

Artificial Intelligence and the Future of Law

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Abstract

*There have been many articles and reports on what impact will the Artificial Intelligence have on the work force across the globe. But will it really have an impact that there will be no need for humans? Will machines and robots really replace lawyers, attorneys and other professionals? Well, it is believed that the way technology is influencing every business, soon it will greatly impact legal profession that has been quite reluctant in accepting it. The other part it is also believed that formation of law, its execution and further applications considerably requires human interference and too much influence of technology may lead to a disrupted justice system in the long run. Of all the information flying around it is difficult for anyone to believe what is true and what is still an imagination. Therefore it is essential to recognise how the technology functions and what parts of legal business will it impact. This paper will provide reader with the relevant information on the use of latest technology in the legal field. It will explain the **importance of technology** in contemporary times and how does it function and utilised in the field of law; how **step by step method** and **deductive rules** are impacting the legal operations and will analyse its impact with practical examples. It will also analyse the **limitations** and **legal issues** with respect to the subject. It will further explain the present and the expected **changes** in the functioning of law office. And finally, it will conclude with the question whether it will replace humans in the field of law. Till what extent it will affect the profession. Is it a boon or bane?*

Keywords: Importance of technology, importance of technology, step by step method, deductive rules, limitations, legal issues

INTRODUCTION

Technological developments in legal practice have been given a lot of importance in recent times and acknowledgement of it has led the legal fraternity to think what will be the future of law. It makes one wonder why there has been sudden hype in recent years in analysing technological development as browsing, email, search engines, error free software etc. has already been in the market and impacting the legal business. The author thinks it is because of introduction of new technologies that has created a buzz around that it will lead to automation of almost everything.

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Technological developments in legal practice have been given a lot of importance in recent times and acknowledgement of it has led the legal fraternity to think what will be the future of law. It makes one wonder why there has been sudden hype in recent years in analysing technological development as browsing, email, search engines, error free software etc. has already been in the market and impacting the legal business. The author thinks it is because of introduction of new technologies that has created a buzz around that it will lead to automation of almost everything.

A lot of things that are not related to innovation are creating pressure on legal fraternity to decrease

the billable hours. Generally, lawyers reasonably and effectively thus, disregarded to adopting change with respect to innovation insofar as the customers were happy to pay based on the billable hour, there was no need to utilize innovation to expand proficiency. Yet, as of today customer's expectation on attorneys to decrease fees charged per hour and all out hours spent have been extreme and innovation provides prospective and optimistic answer for decrease costs. Also ground level due to increased awareness in public; admittance to justice is greater than ever and is more prominent than ever and again innovation offers them an apparently encouraging arrangement.

Technological advancements and its applications appear able to play out a far more noteworthy extent of legitimate assignments than previous innovations. Past advances chiefly supplanted administrative and clerical staff yet computerized reasoning ramifications take steps to uproot attorneys themselves, something that the legal fraternity are not really content with [1].

In this way, there is a legitimate reason, the author thinks, for a prominent buzz and hype about innovation impacting legal field.

RESEARCH OBJECTIVES

The paper aims to provide an insight on:

1. Artificial Intelligence and its Potential.
2. Importance of Artificial intelligence.
3. How might it really affect the interest of people engaged in legal business.
4. Future of Law.

WHAT IS ARTIFICIAL INTELLIGENCE

Artificial intelligence is creation and use of software at its finest, executing activities which typically involve human intellect. Artificial Intelligence can be described as "cognitive technologies." This sector, though, has several divisions, with certain important links and similarities between it.

Definition provided by the English Oxford Living:

1. "The theory and development of computer systems able to perform tasks normally requiring human intelligence, such as visual perception, speech recognition, decision-making, and translation between languages."
2. Stuart Russell and Peter Norvig in their book "*Artificial Intelligence: A Modern Approach*" [2] describe Artificial intelligence as "the study of agents that receive precepts from the environment and perform actions." They describe the functioning of Artificial Intelligence in four elements:
 - Thinking humanly
 - Thinking rationally
 - Acting humanly
 - Acting rationally

Though Artificial intelligence has many characteristics for its many diverse configurations, in legal practice, 2 are possibly the most significant. The first one is the capacity of machines to educate it and solve problems called as machine learning. Machine learning and the logic of forecasting, speech recognition, especially interpretation, grouping & sequencing, and data retrieval are perhaps the most significant subjects at present. It implies that Artificial Intelligence can do more than passively stick to whatever that has been taught to do and to continuously develop its skills, it can benefit from observation and results. Second is the speech recognition. It is the capacity of machines to grasp the context of human voice, vocalized or published, as well as to extend and incorporate that comprehension to do manual research.

