



# **Revolutionizing the Legal Landscape: AI's Role in Shaping Modern Legal Practice**

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**ABSTRACT**

With an emphasis on the groundbreaking possibilities of artificial intelligence (AI) innovations like deepfakes and generative AI, this study investigates the nexus between artificial intelligence (AI) and the legal sector. The first section explores the topic of deepfakes, looking at how machine learning algorithms are used to create them and the consequences they have in both positive and negative situations. Although deepfakes can improve the production of media and instructional materials, there are serious concerns associated with them, including fraud, misrepresentation, and invasions of privacy. Laws to prevent the unlawful use of deepfakes are being implemented in a number of jurisdictions as an answer to these difficulties.

The project's second section changes its emphasis to the use of AI in legal study and application. Artificial intelligence (AI) technologies such as Westlaw Edge and Case Text use processing of natural languages to provide accurate information rapidly, thus streamlining legal study. Generative AI has enormous possibilities for legal document writing, study, due diligence, and litigation assistance. It can generate fresh material using learnt data patterns. But incorporating AI into the legal profession brings up ethical issues such as prejudice, secrecy, and the requirement for openness.

The study also demonstrates, through instances like the Supreme Court's SUPACE program or the Manipur High Court's usage of ChatGPT, the particular influence of AI on the Indian legal system. Although AI has the potential to improve efficiency and accuracy in the legal sector, issues like the possibility of false data and the lack of rules and regulations need to be resolved to guarantee its moral and practical application.

## INTRODUCTION

The age-old notion of litigants flipping through books and going through long cases seems a foregone phenomenon. With google came the era of getting things done in a fast and efficient manner that made countless legal maxims and cases appear in front of you just at the click of a cursor. This made things go at a quick rate with the resource at our disposal and made the legal world a fast-paced one. Artificial Intelligence (AI) seems to have slowed down things a little. You don't have to sit on countless hours on your study or in a library going through pages when you can get things done just using commands which run algorithms to provide you with an answer, at your desk itself.

Artificial intelligence (AI) has emerged as a revolutionary tool, reshaping industries, streamlining processes, and improving decision-making. The success of AI is because we now have access to more data, and we possess adequate computational infrastructure to analyse such data. AI has enormous potential in the legal field, promising to transform how legal practitioners function and individuals access the justice system.

However, this potential is not devoid of ethical concerns and obstacles.

The function of AI in the legal domain is diverse. AI driven research tools can rapidly analyse extensive legal databases, furnishing attorneys with insights in a previously unattainable manner. It entails the utilization of chatbots and virtual assistants to provide individuals with legal guidance, thereby enhancing the accessibility of legal information.

The incorporation of artificial intelligence (AI) into various facets of society is one of the most fascinating and quickly developing disciplines in the world of technical growth. AI systems are finding use in a variety of industries, including healthcare, banking, transportation, and amusement, as they get more complex. But as AI technology continues to seep into various areas of human endeavour, it also brings with it a plethora of legal ramifications and difficulties that call for cautious thought and oversight. Investigating the legal foundations, ethical considerations, and new difficulties in this dynamic field is crucial when examining the complicated interaction of law and AI.

The legal industry of today does not involve an arms race where the organizations with greater resources may dominate the sector in terms of technology. Instead, generative artificial intelligence (Gen AI) levels the playing field for legal companies of all kinds by allowing them to reaffirm the value of their attorneys' experience, knowledge, and capacity to handle their

customers' unique demands. Furthermore, legal expertise cannot be replaced by artificial intelligence alone. Instead, it gives attorneys a platform to use and expand their subject-matter expertise, empowering them to increase productivity and quality of service for the benefit of both the customer and the firm.<sup>1</sup>

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<sup>1</sup> Dr. Nivash Jeevanandam, *Exploring AI vs Human Judges in the judiciary*, INDIAai(July 27, 2024, 10:04 AM ) <https://indiaai.gov.in/article/exploring-ai-vs-human-judges-in-the-judiciary>.

