



**ROLE OF ARTIFICIAL INTELLIGENCE IN
THE FIELD OF LAW
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ABSTRACT

Artificial intelligence is a technology that is having a beneficial effect on our lives and that is also participating in our everyday problems such as reminding us of upcoming meetings and recommending articles and news that we may be interested in reading. Its effect is expected to extend throughout the whole database industry in the not-too-distant future. The use of artificial intelligence (AI) has the potential to significantly alter the way in which humans interact, not just with the digital world, but also with one another, via their job and through other socioeconomic institutions, for better or for worse, in a variety of ways. Recent years have seen artificial intelligence being applied on a modest but very successful scale in a variety of industries, ranging from robotic concierges in hotels to automated entertainment systems or even cell phones, among other applications. Artificial intelligence has altered the landscape of a wide variety of businesses. When it comes to technological innovation, the Indian legal industry has seen relatively little, with attorneys these days content with and reliant on techniques and solutions that were developed years ago. Artificial intelligence has the potential to significantly alter the way attorneys practise and the way the law is seen in India.

Keywords: Artificial Intelligence, Law, Technology.

INTRODUCTION

After this Covid-19 pandemic, we understood that how a virus breakout could damage the entire community of people. We can't be sure that this won't happen again. So, there is a need for people to think about alternative solutions. AI technologies are often presented as such a solution to many of these problems.

Artificial Intelligence(AI) in the field of Law is an idea prevailing from the late 2019s and many companies in the western legal market have been utilizing them for legal purposes. The Artificial Intelligent machines will make the work easy, for the lawyers in the areas such as Contract Review,

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Contract Analytics, Litigation Prediction, and Legal research, and police to help in their investigation, and clients to get a fair idea before the direct consultation with lawyer/counsel.

Though these are in the development in the field of law, various other fields such as Marketing, E-Commerce, and Health care services have begun using AI machines in their day-to-day operations. European Commission refers to Artificial Intelligence that “ It refers to systems that display intelligent behaviour by analysing their environment and taking action with some degree of autonomy to specific goals.”¹

WHAT IS ARTIFICIAL INTELLIGENCE(A.I.)?

“Artificial Intelligence is the simulation of human intelligence processes by machines especially computer systems. Specific applications include expert systems, Natural Language Processing (NLP), speech recognition, and machine vision.”² This programme uses previously decided references and applies to the current situation to conclude. This is quite common between Artificial Intelligence and Law. As in Law, we use precedents to prove the situation.

ARTIFICIAL INTELLIGENCE(A.I.) & LEGAL RESPONSIBILITY

When a human makes a mistake or a wrongful act, he is liable. But when an AI makes a mistake, the liability cannot be imposed on the developer as the AI programme is dynamic. It learns and constantly changes over time which will even become difficult for the developer to identify where the mistake has been done. Strict liability upon the developer could be unfair. So, The Developers shall buy insurance for the damages that could be caused by the AI in the future, to prevent himself.

A.I. IN THE FIELD OF LAW

- **CRIMINAL LAW³**

In the US and UK, AI surveillance cameras are commonly used in crowded areas of the cities to prevent crimes and to identify suspects who committed/are committing a crime in the public. The facial recognition tool helps the police to easily track the suspects.

¹ 'Excellence And Trust In AI — Brochure | Shaping Europe'S Digital Future' (*Digital-strategy.ec.europa.eu*, 2021) <https://digital-strategy.ec.europa.eu/en/library/excellence-and-trust-ai-brochure> accessed 17 July 2021.

² Linda Tucci, 'Artificial intelligence'

What is Artificial Intelligence (AI)? www.techtarget.com accessed 15 June 2021.

³ Swati Sudhakaran, 'How AI Can Be Used In Policing To Reform Criminal Justice System' (*ThePrint*, 2021) <https://theprint.in/tech/how-ai-can-be-used-in-policing-to-reform-criminal-justice-system/384786/> accessed 17 July 2021.

Though these programmes have enormous advantages, they have some disadvantages which could make the situation get ugly. There is a risk of uncertainty, that identified person could be wrong in some instances. ‘Joy Buolamwini,⁴ an MIT graduate, AI researcher, and computer scientist wrote a thesis on Gender Shades, in 2017, wherein she was misidentified while working the facial analysis software when she put on a white mask. She said, because the people who code the algorithm hadn’t taught it to identify a broad range of skin tones and facial structures.’” The software returned worse results for women and dark-skinned persons.