IMPORTANCE OF ARTIFICIAL INTELLIGENCE

The term Artificial Intelligence can be described as an innovation that is affecting our lifestyle in a progressive way and which is likewise participating in our day to day routine like setting up a

conference, recommending information analysing our choices etcetera. Soon, its effect is probably going to extend across the globe. Artificial Intelligence can possibly change the way one functions in an enormous manner. That not only with all the technological advancement, yet in addition, with respect to the work being conducted in a particular manner in various financial organizations that may have an effect in positive or negative ways. As of late it has been observed that execution of artificial intelligence has been happening gradually but its impact in industries and business organizations is exceptional. From mechanical advancements in automobile to data based services on mobiles technology has changed the state of different ventures.

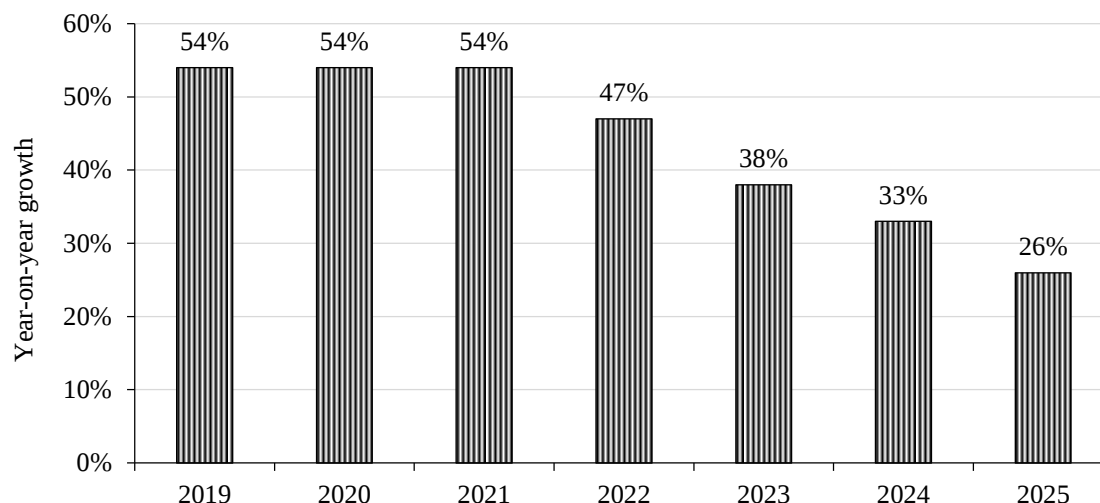


Figure 1. Forecast growth of the artificial intelligence (AI) software market worldwide from 2019 to 2025.

Source: Statista [3].

The above Figure 1 shows the forecast growth of Artificial intelligence (AI) software market worldwide from 2019 to 2025. The amount of increase predicted with respect to the AI market in global economy is huge. “Despite changes in the global workforce, AI is predicted to contribute to global economic growth. A 2018 global survey estimates that AI will contribute to approximately 26.1 percent of China’s GDP in 2030, 14.5 percent of the GDP in North America, and 13.6 percent of UAE’s GDP. Some of these increases in GDP stem from improvements in productivity and product enhancements due to the adoption of AI technologies. For example, AI in the technology, media and telecommunications industry is forecast to increase global GDP in 2030 by 12.5 percent – 5.5 percent from gains associated with productivity, and 7 percent from gains associated with product enhancements [4]”.

Do these figures have an impact on legal sector which primarily uses traditional methods of working? Let’s analyse.

Now, everything that the business organizations essentially do is governed by law. Essentially all that organizations do — deals, banking, acquisitions, consolidations — is done by means of legitimately enforceable agreements. Technology would come to a standstill without an advanced application of IPR laws. Almost, every organization in some or the other way works in default of law (non-compliance, payment of taxes etc.) and with a risk of legal action.

