

AI FOR IMMIGRATION PRACTICE

AI Governance for the *Immigration* Practice

Most firms have an AI policy. Few have governance. This is the difference, and how to close it before it costs you a client or a bar complaint.

— By **Renee Waite**, Founder, Simplarity



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A policy is not governance

Most immigration firms now have an AI policy. A document, written once, sitting in a shared drive. Very few have governance, which is the part that actually controls how AI gets used on a live file.

The gap between the two is where the risk lives. The policy says client data stays out of public tools. Then an associate pastes an intake into a free chatbot at 11 p.m. to hit a filing deadline. The policy was never the problem. The absence of governance was.

Governance is the operating system: the approved tools, the rules for what can be entered, the human sign-off, the named owner, and the review that catches the mistake before it reaches USCIS or the court.

This guide closes the gap. It anchors your governance to the frameworks you cannot ignore, gives you a maturity baseline, a policy skeleton, a roles map, and a checklist you can run this week.

A written policy protects you in theory. **Governance protects the client file in practice.** Only one of those keeps you off a disciplinary docket.

The frameworks you cannot ignore

Your governance does not have to be invented from scratch. It has to be anchored to the rules that already bind you and the ones arriving fast behind them.

ABA Formal Opinion 512 BINDING ETHICS ANCHOR	The ABA's 2024 guidance on generative AI under the Model Rules. Competence, confidentiality, communication, and fees all apply the moment AI touches a matter. Read it. Keep it in the file.
Your state bar guidance CHECK YOUR LICENSE	A growing set of state opinions on lawyer AI use. Most track ABA 512 and add their own duties. Confirm what your licensing state requires before you rely on any tool.
NIST AI Risk Management Framework PRACTICAL STRUCTURE	A federal framework for identifying and managing AI risk. Use it as the backbone for how you decide which tools to trust and how you document that decision.
EU AI Act IF YOU TOUCH THE EU	The EU's risk-tiered AI law. Relevant if you serve clients or handle data in the EU. It sorts AI uses by risk and sets obligations to match.
State AI legislation THE DIRECTION OF TRAVEL	States are beginning to regulate high-risk AI systems directly. Even where it does not bind you yet, it signals where US regulation is heading. Track it.

This is general information, not legal advice. Confirm the current text of any opinion or statute before relying on it.

Policy versus governance

The distinction is not academic. One is a document. The other is a set of controls that operate every day, whether or not anyone is thinking about them.

A POLICY

Tells people what they should do. Written once. Read rarely. Has no idea whether anyone is following it. Useful as a statement of intent, and as evidence that you set a standard.

GOVERNANCE

Makes the right thing the default. Approved tools only. Rules on what can be entered. A human signs off. One person owns each workflow. The wrong move is caught before it leaves the building.

Governance has five working parts. An **approved-tool list**, so nobody improvises. **Acceptable-use rules**, so everyone knows what may and may not be entered. **Human review**, so no AI output is filed unread. A **named owner** for each workflow, so accountability is not diffuse. And a **record**, so you can show what was used where.

Where your firm sits

Find your column honestly. Most firms are further left than they would like to admit, and that is fine. The goal is to move one column right, with the controls in place.

	EMERGING	DEVELOPING	MATURE
Policy	None, or a template nobody reads.	A written policy exists.	Policy mapped to real workflows and reviewed.
Tools	Whatever staff signed up for.	An approved-tool list.	Vetted, contracted tools with no-training terms.
Confidentiality	Client data in public tools.	Opt-outs set, DPA on key tools.	No-training contracts, ZDR and BAA where warranted.
Oversight	None.	Spot checks.	Every AI-assisted output reviewed before filing.
Skills	One power user.	A shared prompt library.	Firm-wide fluency and a named AI lead.
Accountability	Unclear.	Informal.	One owner per workflow, logged.

The AI policy skeleton

A real policy is short, specific, and acknowledged in writing by everyone who touches a file. These are the parts it has to contain.

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- **Purpose and scope.** What this covers, and who it binds.

 - **Approved tools.** The list, and how to request a new one before using it.

 - **What may and may not be entered.** The confidentiality line, in plain terms.

 - **Human review and sign-off.** No AI-assisted output is filed or sent unread.

 - **Disclosure.** To clients, and to a tribunal where a standing order requires it.

 - **Recordkeeping.** What is logged, where, and for how long.

 - **Roles and the named owner.** Who is accountable when something goes wrong.

Who owns what

Governance fails when accountability is everyone's job, which means it is no one's. Assign it.

Managing attorney FINAL ACCOUNTABILITY	Approves the policy. Owns the duty of competence and confidentiality. Answers for the firm if an AI-assisted filing goes wrong.
AI lead DAY-TO-DAY OWNER	Maintains the approved-tool list, confirms vendor terms, runs the reviews, and keeps the log. Can be a senior paralegal.
Paralegals and staff FRONT LINE	Use only approved tools, follow the input rules, and flag anything that looks off rather than filing it.
Outside support SETUP AND AUDIT	Audits the stack against the frameworks, sets up the controls, and trains the team. This is where Simplarity comes in.

You do not need a large firm to do this. **You need one named owner** and a list short enough that the owner can actually keep it current.

The governance checklist

Run this against your firm today. Every line should be true before AI touches another client file.

- **A written AI policy** your team has read and acknowledged in writing.
- **An approved-tool list**, with no-training terms confirmed in writing for each tool.
- **A signed DPA** on every tool that touches client data, and a BAA where a matter involves medical records.
- **A named owner** for each AI-assisted workflow.
- **Human review** before any AI-assisted output is filed or sent.
- **ABA 512 and your state's guidance** read and kept in the file.
- **A log** of which tools are used where, reviewed each quarter.

WHERE TO START

Close the gap *before it costs you.*

A policy you wrote once will not protect a client file. Governance will. The firms that build it get the speed of AI without the exposure. The ones that skip it find out the hard way, on the record.

Simplarity audits your stack against the frameworks, sets up the controls, and trains your team, so your governance is real, not just written.

[Book a Simplarity efficiency audit](#)

Systems that simplify. Results that last.