ARTIFICIAL INTELLIGENCE: ITS IMPACT ON THE INDIAN LEGAL SYSTEM

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ABSTRACT

Technology like Artificial Intelligence (AI) has spread in the world and it has been proving beneficial in the lives of people. The main reason for the creation of artificial intelligence and its usage is to benefit the lives of people and to have a beneficial impact on our lives. Artificial intelligence has the scope of changing the way advocates operate and the way the Indian legal system is looked at. Lot of changes can be seen with the intervention of artificial intelligence. The Indian Legal system has seen very less innovations in terms of technology. Lawyers nowadays still rely on traditional methods to find solutions to the problems. In this research paper an attempt has been made to throw light on the concept of artificial intelligence, how AI is affecting daily life, its importance in the Indian legal framework, the face of future law firms after the coming of the artificial intelligence system and much more.

Keywords: Artificial Intelligence, Law, Legal system, Courts, Law firms.

Introduction

Artificial Intelligence has catched lot of attention these days. There is no doubt the infinite possibilities it offers. It contributes, assimilates and well as challenges various disciplines not only in the field of law. Artificial Intelligence and Machine Learning have multiplied the efficiency of any industry or system. If it is used effectively it can bring about remarkable changes and transformation in several sectors. In the justice system there are multiple ways AI has impacted the system. It has the capacity to reduce the pending cases and increase the process tremendously. Nowadays the concept of artificial intelligence is widely popular and various industries are using AI to work efficiently. It is a machine or robot that thinks and acts like a human brain. The main reason for the creation of artificial intelligence and its usage is to benefit the lives of people and to have beneficial effects on our lives. The Indian legal system has seen a slight shift in the increased use of technology, but it is also seen that attorneys still depend on their traditional methods and techniques. This article deals with artificial intelligence and how it is used in the Indian legal system. It also throws light on how artificial intelligence has brought changes in the working of the Courts.

Research Methodology:

Academic and legal research have been conducted in the area of artificial intelligence and its impact in the Indian legal system. This research is mostly based on research journals, articles, legal websites, and research papers. This research is a culmination of both academic and legal research that is related to the impact of artificial intelligence in the Indian legal system and finding out whether it is a boon or bane for the legal industry.

Review of Literature

The history and development of artificial intelligence is a very recent one, its origin can be traced back to the mid 20th century. Even though it has been developed recently, there exist some contribution, influences, even though it indirectly proposed the development of AI. The development of artificial intelligence can be credited to the contribution of various fields not limited to only history, art, philosophy, mathematics and logic.

The White House's National Science and Technology Council traces the roots of Artificial intelligence to the1940s, in McCulloch and Pitts', "A Logical Calculus of the Ideas Immanent

in Nervous Activity".[1]

The thought of artificial intelligence is clearly stated by Alan Turing, in his famous paper "Computing Machinery and Intelligence". The main question that is stated in that paper was that Can machines think? This was answered by Turing using what came to be known as the Turing Test. He believed that a machine could be programmed in such a way to learn from experiences much like a child. The term 'Artificial Intelligence' was not coined until 1956.[2]

What is Artificial Intelligence?

Artificial Intelligence [AI] is a computerized system able to execute work that usually requires human intelligence. Many of these artificial intelligence systems are fueled by machine learning, some of them are powered by deep learning and some of them are powered by things like rules. This comes with learning that involves collecting the rules and details for using the data. Due to data-based service industries artificial intelligence has become very popular and a necessity in recent times. Many companies in various fields are using artificial intelligence as it is less time consuming, and it produces systematic and accurate work.

How is Artificial Intelligence affecting our daily life?

Artificial intelligence (AI) is a kind of technology that is impacting our daily lives. It takes part in our daily issues starting from keeping a reminder for meetings, suggesting news and articles of our interest. It can be predicted that its impact can be seen in the whole database industry.

AI has immense potential to change the way humans interact, not only with how they interact in the digital world but also with one another. This happens through other socioeconomic institutions for better or for the worse.

