Augmented Self-Representation: How Artificial Intelligence Structured Evidence, Framed Summary Judgment, and Informed Settlement Strategy in a Multi-Unit Property Dispute

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Abstract

This article examines how artificial intelligence functioned as a structural cognition tool in a live multi-unit property dispute through the summary judgment stage. Acting pro se, the defendant used AI not to generate arguments in the abstract, but to organize evidentiary materials into legally dispositive categories: standing, unit-specific causation, admissible damages, and loss of use. By distinguishing narrative allegations from proof requirements under California summary judgment standards, AI-assisted drafting clarified burden allocation and exposed evidentiary gaps, including the absence of assignment documentation, expert source determination, and repair-payment records. The system also supported procedural compliance by structuring a rule-conforming separate statement of undisputed material facts and aligning exhibits with doctrinal elements. Beyond document preparation, AI contributed to strategic positioning for potential settlement or trial by reframing emotional accusations into evidentiary analysis. The case illustrates AI as cognitive augmentation in self-representation—enhancing analytical rigor while preserving human judgment and responsibility.

Keywords: Generative artificial intelligence; Pro se litigation; Summary judgment; Evidentiary burden; Access to justice; Cognitive augmentation.

Introduction

Artificial intelligence (AI)—and especially generative AI systems capable of producing fluent, on-demand legal text—has rapidly entered the everyday workflow of legal services and is increasingly visible in the broader access-to-justice ecosystem. Adoption trends among legal professionals suggest normalization of generative AI for drafting, research support, and document review, while simultaneously emphasizing accuracy risks and the need for human oversight (Thomson Reuters Institute, 2025). Courts and court-adjacent institutions have responded by issuing guidance that recognizes both the potential utility of these tools and the governance challenges they introduce, including risks of misinformation, confidentiality lapses, and overreliance by users who may not understand procedural or evidentiary constraints (National Center for State Courts, 2024). In parallel, professional responsibility frameworks underscore that even when AI improves efficiency, the human user remains accountable for competence, candor, and verification—particularly where generated content could affect adjudicative outcomes (American Bar Association Standing Committee on Ethics and Professional Responsibility, 2024).

(Disclosure: This article is grounded in San Bernardino County Superior Court litigation, Case No. CIVSB2434171, Superior Court of the State of California, County of San Bernardino, Central Judicial District, in which the author appears as the defendant, self-represented; the plaintiff is Kathey Anagnostopoulos, represented by attorney Michelle D. Strickland.).

Case Snapshot

Case No. CIVSB2434171 (Superior Court of the State of California, County of San Bernardino, Central Judicial District). Plaintiff: Kathey Anagnostopoulos, individually and as Successor Trustee of the Jud Revocable Trust. Plaintiff's counsel: Michelle D. Strickland, Esq. (SBN 165966). Defendants (and article author(s)), in pro per: Chunxue Wang and Xiaohong Wang. Summary judgment hearing setting referenced in the record: February 26, 2026, Department S32, Judge Wilfred J. Schneider, Jr.

This article contributes to the emerging literature on "augmented self-representation" by examining how AI supported a pro se defendant's litigation work through the Summary Judgment (SJ/MSJ) phase in a live civil dispute. The case posture is procedurally narrow but analytically rich: the defense sought summary judgment (or summary adjudication) on grounds that the plaintiff lacked standing/real-party-in-interest status, lacked admissible causation evidence, could not establish recoverable damages, and could not show loss of use—issues commonly dispositive at the SJ stage when proof is required rather than asserted.

Plaintiff's opposition, in contrast, emphasized procedural objections and asserted factual disputes about leak origin and responsibility without supplying the type of expert, unit-specific proof typically necessary to bridge causation gaps in complex property-loss narratives.
This contrast offers an instructive setting for evaluating what AI can and cannot do for self-represented litigants: AI can amplify organization, consistency, and burden-of-proof alignment; it cannot generate admissible evidence, authenticate documents, or replace the need for competent factual foundations.

The research focus is not whether AI "won" a motion, but how AI affected the quality and structure of litigation preparation under conditions of constrained time, limited formal training, and asymmetric legal resources. Existing scholarship on legal large language models emphasizes both expanding capability (e.g., drafting and interactive assistance) and persistent limitations tied to data, evaluation, and the reliability of outputs in legal practice (Lai et al., 2024). Court-facing guidance similarly treats generative AI as a tool that can streamline information processing, but one that requires guardrails because litigation is governed by rules of admissibility, authentication, and procedural compliance rather than conversational plausibility (National Center for State Courts, 2024). These themes align directly with the SJ context, where the moving party must present a rule-conforming statement of material facts and citations, and the opposing party must respond with competent evidence rather than attorney argument or speculation. In this setting, AI's practical contribution is best conceptualized as a "structural cognition amplifier": a system that helps the user map facts to elements, separate narrative from proof, and maintain internal consistency across pleadings, declarations, exhibits, and argument.

Accordingly, this Introduction frames three research questions that guide the analysis:

RQ1: How does AI-assisted drafting change the way a pro se litigant organizes a case record into legally dispositive categories at the Summary Judgment stage (e.g., standing, causation, damages, loss of use)?

RQ2: What specific litigation tasks does AI perform most effectively for a self-represented litigant—rule compliance, document structuring, issue framing, and evidentiary gap detection—and where does AI predictably fail (e.g., admissibility, authentication, expert substitution)?

RQ3: How does AI-assisted "burden alignment" influence strategic positioning for settlement or trial preparation by clarifying what must be proven, what is missing, and what disputes are merely rhetorical?

The thesis advanced here is deliberately bounded: AI did not substitute for legal reasoning; rather, it amplified the defendant's ability to *apply* legal reasoning to a messy factual record by organizing the case into a small number of dispositive pillars and by enforcing a discipline of proof. In the instant motion practice, that discipline is reflected in the defense's repeated differentiation between (a) who is legally entitled to sue and recover (standing/real party in interest), (b) what competent evidence identifies the origin of the alleged loss (causation), (c) what documentation substantiates claimed losses (damages), and (d) whether the property was actually uninhabitable or the occupants displaced (loss of use) .

Plaintiff's opposition illustrates the counter-pattern that AI tools can help a pro se litigant resist: conflating allegations with evidence, and treating procedural critiques as substitutes for admissible proof.

