

The Fragomen Approach to Using AI An AI Transparency Statement

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Purpose

Fragomen is committed to transparent, responsible use of Artificial Intelligence (AI). This Transparency Statement explains how we use AI in delivering immigration-related legal and professional services, how we handle and protect client information when AI is used, and the safeguards that govern AI-enabled work. This Statement provides a high-level overview and is not a comprehensive inventory of all AI tools, models, or use cases.

Scope and Definitions¹

- **Artificial Intelligence (AI):** A system which operates with a certain level of autonomy, using machine learning and / or logic- and knowledge-based approaches, to produce system-generated outputs such as content, predictions, recommendations and / or decisions. This covers both the sub-systems of Generative Artificial Intelligence and Traditional Machine Learning
- **AI Center of Excellence (AI CoE):** A cross-functional team at Fragomen that guides and coordinates the firm's AI initiatives, including use-case assessment, solution delivery support, training and enablement, and governance oversight to promote responsible use of AI.
- **Fragomen:** Fragomen, Del Rey, Bernsen & Loewy, LLP; Fragomen Global LLP; Fragomen Global Immigration Services, LLC; and all of their affiliated entities and members of the Member Firm Network (MFN).
- **Generative Artificial Intelligence (GenAI):** A sub-system of Artificial Intelligence which, through learning from existing content, creates new content that reflects the traits of the learning content based upon natural language requests and prompts, this includes systems such as **Large Language Models (LLMs)**
- **Traditional Machine Learning (ML) and data science techniques:** A sub-system of Artificial Intelligence that uses statistical or algorithmic methods to learn patterns from data in order to generate predictions, classifications, or recommendations. Unlike Generative AI, these systems do not create new content but apply learned models to produce outputs based on input data.
- **Foundational Model / LLM:** Refers to third-party AI models that Fragomen accesses through approved enterprise services and secure APIs.

¹ Adapted from EU AI Act: <https://artificialintelligenceact.eu/ai-act-explorer/>

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- **Fragomen Models:** ML/AI models that Fragomen develops, trains, and operates within our Fragomen environments.
- **Relevant AI Systems:** Any AI systems used by Fragomen, or any of its subcontractors, to provide service and/or create any deliverables for the client

How We Use AI

We use AI to enhance efficiency, quality, and consistency of our services, including document drafting assistance, information retrieval, workflow automation, data classification, predictive modelling and forecasting. Fragomen uses available AI technology that is best suited to support these tasks and ensure intended outcomes are achieved, we do not create GenAI models or build LLMs. The AI systems used at Fragomen are not high-risk, as classified by the EU AI Act¹.

AI is always used under human supervision and according to our Responsible AI policies and controls (see **Human in the Loop Quality Controls** and **Governance & Oversight** below).

Training and Model Development

To avoid ambiguity, we distinguish between third-party foundational models and Fragomen-developed models:

1) Third-Party Foundational Models (LLMs)

We do not permit third-party foundational model providers to train their LLMs on client content.

- **No provider training on client content.** Client information, including personal data and, where necessary, sensitive or restricted data, may be processed for service delivery in Fragomen-approved enterprise GenAI tools. Fragomen's enterprise agreements require that model providers do not use client content (inputs, outputs, or derived data) to train or improve their models.
- **Data retention by providers.** Our providers do **not retain** client data. For certain enterprise chat products, Fragomen may retain conversation history for a limited period to support user convenience and auditing (see **Data Handling & Security**).
- **Human review.** AI assisted outputs are reviewed by Fragomen professionals before use in client work.

2) Fragomen-Developed Models (ML / AI)

When we train Fragomen-developed ML / AI models, we use deidentified/aggregated data with safeguards and governance controls.

- **Permitted training sources.** Fragomen may use case data to develop, train, validate, and improve Fragomen Models **only** when such data is **anonymized, de-identified and/or aggregated** with safeguards to prevent re-identification.
- **Ownership and use.** Fragomen Models, including improvements, remain the **exclusive property of Fragomen**. We do **not** sell or license these models for third-party independent commercial use. We may use them to deliver or enhance services to clients.