## ARTIFICIAL INTELLIGENCE AND DEEPFAKES

The act of faking content is not a new notion. Since the advent of the internet there have been several cases of misinformation that have been spread on social media but deepfake seems to be the biggest concern of them all.

### SO, WHAT EXACTLY IS DEEPFAKE?

An artificial intelligence technique called "deepfake AI" is used to produce realistic-looking photo, audio, and video hoaxes. The word, which is a combination of fake and deep learning, refers to both the technology and the fraudulent information that results from it. Deepfakes frequently replace one person with another in already-existing source material. Additionally, they produce wholly unique video in which real people are shown saying or doing things that they never did.

### HOW DEEPFAKES WORK?

Deepfakes generates and refines fake content using two algorithms: a discriminator and a generator. The discriminator determines how genuine or bogus the first version of the content is, while the generator creates a training data set depending on the desired outcome. Repeating this procedure makes it possible for the discriminator to get better at identifying errors that the generator can fix and for the generator to get better at producing authentic material.

A generative adversarial network is created when the discriminator and generator algorithms are combined. A GAN creates the fakes by first using deep learning to identify patterns in real photos. A GAN system looks at images of the target from a variety of perspectives to collect all the information and viewpoints while producing a deepfake picture. The GAN examines the video from many perspectives while generating a deepfake, in addition to examining speech, movement, and behaviour patterns. To fine-tune the final image or video's realism, this data is subsequently passed through the discriminator several times.<sup>2</sup>

Deepfakes today might be used for positive ways say for example to give a new meaning to art, reinventing music and entertainment but the potential risks that it carries is one to watch out for. Blackmailing, fraud, misinformation are on the rise with the question that is posed in front of us that when we are failing to differentiate between real and fake today then what

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<sup>2</sup> Sara H. Jodka, *Manipulating reality: The intersection of deepfakes and laws*, Reuters (July 27, 2024, 10:10 AM) <https://www.reuters.com/legal/legalindustry/manipulating-reality-intersection-deepfakes-law-2024-02-01/>.

countermeasures will we have left when this reaches an even advanced stage in the future with huge risks to privacy, authenticity and originality.<sup>3</sup>

### WHY IN NEWS?

#### ⇒ Entertainment

Social media users were shocked and horrified when a video of actor Rashmika Mandanna went viral in November of last year. The brief footage, which included Mandanna's likeness, showed a lady wearing a bodysuit entering an elevator. Using deepfake technology, the original video, which featured British Indian influencer Zara Patel, was altered. "Something like this is honestly, extremely scary not only for me, but also for each of us who today is vulnerable to so much harm because of how technology is being misused," the actor wrote on social media shortly after expressing her dismay. This wasn't the first and the last time the deepfake problem emerged as a concerning topic.<sup>4</sup>

#### ⇒ National Politics

Back in 2020, a number of recordings featuring Bharatiya Janata Party (BJP) leader Manoj Tiwari were shared across several WhatsApp groups, marking the first instance of AI-generated deepfakes being used in political campaigning. Prior to the Delhi elections, Tiwari was heard making derogatory remarks about Arvind Kejriwal in both English and Haryanvi. Comparably, a manipulated video purporting to show Madhya Pradesh Congress chairman Kamal Nath went viral lately, casting doubt on the viability of the State government's Laadli Behna Scheme. This casts serious doubts that if such misinformation can cause such a state in State assembly election what role it can play in the mandate during the general elections.

#### ⇒ International Politics

It's not just politics in India that has taken a hit due to the influence of AI but also in other countries this is emerging as a problem that concerns the demography today. Other nations are likewise battling the dire ramifications of AI technology that is developing so quickly.

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<sup>3</sup> Aaratrika Bhaumik, *Regulating deepfakes and generative AI in India*, The Hindu (July 28, 2024, 1:03 PM) <https://www.thehindu.com/news/national/regulating-deepfakes-generative-ai-in-india-explained/article67591640.ece>.