By centering these research questions within a live-record SJ dispute, this article aims to clarify an important practical point for courts, educators, and access-to-justice stakeholders: the most defensible value of generative AI in litigation is not its persuasive language, but its capacity to discipline the user's thinking—forcing element-by-element alignment, surfacing missing evidentiary links, and supporting rule-conforming presentation—while leaving ultimate responsibility for truth, verification, and procedural compliance squarely with the human litigant (American Bar Association Standing Committee on Ethics and Professional Responsibility, 2024; National Center for State Courts, 2025).

AI-Augmented Phenomenology of Pro Se Litigation: A Socio-Technical Theoretical Framework

The theoretical framework for this study integrates (a) phenomenology of practice as a method for analyzing lived experience and meaning-making in situated professional action, (b) qualitative critical phenomenology to account for institutional power, procedural structures, and credibility economies that shape what is treated as "knowledge" in adjudication, and (c) socio-technical governance perspectives on generative AI in legal settings. Qualitative critical phenomenology provides a contemporary foundation for treating experience as both descriptive and structurally conditioned—produced within institutional norms, resource asymmetries, and procedural gatekeeping—rather than as a purely private or self-authenticating account (Osler & Zahavi, 2024). Within that lens, pro se litigation at the summary judgment stage is conceptualized as an experience of "burden alignment": the litigant must translate narrative

claims into element-by-element proof, while navigating rules of admissibility, authentication, and formal compliance.

To theorize AI's role in this environment, the framework adopts a bounded "cognitive augmentation" view: generative AI is treated as an assistive system that can support organization, synthesis, and document structuring, but that does not alter the underlying legal requirements for competent evidence and procedural correctness. This boundary condition is consistent with recent court-focused guidance emphasizing responsible and effective AI use, particularly the need for verification, transparency about limitations, and governance safeguards to preserve fairness and public trust (Thomson Reuters Institute & National Center for State Courts AI Policy Consortium for Law and Courts, 2025). The framework also aligns with professional responsibility guidance underscoring that human users remain accountable for competence, confidentiality, candor, and accuracy when using generative AI tools in legal work (American Bar Association Standing Committee on Ethics and Professional Responsibility, 2024). Finally, the AI component is situated within current scholarly syntheses of legal-domain large language models, which highlight both growing capability (e.g., drafting and document analysis) and persistent limitations tied to reliability, domain constraints, and real-world legal validity (Huang et al., 2025).

Figure 1. AI as Evidentiary Architecture: From Record Structuring to Augmented Self-Representation
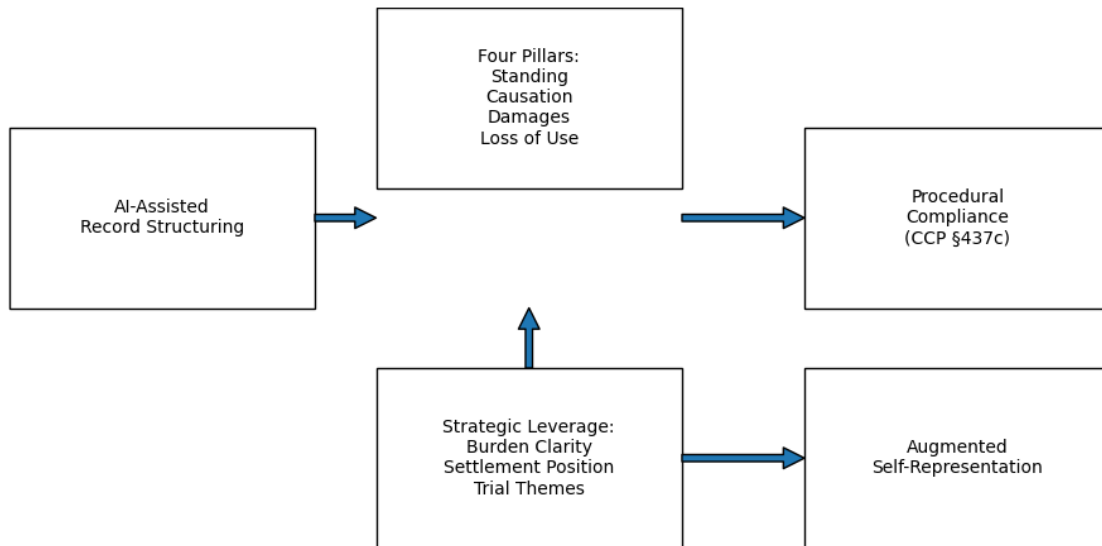

Figure 1 illustrates the conceptual flow of AI-assisted litigation preparation in this study. It shows how AI functions first as a record-structuring mechanism, transforming diffuse documents

and allegations into the "Four Pillars" framework of standing, causation, damages, and loss of use. These pillars anchor procedural compliance under summary judgment standards, ensuring that each asserted fact is aligned with doctrinal requirements and evidentiary support. The model then demonstrates how structural clarity generates strategic leverage by clarifying burden allocation, exposing evidentiary asymmetries, and consolidating trial themes. The endpoint—augmented self-representation—emphasizes that AI does not replace legal reasoning but strengthens it through disciplined organization, consistency, and burden mapping.

Research Design and Methodology

This article is structured as a single-case, lived-experience phenomenological study of AI-augmented self-representation at the summary judgment stage. The methodological stance follows phenomenology of practice, which treats professional action as a meaning-laden experience that can be analyzed through careful reflection on "how" the work is lived, carried out, and interpreted in context (van Manen, 2023). Because pro se litigation unfolds within institutional procedures and credibility dynamics, the design also draws on qualitative critical phenomenology to account for how formal rules, resource asymmetries, and evidentiary gatekeeping shape what is recognized as "knowledge" in an adversarial forum (Osler & Zahavi, 2024).

Data sources include: (a) the contemporaneous case record (moving papers, separate statement, declarations, and opposition filings), (b) iterative AI-assisted drafting outputs produced during motion preparation, and (c) structured reflective memos written alongside the drafting process. Analytically, the unit of analysis is not the legal outcome, but the lived process of "burden alignment" at summary judgment—translating narrative allegations into element-based proof requirements and mapping the record to those requirements. Consistent with phenomenological reduction, analysis proceeded through iterative cycles of thematic description and disciplined bracketing: identifying recurring experiential structures (e.g., pressure to authenticate, distinguish valuation from proof, and separate allegation from admissible evidence) while explicitly noting moments where advocacy impulse or emotional response threatened interpretive clarity (van Manen, 2023).

