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**UNVEILING THE NEXUS: THE INTERSECTION OF ARTIFICIAL
INTELLIGENCE AND LAW**

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Abstract

Artificial intelligence has become widespread across various sectors, and its significance and applicability have become even more prominent since the Covid-19 pandemic. In law enforcement and judiciary, there has been a rapid integration of machine learning and AI, expanding their influence not only within litigation and the legal profession but also within the judiciary and corporate world, particularly in corporate law. The involvement of artificial intelligence in the legal domain has been continuously evolving, raising concerns about its ability to replace human intelligence in areas involving empathy, ethics, and socio-cultural values. However, AI has also received praise for its ability to streamline accessing and analysing historical legal data, facilitating legal analytics, improving cost-efficiency, and enhancing the overall functionality of judiciary and corporate proceedings. This article provides a comprehensive overview of the current state of AI in the legal sector, examining its applications, benefits, challenges, and ethical considerations. The benefits of AI in the legal industry encompass improved efficiency, enhanced accuracy, cost reduction, and increased access to legal services. However, adopting AI in law firms and legal departments is challenging, including technological barriers, impact on the workforce, regulatory frameworks, and ethical dilemmas. The article highlights the importance of addressing these challenges to ensure responsible and effective integration of AI in the legal domain, emphasising the need for collaboration between AI experts and legal professionals, ethical guidelines, and human oversight in implementing AI systems.

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1. INTRODUCTION

Artificial Intelligence (AI) emulates human intelligence processes by computer systems. It encompasses a wide range of technologies and applications that aim to mimic human intelligence, enabling machines to perform tasks that typically require human cognitive abilities. AI has found its way into various domains, including advanced web search engines, recommendation systems, speech recognition systems, self-driving cars, and strategic game systems. As AI advances, there is a shift in what tasks are considered to require "intelligence." Jobs that were once considered the domain of AI are now seen as routine or non-intelligent due to the rapid progress in AI capabilities³. This phenomenon is known as the AI effect. In the legal system, the use of AI is still relatively new but gaining traction.

2. MEANING OF ARTIFICIAL INTELLIGENCE

- Artificial Intelligence (AI) is a phrase coined by *John McCarthy*, the father of AI.
- Artificial Intelligence (AI) is a vast field of computer science focused on creating intelligent systems capable of tasks typically requiring human intelligence. It involves developing machines that can think, understand, and act independently, replicating certain aspects of human behaviour. AI systems can solve complex problems, analyse data, learn from experiences, and make decisions with efficiency and accuracy. As AI advances, it opens up new possibilities and challenges, shaping our interactions with intelligent machines in various aspects of life.

3. DEVELOPMENT ACROSS THE WORLD: HISTORY

Artificial intelligence (AI) emerged as an academic discipline in 1956 and has since undergone multiple cycles of optimism, disappointment, loss of funding, and subsequent resurgence. Over the first few decades of the 21st century, the field has been primarily

³Yashi, *Artificial Intelligence And Laws In India*, LEGAL SERVICES, <https://www.legalserviceindia.com/legal/article-8171-artificial-intelligence-and-laws-in-india.html> (Last visited July 1, 2023).

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dominated by highly mathematical statistical machine-learning approaches, which have successfully tackled complex problems across various industries and academic domains. The foundational belief of AI is that human intelligence can be precisely defined to the extent that machines can replicate it.

However, this notion raises profound philosophical debates concerning the nature of the mind and the ethical implications of creating artificial beings possessing human-like intelligence. These discussions have been explored throughout history via myth, fiction, and philosophy. Moreover, science fiction and futurology have pondered the potential existential risks to humanity posed by AI, given its immense capabilities and power. The field was founded on the assumption that human intelligence "can be so precisely described that a machine can be made to simulate it"⁴.

4. EXPLORING THE KEY COMPONENTS OF ARTIFICIAL INTELLIGENCE

Artificial Intelligence (AI) encompasses the replication of human intelligence within machines, enabling them to execute tasks and make decisions that traditionally necessitate human cognitive abilities. AI systems are designed to analyse and interpret data, learn from experience, and adapt to new information, allowing them to perform complex tasks and solve problems like human intelligence.