“At close to \$1T globally, the legal services market is one of the largest in the world. At the same time, it remains profoundly under digitized. For better or worse, the field of law is tradition-bound and notoriously slow to adopt new technologies and tools [5].”

The law offices in India have been reluctant to change as far as innovation is concerned and practitioners nowadays are still inclined and dependent on the strategies and arrangements that are being used from many years. Technological advancements can have a major impact in developing the manner in which practitioners work.

Advanced legal research is the greatest impact that can be brought by Artificial Intelligence in legal sector. The general set of laws in India are immense and continually changing; and by utilizing technology, legal advisors can get exceptional perception of what is the state of law practically in minutes. Right now, to complete basic legal research lawyers and their sub-ordinates spend a lot of time that in-turn cuts down on the revenue of the particular office. But, using reasonable technological advancements can balance this situation in law offices. For example, consider the amount time taken for reading volumes of books and journals to find out a particular law and using quotations in SCC Online to get the desired results. It can give practitioners exceptionally proficient and progressed medium helping practitioners become well in dealing with clients and appearing in courts.

“A slew of Indian legal tech startups i.e. SpotDraft, CaseMine, NearLaw, Pensieve, Practice League etc are building Natural Language Processing [NLP] based applications and introducing next-generation legal research platforms that help law firms go beyond simple, keyword-based research, thereby making it less time-consuming. Many legal startups are fast rising in Artificial Intelligence research capabilities, some of who have their own AI research labs [6].”

Technology is the developing the manner in which legal fraternity functions, the manner in which they work together and the manner in which they deal with potential clients. It is more than just innovation. It is the next disruption that humans would witness.

Developments can be welcomed by adapting change in traditional patterns. What makes technological reasoning stand apart is the potential for a change in outlook in how the professionals work.

ARTIFICIAL INTELLIGENCE AND ITS POTENTIAL FUNCTIONS

Before analysing the effect of technology on the legal fraternity, it's imperative to understand it. The technology that is widely used in law is called as cognitive functioning. This implies programming the machines on how to store data, process it in a useful way, use correct algorithms, and provide reasonable results. Cognitive functions are prepared in figuring out how initially individuals used to perform any work, where the machine is searching for a structure in information, checking the information, and finally providing the outcomes. On the other hand it can be described as a research accessory that can filter according to the requirement and notify the results. For what reason is this significant?

“According to IBM, 2.5 quintillion bytes of data are being generated every day. That's 2,500,000,000,000,000,000 bytes, every day. The ability of any human to review and comprehend that level of data without help is the definition of impossible [7].”

A fundamental principle of software engineering is that computers perform their function based on rules. To mechanize a legal task, it essentially needs to communicate a set of rules and directions. Computer softwares work on technological methods set by the creator. The most common methods used in legal practice are based on:

- i. Set of step-by-step instructions method.
- ii. Deductive rules for the computer.

For instance, in Manupatra there is a choice whereby one searches ‘Article 21 of the Constitution’ in one section. The software at that point provides results of it and in the other section one can again

search ‘Right to Privacy’ within the set results of ‘Article 21 of the Constitution’ This is a specific measure to get results based on step-by-step rules method. In the same manner the software can provide results for a specific order coming out of particular court. So this method is the fundamental computer programming method that has been in market for some time. “The law is in many ways particularly conducive to the application of AI and machine learning. Machine learning and law operate according to strikingly similar principles: they both look to historical examples in order to infer rules to apply to new situations.” Legitimate decisions include presenting maxims resulted from a precedent, applying those premises to the specific situations, and arriving at a resolution in like manner. This rationale situated technique is the sort of movement to which machine insight can productively be applied.

Now, where the anatomy of developments is not that evident; where one is not able to eloquent step by step; where we cannot get from situation 1 to situation 2, one can still be able to achieve results utilizing data driven rules. So, if one knows the facts of a case, judicial history, elements of cause of action, the attitude of a particular court for a particular set of cases etc. whereby the results probably cannot be driven from step-by-step instructions. However, if one provides enough data to the computer on that particular type of situation the computer may have the option to build up an example dependent on different calculations to accomplish the ideal outcomes. A simpler example on data driven rules is that when one uses Spotify radio whereby the music can be both personalised and never ending, the results are delivered on the basis of limited loops deduced from the previous music played [8].

