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ARTIFICIAL INTELLIGENCE IN LAW: TRANSFORMING LEGAL PRACTICE AND ETHICS.

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ABSTRACT:

Today, Artificial Intelligence has emerged as a disruptive force in almost every type of industry and the legal profession is also no exception to this. This article tells you how Artificial Intelligence impacts the legal industry, legal practice, and law firms, and transforming legal ethics. Therefore, this article reviews case examples and existing literature studies to provide a comprehensive analysis of the subject matter. It also discusses the potential benefits and challenges that Artificial Intelligence poses in the legal field. This article highlights how the use of Artificial Intelligence impacts legal research, contract analysis, document automation, legal ethics, and legal practices. In addition to this further, it also examines the ethical and regulatory considerations that arise from the use of Artificial Intelligence in the legal field. So, this article concludes with a way to navigate the evolving landscape given by Artificial Intelligence in an effective and efficient manner for legal professionals to present recommendations and discuss future trends.

INTRODUCTION:

The use of Artificial Intelligence is bringing rapid changes in various fields as well as in fields like law. The ability to process large amounts of data using Artificial Intelligence to make predictions and quickly identify patterns has revolutionized the legal profession. However, the legal industry is traditionally known for its reliance on complex decision-making processes and extensive research and document analysis.¹ However, the advent of Artificial Intelligence has brought a wave of transformational change in various areas of the legal industry. Because of emerging technologies like, natural language processing, machine learning, and predictive analytics, streamlining legal processes has the potential to increase and redefine the role of legal professionals. With the help of AI in law practices, productivity can be significantly increased and costs can be reduced for organizations. On the other hand, concerns arise

¹ Sterling Miller, Artificial intelligence + generative AI, legal.thomsonreuters, (Oct. 10, 2023, 9:29 PM), <https://legal.thomsonreuters.com/en/insights/articles/ai-and-its-impact-on-legal-technology>

regarding the impact of AI on employment within the legal profession, the ethical implications² of algorithmic decision-making, and the potential biases embedded in AI systems. Tools like Chat GPT can prove helpful in decisions given by judges in court or in contract drafting. This article discusses the areas in which Artificial Intelligence has made a stronghold in the legal industry.

ANALYSIS:

Law is involved in almost all types of business in the world, this means no business world is untouched by the law. Actually, partnerships, purchases, and sales, mergers, reorganizations done by the companies do all this through legally enforceable contracts. Until a well-researched body of intellectual property law is developed, innovation will remain stagnant. The truth is that whether any of us accept it or not, we all work against the possibilities, not the odds of our legal system and litigation.³ Artificial Intelligence companies are always looking for ways to develop technology that can manage laborious tasks in various industries for better speed and accuracy in the legal field. Due to the implementation of Artificial Intelligence in law, the legal profession is gradually changing, which is impacting researchers, paralegals, and litigators. It means this has had a bad impact on their work, as a result of which their work is on the verge of closure.⁴

ADVANTAGES AND CHALLENGES OF AI IN THE LEGAL INDUSTRY:

Advantages of AI in the Field of Law- Automating repetitive and time-consuming tasks in the legal field, like document review, legal research, and contract analysis and legal research has become possible with the help of Artificial Intelligence, which has improved their efficiency due to which legal practitioner have become more efficient and are able to take on more challenges and focus on work in strategic ways.⁵ Algorithms powered by artificial intelligence reduce the possibility of human errors. Artificial intelligence systems can quickly and

² Aryan K Khanna, Role of Artificial Intelligence in Law- A comprehensive guide!, goglides, (Oct. 10, 2023, 9:29 PM), <https://www.goglides.dev/thattechguy/role-of-artificial-intelligence-in-law-a-comprehensive-guide-4n7o>

³ icsi.edu, <https://www.icsi.edu/media/webmodules/publications/FinalCLStudy.pdf>, (last visited Oct. 11, 2023).

⁴ Steve Lohr, A.I. Is Coming for Lawyers, Again, nytimes, (Oct. 10, 2023, 9:29 PM), <https://www.nytimes.com/2023/04/10/technology/ai-is-coming-for-lawyers-again.html>

⁵ AIT Staff Writer, Transforming Legal Landscape: How AI is Becoming The Ultimate Sidekick for Lawyers, aithority, Oct. 10, 2023, 9:29 PM), <https://aithority.com/ai-machine-learning-projects/transforming-legal-landscape-how-ai-is-becoming-the-ultimate-sidekick-for-lawyers/#:~:text=AI's%20ability%20to%20automate%20repetitive,to%20cost%20savings%20for%20clients.>

accurately analyze large amounts of data.⁶ They can find patterns in legal documents and find relevant answers that improve legal analysis and decision-making accuracy may improve and thus because of this (Algorithms), the accuracy will be better than before.