- **ADMINISTRATIVE LAW⁵**

Citizens want public services to be fast, efficient, and easily accessible. Artificial Intelligence can be used to interact with the clients and information got from the clients can also be processed and provided to the humans where human participation cannot be neglected. This could help prevent corruption and abuse of power in certain circumstances. AI can be used to handle the multitude of data points but there is also a risk that we can’t be sure whether the work done could be completely fair, As the programme is dynamic and it is difficult to predict outcomes. Also, there is a lack of human participation, so no one held is liable for the mistakes done by AI.

- **INTELLECTUAL PROPERTY LAW**

Intellectual Property rights such as Copyright, Industrial Designs, Trademarks, and Patents have become very important in today’s world. AI can be used to create inventions or industrial designs. But, AI is not yet recognised as a legal person so credit cannot be given to it. AI can be used in detecting plagiarised work by any creator. AI can help to draft patents using Natural Language Processing(NLP)⁶.

- **LABOUR LAW**

Labour laws help to protect the weaker party of the business environment, proletariats, from the exploitation of the employers. When AI robots and machines are used in manufacturing processes, there is a need for employee protection when AI replaces humans. As Labour Laws do not hinder employers from replacing humans with AI, the result will be the termination of the employment contract of the workers whose works are replaced by AI. This would lead the workers to get

⁴ 'Person Updates < Joy Buolamwini – MIT Media Lab' (*MIT Media Lab*, 2021) <https://www.media.mit.edu/people/joyab/updates/> accessed 17 July 2021.

⁵ (*Acus.gov*, 2021) <https://www.acus.gov/sites/default/files/documents/Panel%20%20Transcript.pdf> accessed 17 July 2021.

⁶ IBM Education, 'What Is Natural Language Processing?' (*Ibm.com*, 2021) <https://www.ibm.com/cloud/learn/natural-language-processing> accessed 17 July 2021.

updated with technological works so that to keep them in work or to transit the profession. Work safety issues can come up when humans are made to work alongside robots.

- **COMPETITION LAW**

Competition Law focuses on Markets and Operations. In transportation services such as Uber, AI has been used to calculate the fare of the trip depending upon the demand for the rides at that instant, Kilometres being covered during the trip, Time of the day, and Number of drivers available at the moment. Also, Amazon, the giant e-commerce company, uses AI to set prices for the products from different sellers which is known as dynamic pricing. Lower price, Greater choice, and Great quality.⁷

- **HEALTH LAW**

Digitisation of medical services have begun mostly in every part of the world, where AI is used to diagnose people with minor health issues before directly consulting the doctor, the result of the diagnosis will go to the doctor so that he/she can primarily understand what kind of health problem that the patient has, and have an idea of how to start the treatment with the patient. This would help doctors to save time and also help many people while sitting at home, they can consult a doctor for minor issues. But, like in all other fields that we talked about above, A wrong diagnosis of AI, can lead to bigger problems.

INDIAN LEGAL SYSTEM & A.I.

Despite the fact that businesses across the world are rapidly embracing artificial intelligence in their legal departments, just a small number of law firms in India are presently using analytics and artificial intelligence. The introduction of artificial intelligence (AI) into the Indian legal system represents a significant human and technical challenge. Although not all of the judges are technologically adept, the vast majority of them express an interest in decreasing the total number of cases pending. As a result, compared to other parts of the world, there hasn't been much innovation in legal technology and artificial intelligence in India. Companies in the Indian legal sector must make adequate R&D expenditures in order to advance artificial intelligence. In the United States, there are many large software firms that are eyeing the legal industry as a possible market. Unfortunately, the corporate legal sector in India is still very tiny, with just a small number of corporate attorneys who are worth their salt in practise. Corporations' legal departments, on the

⁷ 'AI-powered Dynamic pricing is everywhere' (Synced, 24 November 2018)
<AI-PoweredDynamicPricingIsEverywhere | bySynced | SyncedReview | Medium>accessed 16June2021.

whole, have not yet optimised legal informatics for managing patent portfolios, as well as for the production, personalization, and administration of documents.

India's enormous amount of non-digital business paperwork must be addressed urgently in order for a legally binding contract to be signed and for stamp duty to be paid electronically on digital contracts to become a reality. AI has the potential to expedite the process of digitising the vast bulk of a company's paperwork. Organizations must first begin the process of digitising their records, which takes time and resources. IITians must begin to take a real interest in law and to apply their software expertise to the legal arena as their numbers become larger. The judiciary, like the rest of society, must make the whole process of court records, written submissions, pleadings, court decisions, and orders accessible online throughout all of India's court institutions.