<sup>4</sup> *Ibid.*

Deepfake politics was just put to the test in Argentina's presidential elections, where Javier Milei was presented as a cuddly lion and Sergio Massa like a Chinese communist commander. After cybercriminals gained access to a Ukrainian media station in May of last year, a deepfake clip featuring Ukrainian President Volodymyr Zelenskyy pleading with his people to put away their arms went viral.

### ⇒ **Legal Remedies available in India**

The Winter Session of Parliament, which convened on December 4, 2023, saw the passage of eighteen new legislation, marking a dramatic shift in India's regulatory landscape. These include three significant criminal law bills that seek to replace the Indian Penal Code, 1860, the Indian Evidence Act, 1872, and the Code of Criminal Procedure, 1973, respectively: the Bharatiya Nyaya Sanhita, 2023 (New Penal Code/BNS), Bharatiya Sakshya Adhinyam, 2023 (New Evidence Code/BSA), and Bharatiya Nagarik Suraksha Sanhita, 2023 (New Criminal Procedure Code/BNSS). On December 25, 2023, the President signed these legislations into law, paving the way for India to adopt a new criminal justice system.<sup>5</sup>

The new criminal laws place a strong emphasis on using technology to improve the justice system's timeliness, equity, and efficiency. The mandated virtual recording of confiscated property, computerized FIR registrations, and handling of cybercrimes are important aspects that digitize the Indian criminal justice system.

### ⇒ **Key implications of the new criminal codes**

The newly enacted Penal Code punishes the fabrication and distribution of false information (Section 197(d)) and classifies cybercrime as organized crime (Section 111). Social media and e-commerce platforms have difficulties due to the wide scope of these offenses; in order to reduce liability risks, they may need to update their terms of service, user agreements, and monitoring systems. Law enforcement now has more authority to confiscate electronic devices and documents that may contain digital evidence thanks to the New Criminal Procedure Code. Businesses, particularly multinational organizations, may be more vulnerable to inspection and possible disturbances as a result of this expanded authority. To meet these issues, businesses might need to strengthen their digital safety and compliance policies.<sup>6</sup>

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<sup>5</sup> Abhishek Dey & Melissa Cyrill, *India's Regulations of AI and Large Language Models*, India Briefing (29 July 2:04 AM) <https://www.india-briefing.com/news/india-regulation-of-ai-and-large-language-models-31680.html/>.

<sup>6</sup> *Ibid.*

**Highlights**

- ⇒ **Data and Incrimination:** Privacy rights are impacted by technological advances, which raises concerns about sweeping seizures. Strict policies are required by businesses to restrict data access and custody periods, which calls for effective data management procedures.
- ⇒ **Security and Data Safety:** As the state gains more access to personal information, its obligations to safeguard it must also grow. To ensure data security and handle digital proof, clear regulations are required, particularly in light of laws such as the Criminal Procedure (Identification) Act, 2022.
- ⇒ **Police authority:** The new codes provide the police a great deal of autonomy, which calls for strict procedural rules to guard against misuse. A thorough code of conduct is necessary to guarantee responsibility and prevent the abuse of these authorities.

**OTHER LEGISLATIONS**

Although deepfakes and AI-related crimes are not specifically covered by any laws in India, there are provisions under numerous statutes that may provide both criminal and civil remedies. Section 66E of the Information Technology Act, 2000 (IT Act) pertains to deepfake offenses, which entail the unauthorized use, publication, or transfer of an individual's photos in mass media, thereby infringing upon their privacy. A penalty fee of ₹2 lakh or up to three years in prison are the possible penalties for this kind of offense. Comparably, those who use computer facilities or communications tools maliciously in order to impersonate someone else or cheat are subject to punishment under Section 66D of the IT Act. A violation of this clause can result in a fine of ₹1 lakh or a sentence of up to three years in prison.