The AI component is theorized as cognitive augmentation rather than automation. AI outputs were treated as provisional drafts and organizational prompts, not as authoritative legal conclusions. Each generated claim was reviewed against the documentary record before inclusion, reflecting court-facing and professional responsibility guidance emphasizing verification, accountability, and the heightened risk of error when generative systems produce plausible but unsupported statements (American Bar Association, 2024; Thomson Reuters Institute & National Center for State Courts AI Policy Consortium for Law and Courts, 2025). An audit trail was maintained by preserving examples of AI suggestions that required correction, narrowing, or rejection due to evidentiary mismatch or procedural constraints, thereby documenting both affordances (structure, consistency, issue framing) and limitations (admissibility, authentication, evidentiary sufficiency). The study makes no generalizability claim; instead, it offers an analytically transparent account of how AI can support pro se motion practice by strengthening organization and burden-of-proof mapping while leaving ultimate

responsibility for truth, evidence, and procedural compliance with the human litigant (American Bar Association, 2024; Osler & Zahavi, 2024).

Artifacts and Demonstrative Record: Summary Judgment, Opposition, and Reply

To increase demonstrative transparency and allow independent readers to assess the magnitude and nature of AI augmentation, this study summarizes three core filings as primary artifacts: (1) Defendants' Motion for Summary Judgment (MSJ), (2) Plaintiff's Opposition, and (3) Defendants' Reply. The purpose is not to relitigate merits, but to show how AI-assisted structuring and human verification shaped the evidentiary architecture across the dispositive-motion sequence.

Artifact 1: Defendants' Motion for Summary Judgment (MSJ) — burden-aligned structure

The MSJ operationalized the "Four Pillars" model (standing/real party in interest, unit-specific causation, admissible damages proof, and loss of use) and translated the case record into element-based proof requirements under California summary judgment practice. AI was used as an organizational and consistency tool to: (a) segment arguments into the four pillars, (b) align each doctrinal point with numbered Undisputed Material Facts (UMFs), and (c) cross-check that each UMF contained pinpoint citations to declarations and exhibits. The defendants retained full responsibility for verification and record accuracy; AI did not generate evidence, authenticate documents, or supply expert opinions.

Artifact 2: Plaintiff's Opposition — procedural objections and narrative rebuttal

The Opposition's front-end presentation emphasizes procedural and evidentiary objections and urges denial of the MSJ on asserted procedural and substantive defects. It challenges compliance with California Rules of Court requirements (including separate-statement format and relevance), and it objects to defense exhibits on foundation/authentication grounds. It also asserts that defense exhibits "indicate" the defendants' unit caused the leak and resulting damage, and it represents that plaintiff seeks property-damage recovery (and not loss-of-use damages). As an artifact, the Opposition provides a comparative contrast for evaluating AI augmentation: the question is not rhetorical style, but whether the filing sequence supplies admissible proof to meet or defeat element-based burdens.

Artifact 3: Defendants' Reply — gap clarification and burden realignment

The Reply functions as a diagnostic comparator: it maps the Opposition's themes back onto the Four Pillars framework and re-centers the burden-shifting logic of summary judgment. AI-supported review was used to (a) cross-compare Opposition assertions against the cited record, (b) distinguish procedural objections from substantive evidentiary rebuttal, and (c) tighten language to avoid overstatement, unsupported characterizations, or emotionally reactive phrasing. The defendants' verification step remained determinative: AI suggestions were adopted only when consistent with the documentary record and procedural constraints.

Demonstrative takeaway: what the three artifacts show

Across the MSJ–Opposition–Reply sequence, AI's contribution is operationalized as document-structure change and internal-consistency reinforcement: improved mapping between elements, material facts, and exhibits; clearer separation of valuation from proof; and sustained issue segmentation under the Four Pillars model. These artifacts support the study's bounded claim: AI augmented the mechanics of structured legal writing and evidentiary organization, while human legal reasoning, verification, and responsibility controlled what was ultimately filed.

Case Background and Procedural Posture

The dispute examined in this article arises from an alleged water-loss event dated October 16, 2023, involving Unit 24 in a six-unit residential complex (the "subject property"). The defense record frames the controversy as one in which the plaintiff's claims depend on inference rather than admissible, unit-specific proof of origin and responsibility. In the motion materials, defendants assert that the plaintiff did not own or reside in Unit 24 on the alleged loss date, and that insurance materials relied upon by the plaintiff are addressed to Arthur Stevens rather than to the plaintiff, raising a threshold standing/real-party-in-interest issue.

The defense also highlights the absence of foundational technical proof—such as a plumber, mitigation, or engineering report—identifying a point of origin in defendants' Unit 23. These factual predicates matter procedurally because summary judgment practice is designed to test whether a party opposing judgment can produce evidence sufficient to create a triable issue, not simply articulate allegations or plausible narratives.

Within that background, the core claims are pleaded as negligence and premises liability, asserting that defendants' conduct or maintenance purportedly caused water intrusion and resulting loss to Unit 24.

Plaintiff's opposition materials frame the case as involving disputed issues regarding "where the leak originated" and whether defendants' unit caused downstream or adjacent damage, while simultaneously disputing the procedural adequacy of defendants' moving papers. This posture—substantive causation and damages questions coupled with procedural challenges—mirrors a common pattern in pro se civil litigation: parties frequently contest form and authentication while struggling to present the kind of structured evidentiary showing demanded by dispositive motion standards.

The defense theory at the summary judgment stage is organized around four dispositive pillars: (1) lack of standing / real party in interest, (2) lack of admissible causation evidence, (3) failure of damages proof, and (4) absence of loss-of-use evidence.

First, on standing, defendants argue that plaintiff did not own or reside in Unit 24 on October 16, 2023 and has produced no assignment or subrogation documentation from the insured owner or the insurer; the defendants' separate statement and memorandum emphasize that insurer documents are addressed to Arthur Stevens and do not themselves convey rights to the plaintiff.

Second, on causation, defendants argue plaintiff produced no competent expert report identifying a point of origin in defendants' unit, and that speculation cannot substitute for technical proof in a water-migration dispute—particularly where multi-unit layouts may introduce multiple plausible sources.