Why is Artificial Intelligence being crucial for Indian legal structure?

Nowadays we can see that artificial intelligence is being used in various industries in a small but highly effective way. Starting cell phones to robotic concierges in hotels. We can see the use of artificial intelligence to a great extent and it has changed the shape of many industries.

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[1] Shruthi Anand, Artificial Intelligence– Literature Review, https://cis-india.org/internet-governance/files/artificial-intelligence-literature-review, accessed on 6 February 2022

[2] Ms Pragya Rao & co-authored Mr. Rakesh Fartyal, Artificial Intelligence & Indian Legal System: An Analysis, https://fastforwardjustice.com/artificial-intelligence-indian-legal-system-an-analysis/ accessed on 6 February 2022

In the Indian Legal system, it has seen very less innovations in terms of technology. Lawyers nowadays still rely on traditional methods to find solutions to the problems. They are more comfortable with the methods that were designed years ago. Artificial intelligence has the scope of changing the way advocates operate and the way the Indian legal system is looked at. Lot of changes can be seen with the intervention of artificial intelligence.

One of the biggest disturbances that can be caused by Artificial Intelligence in law is in the field of legal research that happens in the legal profession. The Indian legal system is very extensive, and it is continuously changing day by day. The use of artificial intelligence in the legal field by the lawyers will help them get insights into the legal domain in a matter of seconds. If we seek to do legal research a particular amount of manpower is required which is also very time consuming, this leads to a reduction in the profit making ability of the law firm. With the coming of Artificial Intelligence the entire legal system can be balanced in a proper manner.

A platform of artificial intelligence for research work can get the research done in seconds be it a law firm having 300 lawyers or a lawyer practicing alone. Artificial intelligence can balance the expenses that are required for the legal research and making research uniform all around. AI can provide modern devices helping the lawyers to become better in litigating and advertising clients in a better manner. [3]

A plenty of Indian legal technology start-ups i.e. SpotDraft, CaseMine, NearLaw, Pensieve, Practice Legal and many more are developing Natural Language Processing (NLP) based processes. They are introducing platforms of next-generation research work that will help law firms to do advanced levels of research which was earlier not possible and making the task less time consuming. There are many legal start-ups that are using artificial intelligence for research work and the number is constantly increasing. Some of the legal start-ups have their own Artificial Intelligence labs. [4]

Impact of Artificial Intelligence on the Indian Judicial Structure

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[3]Mirza Aslam Beg, Impact of Artificial Intelligence on Indian Legal System, https://www.legalserviceindia.com/legal/article-631-impact-of-artificial-intelligence-on-indian-legal-system.html, accessed on 4 February 2022

[4]Mirza Aslam Beg, Impact of Artificial Intelligence on Indian Legal System, https://www.legalserviceindia.com/legal/article-631-impact-of-artificial-intelligence-on-indian-legal-system.html, accessed on 4 February 2022

Looking at the Indian judicial system we can only see judicial delays. The judiciary is overburdened with pending cases which in return delays justice of the people, and the phrase that goes 'justice delayed is justice denied'. In order to change the situation various steps were taken ranging from increasing judicial strengths to cutting vacation duration but it does not prove to be quite helpful, and something more needs to be done. The coming of artificial intelligence proved to be of immense help.

According to various sources and studies it is found that Artificial Intelligence proves to be very helpful in the evidence stage of the cases as it is a very critical point of any case. As it is one of the important stages of any case it takes up a particular amount of court time. Artificial based analysis can help judges to make quick decisions

The predictive technology will be quite helpful for the judges to handle the case in an appropriate manner.

The Chief Justice of India also believes that incorporating artificial intelligence in the Indian legal system will be very beneficial in the proper conduct of the matters. It is believed that if the implementation happens with proper guidelines, frameworks, norms and regulations it will assist and prove to be helpful for the Indian judicial system.

One such complex artificial intelligence tool named SUPACE (Supreme Court Portal for Assistance in Court Efficiency) was launched by the Supreme Court of India. This system is designed to understand the judicial processes that require computerization and after that help the court in improving efficiency and reducing the pending cases. This can be done by summarizing judicial processes that have a scope of being computerized through AI systems.