## **BENEFITS OF ARTIFICIAL INTELLIGENCE IN THE LEGAL TERRAIN**

Artificial intelligence is revolutionizing the legal industry by automating tedious and repetitive tasks traditionally handled by lawyers. This technology allows attorneys to save time and focus on more critical aspects of their work.

### **Legal Research**

Legal research is a time-consuming aspect of a lawyer's duties. New lawyers, in particular, spend considerable time becoming proficient in this area. Finding the right legal precedents and authorities that support their arguments is crucial for their success in cases. High-quality research can significantly impact an attorney's performance in court.

### **Due Diligence**

A primary responsibility of attorneys is to verify facts for their clients, based on which they provide advice on legal actions and case strategies. Although this process is time-consuming, thorough due diligence is essential and beneficial in the long run. Artificial intelligence can expedite this task by efficiently verifying information and analyzing past decisions in similar cases, thereby enhancing the quality of counsel provided to clients.

### **Technology for Prediction**

The first thing a client always asks a lawyer when they want to discuss a disagreement is "Should I Settle the case?" Alternatively "What are the chances for winning the case if he goes for trial?" Artificial intelligence technologies can assist attorneys in responding to inquiries of this nature. It is also able to predict the outcome. It also assesses the judge's earlier rulings in related instances.<sup>7</sup>

### **Legal Evaluation**

Reviewing and analyzing file contents is a time-consuming task. AI software helps lawyers speed up document evaluation by organizing them efficiently. AI-driven tools can highlight documents that present significant risks. These tools assist in evaluating both case files and business contracts. Law firms primarily focus on reviewing contracts their clients sign, identifying potential risks or issues, and making necessary amendments as per their clients' needs.

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<sup>7</sup> *Impact of Artificial Intelligence on Legal Sector*, 8 CT. UNCOURT 12 (2021).

**Contract Formation**

Software with artificial intelligence assists businesses in creating conventional and recurring contracts. Software with artificial intelligence assists in creating templates that may subsequently be modified to meet the needs of clients.

**Application for a Patent**

Intellectual property attorneys often spend a considerable amount of time analyzing vast amounts of intellectual property data to derive useful insights. The patent application process is particularly time-consuming and labor-intensive, requiring the review of numerous documents. AI technology can significantly speed up this process by assisting with the formatting, preparation, and review of patent applications.<sup>8</sup>

**Saving Time**

In India, settling court cases takes a lot of time. From the moment a case is filed until it is decided, it takes time. The advancement of technology, artificial intelligence, and case processing speed can all be enhanced. Parties to the case, such as judges and attorneys, can save time.

**Concentrating on Work**

Artificial intelligence technologies could help lawyers concentrate more effectively their advocacy tasks on certain areas of their cases. This software solves the cases, so attorneys won't have to worry about their routine and repetitive work.

**Reduced Expense**

Artificial intelligence technologies would be more efficient at handling legal issues financially. Additionally, less will be produced in printed matter. It would also result in financial and space savings.

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<sup>8</sup> Inderpreet Kaur & Chander Gopal Puri, *Impact of Artificial Intelligence on Legal Industry*, 4 INT'L J.L. MGMT. & HUMAN. 346 (2021).

**LEGAL ISSUES WITH ARTIFICIAL INTELLIGENCE**

The incorporation of artificial intelligence (AI) into various facets of society is one of the most fascinating and quickly developing disciplines in the world of technical growth. AI systems are discovering use in a variety of industries, notably healthcare, banking, transportation, and recreational activities, as they get more complex. But as AI technology continues to seep into various areas of human endeavour, it additionally carries with it a plethora of legal ramifications and difficulties that call for cautious thought and regulation. Investigating the legal foundations, ethical considerations, and new difficulties in this dynamic field is crucial when examining the complicated interaction between law and AI.<sup>9</sup>