Third, on damages, defendants argue plaintiff produced no receipts evidencing payment for repairs or remediation, and they distinguish between valuation paperwork and proof of incurred, recoverable costs.

Fourth, on loss of use, defendants rely on evidence that the unit remained occupied and no displacement occurred, undermining claims that the property was uninhabitable or that occupants were forced out .

Plaintiff's opposition themes, as presented in the opposition packet, emphasize procedural objections and assertions of factual dispute rather than supplying missing expert and payment documentation. The opposition challenges the moving papers as procedurally defective and objects to defendants' exhibits on foundation/authentication grounds.

It also asserts that the leak source is disputed and contends that defendants' documents "support" plaintiff's position, while repeatedly characterizing the defense presentation as insufficiently organized or properly formatted. These themes are important to the present study because they illustrate the litigation environment in which AI was used: the defendant's task was not only to draft persuasively, but to present a rule-conforming, burden-aligned evidentiary record while anticipating objections that attack form rather than substance. California's summary judgment rule requires disciplined organization of facts and citations in a separate statement, reflecting the court's interest in efficient triage of triable issues (Judicial Council of California, 2026).

This section is analyzed using a phenomenological "lived experience" framework, treating AI-assisted motion practice as a meaning-laden professional experience rather than merely a technical workflow. Phenomenology of practice emphasizes the interpretive study of how people experience a phenomenon—in this case, the experience of building an evidentiary narrative under procedural constraint while self-represented—using concrete artifacts (documents, excerpts, vignettes) as access points to meaning (van Manen, 2023). The theoretical premise is that legal self-representation at the dispositive-motion stage is not simply "doing tasks," but enduring a structured demand for proof, coherence, and rule compliance—often under stress and with asymmetric expertise. A complementary lens from qualitative critical phenomenology further supports attention to how institutional procedures, resource asymmetries, and credibility dynamics shape what "counts" as knowledge in an adversarial forum, and how lived experience must be reflectively engaged rather than taken as transparent fact (Osler & Zahavi, 2024).

Methodologically, the study is designed as a phenomenological case inquiry using triangulated experiential data. The primary data corpus consists of contemporaneous litigation artifacts: the defendants' MSJ moving papers (notice, memorandum, and separate statement), and the plaintiff's opposition packet, treated as "texts of practice" that capture the requirements imposed by the forum and the strategies adopted by each side.

These filings are paired with first-person reflective reconstructions of key moments in the drafting process—especially the iterative cycles of (a) translating a narrative dispute into

element-based proof requirements, (b) mapping exhibits to numbered material facts, and (c) stress-testing claims against anticipated objections. In phenomenology of practice, such reconstructions are not treated as self-justifying testimony; they are subjected to disciplined reflection (epoché/bracketing) and iterative thematic writing that seeks the "essence" of the experience: what it is like to use AI as an organizing partner while remaining accountable for truth, admissibility, and procedural compliance (van Manen, 2023). To reduce confirmation bias, the analysis uses a structured memoing process that explicitly records points of uncertainty, moments where AI output required correction, and instances where the record did not support an initially plausible interpretation—an approach consistent with contemporary guidance emphasizing reflexivity and methodological transparency in phenomenological work (Osler & Zahavi, 2024).

Finally, this posture is situated within current court-facing guidance on generative AI, which recognizes both utility and risk. Recent state-court guidance emphasizes that generative AI can support drafting and information processing but introduces hazards—especially fabricated citations, misplaced confidence, and reliability problems—requiring verification and human responsibility (National Center for State Courts, 2024; Thomson Reuters Institute & National Center for State Courts AI Policy Consortium, 2025). Those cautions are directly relevant to the present case context: summary judgment practice is unforgiving of "plausible" but unsupported statements, and the lived experience of AI-assisted pro se work is therefore shaped by continuous checking, evidentiary discipline, and the constraints of admissibility. In short, the case background and procedural posture do not merely "set the scene"; they define the phenomenological conditions under which AI could function as a structural cognition amplifier—organizing the litigation record into dispositive pillars—while never substituting for evidence, authentication, or the human obligation to tell the truth and prove it.

AI as Evidentiary Architecture: The "Four Pillars" Model

Generative AI was operationalized in this case not as a persuasive language engine but as an evidentiary architecture tool. The "Four Pillars" model emerged through iterative drafting sessions in which diffuse allegations, correspondence, insurance materials, and declarations were reorganized into four legally decisive categories: (1) standing/real party in interest, (2) causation, (3) damages, and (4) loss of use. This structuring reflects the summary judgment requirement that a party opposing judgment must produce admissible evidence sufficient to establish each essential element, not merely articulate plausible inferences (Judicial Council of California, 2026). AI's contribution was to enforce element-by-element alignment and to separate narrative from proof.

1. Standing / Real Party in Interest.

The first pillar focused on whether the plaintiff possessed legal entitlement to recover. Insurance documentation in the record was addressed to Arthur Stevens, not the named plaintiff, raising a threshold standing issue. AI-assisted drafting repeatedly surfaced this discrepancy and prompted the creation of a discrete "standing" section rather than allowing the issue to remain embedded in broader damages discussion. The absence of assignment or subrogation documentation was likewise isolated as a legally distinct evidentiary gap. This separation aligns with doctrinal

expectations that a plaintiff must demonstrate ownership, assignment, or other legally cognizable interest in the claim (Judicial Council of California, 2026). The AI tool's role was not to generate the doctrine but to stabilize the analytical boundary: entitlement to sue is analytically prior to causation and damages. Court governance guidance emphasizing verification and accountability further underscores why such distinctions matter when AI is used in legal contexts (American Bar Association [ABA], 2024; Thomson Reuters Institute & National Center for State Courts AI Policy Consortium, 2025).

2. Causation (Unit-Specific Proof Requirement).

The second pillar addressed unit-specific causation. In a multi-unit residential configuration, generalized references to "water from above" do not satisfy the requirement of competent evidence identifying a point of origin. AI-assisted structuring highlighted the absence of a plumber, mitigation, or engineering report tying the alleged leak to Unit 23 and separated that absence from broader factual disputes. It also prompted explicit articulation of alternative plausible sources inherent in a shared-plumbing, multi-unit layout. This reflects the doctrinal principle that speculation cannot substitute for expert-supported causation where technical mechanisms are at issue (Judicial Council of California, 2026). From a socio-technical perspective, generative AI can assist in issue framing and structural coherence but cannot generate admissible technical proof; the human user remains responsible for ensuring evidentiary sufficiency and avoiding overstatement (ABA, 2024; Thomson Reuters Institute & National Center for State Courts AI Policy Consortium, 2025).

