



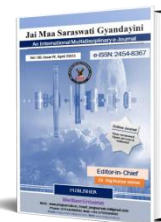
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ARTIFICIAL INTELLIGENCE IN LEGAL SYSTEM: PROS, CONS AND CHALLENGES

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KEYWORDS

Artificial intelligence, Legal profession, Digital technologies

ABSTRACT

Artificial intelligence (AI) implies that a system that behaves like human. The use of Artificial Intelligence started with the concept of robotics which is now the part of the almost every electronic device in form of Google Assistant, Cortana etc. Artificial Intelligence system have various real-world application such as customer services, speech recognition, automated stock trading, computer visions etc. Artificial Intelligence is a field, which combines computer science and robust datasets, to enable problem-solving. It also encompasses sub-fields of machine learning and deep learning, which are frequently mentioned in conjunction with artificial intelligence. These disciplines are comprised of AI algorithms which seek to create expert systems which make predictions or classifications based on input data. With the global invasion of Artificial Intelligence, the concept so be brought closer to the legal system in the India for the deep learning information management to control the legal system in the country. Therefore, this paper strategically presents a study that evaluates the use of Artificial Intelligence in the legal system of the country. The paper also focuses on the advantages of the Artificial Intelligence for the legal system.

Introduction

Artificial intelligence is a method of programming computers to perform tasks that would otherwise be performed by the human brain. It like everything else, has advantages and disadvantages. While Artificial Intelligence can assist in finishing a task in a matter of minutes, if it performed as well as it is claimed to, it may result in the loss of thousands of jobs across the country. Artificial Intelligence (AI) is gaining traction in a variety of industries, from IT to farming, manufacturing to customer service. Meanwhile, the Indian legal

industry has always been a little slower to adapt to technology, with only minor modifications to better technology. This is promoted by a group of lawyers who are content with the same old way of operation that was developed decades ago.

Other industries have been affected by AI. With an ever-increasing need for self-service technologies, especially in the legal profession, this once-fanciful concept can become a reality for all lawyers.

Literature review

Artificail intelligence


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Dr. Inderpreet Kaur (2021) in the research work entitled “**Impact of Artificial Intelligence on Legal Industry**” emphasised on the impact of Artificial Intelligence will be positive, it is essential that all the people related to the system must contribute their part in Artificial Intelligence system. **Stephanie Dick (July,2019)** discussed in the paper entitled “**Artificial Intelligence**” that once the guide and the motivation for artificial intelligence research in its many postwar forms, has largely been displaced from the field, and so too have certain perspectives on what we are meant to *know* and *do* with intelligent machines. **Vishal D.K. Soni (2019)** presented in the paper titled “**Role of Artificial Intelligence in Combating Cyber Threats in Banking**” studied that artificial intelligence was introduced as a concept to mimic human brains. AI technology is used to enhance customer interaction and experience, enhance the efficiency of banking processes, and develop security and risk control. Information about cyber-attack and the prices of solutions is provided by AI towards banks and financial institutions. Various issues related to fraud and data breach are identified by artificial intelligence techniques. **Selma Dilek el at., (February, 2015)** studied in the paper titled “**Application of Artificial Intelligence Techniques to Combating Cyber Crimes: A Review**” that advances made so far in the field of applying AI techniques for combating cybercrimes, to demonstrate how these techniques can be an effective tool for detection and prevention of cyber-attacks, as well as to give the

scope for future work.

Legal Profession

Sunitha Kanipakam (July,2020) in the research work entitled “**Law and Regulation of Artificial Intelligence in India- Advantages and Pitfalls**” emphasised on the Legal personality of AI, privacy issues, liability of crimes and Insurance liability regarding AI technology. **Sunil k Srivastava (2018)** in the paper titled “**Artificial Intelligence: way forward for India**” highlighted in the study the international as well as national scenario and suggests way forward for India. **Geetanjali Chandra el at., (June,2017)** in the research titled “**Role of Artificial Intelligence in Transforming the Justice Delivery System in COVID-19 Pandemic**” have given a broad outlook on various areas in which AI is affecting the legal profession, evaluate the extent of its impact on the legal employment, assess the tasks in legal sector which cannot be undertaken by AI, and discuss the legal issues in the implementation of AI.