A truly intriguing aspect regarding data driven method is that they manifest a great deal of legal tasks in contemporary times that seems like an everyday practice. A human cannot use his thought process in foreseeing how an authority will decide for a situation or importance of a specific record as it inferred information. However, technology can make that preparing express and provide results in a structured.

“AI is rapidly being applied to all major sectors of the economy and society, including medicine, finance, national defense, transportation, manufacturing, the media, arts and entertainment, and social relationships, to name just some. Many of these applications will create new legal issues for lawyers, such as the liability issues of autonomous cars, the legality of lethal autonomous weapons, financial bots that may run afoul of antitrust laws, and the safety of medical robots. But in addition to changing the subject matter that lawyers work on, it will also transform the way lawyers practice their craft [9].”

Now, it is very important to know how specifically and in what way can technology help in a professional’s office. The figure in the next page shows how this machine functions.

An outlook of how Artificial Intelligence works is shown here:

A variety of lawyering tasks can be performed based on technological tools as shown in the above Figure 2 [10]. Some of them can be:

Due Diligence

Attorneys generally perform due diligence of parties and the situation before proceeding further in the matter. It is an essential duty of attorneys to perform in the interest of their customers the affirmation of statistical data, and altogether surveying a legitimate state of affairs. This process is necessary for an insightful approach towards clients on what their position is, and what moves should they make.

As the process of due diligence can benefit the client and the attorney in having the correct knowledge of the facts, the process can be lengthy and dull. Attorneys need to perform a complete

examination for significant outcomes. Accordingly, they are likewise inclined to mix-ups and mistake when testing the facts.

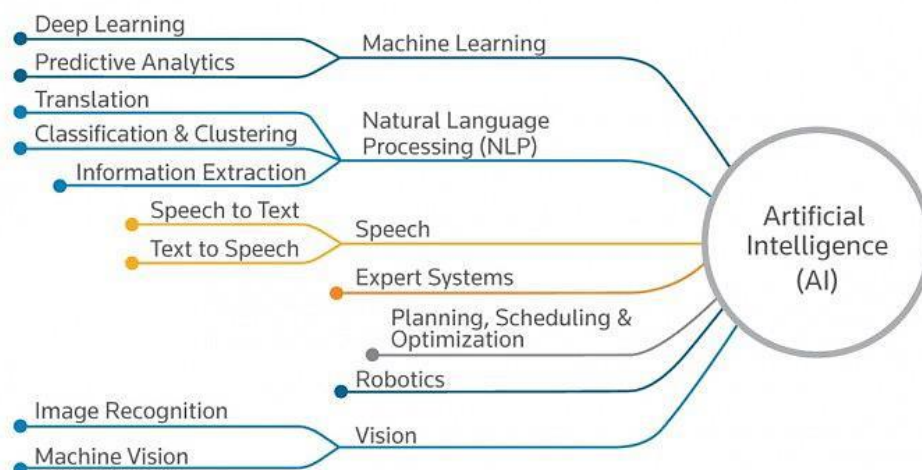


Figure 2. Branches of AI.

Source: Neota Logic [11].

Prediction Technology

The data provided is processed by the software and using algorithms it predicts what may happen in coming times. “In 2004, a group of professors from Washington University tested their algorithm’s accuracy in forecasting Supreme Court decisions on all 628 argued cases in 2002. They compared their algorithm’s results against a team of experts’ findings. The statistical model by the researchers proved to be a better predictor by correctly forecasting 75 percent of the outcomes compared to the expert’s 59 percent accuracy [12].” Also as shown in the above figure by Neota logic, artificial intelligence can perform predictive analysis under machine learning.

Legal Analytics

Case reports and agenda sections give beneficial experiences during suit by attorneys. Current technological instruments guarantee that the present programming items can extricate key information focuses from these archives to help contentions.

Document Automation

A few law offices are likewise starting to adjust with such innovation by making documents through artificial intelligence. Numerous programming organizations guarantee that the last report, which took a lot of time to draft document manually, is created very quickly through automated software. This innovation is used by financial organizations presently.

Electronic Billing

Electronic Billing stages are advancement to traditional paper billing method. The benefit of this type of billing is better handling of conflict with clients, precise customer changes, more exact revealing and following, and reduction in stationery expenses. Organizations in the medical field space are likewise using Artificial intelligence for clinical charging.