3. Damages (Proof vs. Valuation Distinction).

The third pillar involved a disciplined distinction between valuation figures and proof of incurred damages. AI repeatedly reorganized materials to separate (a) an insurance Actual Cash Value (ACV) figure of approximately $98,000, (b) a separate $9,000 insurer payment/closure record, and (c) the absence of receipts, invoices, permits, or proof of payment supporting six-figure claims. This structural differentiation prevented conflation of internal insurance valuation with admissible evidence of repair costs actually incurred and paid. In summary judgment practice, documentary proof of damages must be supported by competent evidence rather than narrative assertion (Judicial Council of California, 2026). AI's role here was to enforce categorical clarity—valuation is not payment; assertion is not documentation—while leaving factual verification to the litigant. Contemporary AI governance literature consistently cautions that generative systems may produce plausible but unsupported claims, reinforcing the need for explicit record-checking and documentation review (ABA, 2024; Thomson Reuters Institute & National Center for State Courts AI Policy Consortium, 2025).

4. Loss of Use.

The fourth pillar addressed loss of use. Evidence of continuous tenant occupancy and the absence of displacement or governmental condemnation undermined claims of uninhabitability. AI-assisted drafting created a discrete analytical section for this issue, rather than allowing it to be subsumed within damages generally. By isolating "loss of use" as a separate evidentiary

category, the drafting process mirrored doctrinal elements that treat habitability and displacement as distinct from repair valuation (Judicial Council of California, 2026).

Across all four pillars, the core analytical effect was doctrinal separation: allegations were reorganized into legally cognizable elements, and each element was tested against the available record. Generative AI functioned as a structural cognition amplifier—enhancing consistency, issue segmentation, and burden alignment—while remaining bounded by verification requirements and professional accountability standards (ABA, 2024). The model illustrates how AI can assist pro se litigants in constructing element-based evidentiary architecture without supplanting the human obligation to produce admissible proof.

AI and Procedural Compliance

Procedural compliance is often the most fragile dimension of pro se litigation, particularly at the summary judgment stage where formatting, structure, and evidentiary linkage are strictly regulated. In this case, AI functioned as a rule-conformity engine—assisting in translating a diffuse factual record into a court-rule-compliant motion under California Code of Civil Procedure § 437c and the California Rules of Court. The goal was not rhetorical enhancement but structural precision.

A. Structuring Summary Judgment Under CCP § 437c.

California summary judgment practice requires a memorandum of points and authorities and a separate statement of undisputed material facts (UMFs), each fact supported by citation to admissible evidence (Judicial Council of California, 2026a). AI-assisted drafting helped segment the motion into these required components and maintain internal coherence across them. For example, each numbered UMF was drafted as a discrete factual assertion tied to a specific exhibit, declaration, or documentary source, rather than as argumentative narrative. This separation reflects doctrinal expectations that the separate statement must present facts, not conclusions, and must provide pinpoint evidentiary citations (Judicial Council of California, 2026a).

The AI system assisted by enforcing consistency between the memorandum's legal argument and the separate statement's evidentiary record. If a doctrinal claim—such as lack of standing or absence of admissible causation evidence—appeared in the memorandum without a corresponding numbered UMF and supporting exhibit, that misalignment was flagged during iterative drafting. This cross-referencing function reduced the risk of procedural vulnerability and improved burden alignment. Importantly, each AI-generated draft required human verification against the record, consistent with professional responsibility guidance emphasizing that attorneys and litigants remain accountable for accuracy and candor when using generative AI tools (American Bar Association [ABA], 2024).

B. Anticipating Opposition Arguments.

Procedural objections are common in summary judgment practice, particularly under California Rules of Court 3.1350 (governing separate statements) and 3.1113 (governing memorandum

formatting and content) (Judicial Council of California, 2026a, 2026b). AI-assisted drafting supported anticipatory compliance by stress-testing the motion for formatting irregularities, improper argument in the separate statement, and insufficient citation practices. This anticipatory function was especially significant in a pro se context, where formatting errors can become the focal point of opposition.

Authentication objections also required structural discipline. AI-assisted review helped isolate statements that risked appearing as hearsay summaries or unsupported characterizations of documents. Where possible, language was revised to mirror the content of exhibits directly rather than paraphrasing in ways that could invite evidentiary attack. However, AI did not—and cannot—supply authentication; it merely supported clearer linkage between factual assertions and documentary sources. Governance guidance on generative AI consistently emphasizes the need for human oversight to prevent plausible but unsupported representations from entering formal filings (ABA, 2024; Thomson Reuters Institute & National Center for State Courts AI Policy Consortium, 2025).

C. AI as Rule-Conformity Engine.

At a structural level, AI transformed the factual record into a court-rule-compliant format. Narrative allegations were reorganized into numbered UMFs, each linked explicitly to a declaration or exhibit. Legal conclusions were confined to the memorandum, preserving the doctrinal boundary required under Rule 3.1350 (Judicial Council of California, 2026a). This transformation illustrates AI's strongest procedural contribution: not inventing arguments, but enforcing segmentation, numbering discipline, and evidentiary cross-referencing.

The result was a motion architecture that mirrored judicial expectations for dispositive practice. AI enhanced structural coherence and reduced internal inconsistency, yet remained bounded by verification, record accuracy, and the litigant's ethical responsibility. In this sense, AI functioned as a compliance amplifier—supporting formal conformity to procedural rules without altering the substantive burden of proof or the requirement of admissible evidence (ABA, 2024).

