

Bench & Bar

The newsletter of the Illinois State Bar Association's Bench & Bar Section

Time Is Money

BY MICHAEL G. CORTINA

ALTERNATIVE DISPUTE

RESOLUTION has gained significant ground over the past few decades. Many jurists join arbitration and mediation companies upon retirement, and participants get the benefit of their experience on the bench in order to obtain resolution. These forms of ADR also tend to resolve cases faster than litigation in state or federal court. There is, however, a downside that is sometimes not considered by the parties—the cost.

I was recently involved in a case where a breach of contract was being claimed, and the contract at issue had an arbitration clause. The damage claim was for \$61,000.00. The claimant filed the claim

with the arbitration company in May, 2025, and the arbitrator, a retired judge, of course, rendered an award in early March, 2026. In other words, a case that would normally be in Law Division due to the amount at issue was able to conclude in only 10 months.

For that speed, the parties had to pay for the arbitrator and the company. How much did each party have to pay to get the matter concluded in only 10 months? About \$21,000.00. Each. For a case valued at \$61,000.00, the parties had to pay approximately \$42,000.00 for the arbitration. That does not include the fees that the parties had to pay to their own

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On May 14, 2026, Judicial Marshal Megan Brooks (right) received the 2025–26 Law Enforcement Award at the ISBA Member Appreciation & Recognition Reception at the Morton Arboretum. Brooks serves as marshal for Illinois Supreme Court Justice Mary Kay O'Brien.

Time is Money

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attorneys. Contrast this situation if it had been filed in the Law Division in state court. While possible, it is highly unlikely that the case could have been concluded in only 10 months after completion of written and oral discovery, as well as a bench trial. However, the clear upside is that state court judges are paid by the government, and the parties only have to pay filing and appearance fees in order to get the case in front of a judge.

Litigants and lawyers alike should consider if having a dispute resolved via arbitration is actually in everyone's best interests. While the expedited award allows for a swift conclusion, it should be decided by everyone involved if the speed

of the award is worth the cost. Even if an agreement has a binding arbitration clause, the parties can still agree not to have a matter decided in arbitration and try the case in state or federal court.

Arbitration and mediation clauses can be very helpful and can certainly aid in having disputes resolved quickly. Sometimes, however, speed and efficiency may not be worth the cost. Time is money, or in this case, less time is more money. ■

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Recent Appointments and Retirements

1. Pursuant to its Constitutional authority the Supreme Court has appointed the following to be circuit court judge:

- Chelsey E. Clark, 2nd Circuit, April 17, 2026

2. The following judges have retired:

- Hon. Michael C. Jansz, Associate Judge, 13th Circuit, April 30, 2026
- Hon. Daniel J. Kubasiak, Cook County Circuit, April 30, 2026
- Hon. Dianne M. Shelley, Retired Judge Recalled, Cook County Circuit, 17th Subcircuit, April 30, 2026

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Still Skeptical About Using AI in Your Law Practice? You Don't Need to Use It for Legal Work to Benefit From It

BY KIMBERLY A. DUDA

ARTIFICIAL INTELLIGENCE HAS BECOME ONE OF the most discussed topics in the legal profession, particularly in conversations about legal research, contract review, and document drafting. For many solo practitioners and small-firm lawyers, however, the most practical use of AI may be far less ambitious—and far more immediately useful: helping lawyers run their practices more efficiently without being used for substantive legal work.

That distinction matters. Many lawyers remain understandably cautious about using AI in client matters because of concerns about confidentiality, accuracy, malpractice exposure, and professional

responsibility. But the conversation about AI does not have to begin with drafting motions or analyzing case law. For many lawyers, especially those in solo and small-firm practice, the better starting point is far more practical: using AI as a technical, administrative, and organizational assistant.