Data Handling & Security

- **Retention.**

Fragomen retains conversation history from approved enterprise chat products for approximately 30 days to support user convenience, auditability, and safety monitoring: access is restricted to the initiating user and authorized administrators. Use of Microsoft Copilot and internal LLM applications occurs fully within Fragomen’s tenant and follows our standard data retention policies. Any outputs generated by AI-assistants or copilot agents that are saved as part of casework are treated as Fragomen business data and retained in accordance with applicable firm data retention policies.

- **Processing location.**

Data used within Fragomen’s AI-enabled systems is stored in regions defined by Fragomen’s infrastructure configuration, which is primarily in the United States.

For Microsoft 365 Copilot, which is an internal productivity tool used exclusively by Fragomen employees, the location of data processing is determined by Microsoft’s service configuration for our tenant. Where Microsoft provides in-country processing, Copilot interactions—including prompts, associated data, and model inferences—may remain within national borders under Fragomen’s sovereign controls through our Microsoft tenant. This capability is newly announced and not yet active for our environment; Copilot interactions for Fragomen are currently processed within the United States, and we will adopt in-country processing as Microsoft makes these options available to our tenant. In all cases, Copilot data processing is governed by the strict security, privacy, and compliance protections defined in Fragomen’s enterprise agreements with Microsoft.

For AI solutions developed by Fragomen—such as custom automations, data extraction components, or agent-based workflows—the region in which processing occurs may vary based on the requirements of the project and the capabilities of the supporting technology platforms.

When a project requires that data be processed within a specific geographic region to meet regulatory, operational, or sovereignty needs, Fragomen will deploy the solution using vendors and infrastructure that support those regional requirements, subject to the availability and compliance features of the underlying platforms.

Across all AI services used or developed by Fragomen, data processing follows consistent enterprise security, privacy, and governance controls, ensuring a uniform standard of protection regardless of processing region.

- **Access controls & testing.**

All AI uses comply with internal governance, including role-based access, change management, and periodic testing (e.g., anonymization assurance, access validation, and data lineage review).

- **Sub-processors / service providers.**

We work with approved enterprise providers (e.g., Microsoft Azure AI Services, OpenAI) subject to security, privacy, and contractual commitments. Current providers and relevant assurance artifacts are available upon request.

Outputs and Legal and Professional Advice

We may use enterprise generative AI to assist our professionals; it does not replace legal and/or professional judgment. Only work product we expressly identify as a final deliverable constitutes our legal and professional advice. Any drafts or raw model output shared for discussion are not legal or professional advice.

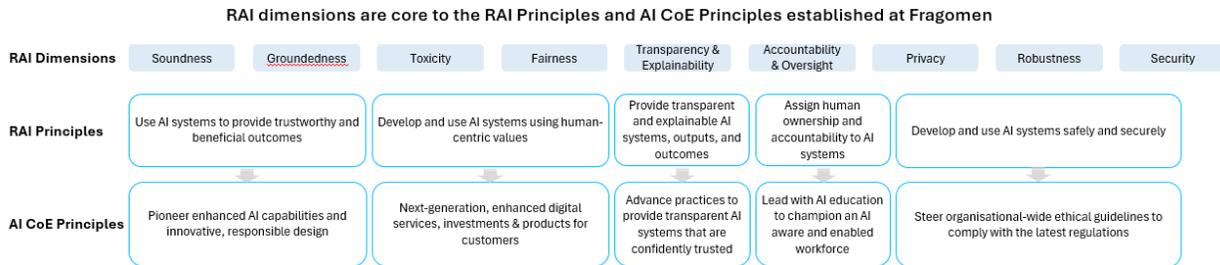
Clients own the final deliverables that we create exclusively for the client and issue to them. Fragomen retains ownership of its pre-existing firm materials—including our know-how, templates, prompt libraries, workflows, model configurations, and tools – and any firm materials which may be developed or refined in the course of providing services. Where Firm Materials are embedded in a deliverable, clients receive the rights needed to use the deliverable but not to extract or reuse Fragomen’s firm materials outside the deliverable.

Governance & Oversight (Responsible AI)

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At Fragomen, we have established Responsible AI Principles, informed by OECD AI Principles², which align with our AI Principles and are underpinned by RAI Dimensions.

