AI-Proofing Class Action Notices From Pro Se Objection Surge

By **Britany Wessan** (May 18, 2026)

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The legal system is already contending with the influence of artificial intelligence on several fronts.

A study released in March by Anand Shah and Joshua Levy draws on more than 4.5 million federal civil cases to document that the pro se share of federal civil filings had long held steady at roughly 11%, before surging to 16.8% in 2025.[1]

The authors attribute that rise to AI lowering the cost of producing legal documents, with AI-generated text now detected in more than 18% of federal civil complaints filed in early 2026.

AI's effect on lowering cost has not only led to AI being used in pro se filings. AI-hallucinated citations and fabricated quotations have started to become the norm in legal news, appearing in filings from self-represented litigants and seasoned professionals alike.

For example, on April 18, Sullivan & Cromwell submitted a three-page correction to its bankruptcy filing due to AI-introduced errors in an earlier pleading.[2]

Class actions are not immune to any of these forces, and the objection process may be where they converge next.

Until recently, class action objectors have occupied a narrow corner of litigation. A small, repeat-player objections bar has dominated that space.

Joining those career objectors are the occasional one-off objections filed by individual class members. But that decades-long equilibrium is about to change.

A class member does not generally approach a class action notice with an intent to object. But often, a class member receives a notice filled with dense, unfamiliar language and legalese.

Class members could formerly turn to a search engine or lawyer friend to decipher that language, or might even try to parse the notice themselves. But that too has begun to change.

Increasingly, the first step is for a class member to run a class notice, settlement agreement or settlement website through an AI tool, whether ChatGPT, Claude, Grok or a similar large language model.

Uploading that document alongside a simple prompt — "explain this notice" or "anything I should be concerned about?" — can produce a summary of the document with flagged issues: how the recovery stacks up against comparable settlements, the share allocated to attorney fees or provisions that appear unusual on their face.

The AI tool may go a step further, and suggest that the class member consider objecting. It may offer to draft an objection if asked, or even if not asked.

What follows is a largely automated progression from confusion to action. The barrier to generating an objection drops to near zero, because the tools class members rely on to interpret unfamiliar information are increasingly capable of translating that uncertainty into a ready-made filing.

And those filings, even if error-laden, can be created with little more than a case name and the class notice.

The widespread adoption of generative AI tools is poised to increase both the volume and the sophistication of class action objections. And an influx of AI-written objections will likely reshape settlement approval proceedings in ways courts and litigants are only beginning to anticipate.

The idea that AI can draft objections, summarize settlement terms or flag unusual fee structures is no longer novel. What remains unsettled is whether AI can meaningfully evaluate the fairness of a deal like a lawyer or judge does.

Courts and litigants will need practical strategies to navigate this AI shift.

As discussed below, those strategies include drafting clearer settlement notices designed to withstand AI scrutiny, enhancing class-member education, building stronger records at or before the preliminary approval stage, establishing procedures to manage a higher volume of objections, and rethinking how and when objections are presented to the court.

Taking these steps proactively will allow litigants to stay ahead of a landscape that is already changing.

How the Objection Process May Be About to Change

At its core, the objection process has always been accessible in theory, but difficult in practice. Given the principle that a class member has the right to object, considering whether to do so and then crafting a legally sufficient objection usually requires understanding many related but often misunderstood legal concepts.

Those concepts include analyzing a settlement agreement, reviewing the structure of a deal (claims made, common fund or hybrid), assessing attorney fees, understanding the size of the recovery and the scope of the release, and evaluating the risks of continued litigation — questions that are complex even for experienced lawyers.

And all of that got even more complicated with the changes to Rule 23(e) of the Federal Rules of Civil Procedure in 2018. For class members, who are not lawyers and are often encountering the case for the first time through a dense notice, that kind of analysis is not just challenging, but often out of reach.

Historically, courts have been wary of so-called professional objectors — repeat filers who leverage objections. At best, their objections attempt to shape the settlement itself and the larger legal landscape as they believe it should exist, rather than how the parties believe a case should be resolved.

At worst, those objections are a mechanism to extract side deals or extra payments. But AI will democratize the objection process, shifting the landscape from a handful of repeat players to potentially hundreds or thousands of one-off objectors.

Now, through the minimal effort it takes to create basic prompts and nominal adjustments, generative AI can identify perceived deficiencies in a notice, challenge attorney fees or service awards, and raise concerns regarding relief to the class.