Research Objectives

1. To evaluate the use of artificial intelligence in the legal system of the country.
2. To study the advantages of Artificial Intelligence for the legal system framework.

Research Methodology

Research work is primarily based on analytical research keeping in view the researcher utilized the resources like print and electronic media, articles, journals, and Indian legal service, etc.

What changes have already occurred in the indian legal system?

The introduction of artificial intelligence (AI) into the legal system has had a significant impact on legal communities all around the world. The IBM Watson-powered robot 'ROSS,' which used a unique approach of mining data and identifying trends and patterns in the law to address research issues, was the first worldwide player to attempt to apply AI for legal reasons. Surprisingly, the area most affected will not be the litigation process or arbitration proceedings, but rather the back-end work for litigation and arbitration reasons, such as research, data storage and use, and so on.

The Indian laws and their interpretations are always evolving and developing because to the vast amount of cases and diversity of case subjects. If lawyers had access to AI-based technology to assist with research, the labour cost of research work might be greatly decreased, resulting in increased profitability and a huge increase in the speed with which work could be completed. While this may result in the loss of some staff members, such as paralegals and associates, it will also boost overall productivity for all lawyers and speed up legal research and drafting.

One of the better instances is Cyril Amarchand Mangaldas' AI-based Software Kira, which analyses, identifies, and gives a refined search on the precise facts required with a high degree of precision. This, according to reports, has allowed the business to concentrate on more critical areas of the litigation process while also reducing the

repetitious and monotonous labour that paralegals, interns, and other entry-level staff often do.

In reality, a number of well-known jurists and judges have talked positively about the need for AI-based technologies that may aid the docketing system and simplify the decision-making process. The following are some of the statements made by these illustrious individuals:

“We must progressively focus on utilising IT and IT enabled services (ITES) for delivering more efficient and cost-effective access to the delivery of justice,” Justice SA Bobde had stated. This must also involve a thorough examination of the future of Artificial Intelligence in the legal field, particularly how AI can aid in judicial decision-making. For a variety of reasons, I believe that investigating this interface would be quite valuable. It would, for example, allow us to reduce court caseloads by enabling improved court management. This is a low-hanging fruit opportunity. On the other hand, it will enable us to redirect court time away from routine-simple-straightforward topics (e.g. non-rivalrous cases) and toward more complex-intricate matters that demand more human attention and engagement. As a result, identifying such issues and implementing suitable technologies should be our next priority in India.”

“The idea of Artificial Intelligence is not to supplant the human brain, the human mind, or the presence of judges,” said Justice DY Chandrachud, “but to provide a facilitative tool to judges to reassess the processes they follow, to reassess the work they do, and to ensure that their

outcomes are more predictable and consistent, and ultimately to provide wider access to justice to the common citizens.”

In india, what legal issues might ai help with?

While the country does have a serious problem with its judicial system due to the large number of pending cases and the large volume of unresolved cases, AI can help fix many of the country's difficulties. The introduction of technological innovation will assist lawyers in completing legal research in an effective and timely manner, allowing lawyers who use AI software to focus more on advising their clients and taking on complex issues/cases. It can also assist courts and private parties in determining which cases to pursue, which to settle peacefully if possible, and which to dismiss.

Advantages Of Implementing Ai Systems

The following are some of the advantages of implementing AI systems across the country:

AI application is a two-edged sword. AI like any other advancement has its own set of benefits and cons. On the plus side, AI can assist humans in completing tasks with greater efficiency and effectiveness while also saving money and time

1. Using Ai Software to Help Lawyers Identify Important Case Laws and Statutes

AI software can help lawyers narrow down on cases that are relevant to them without having to go through physical documents or search engine websites. Because these traditional processes take more time and effort to complete, it would be more practical to deploy AI software that can quickly locate relevant cases and statutes. By

using NLP and AI into case law research, legal professionals may be able to develop highly precedence legal conclusions.

2. Converting Difficult Legal Challenges into Easy Solutions

AI systems may be utilised to handle more complex problems in a matter of minutes, ensuring that quality and impartiality are maintained. It aids in the delivery of high-quality content to clients. It gathers information from previous case law and gives judgments and precedent.

