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INFLUENCE OF AI OVER LEGAL PROFESSION[1]

ABSTRACT

Artificial intelligence have indulged in our lives since a very long time, be it the personal assistants in our smart phones or humanoids performing all the task which a capable human can do, the robots used for hospitality in advanced tech- hotels or the AI based maps and guide which take us wherever we want to go. In all these areas you can relate how important and essential is technology for us now but that doesn't mean that it was impossible to work and get things done without it, technology just makes it much easier. Someway in the legal profession as well, we have seen that lawyers working hard in their chambers putting out every effort to make a case presentable in the courts. Now with the introduction of artificial intelligence in the legal system there are a lot questions and debates regarding their job and existence of career are present in the minds of the professionals working in it. This paper will discuss about the impact of AI in the legal profession, the developments and the application of technology in the legal sector and whether AI take over the jobs of lawyers or it will enhance the scope of their career.

INTRODUCTION

Artificial intelligence refers to an intelligence exhibited by machines and computers and enables them to perceive, learn, make decisions and solve problems by imitating the human intellect. In layman's language artificial intelligence is an intelligence which mimics the human mind in order to work for the ease of humans. It has been included in almost every professional sector .Now it is putting its feet in the legal profession as well. Today artificial intelligence is beginning to transform the legal field in various ways and it augments what lawyers do and let them do the work they can easily focus more upon resulting in replacement of paper work in software's turning the work more efficient and effective and less time consuming. In these times of smart working lawyers have already started using artificial intelligence to perform

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[1] Anshika Gupta, a Student at Galgotias University

various tasks such as reviewing documents, interpret contracts and legal researching making it more convenient and cost effective. Being a totally new concept in the legal industry many people connected to this field are having various questions regarding the pros and cons of the AI in this sector.

APPLICATIONS AND DEVELOPMENT OF AI IN LEGAL FIELD

Artificial intelligence is being used in the legal profession for almost 10 years after its discovery, the major categories or arenas in which it is being used are prediction technology Artificial intelligence software predicts the outcomes of the cases by referring and analyzing the old and past cases as precedents and forecast the outcome of the case. Such prediction helps the litigator to make changes and implement legal skills to win the case by weakening the loopholes and obstacles. Several studies have shown that prediction of Supreme Court cases are forecast by guessing the judges behaviour by using algorithms. One new study using the Supreme Court databases involved building machine learning statistical model to build general algorithms for predicting any justices vote at any time from 1816 until 2015 the algorithms correctly predicted 70.2% of the courts 28,000 decisions and 71.9% of the justices 240000 votes the authors report on PLOS in PLOS[2]

LEGAL ANALYTICS

Legal research is one of the major and most important must have skill for lawyers since hundreds of years. A successful lawyer must conduct accurate and relatable legal research for the case going to be adjudicated before the court. Researchers conducted a study to compare the performance of AI to human lawyers in annotating five standard nondisclosure agreements. Law geex artificial intelligence which had never processed the test materials before was used. At the end of the exercise lawyers achieved an average accuracy rate of 85% while the AI system was 94% accurate[3]. Legal analytics provides software to the lawyers to search legal precedents and data driven insights, analyze the key points with reasoning and also does a proper researching to ease the tasks of the lawyers. One of the significant legal analytics software currently in use in the legal profession is also lex machina. "In November 2015 Lexis Nexis bought lex machina inc.

Lexis Nexis is a leading information provider and a pioneer in delivering trusted legal content

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[2] JONATHAN MARCIANO, AUTOMATING THE LAW: A LANDSCAPE OF AI SOLUTIONS TOP BOTS JUNE 10 2017

[3] Techslang.com

and insights through innovative research and productivity solutions supporting the needs of legal professionals at every step of their workflow".[4]

DUE DILIGENCE

Due diligence is an act of care or investigating any loophole and to prevent any case to commit any tort or anything wrong. An audit or review performed before entering into any contract or partnership or before filling the suit in the courts. It includes inspection of the details and financial records and agreements and considerations. Artificial intelligence does this task of due diligence and reviewing all the facts of the client's case.