The ethical implications of AI extend far beyond mere legal compliance, deeply affecting societal norms. As AI systems become more autonomous and capable of making decisions that influence people's lives, concerns about bias, fairness, and transparency arise. For example, machine learning algorithms used in loan approvals or admission processes might unintentionally perpetuate historical biases present in the data, leading to discriminatory outcomes.<sup>10</sup>

Addressing these ethical challenges requires a multidisciplinary approach, bringing together experts from computer science, ethics, law, and sociology. Developers, lawmakers, and other stakeholders can greatly benefit from ethical guidelines such as the IEEE Ethically Aligned Design and the Asilomar AI Principles to navigate the ethical complexities of AI implementation effectively.

The opacity of many AI systems significantly hinders transparency and accountability in the judicial system. Unlike human decision-making, which can be explained through reasoning, AI algorithms often operate as "black boxes," making it difficult to understand how specific decisions are reached. This lack of accountability raises concerns about due process and the ability to challenge or review AI-generated decisions. While AI integration in the judiciary holds potential benefits, it also introduces significant ethical challenges. The risk of bias in AI

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<sup>9</sup> Rahul Kumar & Mayurakhi Sonowal, *Artificial Intelligence Legal Issues and Judiciary Views*, 4 INT'L J.L. MGMT. & HUMAN. 819 (2021).

<sup>10</sup> Anatolii P. Getman, Oleg M. Yaroshenko, Roman V. Shapoval, Roman Ye. Prokopiev & Maryna I. Demura, *The Impact of Artificial Intelligence on Legal Decision-Making*, 9 ICJ 155 (2023).

algorithms is particularly troubling, as it can perpetuate and even exacerbate existing inequalities in the legal system.

As AI transforms legal practice, it is crucial for legal institutions to keep pace with technological advancements while upholding fundamental principles of fairness and justice. By addressing issues of bias, transparency, and accountability, and embracing opportunities for collaboration and learning, the legal sector can harness AI to improve legal outcomes, enhance access to justice, and uphold the rule of law in the digital age.<sup>11</sup>

The interplay between AI and the legal field is a key challenge in the sector's ongoing evolution. Although AI holds the promise of transformative change, it also presents complex issues that require careful consideration and proactive management. By approaching these challenges with ethical foresight, we can leverage AI to build a more equitable, just, and accessible judicial system for all.<sup>12</sup>

## **CAN AI REPLACE JUDGES**

### **What is the primary objective behind this?**

The purpose of artificial intelligence (AI) in court making decisions is specifically to tackle the problem of fewer lawsuits being filed. There is a "litigation explosion" and a rise in cases for courts across the globe. In order to help the judge hear cases and decide disputes in a quick and accurate conduct, courts have had to include AI into their trial procedures in addition to modifying the traditional handling of cases and judgment process. Based on its existing applications and prospective growth potential in the legal domain, artificial intelligence (AI) has definite advantages over traditional judges.

### **The reality check**

The range and complexity of judicial AI's usages are currently quite constrained. In actuality, judicial AI cannot assume the role of judges; it can only assist them in formulating decisions. In order to improve job effectiveness, it might be better suitable for handling technical and additional duties. In terms of its reach, judicial AI has proven to be fairly effective when applied

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<sup>11</sup> Ronald Hedges, Gail Gottreher & James C. IV Francis, *Artificial Intelligence and Legal Issues*, 47 LITIGATION 11 (2020).

<sup>12</sup> *Ibid.*

to established generic methods (speech conversions and facial identification), as well as in fields that require little in the way of technology, sufficient funding, and problem-solving skills. But there are still certain problems with judicial AI, like the need for greater application, clarity, and usefulness.