Importantly, these objections will not all be frivolous. Many of those objections will likely track the same issues that courts already take seriously.

For example, courts already consider whether a settlement falls within the range of reasonableness; whether a release is overbroad; and whether attorney fees are disproportionate to class recovery. What once required specialized legal knowledge can now be produced in minutes.

Analogy to another area of law may also prove illustrative. In the administrative law context, organized groups have long rallied their members to submit sometimes overwhelming numbers of comments to high profile rulemaking.

Just as that process will become easier with AI tools, so too can the same mechanisms be deployed in class actions. After all, the cost of creating form objections or a form prompt to produce a new objection via AI tools is quite small compared to the efforts that were previously required.

Courts and litigants will find it increasingly difficult to distinguish between boilerplate objections and those raising legitimate concerns, especially when both are presented in what appears to be polished, legally coherent language.

The result will be predictable: a significant uptick in objections, including from individuals who previously would not have objected at all, with some of those objections sufficiently well-articulated to resist summary dismissal.

As a result, courts and litigants will find themselves on the front lines of determining new procedures and approaches to grapple with this influx of AI-prepared objections.

Dealing With AI-Prepared Objections

Moving forward, parties may want to consider some of the following strategies to anticipate objections earlier and to build stronger evidentiary records for the approval process.

First, settlement notices are the first point of contact between the class and potential objectors. Litigants should focus on ensuring clear notices written in plain language are prepared for the settlement class.

Notices with errors will likely flag AI concerns, resulting in avoidable objections. Litigants should consider testing notices using AI tools internally to simulate how a class member might interpret the notice and identify red flags.

And as objections to notices occur, litigants will want to review prior AI-generated objections to similar notices and adjust phrasing and formatting to preempt common AI-flagged concerns.

Second, enhancing class-member understanding and education will become even more critical. Relying on automated systems, such as interactive voice response platforms, may no longer be enough.

Parties and settlement administrators should consider live operators to respond to inquiries, and plaintiffs attorneys should be prepared to field direct questions from class members.

Also, robust educational resources, including FAQs, plain-language summaries and explanatory guides hosted on class counsel's websites and linked to the settlement website, can help reinforce the legitimacy of the settlement and answer common questions.

Third, plaintiffs attorneys will likely face heightened scrutiny and skepticism regarding their requests for attorney fees. Objections will likely target certain settlement structures, percentage-of-fund awards and lodestar cross-checks.

Those objections will likely be tailored toward perceived disconnects between fees and class benefits. Even minor confusion related to attorney costs — not fees — and settlement administration expenses will be flagged.

To mitigate these risks, plaintiffs attorneys should consider providing explicit explanations of costs versus fees to avoid AI tools misidentifying expenses as excessive fees.

Fourth, parties should incorporate structured processes to manage objections. An increase in objections will mean an increase in responses, hearings and potentially appeals.

Initially, parties should consider requiring objectors to disclose whether their objections were drafted by AI. To further mitigate delays and procedural complications, litigants may want to build alternative dispute resolution mechanisms into the settlement framework for repeated or duplicative objections.

Explicitly outlining procedures for addressing AI-generated objections at the outset can help streamline review and reduce the risk of challenges or delays.

Fifth, litigants will want to consider how objections are presented to the court. Waiting for the final approval hearing to address objections may no longer be the best approach.

Parties may also wish to employ supplemental filings, summary charts or consolidated briefs to streamline the court's review of multiple objections that raise similar issues.

Incorporating tiered objection processes into preliminary approval orders can enhance efficiency. Final approval, which already takes months if not years, may take longer, increasing settlement uncertainty for both plaintiffs and defendants.

Conclusion

The next phase of class action objections will test whether the system can absorb increased participation through the widespread adoption of AI usage.

On one hand, broader participation aligns with the purpose of Rule 23 by amplifying class member voices. On the other, the shift toward AI-written objections risks overwhelming courts with objections that range from facially credible to substantively duplicative to without merit.

That paradox requires planning. Unless courts and litigants consider new strategies and procedures, they may find themselves behind the eight ball.

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[1] https://avshah1.github.io/assets/pdf/papers/pro-se/Pro_Se_Automation.pdf.

[2] https://websitedc.s3.amazonaws.com/documents/In_re_Prince_USA_18_April_2026.pdf
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