ADVANTAGES OF A.I.

Using artificial intelligence, even the most inexperienced researcher may conduct a thorough search for technical legal problems by using just the most appropriate terms. This search provides straightforward solutions to complicated legal issues. A legal expert is responsible for interpreting the observations of a court, which, of course, goes beyond searching for information using the ML model alone. A competent lawyer will be able to determine whether a particular paragraph in a decision is sound law or binding precedent, or whether it has been overturned by another judgement. Based on this, machine learning may potentially assist in the identification of comparable paragraphs and factors in other judgements.

The legal profession is confronted with a number of noteworthy issues that artificial intelligence may help to resolve. The legal profession requires a significant time commitment in order to meet strict deadlines. In the scientific community, one of the most important causes to poor mental health among attorneys is the long hours they put in. AI makes advantage of a far larger knowledge base and is capable of reviewing millions of papers, something that a trained human eye may miss.

Law firms benefit from technological advances in the legal-tech sector, which make repetitive and boring work much more efficient and quicker. Lawyers benefit from technological advances in the legal-tech sector, which help them rapidly identify provisions in contracts. When used correctly, artificial intelligence may automate many high-volume, repeating activities like as searching for keywords in a collection of papers or filling out specific forms that would otherwise divert attorneys' attention away from more important work.

The use of artificial intelligence produces more labour in less time, enabling businesses to improve their productivity. Following completion of the AI's processing, the lawyer may rapidly evaluate the work and deliver it to the client in an easily understandable format. AI adds subtlety to the job of a lawyer, allowing him or her to devote more time to debate, presentation, and client discussions rather than drudgery and routine tasks. The likelihood of the argument's success is also calculated by the artificial intelligence. Having this information enables the attorney to provide the most relevant facts in court.

DISADVANTAGES OF A.I.

AI does not have perfect accuracy; this is partially due to hindsight bias and partly due to a lack of emotional and social awareness on the side of the AI system. In order for an AI bot to function properly, the algorithmic information processing technique used cannot take into consideration the political, moral, or societal implications of the problem at hand. For example- It may not be able to provide any insight into emotionally charged issues such as child custody in a divorce case. Other difficulties arise as a result of the fact that legal activity is less numerical and more verbal. As a result, although machine learning programmes are capable of discovering patterns in even the most random data, they are unlikely to comprehend the de facto meaning of words or the subtleties of language, a job that is best left to legal eagles. AI is unable to think creatively about an issue from many perspectives. However, a relationship between artificial intelligence and humans can achieve more than either people or robots can do on their own.

CAN TECHNOLOGY MAKE LAW INTERNS & ASSOCIATES OBSOLETE?

Legal practitioners will only lose out on being a part of the transformation in the legal arena that is taking place across the globe if they are deterred from adopting technology out of fear of losing their relevance. They have no need to be concerned about technological change since it will not result in job displacement. Artificial intelligence will never be able to completely replace attorneys, and the legal profession will never be able to function without human capital. What artificial intelligence technology does is free up time for legal professionals, allowing them to dedicate more of their knowledge and brainpower to the more difficult and time-consuming aspects of their work that need it. It broadens the scope of attorneys' responsibilities from a restricted role in risk mitigation to a larger involvement in strategic initiatives, allowing them to devote more time and energy to other and more difficult or valuable kinds of work.

“Artificial intelligence (AI) serves as a facilitator in the development of smarter attorneys and the

efficient management of issues such as legal expenses and pendency. In order for AI to recognise similar clauses in future agreements, lawyers can pitch in the first place by identifying clauses in pre-existing agreements so that AI can spot them in the future. Cases can also be manually classified under various headings, with algorithms then being developed based on those databases.”

CONCLUSION

AI understands the Patterns for decision-making in any circumstances. As their algorithms are dynamic, any flaws made by them in processing cannot be observed by humans. So, the liability is at stake. And when these processes the data, if there is a data transfer between countries, there could be privacy issues when our personal information leaves the country. Only when we develop confidence in the new systems to implement, AI could be utilized to its full extent. We should accept that machines are developed by humans, so there is always a chance of technical glitches. The cyber-world is a zero-day environment and there is a need for human participation to effectively use them for good purposes.⁸

⁸ Lillian Ablon and Andy Bogart, 'Zero Days, Thousands Of Nights' (*Rand.org*, 2021) https://www.rand.org/content/dam/rand/pubs/research_reports/RR1700/RR1751/RAND_RR1751.pdf accessed 17 July 2021.