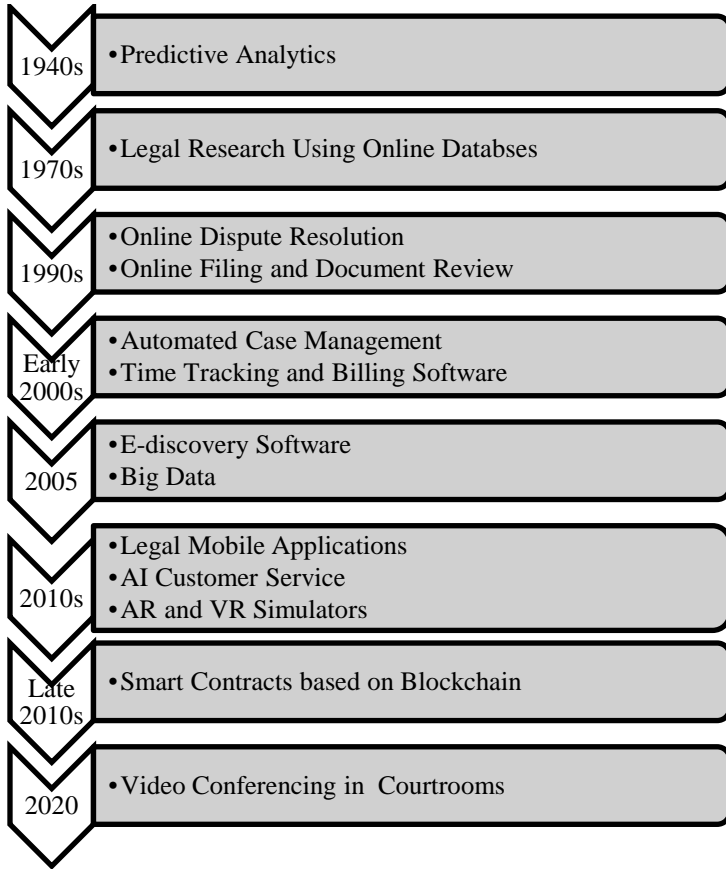## ARTIFICIAL INTELLIGENCE AND THE LEGAL LANDSCAPE

"Law and technology produce, together, a kind of regulation of creativity we've not seen before."

— Lawrence Lessig

Technology, in the simplest way, can be defined as the application of scientific knowledge for achieving goals for practical purposes. The revolutionary contribution of technology in the legal framework began in the mid 20th century. From the early 1950 to 1953, when dictation machines were directly marketed to law firms for the very first time, proving to be self-sufficient it helped lawyers to record notes and transcribed information according to their desires. Then in 1970s, the online information providing services like computers and databases like LexisNexis, Manupatra etc changed the method of legal research.

Journey of technological initiatives taken in the legal field:

1940s	•Predictive Analytics
1970s	•Legal Research Using Online Databses
1990s	•Online Dispute Resolution •Online Filing and Document Review
Early 2000s	•Automated Case Management •Time Tracking and Billing Software
2005	•E-discovery Software •Big Data
2010s	•Legal Mobile Applications •AI Customer Service •AR and VR Simulators
Late 2010s	•Smart Contracts based on Blockchain
2020	•Video Conferencing in Courtrooms

Whether there is need of technology in the legal field in the 21st century?

Technology in the legal field is the need of the hour, this could be concluded when the Hon'ble Chief Justice of India emphasized on the use of technology in the legal system. In an exclusive interview with NDTV Chief Justice of India Dr. Justice D. Y. Chandrachud stated that the use of technology in judicial work, which takes it to the common man and helps bring faith on the legal system, is a task he has taken as his mission. He said he has been chairing a project to open E-seva kendras across districts that makes justice accessible to the common people.[1] Further speaking at the Commonwealth Legal Education Association[2], CJI said technology has emerged as a "powerful force" for justice and it must be ensured that technological solutions are designed keeping equity and inclusivity in mind.

Artificial Intelligence and the Law:

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[1]NDTV, https://www.ndtv.com/india-news/my-mission-in-use-of-technology-in-courts-chief-justice-of-india-dy-chandrachud-exclusive-5277450 (last visited Mar 24, 2024)

[2]THEHINDU https://www.thehindu.com/news/national/technology-has-emerged-as-powerful-force-for-justice-cji-dy-chandrachud/article67807393.ece(lastvisited Mar24,2024)

Artificial Intelligence or A.I. is a technology that enables computers and machines to simulate human intelligence processes and problem-solving capabilities. It is a new and emerging wave that has explored and benefited many areas like education, health etc, and it is still in the process to find and improve loopholes in such areas. In the month of March, 2024, The Union Cabinet *has approved Rs 10,371.92 crore investment for the India Artificial Intelligence mission.*[3]

The application of A.I. in the field of law can benefit in many ways, like, with the help of vast amount of legal data, AI could make work and processes more efficient and accurate. In addition to this, it can help find patterns and biases in the system of the courts, making fairer and just law. Thus, AI should be accepted globally. And, our country India must continue to integrate AI into its legal phenomena to improve access to justice and help evolving its legal system with the evolving time in the 21st Century.