Artificial Intelligence will assist law departments and law enforcement agencies in reducing operating expenses by automating repetitive tasks and making legal services more accessible and affordable for everyone, including cost savings in labor, administrative costs, and cost of documents.⁷ As a result, poor people will also be able to get legal aid, that is, they can also get legal help. Research engines powered by Artificial Intelligence can prove to be very helpful in locating legal matters, quickly obtaining relevant legal information, and providing practical legal advice lawyers can also do their legal research and analysis with the help of artificial intelligence tools.

Lawyers can use artificial intelligence algorithms to examine past data to predict litigation trends and potential risks to the outcome of a case, making lawyers better able to win defensible decisions, win larger cases, and provide good advice to their clients. Challenges of AI in the Field of Law- If we consider artificial intelligence ethically, it raises ethical concerns related to privacy and bias.⁸ Along with this algorithm used in the AI system should be interpretable, and free from bias and there should also be transparency, which can impact the decision. The responsibility of ensuring the security of the data of the clients and keeping their confidentiality of confidential information should be on the AI system.

Some legal work has started to be done automatically through technologies like AI, which has increased the risk of job ejection for legal professionals, especially In the field of legal research and document review. AI systems may struggle to handle legal issues that require deep domain expertise. Therefore, because integration of AI technology, creates challenges related to compliance with laws related to data protection, professional ethics, and even also in intellectual property rights. Adoption of Artificial Intelligence requires gaining trust and acceptance among legal professionals, clients, and broader society.

IMPACT OF AI ON LEGAL PROFESSIONALS:

⁶ geeksforgeeks, <https://www.geeksforgeeks.org/artificial-intelligence-an-introduction/>, (last visited Oct. 11, 2023).

⁷ legal.thomsonreuters, <https://legal.thomsonreuters.com/blog/ai-for-legal-documents-unlocking-a-competitive-edge/>, (last visited Oct. 11, 2023).

⁸ app4legal, <https://www.app4legal.com/ai-for-lawyers/>, (last visited Oct. 11, 2023).

Artificial Intelligence has a significant impact on legal professionals, changing the way they work and providing new opportunities. AI power tools and their forms allow lawyers to easily conduct their legal research, speeding up their access to legal information and allowing them to interpret it more efficiently.⁹ As AI becomes more advanced in the future, it will fundamentally change the practice of law. Lawyers who do not use AI will not be able to grow their careers. Attorneys use the predictive coding method to determine whether any document is relevant or irrelevant. The AI algorithm improves accuracy in the field of legal research and analysis and also saves time. By using technology like Natural Language Processing (NLP), any documents, contracts, or agreements can be reviewed and analyzed. AI can highlight important clauses identify future risks and ensure compliance with legal requirements. Through the process of document review and due diligence, efficiency can be improved and cost can be reduced.

AI CREATES SIGNIFICANT ETHICAL AND REGULATORY QUESTION:

AI systems in the legal often require access to large amounts of sensitive and confidential data. Ensuring proper data privacy and security measures is crucial to protect client information and maintain professional confidentiality. AI algorithms are trained on historical data, which can reflect biases present in the system. It is important to ensure that the technology is designed and trained to be fair and avoid discrimination. When the technology introduced in the legal field increases, the risk of displacement will increase, which means some law practitioner jobs will be in danger. Therefore legal professionals need to enhance their skills related to technology.

Google`s Project Nightingale Case

In 2019, in this case, Google had partnered with Ascension, a large American healthcare system, under “Project Nightingale.” The Court criticized the partnership for lack of transparency and privacy risks in handling sensitive medical reports and also expressed concern about the potential, misuse of AI algorithms applied to personal health information in this case.

