institutional change and the role of new technologies in professional life. A major contribution of our article lies in the integration of these bodies of scholarship and their lenses and insights.

If GenAI undermines the meaning and desirability of legal work – by devaluing expertise or circumventing disciplinary safeguards – the profession is at risk not only of destabilised professional identities, but also regarding its own 'exchange' with the state (and the public), wherein it promises to enforce high standards of ethics and competence. The profession's promise is not neutral. As we described, it rests on claims to serve the public interest, justified by a 'regulative bargain' in which professions are granted autonomy and social and financial rewards in return for ethical, competent service. This promise, however, was – and to a significant extent remains – deeply implicated in the profession's own interests. It continues to be made, usually tacitly, by law schools, firms and regulatory bodies to law students and junior lawyers in exchange for their commitment to a demanding process of training and oversight.

At the same time, as we detailed, the legitimacy and structure of that promise and the actors who can influence it have already been radically reconfigured. Professional identity today exists within an already-contested environment, reshaped by external pressures, including managerial logics, new organisational forms, changing client and social expectations, and the diversification of professional roles and expertise. GenAI is not simply entering a stable or uniform 'identity system', but a profession continually undergoing transformation. Legal professional identity has been opened up to both welcome and

[274] Kronblad, "Being a Professional," 115.
[275] Rodgers, "Prompt Engineering."
[276] Bleasdale, "Great Expectations," 384.
[277] Kronblad, "Being a professional," 116.

disruptive forces: it is shaped by broader socio-economic trends and is continually contested and negotiated.[278] Its resources are also unevenly distributed. Understanding GenAI's role or potential role in its ongoing transformation therefore requires recognising these pre-existing changes and wider implications, rather than viewing it as a singular, and purely technological, challenge.

At the same time, professional identity is not wholly imposed by institutions or controlled by 'external' forces. Law firms are using strategies to resist new technologies or otherwise label/relabel their functions in an effort to maintain distinctly 'legal' work. Lawyers are also active participants in shaping their identities, working with (and sometimes against) organisational and professional logics to craft meaningful narratives of their professional lives. [279] We outlined how lawyers' capacity to do this in the context of GenAI will depend on a range of organisational, demographic and personal factors – including whether the technology is supported or legitimated by leadership. GenAI, in other words, does not determine outcomes. Instead, the future of legal professionalism will be shaped through dynamic interactions between institutional logics, organisational strategy and individual identity-making. While we recognise the assumptions of *meaning* in the professional promise language, throughout our analysis we have focused on what GenAI *does* and how it is being *received*.

In our discussion of what that individual identity-making might look like, we drew on existing empirical work to consider three, interrelated dimensions: 'becoming' (the process of socialisation into the profession); 'doing' (the nature of legal tasks and expertise); and 'being' (lawyers' motivations, ethics and sense of self), while remaining open to the opportunities and challenges posed to each. We showed how, for junior lawyers, GenAI offers new ways of completing tasks, but also raises profound questions about how they will learn the craft of legal practice. While they may produce work faster, and GenAI may provide a 'masking' effect, it is unclear whether they will continue to acquire the deeper, conceptual and inferential knowledge that legal reasoning requires (even if performed with GenAI assistance). GenAI has the potential to increase efficiency, but also to embed bias, produce embarrassing mistakes and erode the creativity central to the development of law.[280]

For lawyers who are already experts, GenAI may boost them to greater heights, enabling greater speed and productivity, finesse or even creative thinking. We might predict speed and intensity consequences: if lawyers no longer perform low-value, routinised work, work may become more exhausting. But for new lawyers, GenAI will cause their expertise to develop in a fundamentally different way. We can readily predict a future where there are no more lawyers whose studies or early years in the profession were completed without the existence of GenAI. Moreover, professional apprenticeship and training is not only about skill development, but also about forming relationships, building networks and internalising ethical commitments. While aspects of this socialisation process have rightly been critiqued and in some ways improved,[281] it also acts as a vital source of support, cohesion, and normative orientation.[282] GenAI, as a tool and 'cognitive partner',[283] may risk displacing these relational and ethical foundations.