The components of AI can be broadly classified into two categories.

1. Narrow AI: Narrow AI, commonly called weak AI, characterises artificial intelligence systems created to carry out precise tasks or functions, encompassing areas like natural language processing, image recognition, and data analysis.

⁴Ashwin Kumar, *Artificial Intelligence*, EDUINDEX, <https://eduindex.org/2021/07/23/artificial-intelligence-3/> (Last visited July2, 2023).

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2. General AI aims to replicate human-level intelligence across various domains and tasks⁵. AGI systems possess the ability to understand, learn, and apply knowledge across different contexts, exhibiting a level of flexibility and adaptability similar to human intelligence.

5. CURRENT POSITION IN INDIA

In India, specific legislation dedicated to data protection is absent, but the security of personal information is covered under Section 43A and Section 72A of The Information Technology Act. These sections grant individuals the right to compensation in case of unauthorised disclosure of personal information, similar to the provisions outlined in the GDPR. Furthermore, in 2017, the Indian Supreme Court declared the Right to Privacy a Fundamental Right protected by the Indian Constitution.

The potential impact of AI in India is substantial, with estimations suggesting that it could contribute approximately 957 billion US dollars, equivalent to around 15% of India's current gross value, by 2035. In 2018, the NITI Aayog (Policy Commission) initiated various programs focused on exploring the applications of AI.

To address ethical concerns related to AI, the Ministry of Electronics and Information Technology established four committees to highlight and analyse multiple ethical issues associated with AI. Presently, a Joint Parliamentary Committee is examining the Personal Data Protection Bill 2019, which is based on a draft statute for data protection. Once both houses of Parliament pass the bill, it will become law. In India, the pace of AI adoption is surpassing the development of regulatory frameworks to govern its use⁶.

The recently-introduced New Education Policy emphasises teaching coding to students starting from Class VI, indicating India's ambition to become a hub for emerging AI

⁵ KeremGulen, *The building blocks of AI*, DATACONOMY, <https://dataconomy.com/2023/04/03/basic-components-of-artificial-intelligence/#:~:text=The%20components%20of%20AI%20include,ways%20that%20were%20previously%20impossible>. (Last visited July 3, 2023).

⁶India ranks 5th in countries with most AI investments, TECHCIRCLE, <https://www.techcircle.in/2023/04/12/india-ranks-5th-in-countries-with-most-ai-investments> (Last visited July 4, 2023).

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technologies. In terms of the legal field, CYRIL AMARCHAND MANGALDAS⁷ has become one of the first law firms in India to embrace AI, primarily employing it to analyse and enhance contractual and other legal documents.

6. RECENT ADVANCEMENTS IN AI TECHNOLOGIES

Recent advancements in AI technologies have propelled the field forward, unlocking new possibilities and applications. Some notable improvements include:

- Deep Learning: Deep learning, a branch of machine learning, has significantly advanced computer vision and natural language processing.
- Reinforcement Learning: Reinforcement learning has advanced AI systems, allowing them to learn and make decisions through trial and error⁸. This has revolutionized game-playing, robotics, and autonomous systems.
- Generative Models: Generative models, such as Generative Adversarial Networks (GANs) and Variational Autoencoders (VAEs), have revolutionized the field of image synthesis and content creation. These models can generate realistic images, videos, and even deep fake content.

7. AI AND CYBER SECURITY

AI and machine learning are now becoming essential to information security, as these technologies can swiftly analyse millions of data sets. AI is an optimal cybersecurity solution for businesses seeking to flourish in the digital realm amidst various cyber threats, ranging from malware dangers to deceptive practices that could lead to phishing attacks⁹. Security

⁷Amit Paul Chowdhury, *India to adopt Artificial Intelligence*, ANALYTICSINDIA, <https://analyticsindiamag.com/cyрил-amarchand-mangaldas-becomes-first-law-firm-india-adopt-artificial-intelligence/> (Last visited July 5, 2023).