Similarly, another Artificial Intelligence system introduced named SUVAS, this helps in translating the judgements of the cases in regional languages. This is said to be another effort to make justice accessible to all. This technology also helps in solving other challenges faced in translation in filing of cases. It will help in reducing the time to file a case and help the court in developing a quick and efficient system. [5]

Through the steps mentioned, the Supreme Court became the global number one in using Artificial Intelligence and Machine Learning in the processes of the judicial system. But this

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[5]Kartik Pant, AI in the courts, The Indian Express, https://indianexpress.com/article/opinion/artificial-intelligence-in-the-courts-7399436/, accessed on 7 February 2022

should always keep in mind despite great advances made by the apex court, the recent development in the field of Artificial Intelligence is superficial one

What Law firms of the future will look like?

Recently a few years back, the legal industry has seen increased growth of competition not only in the Indian legal system but globally as well. Now it has become very vital for all the law companies to realize the competition as a blessing by understanding the new technological advancement and requirements of the clients. Those who overlook the changes that are brought about would be outdated within the next few years.

It can be said that the future law firms will be completely different from the one that we see nowadays. Following are some of the characteristics on how the modern law firms will look like: [6]

1.   New innovations in maintaining clients:

The way the clients are treated and maintained will drastically be changed in the future. The lawyers of the law firms will approach the client's new creative ideas to find solutions and it will be more economical to the clients. In recent times, the law firms in India billed their services based on the time it takes or in other words the charges that it takes per hour, however this method of billing will be outdated once artificial intelligence will take over in near future.

To maintain their clients in a better manner the law firms will look for new and modern methods in pricing their services. It can implement something such as Performance-Based Pricing Strategy (PBPS): as the name clearly suggests that the value of the new model would be very client friendly. The client is only allowed to pay when the targets are fulfilled, and this will help to build a strong professional relation between the clients and the Law Firms

2. Shifting the focus from Revenue to Higher profits:

In recent times we can see that the law firms are more focusing on increasing their revenues. If we look closely at the matter, there is increasing competition between law firms, and it is also seen that the demand of the legal services is static which creates a lot of problems in

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[6]   Mirza   Aslam   Beg,   Impact   of   Artificial   Intelligence   on   Indian   Legal   System, https://www.legalserviceindia.com/legal/article-631-impact-of-artificial-intelligence-on-indian-legal-system.html, accessed on 4 February 2022

making growth in revenue. Therefore, we can say that in the recent future the law firms will not focus much on revenue making instead they will focus on higher profits and margins.

3.   Building Technology, the bedrock for growth:

The past few years, it has been of notice that with the remarkable development of new artificial intelligence-based solutions and the aim at making it a more client friendly and efficient legal sector. From computerization of drafting contracts to trademark search various legal tech start-ups have come to make the lives easy for lawyers and law firms. The legal solutions based on AI helps law firms to become more systematic in their approach and reduce costs and gain more profits from it. The future law firms will adopt this technology and will work in unity with other companies to build artificial based solutions. This would further help to improve and better the legal sector.

4.   Giving more focus on brand value:

In the coming future law firms will focus more on their brand appearance. Careless or disorganized advice from few people can severely damage the reputation of the law firm. In order to avoid this scenario and to protect the firm's reputation and increase the brand value, artificial intelligence based legal solutions and technologically advanced lawyers are required. On the other hand the law firms also need to organize conferences, workshops and make media presence to put light on their brand and make it visible.

Will Artificial Intelligence replace Lawyers?

In recent times there is a burning question that is going among the lawyers whether the coming of artificial intelligence in the legal sector around the globe will replace the lawyers and the work done by them, or whether the coming of artificial intelligence platforms will help to increase the efficiency and productivity of lawyers and law firms.