We then turned to the ways in which lawyers' work is being reshaped. Traditionally, legal practice has involved substantial time spent reading and writing, where GenAI may now intervene. Some studies cited have shown that with 'optimal prompting', GenAI alone could perform better than both law students alone and those using it.[284] Lawyers' expertise will still be needed to create GenAI output by devising high quality prompts, to evaluate and correct outputs. Yet it is unclear how that expertise will be developed, and further 'skilled legal prompt writer' is a different proposition than 'lawyer'.

This shift could undermine professional motivation.[285] As we showed, the transformation of the lawyer into a prompt engineer, 'customer companion' or 'customer service representative'[286] is a very different professional identity from one built around independent judgement and expertise. Dissatisfaction with routinisation has long been observed in the profession;[287] GenAI

[278] Barbour, "Measuring Professional Identity," 38; Flood, "Beyond Traditional Expertise."
[279] Kronblad, "Being a Professional," 100, citing Katila, "Sociomateriality and Affect," 381.
[280] Cyphert, "AI Cannibalism."
[281] See Zikic, "Professional Identity," 139; Wyatt, "What Does Context Have to Do," 1587; Sommerlad, "Researching and Theorizing," 190; Ashley, "Differentiation and Discrimination," 219, 221. Further, see Sommerlad, "What are You Doing Here?"; Sommerlad, The New "Professionalism", 226.
[282] Bell, "Artificial Intelligence."
[283] Moore, "The Change We Work."
[284] See Choi, "AI Assistance"; Alimardani, "Generative Artificial Intelligence," 777; Nielsen, "Building a Better Lawyer," 979; Choi, "Lawyering," 147.
[285] Bell, "'Fit and Proper'," 121–122; Galanter, "The Elastic Tournament," 1867, 1893; Carroll, "Matter Mills," 3; Forstenlechner, "Well Paid," 640, 642.
[286] Strich, "What Do I Do?" 318; Yao, "One Foot in the Online".
[287] Soubise, "Professional identity"; Carroll, "Matter Mills"; Forstenlechner, "Well Paid."

risks exacerbating this, not just by automating 'tasks' such as writing, but by devaluing them. It is also possible that, for many lawyers, GenAI seems like just one more thing to keep on top of,[288] where the onus of using it responsibly falls back on individuals. This is the reality into which the profession is inviting law students and junior lawyers.

There are deeper implications here for the legal profession as a whole. Due to cost, some lawyers may 'miss out' on specialised GenAI legal tools, particularly those working in the legal assistance sector and small local practices, while those in elite firms may be required, and have the means, to master them. The resulting stratification has implications not only for the distribution of expertise, but for professional equity and cohesion. Moreover, GenAI challenges the basis on which lawyers claim high fees and social status – namely, that they offer uniquely human judgement, care and responsibility. If GenAI systems can deliver comparable outputs more cheaply and quickly, the profession may lose public trust and relevance. This is not only a matter of identity, but of the profession's ability to maintain its role as a custodian of law and justice, and a check on state power. Indeed, a failure to effectively and ethically integrate GenAI could also compromise the profession's ability to assist clients and deliver access to justice.

Our final point concerns the research that is yet to be done. As we described, there is a rich literature on organisational professionalism and the ways in which professional organisations and individuals negotiate and often align logics or belief systems and disciplines that would seem incompatible.[289] However, detailed studies on how AI is affecting professional life remain limited. Beyond the fear of replacement, we must explore the shifting boundaries of professional identity and expertise. Noordegraaf and Brock suggest we need to be more imaginative when it comes to professional forms and meanings.[290] In particular, Noordegraaf's model of 'connective professionalism' represents how professional identities can remain intact, and even be revitalised, through integration with new tools, roles and logics. Rather than being detached from society, professional identity is increasingly connected to clients, technologies and institutions, and may evolve with them. If professions can navigate this shift and reimagine the professional promise, they may not only survive, but redefine their role and value in the twenty-first century. What emerges may not look like the 'traditional' legal identity, but it may be no less meaningful, and no less professional.

[288] See, for example, Reuters, "Generative AI," reporting that substantial numbers of respondents to their industry survey had no plans to begin using GenAI.
[289] Note that even if professionals can successfully cross interdisciplinary boundaries and still feel like professionals, this is not to say that the oppressive features of those work systems and methods are not worth interrogating.
[290] Noordegraaf, "Protective or Connective Professionalism," 235.

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