⁸10 *Latest Developments in Artificial Intelligence*, MOONPRENUER, <https://moonpreneur.com/blog/latest-developments-in-artificial-intelligence/> (Last visited July 5, 2023).

⁹ Gaurav Belani, *The Use of Artificial Intelligence in Cybersecurity: A Review*, COMPUTERSOCIETY, <https://www.computer.org/publications/tech-news/trends/the-use-of-artificial-intelligence-in-cybersecurity> (Last visited July 6, 2023).

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professionals need strong support from intelligent machines and advanced technologies like AI to work successfully and protect their organisations from cyberattacks.

8. ARTIFICIAL INTELLIGENCE IN THE INDIAN LEGAL PROFESSION

Each advancement in the field of law has been revolutionary, spanning from typewriters to computers and from relying solely on libraries for legal research to utilising internet portals to find relevant case laws. Fax machines gave way to emails; now, it is the opportune moment for AI to enter the legal profession.

Justice D.Y. Chandrachud aptly stated, "Technology is relevant as long as it promotes efficiency, transparency, and objectivity in public governance."¹⁰ AI stands poised to serve as a valuable tool for judges, enabling them to review and evaluate their work, processes, and judgments. The ultimate goal is to enhance access to justice for the general public in the long run.

The current Artificial Intelligence applications in the industry can be categorised into the following parts:

- A. Due Diligence: Lawyers use Artificial Intelligence tools to perform due diligence and uncover background information. Developers integrate new features for the legal industry, like agreement review, legal inquiry, and electronic media.

- B. Legal Mechanism: Lawyers can obtain information points from prior or past instances using Artificial Intelligence technologies. They can also use this data to track the

¹⁰Technology A Powerful Tool In Legal System To Improve Efficiency, Accessibility: Chandrachud, OUTLOOK, <https://www.outlookindia.com/national/technology-a-powerful-tool-in-legal-system-to-improve-efficiency-accessibility-chandrachud-news-256517> (last visited July 6, 2023).

judge's instructions and forecasts. This technology is likely to become increasingly important on a global scale shortly.

- C. Documenting Mechanism: Different types of software arrangements are used in the legal industry to develop papers that aid in collecting data and information. In the law firm industry, numerous documents are helpful. As a result, it is beneficial.
- D. Electronic Receipt: For a considerable duration, lawyers were responsible for creating their receipts. However, introducing AI software development technology transformed lawyers' billing practices, making them electronic.

9. ETHICAL CONSIDERATIONS IN AI AND THE LAW

Integrating AI in the legal industry raises important ethical considerations that must be addressed to ensure responsible and fair use of these technologies. Some vital ethical considerations include:

- A. Transparency and Explainability: AI systems must be transparent, clearly explaining their decisions. Understanding how AI algorithms reach conclusions is critical to address biases, ensuring accountability, and fostering trust.
- B. Bias and Fairness: AI systems can be biased due to training data, leading to unfair outcomes. Efforts must be made to identify and rectify biases, ensuring equal treatment and justice for everyone, irrespective of demographics.
- C. Privacy and Data Protection: AI relies on vast amounts of personal and sensitive data. Protecting privacy and implementing robust data protection measures are crucial to prevent unauthorised access, breaches, and misuse of personal information.
- D. Human Oversight: Although AI automates tasks, human oversight is crucial. Humans should retain control, especially in critical legal matters, to ensure ethical and legal accountability¹¹.

¹¹*Artificial Intelligence: examples of ethical dilemmas*, UNESCO, <https://www.unesco.org/en/artificial-intelligence/recommendation->

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10. HARNESSING THE POWER: EXPLORING THE ADVANTAGES OF ARTIFICIAL INTELLIGENCE

1. Continuous Learning: AI technology utilises machine learning and deep learning to understand the behaviour of a business network over time. It learns from patterns, clusters data, and detects deviations or security incidents, allowing for proactive responses.
2. Identifying Unknown Threats: Human operators may not be able to recognise all the threats a company faces, especially the unknown ones. Hackers constantly devise new tactics, and AI can effectively map and detect these unknown threats, preventing potential damage before they are identified¹².
3. Handling Large Data Volumes: With significant data traffic occurring on a company's network, it becomes challenging for cybersecurity personnel to inspect all the data for potential threats manually.
4. Enhanced Overall Security: The ever-evolving nature of threats makes it challenging to prioritise security tasks effectively. AI in network security can detect various types of attacks, such as phishing, denial-of-service, or ransomware, and guide prioritising and preventing them¹³.