With the coming of technology the legal system has seen many changes such it has improved the efficiency of lawyers, contract drafting, legal research software and much more. However, it is seen that none of the artificial intelligence-based software or programs have attempted to take the job of a lawyer. It instead increases the efficiency and accuracy of work, legal research

and finding accurate solutions. It is more result oriented now. [7]

The law profession is highly dependent on analysis, decision making, representation and much more which cannot be technologically automated that easily. AI-based programs and software can help to reduce the lawyer's time, help to find more accurate information, more authentic and result oriented suggestions to the client. But it cannot be said that it will entirely take up the lawyer's job and replace them.

There is still development going on in the legal industry in India and there are more scope of developing AI based software, programs and automated tools in the field. But these AI based automated tools, software and programmes cannot totally replace the lawyer from its job which include analysis, decision making, representation and much more but it is true that it will help them to be more authentic and efficient in doing various clerical tasks.

The areas where Artificial Intelligence are benefiting the legal industry

It is always assumed that artificial intelligence has a great amount of scope for the Indian legal sector. It is believed that the merger of artificial intelligence and law will see growth to a great extent in the coming years. Recently there has been many fields of law where the artificial intelligence proved to be immensely helpful these are given below: [8]

Due Diligence – In order to review contracts, contract drafting, legal research related work or performing electronic discovery functions to do due diligence, artificial intelligence systems and programmes are proving to be very helpful. AI has been helping to reduce the time that was previously required and the work more accurate and efficient.

Prediction Technology- Artificial intelligence legal software can also predict the expected results of the cases that are tried before the Court of Law.

Legal Analytics- Artificial Intelligence provides for the data points from past case laws and judgements that can be used by lawyers in their recent cases.

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[7] Ranchit Garg, Artificial intelligence and the Indian legal system, https://blog.ipleaders.in/artificial-intelligence-and-the-indian-legal-system/, accessed on 4th February 2022

[8] Ranchit Garg, Artificial intelligence and the Indian legal system, https://blog.ipleaders.in/artificial-intelligence-and-the-indian-legal-system/, accessed on 4th February 2022

Computerization of documents- only by submitting the required document that you want to include in any legal document, and you will get your documents ready within no time.

Intellectual Property- AI tools and software help in providing the information into IP protocols such as registration trademark, copyrights, patents etc.

Computerized billing process- AI based legal software helps the lawyers and law firm in preparing as per the work they have done. This system helps in making accurate billy for the works done by the law firms and the lawyers. Therefore, it helps both the parties i.e lawyers and the clients.

Artificial Intelligence systems that are already prevalent in the legal field around the world

ROSS Intelligence

ROSS Intelligence was developed in 2014 at the University of Toronto. It is an AI-powered legal research tool that uses the most advanced technology of Natural Language Understanding (NLU). NLU allows us to ask all legal problems or explain the facts to the natural language and it is built to answer all queries regarding it.

This system helps to solve a lot of time and it also ensures that you do not miss any leading cases regarding that particular area. To save your time even further ROSS marks the relevant portion of the case so that one doesn't have to go through the entire judgement of the case which saves a large amount of time.

 ROSS intelligence not only provides you with the most suited judgement but it also shows whether the case was overruled or superseded or it has received any criticisms.

KIRA Systems

Founded in 2011, KIRA is an efficient, award-winning Artificial Intelligence system that is exclusively designed for recognizing, extracting, and examining clauses from contracts and various other legal documents. KIRA helps in reviewing thousands of unorganized third-party contracts of any file format in a very short span of time.

KIRA saves 20-60% time for first-time users of this system and saves around 90% time for the experienced ones who are well versed in this system. It reviews the contracts with full accuracy

and takes out relevant texts within seconds which saves a lot of time. This tool helps law firms and lawyers in working efficiently and reducing the amount of time.

eBrevia

Developed in 2012 by two Harvard Law School Graduates, eBrevia is like an e-discovery tool, used to find out relevant texts from various long and complicated legal documents and contracts within a very short period. This uses AI and advanced machine learning to identify and extract content from a contract and makes a summary report of that extracted part.