DOCUMENT AUTOMATION

Document automation is the task which involves traditional work of documents assembling and organizing, drafting new documents, getting your documents ready within minutes all these tasks are document automation and now with the involvement of the AIs it can be done without difficulty or exertion. There are several software for document automation one of them being neota logic system, form stack, adobe and many more.

ELECTRONIC BILLING

Artificial intelligence let the lawyers to keep a record of the work they have done and generate an invoice. It makes the billing accurate and is convenient for both the clients and lawyers. The development of electronic billing was made with the aim to reduce disputes and accurate reporting and tracking and reduction of paper cost.

WILL AI REPLACE THE LAWYERS?

With emerging number of usage of the artificial intelligence in the legal sector it is a common threat among the law professionals that whether the artificial intelligence will take over the lawyers? The artificial intelligence will profoundly change the modus operandi of the legal industry, there are likely to be some structural changes among the arena, the data and

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[4] https://lexmachina.com/about/.

technology and its dependence will decide and determine that whether investing in the artificial intelligence is worth it or not.

The classic fear of the AI replacing or putting out the lawyers from the industry is not proved and unfounded. The artificial intelligence may and will take over the tasks which junior lawyers tend to do since a very long time, like legal researching, drafting documents and document automation, these tasks were time consuming and exerting for the junior lawyers. The lawyer AI may automate the tasks which are done by the lawyers but the AI will not automate the lawyers. But there may be chances where it can replace the entry level lawyers. If a senior lawyers wants to work in a more cost effective pattern than he may choose to invest in the AI rather than paying the entry level lawyers salary to do the basic ground level work which the software can do with more accuracy and less time by using technology assisted review or predictive coding.

MCKinsey Global Institute estimates that 23% of a lawyer's job could be automated. Some estimates suggest that adopting all legal technology already available now would reduce lawyer's hours by 13% [5]

But this cannot be the end of the scope for the junior and entry level professionals. We know that the time changes and we should also change with the time to survive with the dynamics. Here with the era of such artificial intelligence the new age lawyers and the fresh lawyers must acquire new skills to have an edge in their profession. This is the generation of smart work along with hard work, so rather than putting themselves in the tasks like typing , managing documents, researching , the new age lawyers must be well versed in machine learning, AI configuration , analytics and they must excel in using the AI to benefit themselves. It will just allow them to practise at the top of their degree. Then it will be next to impossible for the technology to take over the new professionals.

The AI have not marked its efficiency in the main tasks of law and advocacy such as , rational thinking, arguments framing cross examining these tasks still and will need the human element and human intellect.

ADVANTAGES OF USING ARTIFICIAL INTELLIEGENCE IN THE LEGAL INDUSTRY

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[5] Law.harvard.edu

Now with the support of AI the junior lawyers may indulge in the more complex tasks along with the senior lawyers, this will not only benefit the legal professionals but the judiciary and the nation in a wide scale as the cases will be prepared fast and their will not be any delay leading to fast completion of the already pending cases.

E.g. If there is a large dispute, there will be huge number of documents to analyze and in some disputes there can be tens of millions and even hundreds of new documents ,now one of the way is the law firms earn substantial fees is by putting armies of young lawyers into this documents review . But the other way is by form of essential AI being used upon supervised learning where you gave an expert the sample of these documents. They will indicate the ones they would isolate and those which are relevant and from that the system essentially can refer for the full document. And all the tasks which would have been done by the armies of junior lawyers consisting of hefty amount of paper cost and money now can be done easily within a short amount of time and will be cost effective.

Keeping in mind the accuracy and speed of the artificial intelligence, it can u undoubtedly process a vast amount of data, law professionals that are adapting with the technology are reaping uncountable benefits.

Somehow, AI will open the doors for the new career field in the legal profession by creating more job profiles relating to the legal data analytics and diligence.

DEMERITS OF AI IN LEGAL PROFESSION

EXPENSES IN FORMATION OF AI

AI requires a huge amount of money and power to be formed, as they are complex machines and soft wares. Their repair updating and up keeping are also quite high maintenance in cases of serious breakdowns , the method to regenerate lost codes and restoring the framework may require a huge money and time.

