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"TRANSFORMING LEGAL PRACTICE: THE RISE OF AI FOR EFFICIENCY AND ACCESS TO JUSTICE"

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Introduction

AI involves the creation and use of computer programs that can perform tasks typically requiring human intelligence. Currently, AI systems are capable of replicating or surpassing certain human cognitive functions, but they are far from achieving full human-level intelligence. While some researchers are striving to develop AI that can match or even exceed human cognitive abilities, often referred to as "general intelligence" or "superintelligence," this remains decades away. As a result, key legal skills based on human judgment, intuition, common sense, interpersonal interactions, and experience will continue to be indispensable for lawyers for the foreseeable future.

AI offers a wide range of capabilities, but two are particularly relevant for legal applications. First, machine learning allows computers to "teach themselves" by learning from data and experience, improving their abilities over time. This is how systems like Google's DeepMind were able to defeat the world's top human Go players. Second, natural language processing (NLP) enables computers to understand and analyse human language—both written and spoken—allowing them to perform tasks that mimic human-like reasoning.

AI and it's enforcement in legal system – Evolution

The use of technology in the legal profession dates back to the 1950s, when technology companies first began marketing their products to law firms. One of the earliest innovations was Thomas Edison's phonograph, invented in 1877, which allowed for sound recording and playback. However, it wasn't until 1953 that law firms began using dictation machines, a revolutionary tool that enabled lawyers to record and reproduce their thoughts on demand, improving workflow and efficiency.

In 1981, IBM released the "Personal Computer," the first widely available desktop computer for office use, further pushing the legal industry toward technological adoption. In the late 1980s, litigation support software such as Summation and Concordance were introduced, assisting in the management and review of legal documents. Despite the technological advances in other industries, it wasn't until the late 1990s that legal businesses were able to send emails to external computers and networks. The introduction of networked computers allowed lawyers to communicate with clients in minutes, dramatically improving efficiency.

In the 1990s, e-commerce companies like eBay started using online dispute resolution (ODR) to settle disputes between buyers and sellers. This concept eventually found its way into the legal field, offering a means to resolve conflicts outside the traditional court system and making legal services more accessible. The late 1990s also saw the introduction of electronic filing systems, which revolutionized the legal process for federal judges and attorneys. Online filing extended filing hours beyond the physical limits of court offices and enabled real-time access to case files, expediting the legal process and eliminating the need for large amounts of physical paperwork.

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Case management systems, though initially clunky and difficult to use, improved significantly with the release of Windows 3.1 in the early 1990s. These systems evolved, integrating more modern technological tools to help lawyers manage cases more efficiently. The rise of virtual law offices in the early 2000s, where lawyers could work without the need for physical office space, and the introduction of cloud-based software further transformed the industry. Fisher Broyles LLP, for example, became the first full-service, cloud-based law firm in the United States.

In 2006, the Federal Rules of Civil Procedure (FRCP) were updated to account for the increasing volume of electronically shared data, introducing the concept of electronic discovery (eDiscovery). This process includes the review of digital documents, emails, texts, and other online communications, further modernizing how legal information is collected and processed.

Legal technology continued to advance, with significant innovations occurring in the 2010s. The first legal tablet application for review and analysis was launched in 2012, and smart contracts, built on blockchain technology, emerged in 2013–14, allowing for automated execution of contract terms. By 2016, IBM introduced ROSS, the world's first AI-powered legal research assistant. ROSS helped law firms conduct research more efficiently by analysing vast amounts of data and continuously improving through feedback. This marked the end of tedious, manual searches through endless databases and internet results.

Chatbots also gained traction in the legal industry by 2020, as firms began using them to streamline customer service and interact with clients more efficiently, providing a human-like face for artificial intelligence. These technological developments, from early dictation machines to sophisticated AI-powered tools, have consistently reshaped the legal industry, improving efficiency, accessibility, and the overall practice of law.

AI and it's enforcement in legal system – In India

AI has the potential to transform the way legal professionals operate and the way the law is perceived in India. As Justice D.Y. Chandrachud rightly pointed out, *"…Technology is relevant to the government as it fosters transparency, efficiency, and objectivity…"*. AI can significantly assist judges by improving the efficiency and accuracy of their work, such as through the rechecking or evaluation of judgments. A major leap toward modernizing India's legal system came with the Supreme Court's recent move to use AI for live transcription of proceedings. Announced by Chief Justice Chandrachud in February 2023, this AI-driven system allows real-time transcription of Constitution Bench hearings, making legal proceedings more accessible and transparent. Additionally, the Supreme Court introduced SUPACE (Supreme Court Portal for Assistance in Courts Efficiency), a platform that leverages machine learning to process vast amounts of case data and aid in judgment translations.