LawGeex

Developed in 2014 by Noory Bechor and Ilan Admon, LawGeex is a contract review computerized solution that has been designed to review, and approve contracts and business agreements through artificial intelligence. This has to a great extent has reduced human errors as the AI based system easily detects any mistakes within seconds. This helps the legal team of the companies to focus on more important legal matters and it saves a lot of time as well.

FaXiaotao and Xiao Fa

 China's first AI-powered robotic research tool is FaXiaotao, developed by a Chinese company named Wu Song Network Technology Co. It was developed in 2016. FaXiaotao is designed mainly to analyze a case and then to find out the best possible way to solve the issues. It also helps the client to find out the best possible attorney to represent them in the court of law. It has more than 300,000 attorneys registered across the country and it gives the best three options to the clients.

Xiao Fa is another Artificial Intelligence robot that was introduced in the courts of Beijing. The main function is to provide legal services to judges, litigants, and court officials.

Artificial Intelligence's Contribution to Human Productivity: Boon or Bane?

There is a wrong supposition that is going on among Law Firms and Lawyers that Artificial Intelligence (AI) will take over the legal industry and it will replace the jobs of a lawyer. The information from other industries such as healthcare, e-commerce and accounting that AI will only help the law firms and lawyers to do more in less time and it will help them to be more accurate and efficient in their approach.

The beginning of artificial intelligence and its use in the legal system should start with the "Bar" and it should extend to the "Bench". Judges could also utilize the power of NLP summarization to gather the sum of the disputes between the parties and judges can quickly conclude which parts contain quality as per the Act/Statutes and the latest case laws on the subject matter of law concerning the recent dispute. [9]

Based on the above discussion there is no inference that can be made that artificial intelligence will take over the jobs of lawyers. In fact, Artificial intelligence will help professionals to be more accurate, productive, efficient, better and more output focused.

Method

This research paper is created with the aim to research on the field of artificial intelligence and its impact in the Indian legal framework. Academic and legal research is done on this topic. This paper also aims to find out whether after the coming of AI in the legal system does it change the dimension of the legal system and how it works traditionally. This legal research is mostly based on research papers, law journals, websites and articles on this field. Compilation of information is done by thoroughly going through the materials mentioned above and analysis is made whether development of artificial intelligence has created any significant changes in the legal framework. It also focuses on the positive and negative aspects of changes brought about after the coming of artificial intelligence. This paper also focuses the changes it has brought about in the daily lives of people

Conclusion and suggestions

Technological advancement has brought visible changes in the legal industry. It can also be said that Artificial Intelligence has numerous benefits in the legal system. AI has helped in quick research; it can help judges in taking quick decisions with the help of predictive technology, it is helpful in law firms to do due diligence work, data analysis and other work that has helped in making the work efficient and accurate. Although it is seen that AI has numerous benefits in respect to the legal system, AI can replace the lawyer's job. It can help in certain areas, but AI lacks strategic and creative thinking which humans have. Robots lack emotions and empathy to deal with the clients as well as improvise the judge. Incorporating AI

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[9]Mirza   Aslam   Beg,   Impact   of   Artificial   Intelligence   on   Indian   Legal   System, https://www.legalserviceindia.com/legal/article-631-impact-of-artificial-intelligence-on-indian-legal-system.html, accessed on 4 February 2022

in legal business can have many pitfalls as it is vulnerable to a variety of hazards. It is necessary to create a comprehensive legal framework to protect the client's data from exploitation. When we will have a proper legal framework guiding AI's behaviour to reduce the hazards that it can create only then we can utilize the full benefits of AI.

In order to include AI in the legal system we need to take a balanced approach. Following are some of the suggestions:

1) A solid framework is necessary that will clearly state the liabilities and obligations of AI in the legal system.

2) The accountability side must be considered in order to properly govern its behaviour.

3) In order to protect privacy, a tough data protection system needs to be introduced. As a result, the solution should not be to take a back seat and avoid technological development but to accept them and use artificial intelligence to our benefit and put in place necessary steps to protect the interest of its users.