Strategic Leverage Before Settlement or Trial

Summary judgment operates as a procedural fulcrum: once the moving party demonstrates that one or more essential elements cannot be established, the burden shifts to the opposing party to produce admissible evidence sufficient to create a triable issue (Judicial Council of California, 2026). In this case, the defense strategy centered on demonstrating evidentiary gaps in standing, causation, damages, and loss of use. The burden-shifting mechanism is not rhetorical but evidentiary; the plaintiff must respond with competent proof rather than argument or inference. The absence of a designated or produced expert report identifying a unit-specific point of origin, particularly in a multi-unit property dispute involving plumbing and structural configurations, heightens the strategic force of summary judgment because technical causation generally requires more than lay speculation. AI-assisted structuring reinforced this burden logic by continually aligning each asserted deficiency with the legal requirement it undermined, ensuring that strategic positioning was grounded in procedural doctrine rather than narrative emphasis.

The summary judgment posture also reshaped settlement dynamics. When evidentiary asymmetry becomes visible—such as the lack of assignment documentation, the absence of expert attribution, or the distinction between insurance valuation figures and proof of paid repair costs—the risk calculus shifts. Contemporary court and professional guidance on AI emphasizes that generative tools can assist in organizing and clarifying complex records, but that human verification remains essential to prevent overstatement (American Bar Association [ABA], 2024; Thomson Reuters Institute & National Center for State Courts AI Policy Consortium, 2025). In this context, AI-supported burden alignment sharpened assessment of exposure range. Insurance documentation, including valuation and payment records, provided an external reference point for potential damages while simultaneously underscoring the difference between internal insurer valuation and admissible proof of recoverable loss. That distinction informed cost-benefit analysis: proceeding to trial would require the plaintiff to cure evidentiary deficiencies through expert testimony and documentary substantiation, increasing litigation costs and uncertainty. By contrast, the defense could evaluate settlement offers against the probability that dispositive motion standards would remain unmet. AI's contribution was not predictive but structural—it clarified where evidentiary asymmetry existed and how that asymmetry affected negotiation leverage.

Preparation for potential trial further consolidated themes already articulated at summary judgment. Effective trial strategy depends on thematic coherence, and AI-assisted drafting had already distilled the dispute into recurring motifs: no inspection of Unit 23 occurred; no expert report attributed the alleged leak to that unit; insurance materials were addressed to a non-party insured; and no displacement or condemnation evidence supported loss-of-use claims. Thematic consolidation enhances jury comprehension and judicial efficiency by reducing complex factual narratives to legally salient questions. AI supported this consolidation by identifying repeated patterns across filings and encouraging consistent phrasing tied to record citations, while human review ensured accuracy and restraint. Governance literature consistently cautions that AI outputs must be verified to avoid hallucinated authority or mischaracterized evidence (ABA, 2024), reinforcing the need for disciplined oversight.

Witness preparation similarly benefited from structural clarity. The tenant declaration establishing continuous occupancy and absence of flooding in Unit 23 provided continuity between summary judgment and potential trial testimony. Rather than expanding arguments, AI-assisted review helped ensure that declarative statements were consistent with documentary evidence and avoided speculative assertions. This continuity reduces impeachment risk and strengthens credibility before a factfinder. Ultimately, the strategic leverage generated before settlement or trial did not derive from technological novelty but from procedural rigor: by aligning each claim with its evidentiary burden and clarifying where proof was absent, AI functioned as a cognition amplifier within the adversarial system. The human litigant retained responsibility for verification, ethical compliance, and final strategic judgment, consistent with professional standards governing generative AI use in legal practice (ABA, 2024; Thomson Reuters Institute & National Center for State Courts AI Policy Consortium, 2025).

Cognitive Augmentation in Pro Se Litigation

Generative artificial intelligence in this study functioned as a system of cognitive augmentation rather than autonomous decision-making. The most significant contribution was structural organization. Pro se litigation often produces voluminous, emotionally charged materials that blur the distinction between allegation and admissible proof. AI-assisted drafting repeatedly reorganized these materials into element-based categories aligned with summary judgment standards, thereby acting as a structural organizer. Instead of reacting to each accusation in narrative form, the system prompted alignment with legally required elements such as standing, causation, damages, and loss of use. This transformation reflects a shift from story-based reasoning to burden-based reasoning, consistent with procedural requirements governing dispositive motions (Judicial Council of California, 2026).

Beyond organization, AI functioned as a burden-of-proof analyzer. By iteratively comparing asserted claims against the evidentiary record, it surfaced gaps where documentation, expert testimony, or authentication was absent. Contemporary professional guidance emphasizes that generative AI must be used with verification safeguards because plausible language can mask evidentiary deficiencies (American Bar Association [ABA], 2024). In practice, the system's analytical value emerged not from generating novel arguments, but from repeatedly asking whether each assertion was supported by admissible evidence. This burden-alignment function strengthened doctrinal discipline and reduced the risk of conflating suspicion with proof.

AI also operated as a consistency auditor. In summary judgment practice, internal inconsistency between a memorandum, separate statement, and supporting declarations can undermine credibility. AI-assisted cross-referencing helped detect mismatches between narrative argument and numbered material facts, as well as discrepancies in phrasing that could invite evidentiary objection. Governance literature underscores that AI outputs must remain subject to human oversight and record-checking to avoid factual distortion (Thomson Reuters Institute & National Center for State Courts AI Policy Consortium, 2025). Within that constraint, consistency auditing enhanced coherence and reduced inadvertent contradiction.

A related function was redundancy elimination. Pro se filings often repeat arguments in slightly varied form, diluting clarity and increasing judicial fatigue. AI-assisted revision condensed overlapping themes and encouraged concise articulation tied to record citations. This reduction did not eliminate substantive points but removed duplicative phrasing, reinforcing structural clarity.

An important experiential dimension of augmentation involved reduction of emotional reactivity. Litigation, especially when self-represented, can generate defensive or retaliatory rhetorical impulses. AI-assisted categorization converted accusatory language into evidentiary questions: Does documentation exist? Is there expert attribution? Is there proof of payment? By reframing emotionally charged assertions as categorized evidentiary gaps, the drafting process shifted from personal confrontation to procedural analysis. This transformation aligns with phenomenological insights that reflective structuring can moderate affective intensity by reorienting attention toward meaning and requirement rather than accusation (Osler & Zahavi, 2024).

Ethical considerations remain central. Generative AI cannot substitute for legal judgment or evidentiary responsibility. Professional standards emphasize that users remain accountable for

competence, candor, and verification when employing AI tools (ABA, 2024). In this study, each AI-generated passage was verified against documentary evidence before inclusion, and unsupported suggestions were rejected. Human oversight was not ancillary but constitutive of the process. AI augmented reasoning by organizing and stress-testing the record; it did not determine strategic choices, factual conclusions, or ethical obligations.