11. UNVEILING THE DOWNSIDES: EXPLORING THE DISADVANTAGES OF ARTIFICIAL INTELLIGENCE

The advantages of AI in cybersecurity offer significant improvements, but there are downsides to consider.

[ethics/cases#:~:text=But%20there%20are%20many%20ethical,and%20privacy%20of%20court%20users.](#) (Last visited July 6, 2023).

¹²Bithika Roy, *Artificial Intelligence: Boon or bane*, TIMES OF INDIA, <https://timesofindia.indiatimes.com/readersblog/trivialtopics/artificial-intelligence-boon-or-bane-55697/> (Last visited July 6, 2023).

¹³ Sunil kumar, *Advantages and Disadvantages of Artificial Intelligence*, Towards data science, <https://towardsdatascience.com/advantages-and-disadvantages-of-artificial-intelligence-182a5ef6588c> (Last visited July 7, 2023).

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- Implementing AI requires substantial resources and financial investments.
- Acquiring diverse datasets for training AI systems, including malware codes and anomalies, is time-consuming and costly.
- Limited data can lead to inaccurate results and false positives.
- Additionally, cybercriminals can exploit AI for analysing malware and launching sophisticated attacks. Therefore, caution must be exercised to ensure the reliability and integrity of AI systems and to stay ahead of adversarial AI techniques employed by attackers¹⁴.

12. THE FACE OF FUTURE LAW FIRMS: EMBRACING INNOVATION

In the last few years, the legal business has seen a significant increase in competition. Understanding technological changes and client requirements has become critical for law firms¹⁵.

Those who ignore these changes will become outdated in the coming years. The future landscape of law firms will undergo significant transformations. Let's explore some of the qualities that progressive legal companies will possess:

1. Client Service Innovations:

In future, the way clients are served and handled will significantly change. Law firms would approach their clients with fresh ideas and more genuine and cost-effective legal solutions.

2. Focus on Higher Profits:

Nowadays, law firms are concerned with raising income, and if we look closely, we can see that competition among law firms has been expanding steadily. Still, demand for legal

¹⁴What are the advantages and disadvantages of artificial intelligence (AI)? , TABLEAU, <https://www.tableau.com/data-insights/ai/advantages-disadvantages> (Last visited July 7, 2023).

¹⁵ Grace Chediak, *Generative AI and the Future of the Legal Profession*, <https://www.linkedin.com/pulse/generative-ai-future-legal-profession-grace-chediak/> (Last visited July 7, 2023).

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services has remained stable, making revenue growth extremely difficult. As a result, law firms will focus on better profitability and margins in the future rather than revenue.

3. Making Technology the Foundation for Growth:

Various legal tech start-ups have emerged to better the lives of lawyers and law firms, ranging from E-Discovery tools to contract drafting automation. AI-based legal solutions assist law companies in becoming more efficient, lowering expenses and increasing revenues.

4. Contract Analytics:

After signing a contract, ensuring compliance with the agreed-upon terms and obligations can be challenging, particularly for large firms with numerous contracts involving various divisions and counter-parties.

5. Legal Research:

Machine intelligence is revolutionising legal research, which was previously time-consuming. With the transition to digital platforms like LexisNexis and Westlaw, lawyers can now leverage advanced computer applications for more efficient and comprehensive searches, surpassing the limitations of outdated technologies.

13. IMPACT OF AI ON THE INDIAN JUDICIAL SYSTEM

The Indian court system faces the challenges of judicial delays due to many pending cases. Efforts have been made to address this issue, but there is a need for more effective solutions. Artificial Intelligence (AI) can be crucial in improving the situation. Using data science and predictive technology, AI can assist courts in providing critical information about ongoing cases based on previous patients with similar characteristics.