LIMITATIONS OF ARTIFICIAL INTELLIGENCE

In any case legitimate concerns have been raised with respect to technological advancement.

There are certainly various restrictions to the capacity to mechanize legitimate work. For example if an appointed authority decides differently in cases with a similar case attributes and the decisions passed are in self-contradictory or vague manner, there is no software model that will have the option

to articulate the entirety of the data and provide dependable results. In the event that an authority experiences another circumstance that is not represented in the data on which the software is prepared, once more, the outcome may not be dependable. For example if the each decision is passed for maintenance of a women plaintiff; one cannot claim that the software will precisely provide the outcome for maintenance of male plaintiff. One can contend that it won't make any difference but no one knows what impact it will have at ground level.

Another limitation is that the softwares are extremely terrible at managing possibilities that are not in the program on which they were prepared. A bracket that is extremely difficult to mechanize is human communication. Characteristic language handling has made some amazing progress in current times, yet it's actually founded on etymological qualities and not significance of the subject and has a long way to go. In the interim successful processing or managing feelings has made great in things like estimating emotional reactions or taking a glance at expressive reactions, however this provides results like client is disappointed or client is glad. That also, is an amazing thing however it cannot provide results on varied situations and infinite emotional states that we certainly cannot articulate ourselves. This is important because unpredictable human reaction is a crucial stage in law practice.

Keeping that in mind one must presently see how developments of software models, those dependent on deductive method and on step by step method are affecting the business of legal fraternity. Considering the new technological developments lawyering tasks may significantly be displaced in some areas. However, in certain other areas it's hard to think that lawyers will be replaced by advancements in coming future years. This is because a lot of lawyering tasks are unstructured and cannot be automated by machines.

Let us compare drafting a standard document and legal writing. Drafting standard legal documents like rent agreement, contracts, wills or trusts doesn't require much of an effort as it is generally based on standard templates and is generally structured. Of course get template needs to be updated from time to time but again there is no major change from the basic model. Many of the documents in India that need to be submitted are provided by and administrative departments and the respective ministry. Therefore, in this particular case technology has been able to automate drafting of standard legal documents.

However in legal writing there is a connection established between does incumbent law and the factual situation. Now this creates a very different scenario. Certain part of the legal document is generally consistent introduction, explanation of a well-established law, concluding material etcetera. But the maximum body of the document involves and demands for reasonable inventiveness and adaptability. The process demands the interplay of complex laws, use of precedent in a way to get a favourable order and therefore it is extremely difficult to be automated. It requires a lawyer to persuade judge or any authority using his own methods for proving the point.

Legal Issues

At the centre, technology is dependent on learning and adjusting the new information with respect to calculation. It is not possible to anticipate everything that may happen giving. Our overall set of laws aim on giving assurance and direction to people and organizations according in best of their interests, therefore effect of technology and its unusual nature is obviously the biggest concern for future of humanity.

With respect to this vulnerability, a lot of legal objections may be unraveled to evaluate the legal obstacles that may come with technological advancement. Following are some identified by the author:

Privacy Concerns

As one of the most important law problems which the technology will encounter in future, is the amount and complexity of information processing that will hold privacy at the centre. Technology

programs require large volumes of information, but more issues are posed because more information is collected. No one knows about the owner of the information between users and developers of technology? Will they share information? Can this exchanged information be unidentified in order to safeguard questions about privacy?

Agreements

The fundamental existence of technology may demand that special contractual provisions be obtained by persons or organizations that contract for Artificial Intelligence services. Technology has been, in previous times, actually do work as planned. Contractual terms can be considered by the stakeholders, who stipulate that the software would work as planned, and also that contractual recourse may emerge if undesirable effects arise. Such added requirements may provide a focus on audit privileges with regard to technological agreement algorithms, acceptable contract service levels, determination of control of AI-generated enhancements, and liability requirements in the event of a failure. In agreements whereby framers are required to predict where artificial intelligence will lead; technology can determine a more innovative approach.