3. Drafting and Evaluating Contracts and Documents

AI systems are far more advanced than most people realise; in reality, the secretarial job of lawyers will be greatly decreased. All necessary information would be uploaded in the documents and would be ready to use within minutes or a system to properly docket, extract, and highlight relevant information for both parties to understand their liabilities, obligations, and so on by simply submitting the required clauses and details which one would wish to incorporate in the legal document.

4. Ensuring Due Diligence

Due Diligence is a crucial role provided by law firms, but it is always possible for human mistake to slip in due to its comprehensiveness and the need for prudence. While conducting due diligence, artificial intelligence (AI) may be quite useful, as it aids in the collection of important data and provides additional insights for completing diligence projects, making the process more efficient and accurate. It speeds up the process,

eliminates manual errors, and helps lawyers to give their clients a better overall experience.

5. Ensuring Live-Tracking of Finished Work and Electronic Billing

Most AI software can keep track of the work that is being done, which aids lawyers and businesses in creating invoices for the work they have accomplished. This enables a new degree of transparency in the work that is being done, which benefits lawyers/firms, clients, and auditing authorities.

Negative Aspects

While there are various advantages for lawyers/firms and the judiciary in incorporating AI into the legal profession, there are also some drawbacks. However, on the negative side, technology has the potential to literally takeover the jobs of millions of individuals around the world, regardless of their occupation.

In this regard, a McKinsey Global Institute study estimates that between 40 million and 160 million women around the world will require occupational transitions by 2030. Although increased reliance on automation may result in more demand for jobs in robotics, science, and engineering, the number of people who will be unemployed as a result of automation is vastly greater than the number of people who will be employed.

There are also some concerns about the nature of an AI's ethics. It's crucial to remember that Artificial Intelligence software doesn't have its own thoughts. Although they think before acting, their behaviours are totally programmed, and there is always a question of trustworthiness because AI

systems must have a clear ethical goal as well as be technically strong and trustworthy. These problems were also observed in the highly praised ROSS, which had a number of bugs.

Another difficulty that emerges while deploying Artificial Intelligence is the cost. The cost of these AI programmes is something that should be considered. With corporations investing in privatised AI research centres, as discussed before, the upkeep of these AI facilities is also a challenge. As a result, the initial expenditure to build and operate would be prohibitively expensive, necessitating a separation of technological skills. This also considers the unknown probability of the learning curve associated with working with lawyers, firms, and members of the judiciary who use such technologies.

With these concerns in mind, the legislation governing AI use, particularly as it relates to the judiciary, must be kept in mind. There has always been and will always be a sense of mistrust in technology like these, but development must be gradual and cannot be done quickly without first knowing the legal, financial, and security effects.

Incorporation of Artificial Intelligence (Ai) Into the Legal System: Legal Challenges

The application of AI in the legal system is still in its early stages, but various countries, law firms, and judiciaries are slowly adopting it. It helps lawyers save money by pointing up legal flaws in court decisions, assisting with contract drafting, due diligence, and legal analytics, among other things. Similarly, AI can help reduce the strain on

the judiciary, particularly in cases involving minor offences, while leaving complicated matters to be resolved by human judges.

IBM's AI Ross has been adopted by numerous law firms throughout the world, mainly in the United States, and is largely used to review legal contracts, do legal research, and summarise case laws, among other things. Similarly, Linklater's LLP, a global law company, is creating Nakhodka, an AI software with the goal of providing efficient contract administration and structured legal data.

AI sector, numerous key questions have developed, including:

- a) What is AI's legal personality? Is it possible to give it the status of a 'person' or a 'citizen'?
- b) Who is accountable if a loss arises as a result of an AI's negligence? In this case, will the principle of absolute or vicarious culpability apply? What punishment may be ascribed to an artificial personality in the latter case?
- c) To what extent can artificial intelligence (AI) be applied in the legal profession?
- d) Whether a person who uses AI's services qualifies as a "Consumer" under the Consumer Protection Act of 1986, and so forth.