Ultimately, cognitive augmentation in pro se litigation can be understood as disciplined amplification. AI enhanced structural organization, burden alignment, and consistency while operating within clearly defined boundaries of verification and human responsibility. The technology did not replace doctrinal analysis or evidentiary proof; it strengthened the litigant's capacity to perform those tasks with greater clarity and restraint.

Limitations
Methodological Trustworthiness, Transparency, and Attribution

This study is intentionally framed as an exploratory, single-case phenomenology of practice. That design foregrounds lived process over statistical generalization, but it also creates recognizable trustworthiness constraints: the analysis is self-reflective (the author is the litigant), and the corpus centers on one case without a comparative control group, independent source determination, or formal peer debriefing. Accordingly, the claims in this article are delimited to process-level insights about AI-augmented motion preparation (organization, burden-of-proof mapping, and internal consistency) rather than claims about typical pro se outcomes or causal effects on case results.

To increase demonstrative transparency, the revised manuscript adds an explicit artifact-based audit trail. In a redacted Appendix, we provide side-by-side excerpts showing: (a) an initial AI-generated draft segment, (b) the author's verification-driven revisions (including deletions of unsupported assertions), and (c) the corresponding filed text with pinpoint citations to the record. These paired excerpts are presented as illustrative micro-cases so readers can independently evaluate where AI contributed structure and where human evidentiary checking determined the final content.

To mitigate confirmation bias inherent in self-evaluation, the analysis applies disciplined bracketing and negative-case checking. Reflective memos explicitly record points of uncertainty and instances where AI output was rejected, narrowed, or corrected because it conflicted with admissibility rules or did not match the documentary record. In addition, the adversarial structure of summary judgment functions as an external constraint: required element-by-element proof, authentication demands, and the opponent's filings create a continuous test of whether a draft is supported by competent evidence rather than persuasive narrative.

To address the concern that observed improvements might reflect disciplined legal reasoning rather than AI augmentation, the manuscript clarifies AI's role as a provisional structuring partner, not an epistemic authority. The contribution is operationalized as document-structure change (e.g., improved mapping between material facts, elements, and exhibits; reduction of

conclusory language; strengthened internal consistency) evidenced by tracked draft-to-final transformations in the audit trail. This framing preserves the central point: AI can accelerate and stabilize the mechanics of structured legal writing, but it does not replace the human work of legal reasoning, record interpretation, and evidentiary verification.

Finally, the limitations discussion is expanded to situate this case within access-to-justice and pro se scholarship, including critical perspectives on procedural disadvantage and outcome disparities. The manuscript explicitly distinguishes (i) AI as a writing/organization aid from (ii) the structural barriers that drive pro se disadvantage (e.g., evidentiary burdens, credibility economies, and resource asymmetries). Future work is therefore framed as multi-case, comparative research that triangulates artifact audits, peer debriefing, and empirical pro se outcome measures to evaluate when and for whom AI augmentation meaningfully changes legal capability in practice.

Despite the demonstrated structural benefits of AI-assisted drafting, important limitations constrain its role in pro se litigation. The most fundamental limitation is that AI cannot create evidence. Generative systems reorganize and synthesize existing inputs, but they do not generate admissible documents, authenticate records, or produce sworn testimony. Summary judgment doctrine requires competent evidence—declarations, authenticated documents, expert reports— not plausible narrative constructions (Judicial Council of California, 2026). AI can identify evidentiary gaps, but it cannot fill them. In this case context, the absence of assignment documentation, expert attribution, or repair-payment receipts could not be remedied through drafting sophistication. The boundary between organizational assistance and evidentiary creation is therefore non-negotiable.

Closely related is the inability of AI to substitute for expert testimony. Technical disputes involving plumbing systems, water migration pathways, or structural causation generally require qualified expert analysis to establish admissibility and reliability. Generative AI may summarize technical principles or suggest lines of inquiry, but it does not provide sworn, testable expert opinion. Courts evaluate expert evidence under evidentiary standards that demand methodological reliability and professional qualification—criteria that AI systems do not satisfy as legal witnesses. Governance and professional guidance consistently warn against overreliance on AI-generated authority in contexts requiring specialized competence (American Bar Association [ABA], 2024). Consequently, AI's analytical outputs must be understood as preparatory aids, not substitutes for professional testimony.

Procedural compliance likewise remains a human responsibility. California summary judgment practice imposes detailed formatting and citation requirements for memoranda and separate statements (Judicial Council of California, 2026). AI can assist in organizing numbered material facts and aligning them with exhibits, but it does not assume accountability for compliance with court rules. Any formatting error, improper citation, or mischaracterized exhibit remains attributable to the litigant. Recent court-focused AI governance documents emphasize that generative tools may enhance efficiency but cannot replace professional judgment or procedural diligence (Thomson Reuters Institute & National Center for State Courts AI Policy Consortium,

2025). In practical terms, AI must operate within a supervisory framework in which the human user verifies rule conformity before filing.

A further limitation concerns the reliability of AI outputs. Generative systems are known to produce "hallucinations"—plausible but inaccurate statements or fabricated authority—particularly when prompted in adversarial contexts (ABA, 2024). In litigation, where precision and candor are paramount, such errors carry significant risk. Accordingly, every AI-generated passage in this study required cross-verification against the documentary record. Unsupported suggestions were rejected, and ambiguous phrasing was revised to track the language of the underlying exhibits. This vetting process underscores that AI augmentation demands greater vigilance, not less. The convenience of fluent drafting cannot displace the obligation to ensure factual and doctrinal accuracy.

Finally, the study's phenomenological orientation introduces contextual limitations. The findings arise from a single-case experiential analysis and are not statistically generalizable. AI performance depends on prompt quality, user expertise, and the nature of the evidentiary record. Structural clarity achieved here may not replicate in cases with different procedural posture or evidentiary complexity. What can be generalized is the boundary condition: AI assists organization and burden alignment but does not alter substantive evidentiary requirements or ethical accountability.