Torts

Artificial intelligence is continually changing, bringing increasingly difficult decisions depending on the knowledge on which it functions. Although most effects are expected, in the lack of manual oversight, there is the clear likelihood of an unexpected or detrimental event. AI's digital and artificial complexity poses fresh concerns regarding liability assessment. The method used for the system to resolve improvements in culture, particularly technical changes, has historically been tort law. The most popular tort, which is the tort of negligence, centres on whether a individual does has an obligation to care for another, whether the individual has broken the standard of care, and whether the violation has caused damage. A core principle of negligence is rational foresee-ability. The more technological systems step away from traditional equations and scripting, the more they can show actions that are not only unexpected by their designers, but completely unforeseeable. If there is indeed a failure of predictability, are we put in a situation where nobody is responsible for an outcome that could have a negative impact on others? To avoid such an outcome, most of us would expect that the judiciary would react.

CHANGES IN LEGAL PRACTICE

In the past few years, the legal profession has shown a significant jump in the degree of competitiveness worldwide, not just in India. By recognizing the advances in technologies and customer needs, it has now become essential for lawyers to recognize strategic benefits. Over the next five years, anyone who will turn a swift end to certain improvements might, unfortunately, be redundant.

Let us examine the changes that might occur in the legal profession:

Dealing with Clients

Throughout the coming years, the manner in which potential clients are handled and addressed will dramatically improve. With certain new concepts and greater credible, economical and professional methods, the lawyers will address their customers. Currently, across the country lawyers are paid for their offerings on the basis of the time he takes to deliver the services or in alternate terms, the form of hourly pay, but in the long run this system of charging will become irrelevant. Lawyers will aim at developing new fee structures to consult their clients and charge on the basis of labour they require for the particular work and the results that they can provide. The charging method would be highly customer-friendly as clients will just spend when they meet milestones and will also improve the existing relationships among clients and lawyers.

Growth based on Artificial Intelligence

One has witnessed a big launch in recent times of upcoming Artificial Intelligence- based technologies intended to make the law profession both effective yet customer-friendly. Including

solutions to document writing software, patent quest, numerous legal software innovations already have already been introduced to enhance the life of a professional or business. Legal technologies based on technology help lawyers become effective and bring down expenses and generate higher income.

Concrete Results

The software makes sure that the user gets all the relevant results as per his filters and leaves no scope for petty mistakes. Humans cannot compete with the level of performance that Artificial Intelligence can provide for legal compliance practice.

CONCLUSION

The initial stages of what would be a ground-breaking Artificial Intelligence based revolution of the legal profession are really just the first developments of Artificial Intelligence to civil practise. Artificial Intelligence is both the perfect chance and arguably the main challenge to the legal industry ever since inception. Artificial Intelligence will begin to intensify its revolutionary effect on law profession in the future. Artificial Intelligence would take up a rapidly growing proportion of hourly fees of the lawyer, be extended for a range of legal activities, and demand expertise and qualifications outside of any established practising lawyers' specific skill set. Artificial Intelligence today provides an advantage for a lawyer to become a pioneer in performance, price, and competitiveness, but it would be a question of maintaining instead of becoming a pioneer quickly to incorporate Artificial Intelligence into reality.

However, many Artificial Intelligence analysts debate just over if and when technology, not whether this can be improved, would change legal practise. Practitioners, particularly young attorneys, must be mindful of the opportunities that Artificial Intelligence allows.

Several creative ideas have been implemented in the legal profession, whereby Artificial Intelligence has increased practitioners' productivity, contract review, patent discovery tools, legal study applications as well as more. Hardly any of the Intelligence software application, though, attempts to accept a job as just an attorney as well as all Artificial Intelligence based applications and services improve the reliability, quality of testing and study and have become more results-oriented.

Research, judgement, and advocacy that couldn't be done by robots can be largely dominated by human beings. Automation technologies and software will greatly minimise the work and energy of attorneys and therefore can enable practitioners and organizations deliver their consumers a more genuine outcome plan.

That profession is still evolving in India and is aiming up to further devices and techniques focused on technology and digital assistance. Such technologies and digital assistance techniques and apps, however will not substitute the role of professionals where analytics, verdict and inequity are needed, but will simply render them more effective and professional when optimising different clerical duties.

Present Artificial Intelligence capabilities just allow users to approximate, accomplish, or surpass some and not all, human intelligence tasks at this period as well as for the long run. Although some experts are focusing on the development of machines that can equal or surpass the human intellect, often attributed to as "general intelligence", this is undoubtedly years away from such an accomplishment. Therefore, for both the lifespan of any attorney working now, considerable legal abilities focused on human intuition, deduction, practical wisdom, organizational knowledge and competence will remain important.

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