Facial Recognition and Clearview AI Case:

⁹ LexRatio Legal Services, Artificial Intelligence (AI) and its Impact on the Legal Profession, linkedin, (Oct. 10, 2023, 9:29 PM), <https://www.linkedin.com/pulse/artificial-intelligence-ai-its-impact-legal-professionlexratio#:~:text=However%2C%20AI%20can%20access%20more,or%20advise%20clients%20to%20settle.>

In 2020, Clearview AI, a facial recognition technology company removed billions of photos from social media, without permission, creating a huge database for identification purposes. This raised significant concerns about the potential use of individuals' sensitive information. In this case, the court told Clearview Company that there is a need to make strong rules, to protect the dangers of facial recognition technology and the rights of privacy. These case studies thus highlight the need for strict legislation and ethical considerations for artificial intelligence companies to protect the security and privacy of people's personal information. Therefore, it is necessary to strike a balance between ethical principles and availing the benefits of AI in the legal field.

LAWS RELATED TO AI IN THE LEGAL INDUSTRY:

Several policy measures and guidelines have been initiated by the Government of India to address the legal and regulatory aspects of AI technology. Currently, India lacks codified legislation or statutory rules that govern AI in general. Sections 43A 72A of the IT Act 2000 are sections that protect personal data and the rules made thereunder.¹⁰ With the advent of technologies such as artificial intelligence, the relationship between freedom of expression and artificial intelligence technology has become increasingly established. Artificial intelligence technology enhances the exercise of free expression in many ways and can enable and influence: Online platforms and social media companies in India can use algorithmic technology to filter a variety of objectionable or harmful content, including hate speech, fake news, and explicit content. However, it is important to strike a balance between removing harmful content and avoiding excessive censorship. Facial recognition systems and data analysis tools powered by artificial intelligence should be used in a way that does not affect people's fundamental rights such as the right to privacy and freedom of expression.¹¹ India has introduced the Personal Data Protection Bill 2019, with the aim of providing a comprehensive framework to protect personal data privacy. With the passing of this bill, the storage, processing, transfer, and collection of personal data is also expected to be regularized in India. AI draft guidelines on ethics have been issued by the National Institution For Transforming India (NITI Aayog). NITI Aayog has submitted a list of seven principles for security and

¹⁰ Namita Viswanath, Shreya Suri, Ananya Dash, Nikhil Vijayanambi, Ruhi Kanakia and Naqeeb Ahmed Kazia, FAQs On The Digital Personal Data Protection Act, 2023, mondaq, (Oct. 10, 2023, 9:29 PM),

<https://www.mondaq.com/india/data-protection/1360522/faqs-on-the-digital-personal-data-protection-act-2023>

¹¹ article19, <https://www.article19.org/resources/india-supreme-court-recognises-the-right-to-privacy/>, (last visited Oct. 11, 2023).

privacy, dependability, general inclusion and non-discrimination, accountability, and security as reinforcement of wholesome human values. Adopting these Principles should protect public interests while encouraging innovation.

CONCLUSION:

Artificial Intelligence is proving to be transformative in the legal industry and is improving legal professionals' work. Artificial Intelligence technology has the potential to increase efficiency and accuracy but at the same time, it is also creating new challenges and concerns. The use of AI technology in the legal industry has primarily impacted time-consuming and repetitive processes such as legal research, document review, and contract analysis. Lawyers may be able to make more informed decisions by using AI. Apart from this, Artificial Intelligence can prove helpful in identifying patterns, predicting results, and providing insight. This could result in increased productivity, and cost savings for legal firms and legal departments by using AI.¹² This means that AI is transforming the legal industry in numerous ways. However, along with this, Artificial intelligence is also raising important ethical questions in the legal industry, mainly in cases of bias and job displacement. As the use of Artificial Intelligence in the legal industry is increasing day by day, it has become necessary to pay close attention to these issues.¹³ It is important for Artificial Intelligence to be impartial and accountable in its decision-making process. There is a need for lawyers and policymakers to pay attention to the ethical and legal associated with the integration of AI in the legal field. Therefore, striking the right balance between human judgment and leveraging the benefits of AI is very important for the future of the legal industry.

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¹² Christopher Jan Benitez, AI For Lawyers: How AI Tools Can Enhance Your Law Firm, onthemap, (Oct. 10, 2023, 9:29 PM), <https://www.onthemap.com/blog/ai-for-lawyers/>

¹³ legal.thomsonreuters.com, <https://legal.thomsonreuters.com/blog/how-ai-is-transforming-the-legal-profession/>, (last visited Oct. 11, 2023).