In sum, AI's utility in pro se litigation is bounded by four constraints. It cannot generate admissible evidence. It cannot replace expert testimony. It does not assume responsibility for procedural compliance. And its outputs require rigorous legal vetting. Within these limits, AI may function as a cognitive amplifier, but the authority to assert, verify, and submit claims remains entirely human.

Implications for Legal Education and Access to Justice

The integration of generative AI into litigation practice has significant implications for legal education and access to justice. When framed appropriately, AI can function as a structured reasoning partner—supporting doctrinal alignment, issue segmentation, and evidentiary mapping—rather than as a shortcut to persuasion. In summary judgment contexts, where procedural discipline and element-based proof are decisive, AI-assisted drafting can reinforce analytical habits that law schools traditionally cultivate through case briefing and rule synthesis. By prompting users to align factual assertions with required legal elements, generative systems may strengthen burden-of-proof literacy and procedural awareness. However, such benefits depend on doctrinal grounding; without foundational legal knowledge, users may misinterpret AI outputs or mistake fluency for legal sufficiency (American Bar Association [ABA], 2024).

For self-represented litigants, the access-to-justice implications are substantial. Courts consistently observe that pro se parties struggle with formatting rules, evidentiary standards, and burden allocation. AI tools, when used responsibly, may reduce these barriers by organizing filings into rule-conforming structures and clarifying what constitutes admissible support under summary judgment standards (Judicial Council of California, 2026). The National Center for State Courts has acknowledged that generative AI may improve information access and drafting

efficiency while simultaneously cautioning that courts must guard against inaccuracies and inequitable misuse (Thomson Reuters Institute & National Center for State Courts AI Policy Consortium, 2025). From an access perspective, AI's value lies not in replacing counsel but in narrowing structural disadvantages—helping litigants translate grievances into procedurally intelligible claims and defenses.

At a broader doctrinal level, AI integration may influence how litigation preparation is conceptualized. Traditionally, early-stage case preparation often emphasizes narrative development before systematic evidentiary mapping. AI-assisted workflows invert this sequence by encouraging immediate alignment with legal elements and evidentiary categories. The resulting shift prioritizes structural coherence and proof-based reasoning from the outset. While this does not alter substantive doctrine, it may influence pedagogical emphasis in law schools and continuing legal education programs. Rather than treating AI as a drafting convenience, educators may increasingly frame it as a metacognitive scaffold—one that externalizes analytical structure and reveals inconsistencies in real time. This aligns with professional responsibility guidance that positions AI as a tool requiring competence and supervision rather than autonomous authority (ABA, 2024).

Yet these potential gains carry significant risks if doctrinal grounding is absent. Generative AI can produce confident but inaccurate statements, fabricate citations, or blur distinctions between valuation and admissible proof. Without legal training or vigilant verification, users may unknowingly submit flawed filings. Court governance literature emphasizes that unchecked AI use can undermine fairness, public trust, and procedural integrity (Thomson Reuters Institute & National Center for State Courts AI Policy Consortium, 2025). Misuse may exacerbate disparities rather than reduce them if litigants rely on AI outputs without understanding evidentiary burdens. In this sense, AI is a double-edged instrument: it can democratize structured reasoning or amplify misunderstanding.

Legal education therefore occupies a pivotal role. Integrating AI literacy into curricula should include doctrinal reinforcement, verification protocols, and ethical instruction on supervision and accountability. Students and practitioners must learn not only how to prompt generative systems, but how to interrogate outputs critically and compare them against governing rules and the record. Access to justice may expand when AI supports procedural clarity; it may contract if AI-generated filings increase error rates or strain judicial resources.

Ultimately, AI's role in litigation preparation will depend on how institutions frame and regulate its use. When positioned as a structured reasoning partner within clearly articulated ethical boundaries, generative AI may enhance analytical rigor and accessibility. When treated as a substitute for doctrinal understanding, it risks eroding both competence and trust.

Conclusion

This study demonstrates that generative AI, when used within disciplined procedural boundaries, can strengthen evidentiary clarity at the summary judgment stage. The primary contribution was not rhetorical enhancement but structural precision. By reorganizing diffuse allegations, insurance correspondence, declarations, and procedural arguments into element-based categories,

AI-assisted drafting clarified what summary judgment doctrine requires: admissible evidence aligned with legally defined elements (Judicial Council of California, 2026). The result was a clearer distinction between narrative assertion and evidentiary proof, particularly in areas of standing, causation, damages, and loss of use.

A central effect of this restructuring was clarification of burden allocation. Summary judgment operates through burden shifting; once a moving party identifies an evidentiary deficiency, the opposing party must respond with competent proof rather than speculation or procedural objection. AI-supported drafting reinforced that discipline by continuously mapping each claim to its required evidentiary support. This burden alignment reduced argumentative drift and strengthened doctrinal coherence. Importantly, generative AI did not supply new evidence; it highlighted where evidence was absent and where documentation failed to satisfy procedural standards. Professional responsibility guidance underscores that such tools must be supervised and verified, as users remain accountable for accuracy and candor (American Bar Association [ABA], 2024). In this case, AI augmented reasoning but did not displace human judgment.

The structural transformation also influenced negotiation posture. By isolating evidentiary asymmetries—such as the absence of expert attribution, lack of assignment documentation, or distinction between valuation figures and proof of payment—the drafting process clarified exposure ranges and litigation risk. Governance literature on AI in courts emphasizes that generative tools can enhance clarity and efficiency but require oversight to maintain fairness and reliability (Thomson Reuters Institute & National Center for State Courts AI Policy Consortium, 2025). Here, the clarity produced by structured analysis enhanced strategic evaluation before settlement discussions and potential trial preparation.

Most significantly, the study illustrates a model of augmented self-representation rather than automated lawyering. AI functioned as a cognitive amplifier: organizing, cross-referencing, and stress-testing the record against doctrinal requirements. It did not substitute for expert testimony, evidentiary authentication, or ethical responsibility. The human litigant retained full authority and accountability over verification, strategic decisions, and compliance with court rules.

As courts, educators, and litigants continue to confront the integration of generative AI into legal practice, the distinction between augmentation and automation will remain critical. When grounded in doctrinal understanding and ethical supervision, AI can strengthen analytical rigor and procedural discipline. When treated as an autonomous authority, it risks undermining both competence and trust. This case study suggests that the future of AI in litigation lies not in replacing legal reasoning, but in reinforcing it.

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