The Supreme Court of India has initiated a pioneering effort to use Artificial Intelligence (AI) to live-transcribe its proceedings. This groundbreaking move began on 2023, with AI-generated transcripts being displayed on the live-streaming screen in Courtroom 1, where the Chief Justice of India (CJI) presides. The case being heard by the five-judge bench, led by the CJI, involves the political crisis in Maharashtra.

The transcription is being handled by the platform **Teres**, which is commonly used for transcribing arbitration hearings. The platform is managed by **Nomology Technologies Private Ltd**, a Bengaluru-based firm. While there were minor challenges, such as difficulties with overlapping voices, Chief Justice Chandrachud assured that any errors would be corrected by the end of the day. The AI transcripts are expected to be posted on the Supreme Court's website each evening and shared with the attorneys involved in the cases for verification.

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"…Technology has become a powerful tool in the legal system in improving efficiency, accessibility and accuracy in the administration of justice. However, the success of any initiative and innovation, whether in law or in technology depends on the ability to collaborate with stakeholders and incorporate critical feedback of those who will be using it…". AI's role in legal transcription has also been transformative. Traditionally a manual and time-consuming process, transcription is now automated using speech and voice recognition technologies, significantly speeding up the process and reducing costs. This allows lawyers to receive transcripts faster, improve productivity, and serve more clients. Beyond transcription, AI can revolutionize other aspects of legal work, such as legal research, document verification, and document management. AI-powered tools enable faster, more accurate legal research, assist in quickly verifying important clauses in contracts, and automate the management of large volumes of legal documents. This not only saves time but also improves accuracy and reduces the risk of human error. Overall, AI is enhancing the efficiency, accuracy, and accessibility of legal services, enabling lawyers to focus more on critical legal analysis and client service while reducing the administrative burden.

AI and it's enforcement in legal system – Global Perspective

In the United States, AI is playing an important role in optimizing the delivery of justice. Beyond just aiding in legal research, some courts use AI to assist judges in making fair and unbiased decisions. For instance, AI algorithms are used to analyse case data and predict outcomes, providing valuable insights to support judicial rulings. One such tool is COMPAS (Correctional Offender Management Profiling for Alternative Solutions), which helps judges assess the risk of reoffending. It uses machine learning algorithms to evaluate factors like criminal history, social background, and mental health, providing a prediction on the likelihood of recidivism. This aids judges in making more informed decisions about parole and sentencing.

China has been at the forefront of integrating AI into its legal processes since the early 1990s, and its 'Smart Court' system is a prime example. This system is connected to every judge's desktop, using AI to assist in case analysis and decision-making. It analyses data from past cases to help judges identify relevant laws and precedents and even suggests appropriate sentences based on similar cases. This technology helps streamline decision-making and ensures more consistent rulings across the judicial system. In addition to the Smart Court system, Chinese courts also employ AI for legal research. The Supreme People's Court has developed an AI-powered platform called 'China Judgements Online,' which allows judges to quickly search and access relevant legal documents, improving both the speed and accuracy of their legal research.

In the UK, the Ministry of Justice introduced the 'Digital Case System' (DCS) in 2020 to modernize case management in the Crown Court. The DCS allows judges, lawyers, and court staff to manage cases entirely digitally, from start to finish. It enables real-time access to case files, digital submissions of evidence, and remote participation in court proceedings. By reducing the reliance on paper and streamlining the case management process, the DCS has made the UK's criminal justice system more efficient and accessible. The UK Bar Council's Ethics Committee has also issued guidelines to help criminal law barristers access the online portal and make the most of this new technology.

In a more experimental use of AI, Colombian judge Juan Manuel Padilla recently incorporated ChatGPT, an AI language model, into his decision-making process. The case he was handling involved insurance claims for an autistic child, and Judge Padilla used ChatGPT to ask whether an autistic minor was exempt from paying fees for therapies. After receiving a response from the AI that aligned with his legal

understanding, he ruled that, according to Colombian law, the autistic child was indeed exempt from the fees. While Judge Padilla emphasized that AI does not replace human judges, this case marked a novel instance of AI being used in judicial decision-making, highlighting its potential to assist in legal interpretation.

Conclusion

The incorporation of AI into the Indian legal sector is reshaping legal practices, bringing a host of advantages such as improved efficiency, precision, and enhanced decision-making. AI-driven tools for legal research, document analysis, and predictive insights are already making a notable difference, with platforms like Manupatra, Indian Kanoon, and LegitQuest at the forefront.

As AI technology progresses, the legal profession can anticipate exciting developments, including automated brief creation, AI-assisted legal support, and advanced analytics for real-time courtroom research. Nonetheless, it is crucial to tackle challenges related to data privacy, ethical issues, accuracy, training, and costs to fully capitalize on AI's potential.

By adopting AI innovations and addressing these hurdles, legal professionals in India can remain competitive, respond to the evolving landscape of the legal field, and enhance the quality of services offered to clients. The future of AI in the legal domain is promising, heralding a more efficient, accessible, and effective legal system for everyone.

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