CJI SA Bobde –

AI in the legal system, particularly in the areas of docket management and decision-making. "We must progressively focus on utilising IT and IT enabled services (ITES) for delivering more efficient and cost-effective access to and delivery

of justice," he said at an event hosted by the Supreme Court Bar Association (SCBA). This must also involve a thorough examination of the future of Artificial Intelligence in the legal field, particularly how AI can aid in judicial decision-making. For a variety of reasons, I believe that investigating this interface would be quite valuable.

It would, for example, allow us to reduce court caseloads by enabling improved court management. This is a low-hanging fruit opportunity. On the other hand, it will enable us to redirect court time away from routine-simple-straightforward topics (e.g. non-rivalrous cases) and toward more complex-intricate situations that demand more human attention and involvement... As a result, identifying such issues and implementing suitable technologies should be our next priority in India."

Justice DY Chandrachud has also made comments along these lines. He stated in an interview, "The idea of Artificial Intelligence is not to replace the human brain, the human mind, or the presence of judges, but to provide a facilitative tool for judges to reassess the processes that they follow, to reassess the work that they do, and to ensure that their outcomes are more predictable and consistent, and to provide wider access to justice to the general public."

However, because of a reluctance to adjust to this new trend, the deployment of AI in emerging countries such as India may not be regularised. There is also concern that AI could have catastrophic consequences in a labour surplus

economy like India, where the bulk of people are uneducated and poor.

“Each nation nowadays strives to become a global leader in Artificial Intelligence,” Justice Dominique Hascher, a judge of the French Supreme Court, correctly stated in this regard. Private technology businesses, on the other hand, are dominating the field... India's AI policy must strike a balance between local requirements and the broader benefit. A good regulatory structure can assure long-term benefits and growth in this area.

Suggestions and Actions to Take

When AI is eventually developed, the following actions must be taken:

1. Artificial Intelligence Capabilities Awareness

The first issue that arises when employing AI is a widespread mistrust of technology that can think for itself; therefore, awareness of AI capabilities can be raised in order to alleviate such anxieties and ignorance of its applications. The most crucial point to remember is that AI should not be built with the intention of replacing lawyers, judges, or anybody else in the court system; rather, it should be used to simplify, speed up, and assure transparency in the present system. The Bar Council of India might distribute forms and other electronic media explaining AI's applications, limitations, and capabilities so that there is no misunderstanding or stigma attached to it.

2. Using Ai For Clerical Labour And Matters That Requires Lesser Thought In Courts

Another issue is that AI should never be employed

as the sole decision authority. All of its judgments and views should be based on precedents rather than its own thought process. In the early phases of learning about AI's usefulness and getting the legal system to accept its usage, it can be used to relieve the burden on the judiciary by settling easy issues, allowing judges to focus on matters that demand more complicated reasoning.

3. Educating Lawyers, Advocates and Students About Usage of Ai Effectively and Diligently

AI in the legal system is still in its infancy, now is the best time to train attorneys and would-be lawyers on how to use AI systems. Unemployment is a continual danger, but the incorporation of AI into the legal system will create a new source of employment, with strategic jobs needed to train and help the AI mind in the research process. This will not only dispel any misconceptions about AI, but it will also create a pool of AI-ready lawyers who can use such technologies to innovate client services and help their businesses retain higher profit margins.

Conclusion

In India's legal profession, there have been some recent changes. In India's legal arena, AI's progress has been slowed. According to a research, just approximately 4% of lawyers in India employ artificial intelligence in their profession. Cyril Amarchand Mangaldas is said to be India's first law practise to apply artificial intelligence (AI), which is largely used to analyse and improve contractual and other legal texts. Cyril Amarchand is the first Indian law firm to use artificial intelligence.

Former Chief Justice of India Deepak Misra eloquently described the influence of AI on the legal profession and its resultant viability while speaking at a conference. “he stated” ... every new-age technology’s destiny is determined by the regulations that regulate it. Artificial Intelligence (AI) has a lot of room for advancement in a lot of areas... To get the full benefits of AI, it requires a strong legal framework. Today's AI is exploding, yet we still don't understand all of its benefits and drawbacks... India possesses the necessary talent and technological capabilities. With a strong command over AI and a strong legislative directive, the country can set several milestones... However, there are currently no particular AI legislation in India...”

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