AI can be particularly valuable during the evidence stage, which consumes significant court time. By analysing past cases, AI can predict potential delays and help judges handle each

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case efficiently. Additionally, AI can assist in taking proactive measures, such as providing additional protection to witnesses, to prevent hostile behaviour¹⁶.

Chief Justice of India, S.A. Bobde, has acknowledged the potential of AI in preventing undue delays in justice. He emphasised that AI would not replace human discretion or judges but could be used for repetitive, mathematical, and mechanical aspects of judgments.

13.1 CASE PRECEDENTS

There have been several notable precedents and cases that have explored the intersection of AI and law. While the field is continually evolving, the following examples highlight key precedents in AI and law:

United States v. Davis¹⁷ This case involved using an AI algorithm called COMPAS (Correctional Offender Management Profiling for Alternative Sanctions) for risk assessment in criminal sentencing. The defendant argued that the algorithm was biased and violated due process rights. The case raised important questions about transparency, fairness, and accountability in using AI systems in the criminal justice system.

Henson v. Santander Consumer USA Inc.: In this case, the United States Supreme Court considered whether an AI system could be viewed as a "debt collector" under the Fair Debt Collection Practices Act (FDCPA). The court ruled that an AI system could not be held liable as a "debt collector" as defined by the FDCPA, emphasising the need to clarify legal definitions in AI.

EU General Data Protection Regulation (GDPR): While not specific to AI and law, the GDPR has significant implications for using technologies, including in the legal industry. The

¹⁶ArghyaMondal, *Impact Of Artificial Intelligence On Indian Legal System*, LEGAL SERVICES INDIA, <https://www.legalserviceindia.com/legal/article-10548-impact-of-artificial-intelligence-on-indian-legal-system.html#:~:text=With%20the%20vast%20amounts%20of,just%20approach%20to%20the%20law.> (Last visited July 7, 2023).

¹⁷ 588 U.S. 2019.

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GDPR establishes principles and requirements for the lawful and ethical processing of personal data, impacting AI systems' collection, storage, and use of data.

South Australia v. Godfrey (2020): This case involved the admissibility of evidence generated by an AI system known as "Shazam" in a criminal trial. The court accepted the AI-generated evidence, emphasising the importance of assessing the reliability and credibility of AI systems and their outputs in legal proceedings.

14. BRIDGING THE GAP: ARTIFICIAL INTELLIGENCE REGULATION ALIGNING EUROPE'S AI ACT WITH INDIA'S NEED FOR A LEGAL FRAMEWORK

The European Union's General Data Protection Regulation (GDPR) and the Europe AI Act have significantly impacted India and the global AI landscape. These developments highlight the EU's leadership in shaping regulatory frameworks for artificial intelligence. The Europe AI Act, in particular, is a significant step towards worldwide AI regulation, with its provisions expected to influence India and other nations.

As AI increasingly integrates into various industries and aspects of society, a uniform and open regulatory framework is crucial to ensure its safe and ethical development and use. The Europe AI Act can be a model for other countries, including India, to create AI legal frameworks. The Act's high-risk category and testing, certification, and disclosure requirements can provide a blueprint for similar laws in other jurisdictions¹⁸.

India can use the Europe AI Act as a benchmark to evaluate its progress, develop a regulatory framework, and ensure compliance with international norms. Establishing a comprehensive legal framework that supports the proper and ethical use of AI technology is crucial for India to emerge as a leader in the field.

¹⁸Shristi Singh, *Artificial Intelligence Regulation: Bridging the Gap between Europe's AI Act and India's Need for Legal Framework*, TAX GURU, <https://taxguru.in/corporate-law/artificial-intelligence-regulation-indias-need-legal-framework.html> (Last visited July 8, 2023).

15. USE OF TECHNOLOGY AND AI DURING COVID-19 IN LAW

The COVID-19 pandemic has highlighted the importance of technology in the legal field. Lawyers and judges recognise the need for AI and machine learning software to aid their tasks. Due to social isolation and lockdown measures, courts have adopted video conferencing and e-filing legal documents for urgent matters.

