

AI FOR IMMIGRATION PRACTICE

Managing AI *Hallucinations* in Immigration Filings

Why AI invents cases, country conditions, and deadlines that look real, and the verification workflow that keeps the fabrication out of your filings.

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Contents

What a hallucination really is	03
Why it is structural, not a glitch	
Where it shows up on a file	04
The six places to watch	
Legal tools are not immune	05
And your duties do not move	
The verify-before-you-file workflow	06
Six steps, every time	
The pre-filing checklist	07
What must be true before it leaves	
Where to start	08
The first move	

What a hallucination really is

An AI hallucination is a confident, well-formatted answer that is simply false. A case that does not exist. A holding the case never reached. A regulation no agency ever wrote.

In immigration work, that is not an embarrassment. It is a fabricated citation in a brief, an invented country-conditions source in an asylum filing, or a wrong deadline that costs a client their status.

Hallucinations are not rare glitches you can train away. They are structural. A large language model predicts the next likely word. It is built to sound right, not to be right, and it has no internal sense of whether a citation is real.

The lawyers in *Mata v. Avianca* learned this in public. They filed a brief full of cases a chatbot invented, never checked them, and were sanctioned. The tool did its job. It produced fluent text. The verification was the lawyer's job, and it did not happen.

The model is not the risk. **The unverified output is the risk.** This guide makes verification a step nobody can skip.

Source: *Mata v. Avianca, Inc.*, U.S. District Court for the Southern District of New York, 2023.

Where it shows up on a file

Six places hallucinations turn up in immigration work, and the tell for each.

Fake case citations BRIEFS AND MOTIONS	A case that looks perfect but is not in the reporter or on the court's own site.
Misstated holdings REAL CASE, WRONG POINT	A genuine case cited for something it never actually held.
Invented statutes or regs INA AND 8 C.F.R.	A section cite that does not exist, or that says something other than what the model claims.
Fabricated country conditions ASYLUM AND WITHHOLDING	A report or article with no traceable source, offered to support a claim.
Wrong procedure DEADLINES, FEES, ADDRESSES	Confident filing detail that does not match the current USCIS or EOIR page.
Mistranslation as fact CLIENT DOCUMENTS	A fluent translation of a document that is subtly, materially wrong.

Legal tools are not immune

It is tempting to assume a legal-specific AI tool has solved this. It has not. A 2024 Stanford study of legal research tools found they still produced incorrect or unsupported answers on a meaningful share of queries. Lower than a general chatbot, not zero.

And the duty does not move with the tool. Using AI does not lower the standard of care.

Candor (Rule 3.3)
TO THE TRIBUNAL

A fabricated or misused citation is a candor problem, not a typo, no matter what produced it.

Competence (Rule 1.1)
INCLUDING THE TOOL

You are expected to understand what the tool does and does not do. Tech competence is part of the duty.

ABA Opinion 512
2024 GUIDANCE

Confirms the existing duties apply fully when generative AI touches a matter.

Sources: Stanford RegLab and Institute for Human-Centered AI, 2024; ABA Model Rules of Professional Conduct 1.1 and 3.3; ABA Formal Opinion 512, 2024. Confirm your own state's rules and guidance.

The verify-before-you-file workflow

Six steps. Run them on anything AI helped produce.

- **Never cite what you have not read.** If the model hands you a case, open the case.

 - **Pull every citation to its primary source.** The reporter or the court's site for cases. The current text for statutes and regulations. Not the model's summary.

 - **Trace every country-conditions source to the original.** A real report, a real outlet, a real date. If you cannot find it, it does not go in the filing.

 - **Check procedure against the agency.** Deadlines, fees, and addresses come from the current USCIS or EOIR page.

 - **Read the translation against the original,** or send it to a certified translator.

 - **Sign off as a human.** One named person confirms the above before anything is filed.
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Before it leaves your firm

Every line true before any AI-assisted filing goes out.

- Every case cited has been opened and read in a primary source.
- Every statute and regulation cite has been confirmed in the current text.
- Every country-conditions source traces to a real, dated original.
- Every deadline, fee, and address matches the current agency page.
- Every AI-assisted translation has been checked against the original.
- A named person has signed off.

A hallucination is only dangerous if it reaches the filing. **This checklist is the wall between the two.**

WHERE TO START

Speed is fine. *Unverified is not.*

AI can draft the brief in minutes. It cannot tell you whether the case it cited is real. That part is still yours, and in immigration work the cost of skipping it lands on the client.

Simplarity builds the verification step into your workflow so it happens every time, without slowing the work to a crawl.

[Book a Simplarity efficiency audit](#)

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