All AI usage adheres to these RAI Principles, and every instance of AI usage is assessed to ensure it aligns with our Responsible AI usage policy and is developed with tailored RAI controls and guardrails to minimize the risks exacerbated through the use of AI.



Fragomen has implemented a comprehensive Responsible AI (RAI) Governance Framework that ensures alignment with our AI CoE Principles, and enables us to map, measure, and manage AI risks across the enterprise. This framework is embedded within our AI Center of Excellence (AI CoE) and aligns with international standards and leading practices, including guidance from the NIST AI Risk Management Framework³ and ISO/IEC 42001⁴.

Every AI system undergoes a Suitability Assessment to identify potential Responsible AI issues, in line with Fragomen’s Organizational Risk Categories. The Suitability Assessment surfaces relevant risks early, enables appropriate metrics and controls to be implemented, and pre-defined mitigation actions to be set – tailored for every AI system.

AI usage is continuously monitored to ensure it adheres to established RAI guidelines. An RAI escalation pathway has been set up to clarify responsibilities, address risks and issues according to their severity and to ensure prompt resolution.

Human-in-the-Loop Quality Controls

At Fragomen, we ensure human oversight of all AI-assisted processes, especially from a legal and professional services perspective. While AI boosts efficiency, the complexity of immigration work demands careful human review to maintain factual accuracy and completeness, legal compliance, ethical standards, and high quality of work product.

² OECD Principles: <https://oecd.ai/en/ai-principles>

³ NIST AI Risk Management Framework: <https://www.nist.gov/itl/ai-risk-management-framework>

⁴ ISO/IEC 42001: <https://www.iso.org/standard/42001>

AI supports, but does not replace, professional judgment. Our attorneys and professionals rigorously review all AI assisted work product for factual accuracy, completeness, and legal sufficiency before use or client delivery. We rely on clear policies to guide this review process, ensuring that AI supports our professionals rather than replacing them. Fragomen’s Human-in-the-Loop approach ensures we meet legal standards and deliver exceptional, quality service with the highest integrity.

End User Transparency (Internal & Client)

Human oversight is fundamental to our approach and embedded in both policy and practice. For applications developed internally, we incorporate user experience (UX) elements (e.g., tooltips, banners, reminders) to provide clear, accessible information about each AI tool’s purpose, capabilities, and limitations and reinforce user responsibility and awareness. These design features serve as real-time prompts for users to carefully review AI-generated content before use.

Additionally, all users of AI at Fragomen are required to complete mandatory training before being granted access to any AI tooling. This training ensures end users understand the limits of using AI and their responsibilities when using the technology to ensure they do so appropriately and responsibly.

Our firm’s Privacy Notice, which is shared with all clients, discloses the use of AI technologies and explains, at a high level, what categories of data may be processed and under what safeguards. This framework governs all firmwide data handling practices, including both AI-assisted processes and traditional analytics. Fragomen has taken the additional step of requiring the disclosure of the use of AI to the client when AI contributes to client deliverables, which are always reviewed and validated by licensed attorneys or trained immigration professionals, who bear responsibility for the final work product.

Sustainability (Vendor & Internal)

AI will transform the way we work at Fragomen – a positive force that we intend to be equitable, responsible and sustainable. A core technology for our business, our people and our clients, we are dedicated to ensuring usage aligns with our wider sustainability commitments.

Purposeful Vendor Selection

We collaborate with vendors who match our strong sustainability commitments and can support us to address climate concerns

- We require vendors to share their climate commitments and progress across key AI-relevant sustainability areas: Energy use and renewable energy sourcing, water management, infrastructure and waste management.
- We require vendors to share their environmental impact, carbon performance, and sustainability performance metrics and reporting

Sustainable AI Design

Sustainability is core to our use of AI. It is a main principle in both the design and deployment of AI at Fragomen, and a key decision input alongside cost, accuracy, and risk. Reusability techniques, which decrease wasted compute, energy use and emissions, are core to our AI design strategy.

Empowering Our People

We embed sustainable habits into AI training to support our people to integrate responsible AI practices in their daily workflows, encouraging efficient, thoughtful use of AI without unrealistic restrictions.

True innovation is sustainable, and our approach to AI will enable us to create lasting value for our people, clients and our business.