In the case of *Swapnil Tripathi v. Supreme Court of India*¹⁹, the Supreme Court of India acknowledged the notion of live streaming of proceedings, except in specific situations such as rape and matrimonial cases.

Justice Sikri states, “The wheels of justice cannot be stopped because of lockdown.” Delivery of justice is under essential service, and technology has played a critical part throughout Covid-19, from e-filing to e-payment of court fees, among other things²⁰.

16. AI: A LAWYER’S REPLACEMENT?

Various innovative solutions have been introduced in the legal field, such as contract analysis, trademark search software, and legal research software. These AI-based tools aim to enhance the authenticity and accuracy of research and analysis rather than replacing lawyers. In India, the legal profession is evolving, and more AI-based automated aiding tools are being developed. These tools will improve efficiency and competence while automating clerical tasks, allowing lawyers to focus on analysis, decision-making, and strategic work.

17. NAVIGATING THE ROADBLOCKS: CHALLENGES IN THE ADOPTION OF ARTIFICIAL INTELLIGENCE

Integrating artificial intelligence (AI) into the legal industry poses various challenges that must be overcome for its successful adoption. These challenges encompass technological and cultural barriers, impact on the workforce and job market, regulatory frameworks, ethical

¹⁹ WRIT PETITION (CIVIL) NO. 861 OF 2018.

²⁰Neelima Arora, Amit K Banerjee & Mangamoori L Narasu, *The role of artificial intelligence in tackling COVID-19, FUTURE MEDICINE*, <https://www.futuremedicine.com/doi/10.2217/fvl-2020-0130> (Last visited July 8, 2023).

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guidelines, and the collaboration between AI and legal professionals. Overcoming these challenges and exploring potential future directions are vital to harnessing the full potential of AI in the legal field²¹.

1. Addressing technological complexity and ensuring compatibility and integration of AI systems are crucial steps. A cultural shift towards embracing AI and fostering a continuous learning mindset is also essential. Reskilling and upskilling programs can help legal professionals adapt to the changing nature of work brought about by AI integration.
2. Developing comprehensive regulations and ethical guidelines specific to AI is necessary to address fairness, bias, and accountability concerns. Collaboration between AI experts and legal professionals can lead to developing AI solutions that align with legal requirements and ethical standards. Emphasising human oversight and decision-making while leveraging AI as a support tool promotes a symbiotic relationship between humans and AI.

Looking ahead, advancing explainable AI can enhance transparency while prioritising privacy, security, and data protection will foster trust in AI systems²². By addressing these challenges and exploring these future directions, the legal industry can effectively integrate AI for enhanced efficiency and competency.

18. CONCLUSION AND SUGGESTIONS

In conclusion, AI brings numerous benefits to the legal industry but cannot replace lawyers due to its strategic thinking, creativity, emotional intelligence, and empathy limitations. Incorporating AI into the legal business requires addressing various challenges and

²¹*The challenges of AI implementation*, CYBIANT, <https://www.cybiant.com/knowledge/the-challenges-of-ai-implementation/> (Last visited July 8, 2023).

²²*How to overcome barriers in Adopting AI*, KEENFOLKS, <https://thekeenfolks.com/barriers-in-adopting-artificial-intelligence/> (Last visited July 8, 2023).

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implementing a comprehensive legal framework to regulate AI behaviour and protect client data²³.

To ensure the responsible and effective integration of AI, the following suggestions are recommended:

- 1) Establish a robust regulatory framework that clearly defines the obligations and liabilities of AI systems.
- 2) Consider accountability mechanisms to govern the behaviour of AI systems and ensure transparency.
- 3) Implement stricter data protection regulations to safeguard privacy and prevent data misuse.

It is crucial not to shy away from technological advancements but rather embrace them while enforcing the necessary legislation to protect users' interests. By adopting a balanced approach and leveraging AI within a well-defined legal framework, the legal industry can harness the full potential of AI while safeguarding ethical considerations and user interests.

²³ Ciaran O'Neill, *AI in law, the way forward or a threat*, <https://www.linkedin.com/pulse/ai-law-way-forward-threat-ciaran-o-neill/> (Last visited July 8, 2023).

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