In a large firm, many nonlegal tasks are handled by others. Technology problems go to IT, billing questions go to accounting, and software issues are often handled by administrative staff. In a solo or small-firm practice, those responsibilities often fall on the lawyer. A typical week may involve troubleshooting billing software, fixing document-formatting problems, syncing calendars, sending newsletters, reconciling

QuickBooks, or preparing documents for e-filing. None of those tasks involve legal analysis, but all of them consume time, interrupt workflow, and add to the daily mental load of running a practice.

That is where AI can offer immediate value. Instead of sorting through search results, outdated message boards, or lengthy support pages, a lawyer can describe a problem in plain language and receive targeted, step-by-step guidance. Used this way, AI is not functioning as a legal research tool. It is functioning as a practical assistant for the everyday mechanics of practice.

This is especially true with practice-management and billing software. Solo practitioners often rely on a patchwork of

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systems—case-management platforms, accounting programs, document tools, email services, and cloud storage—to keep the office running. Even useful software can become frustrating when a report will not generate correctly, an entry needs to be corrected, or a feature is difficult to locate. AI can help lawyers understand settings, troubleshoot small problems, and make better use of the tools they already have.

The same is true of marketing and client-communication tools. Many attorneys use programs such as Mailchimp, Canva, or website builders, but often only at a basic level. AI can help explain how to adjust a template, format a mailing, or create a simple graphic without requiring the user to work through lengthy tutorials. For lawyers wearing every administrative hat in the office, that kind of quick assistance can make routine tasks considerably less frustrating.

AI can also be useful when evaluating expenses and subscriptions. Many solo

practitioners continue paying for software, storage, website services, or office systems that were selected years earlier, sometimes without a clear sense of what those services still provide. AI can help compare features, explain pricing structures, and clarify whether a higher-priced plan offers anything truly useful for a small practice. These may be business decisions rather than legal ones, but they directly affect the efficiency and cost of operating a law office.

The benefit is not limited to software or subscriptions. Much of law practice involves procedural mechanics rather than legal analysis: combining PDFs, labeling exhibits, formatting forms, organizing electronic files, or setting up virtual meetings. These tasks are necessary, recurring, and often surprisingly time-consuming when something goes wrong. AI can help solve those practical problems quickly, allowing lawyers to spend less time on office friction and more time on work

that actually requires legal skill.

AI may also assist with organization and workflow. Solo practitioners often manage their own files, deadlines, billing, and office routines without administrative support. AI can help generate checklists, structure recurring tasks, and create workable starting points for routine office processes. Even when the result needs refinement, beginning with an organized framework can save time.

That reduction in decision fatigue matters. One of the defining features of solo and small-firm practice is the accumulation of small responsibilities that have nothing to do with legal analysis but still demand constant attention—technology, billing, scheduling, marketing, equipment, and office management. AI can ease some of that burden by offering prompt, practical guidance on routine questions and helping lawyers move through small operational problems more efficiently.

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Of course, caution remains appropriate. Lawyers must understand their ethical obligations before using AI in connection with client matters. But many of the most useful applications described here do not require sharing client information at all. Questions about software, workflow, scheduling, billing systems, office management, or purchasing decisions can usually be asked in generic terms, allowing lawyers to benefit from the technology without raising confidentiality concerns.

AI does not have to be an all-or-nothing proposition. A lawyer who has no interest in using AI to draft a brief may still find it useful for troubleshooting software, comparing services, creating administrative checklists, organizing workflow, or learning how to use features in existing programs. Those uses do not alter the lawyer's professional responsibilities, but they can make a practice run more smoothly.

For solo practitioners and small firms,

that may be the most sensible place to begin. AI does not need to start with legal research or drafting. It can start with something much simpler: solving routine office problems faster, reducing administrative frustration, and freeing up more time for the work that only a lawyer can do. ■

Kimberly A. Duda is the owner of the Law Offices of Kimberly Duda, Ltd., a Chicago-based solo practice serving individuals and small businesses. She is licensed in Illinois and Michigan and was admitted to practice in 1995.



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