STRICTLY PROGRAMMED AND LACK OF SUPERVISION

The AI will stick to do only what is programmed to it. Failure in supervising can result in malpractices. In JM Manufacturing co. Vs Mc Dermott will &emery [6] a law firm was sued and accused. A search term and keyword filters were used by a discovery vendor to filter privilege documents. Adequate review was not done by the vendor and the documents were not checked before the production which led to production of the privileged documents in qui tam action by

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[6] 2:11-cv-06666 court of California central

the government, the case is still pending as a reminder to not to put complete faith in the artificial intelligence

INEXPERIENCED LAWYERS AT THE GROUND LEVEL.

The entry level lawyers tend to do the main tasks of preparing and reviewing the documents and drafting and all the basic tasks which now can be done through the AI, this might lead to unskilled and untrained professionals in the system.

LACK OF REGULATION AND FRAMEWORK

Since Artificial intelligence is not much in action in the industry there are no AI related laws or standards prepared for the effective working. It can lead to confusion and ambiguity at certain point of time.

USAGE OF ARTIFICIAL INTELLIGENCE IN INDIAN LEGAL SYSTEM

In a survey conducted by a Gurugram based University in July 2020 it was found that about 42% lawyers believed that in next 3 to 5 years, as much of 20% of the day to day legal tasks can be performed with artificial intelligence.[7]

In India the young lawyers and practitioners are welcoming the artificial intelligence into the Indian legal system. Several AI based soft wares are being used for document review and other task for a given case.

There are many AI companies now gradually entering the legal arena of India to provide efficient technological and intelligent edge to the law professionals. Legal kart is an Artificial intelligence based application that connects clients with the best lawyers available near them. The users also get time to time updates information sharing and legal assistance by the app it is reportedly India's first practise management system for lawyers as well.Bangalore based SPOT DRAFT founded in 2017 is an artificial intelligence based contract management platform that help the clients to draft review manage and sign the contracts. This platform is also used for analyzing legal documents and suggests users the clauses for negotiation as well. Spot draft has processed over 6,000,000 contracts as per its website.[8] We all are aware of the artificial intelligence based website case min which is used to make in depth legal research and comprehensive analysis. Similarly a software names as CASEIQ is a virtual research assistant

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[7] Survey report v7 bmu.edu.in
[8] www.spotdraft.com

that obtains points and results from the legal documents of the company.

There is a Mumbai based start-up which provides an AI system named after a harry potter's character professor Albus Dumbledore's memory reviewer that understands legal documents. Its flagship product mitrai can understand the context of a search and can provide suitable recommendations. This system uses machine learning models running on thousands of documents to provide the most relevant information.

Justice Bobde said[9] that the Indian judiciary already embarked on use of artificial intelligence by assigning a special software SUPACE Supreme Court portal for assistance in courts efficiency to assist judges by furnishing all relevant documents and records of cases.

CONCLUSION

There is always an assumption in the mind of the professionals that in future that AI will be a threat to their profession. The first 40 or 50 years of legal technology it is a field of its own right has been largely devoted to taking the works that lawyers do and essentially automating that work we are now seeing the emergence of system that can actually take on some of the work of lawyers so historically it was about word processing electronic mail research in the world wide web accounting systems and so forth, legal research document analysis document drafting moving from the back office to the front office

We have growing body of clients both from the largest companies to individuals who would like lower cost service that is more conveniently delivered electronically .it was unthinkable in the history that legal work could actually be taken over by technology receptor emergence saying that in terms of precision and recalling these systems can outperform junior lawyers and paralegals. Where there must be a review of a whole bundle of past agreements and again these systems after being suitably trained can isolate the relevant documents and also document drafting that used to be handcrafted.

There are also systems that can help predict the outcome of disputes and predict the likelihood of a deal getting positive results or not.

So many of the tasks which we thought are exclusive preserve of lawyers were taken on by the machines In future there will be a category of lawyers who will be developing the systems that will be solving the problems and disputes so there will be legal knowledge engineers and legal

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[9] timesofindia.indiatimes.com

process analysts. Somehow the traditional work is being taken over by the technology proves it a bit correct but we need to understand that to make an edge or to make a place in the system the new aged lawyers must inherit and skill them up upon how they can use the artificial intelligence for their advantage so that they may focus more upon the actual tasks which are not possible without the usage of the human mind. This will lead to fastening the process of case dealing and will remove the backlogs in our legal system.