# Plan for Trial of Generative AI in Westlaw Edge with CoCounsel and Lexis+AI

### Summary

This plan outlines the steps required for the evaluation of two AI-assisted commercial legal research platforms, Westlaw Edge with CoCounsel (WestlawECC) and Lexis+AI in a small-scale pilot/trial.

### Background

There are two main commercial legal research platforms in the Canadian market – [Westlaw Canada](https://ifolio.justice.gc.ca/record=e1000112) and [Lexis Advance Quicklaw](https://ifolio.justice.gc.ca/record=e1000115). Justice Canada subscribes to both databases, which receive heavy use by legal professionals. The two platforms are administered by Library Services. The vendors of each product are now separately selling new versions of these tools that include generative AI add-ons to facilitate legal research in different ways. The generative AI-enhanced versions are:

* Westlaw Edge **with CoCounsel** (Westlaw ECC)
* Lexis+**AI**

A variety of factors, including interest in new tools, a desire to be competitive, and new guidance from Canada’s various bar societies[[1]](#footnote-1) requiring legal professionals to develop competencies with AI tools have prompted a discussion at JUS on how these products might be evaluated. A pilot test has been proposed in order to better understand the new features and to compare the two platforms.

### Objectives

Increase departmental understanding of the capabilities of commercially available Canadian legal research products with generative AI relative to current subscriptions.

Evaluate products within limitations set by the timeline, vendor access provided, and platform content.

### Limitations on the pilot

Generative AI poses legal and IT security risks. CBTL has identified the legal risks (*add in summary of CBTL content*) and the PSPC LSU is working on helping the GC to manage these risks within standard contract instruments. IT Security risk assessment would take place as a separate process. Based on discussions involving all these groups, the pilot may proceed, provided that participants follow guidelines that will be provided prior to the start of the pilot.

*Content limitation* - Westlaw ECC and Lexis+AI are both legal research tools that incorporate generative AI. However, they are based on different AI models and contain different range of sources and content. Westlaw ECC is currently limited to primary legal materials and case law, while Lexis+AI has access to secondary sources. Thomson Reuters, the vendor of Westlaw, will not provide a timeline for the addition of secondary sources to their product.

Additionally, French language capabilities and Quebec civil law analysis are currently limited, though the vendors have indicated that they are anticipated in the future.

### Scope

The trial is intended to evaluate Westlaw ECC, as well as Lexis+AI. The first phase will be Westlaw ECC. The second will be Lexis+AI.

The main participant group will have access to the "AI-Assisted Research" functionality in Westlaw Edge w/ CoCounsel, and the "AI Search" feature in Lexis+AI. Thomson Reuters, the vendor of Westlaw ECC, will only provide a maximum of 20 trial licences. Access to Lexis+AI is not restricted, which will permit a broader group of participants, who would be limited solely to the evaluation of Lexis+AI.

*Optional* - Lexis+AI contains a “Brief Analysis” feature, which is part of the core Lexis+AI product. This feature requires uploading content to the system. The vendor has indicated that they are able to turn off this feature, but the pilot provides an opportunity to test the feature in order to better understand its capabilities. Use of this feature in the pilot would require guidelines to prevent the upload of protected content.

## Pilot Outline

The pilot will be divided up into three parts,

* Pre-pilot activities – incl. training and pre-defined questions
* Use and standardized evaluation of the tool
* Post-pilot activities – incl. survey and results analysis

### Pre-pilot activities

* Participant groups need to be defined for the Westlaw ECC and Lexis+AI phases
  + Participant groups should cover a range of JUS practice areas, and include a range of experiences.
  + *Westlaw ECC participants (20) by January 6th (or earlier)*
  + *Lexis+AI participants by mid-January*
* Participants must respond to a brief pre-trial survey to get a baseline understanding of their experience, and expectations about benefits and risks.
* Participants must submit a natural language query to Library Services ahead of time. This must be a question with a known answer & an estimated time of how long it took to obtain this answer. Ideally there would be multiple questions per practice area, ranging from “easy” to complicated.
  + *Survey to launch week of January 16th*
* All participants must take vendor training.
  + *Westlaw ECC training – late January, date(s) TBA*
  + *Lexis+AI training – February, date(s) TBA*

### Pilot phases

* *Phase 1: Westlaw ECC – mid-February launch. 30 day trial*
* *Phase 2: Lexis+AI – end of February, early March. 14 day trial*

### Evaluation

A standardized method for evaluation of responses is required. There have been multiple academic studies of the Westlaw and Lexis+AI platforms, mainly in the US, but also in Canada. The pilot will use methodology derived from these studies in order to evaluate the AI responses. Library Services is currently in the process of reviewing the studies and developing the methodology.

### Post-pilot activities

* Participants submit results
* Participants undertake a survey on the tool (Reliability, Time Saving, Ease of use, etc.)
* Library Services compiles results and the survey
* Report on pilot & evaluation

1. e.g. [Futures Committee Report to Convocation, April 25, 2024](https://lawsocietyontario.azureedge.net/media/lso/media/about/convocation/2024/convocation-april-2024-futures-committee-report.pdf) [↑](#footnote-ref-1)