Can Artificial Intelligence helps Bar and Bench?

The best way in which AI can help Judges, Advocates and Litigants etc is by reducing pendency of cases. Reduce pendency of cases? In response to this unstarred question that was asked during the first part of the Budget session of Parliament, Minister Kiren Rijiju, said that while implementing phase two of the e-Courts projects, a need was felt to adopt new, cutting edge technologies of Machine Learning (ML) and Artificial Intelligence to increase the efficiency of the justice delivery system.[4]

As per the data collected by National Judicial Data Grid, the total number of pending cases in India is 4,41,86,454. Artificial Intelligence is the most adequate solution to this decade old issue. The Apex Court of India has made an attempt by constituting A.I. Committee which has given certain valuable areas that can be potentially applicable. The few A.I. software that were launched by the SC are as follows:

- SUPACE

SUPACE stands for *Supreme Court Portal for Assistance in Court's Efficiency*. It is an e-tool that aims at assisting Judges with legal research by collecting relevant facts and laws.

- SCI software

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[3] TIMESOFINDIAhttps://timesofindia.indiatimes.com/gadgets-news/government-announces-india-ai-mission-what-it-is-and-more/articleshow/108322391.cms(lastvisited Mar24,2024)

[4] https://www.thehindu.com/news/national/ai-ml-are-a-long-way-from-becoming-a-judicial-decision-making-tool/article65193656.ece

The Supreme Court launched *SCI-Interact software* in 2020 to make all its 17 benches paperless.

- SUVAS

SUVAS is short for *Supreme Court Vidhik Anuvaad Software*. In 2023, the Supreme Court of India undertook an initiative to translate its extensive collection of 36,000 judgments into all Scheduled Languages.

Artificial Intelligence software used by Foreign Courts:

There are some foreign courts that took initiative to use AI in deciding question of law. Such as, United States used COMPAS to help in a case management processes and decision making, similarly, United Kingdom used H.A.R.T. , Brazil used VICTOR and PROMETEA used by Argentina to identify urgent cases across large volumes of files within minutes.

The application of AI can never replace the human values, knowledge and wisdom of the Judges, but it can surely lessen their burden in providing accessible, transparent, and speedy justice to every individual.

Legal implications of Artificial Intelligence:

Recently, CJI advocated the need for ensuring that such technologies don't create fear in the minds of users as they could directly impact their ability in expressing thoughts in a "free and open" manner.

The AI also contains negative impacts within its sleeves. The alarming impacts could be:

- Ethical impact:

This technological wave could be unable to decide cases with human approach and can adversely affect human values.

- Transparency

Being the highly fascinating AI is also highly vulnerable. It is open to the threats of influential hacking.

- Data protection

Availability of all sorts of cases in an online platform may put personal data of an individual at risk of online theft and data leakage etc.

- Privacy concerns

The mass surveillance and monitoring capacity of A.I. can affect privacy of an individual. For example, deep fakes.

To deal with such menace, effective Data Protection and Information Technology laws can be made to deal with the consequence of artificial intelligence. Various global initiatives are being taken to tackle this issue. One of them includes the recent buzz i.e. the EU AI Act. In the month of December, 2023, European Union proposed a regulation on AI named the AI Act, this is the first comprehensive regulation that assigns application of AI to three risk categories: Unacceptable risk, High-risk applications, and Unregulated high-risk applications. This act could become global influence in determining legal framework for AI. [5]

Conclusion:

Artificial intelligence has the capacity to perpetuate. On one hand, it can provide tech-law by translating Judicial documents, establishing digital courts, tech based alternative dispute resolution mechanism, automating repetitive precedents and mechanical process and many more. On the other hand, it can be violative of Fundamental Right of an individual by compromising his right to privacy. But as rightly said by the CJI, "When technology itself fails to address the negative behaviours facilitated by new developments, the law will step in to safeguard individual rights." Therefore, adequate and innovative legal regularization can definitely control and dominate the negative impact and loopholes of artificial intelligence.

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[5]EUAIACT, https://artificialintelligenceact.eu/(lastvisited Mar23, 2024)