In summary, even though judicial AI reform is generally in the works, this does not mean that the current body of study and application is legitimate or useful. Judicial AI is still confined to the role of judge's helper rather than a replacement; it requires further work to enhance its knowledge structure, application scenario, and future potential. Enabling the traditional use of artificial intelligence in decision-making requires an analysis and understanding of its restrictions.<sup>13</sup>

## **THE INTRODUCTION OF AI INTO COURT: AN OVERVIEW**

The use of artificial intelligence (AI) in the legal system represents a substantial shift in how justice is delivered. Historically, the legal area has been distinguished by its devotion to long-standing norms and procedures, which are frequently resistant to fast change. However, the introduction of AI technology is beginning to challenge this norm, promising improvements in speed, transparency, and access to justice.

### **○ EFFICIENCY AND CASE MANAGEMENT**

One of the key advantages of incorporating AI into courts is the possibility for increased efficiency in case management. Courts are famously backlogged, with millions of cases pending in multiple jurisdictions. According to the National Judicial Data Grid (NJDG), about 3.89 million cases are outstanding at the District and Taluka levels in India, with an additional 5.84 million cases unresolved at the high courts (Department of Justice, 2023). AI can help to streamline these processes through automation and predictive analytics, lowering the workload on judges and court workers.

Routine duties such as hearing scheduling, document management, and deadline notification can be automated using AI technologies. This automation not only speeds up administrative processes, but also reduces the possibility of human error. For example, the Supreme Court of India's E-Courts project aims to transform the judiciary by implementing Information and

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<sup>13</sup> Anushka Dutta, *Artificial Intelligence: Its Impact on the Indian Legal System*, 2 INDIAN J. INTEGRATED RSCH. L. 1 (2022).

Communication Technology (ICT) solutions across courts, thereby enhancing judicial productivity and transparency.<sup>14</sup>

○ **ENHANCING TRANSPARENCY AND ACCESS TO JUSTICE**

Transparency in judicial proceedings is essential to maintain public trust in the legal system. Artificial intelligence (AI) can play a critical role in this regard by making information easily accessible to all parties. The Supreme Court Vidhik Anuvaad Software (SUVAS) uses artificial intelligence to translate judgements into regional languages, making legal papers more accessible to non-English speakers.<sup>15</sup> Such activities have significance in a varied society like India, where linguistic challenges might limit access to justice.

Furthermore, as seen during the COVID-19 outbreak, artificial intelligence can facilitate virtual hearings and e-filing. These technologies allow courts to operate remotely, ensuring that justice is not delayed due to physical limitations. The Supreme Court Portal for Assistance in Court Efficiency (SUPACE) is another example of AI in action, designed to automate judicial processes and improve court efficiency.

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<sup>14</sup> Supreme Court of India. (2023). eCourts Project.

**GLOBAL PERSPECTIVES AND INNOVATIONS (IMPACT ON GLOBAL LEGAL SYSTEM WITH EXAMPLES)**

In the United States, the COMPAS system aids in the management of offender profiles, while the UK's HART tool measures harm risk. Countries such as China, Mexico, and Russia are exploring AI for legal advice and pension authorisation, and Estonia has already implemented a robot judge for small claims adjudication. The application of artificial intelligence (AI) in the legal arena is not limited to a single country or jurisdiction. Diverse legal systems throughout the world are experimenting with new methods to use AI, each with its own set of challenges and possibilities.

- **The United States**

In the United States, AI is revolutionising several parts of the legal profession, including predictive analytics and document review. Major law firms and agencies have implemented AI-powered technologies to improve efficiency and accuracy. For example, ROSS Intelligence uses AI to undertake legal research, drastically lowering the time required to locate relevant case law and statutes. Moreover, AI-powered platforms such as Lex Machina provide predictive insights that help lawyers craft better litigation strategies by analyzing past court decisions and identifying patterns (McGinnis & Pearce, 2014).

- **Europe**

Europe, specifically the European Union, has adopted a more cautious and regulatory approach to AI in legal practice. The General Data Protection Regulation (GDPR) establishes severe data privacy standards, which have a direct impact on how AI systems process legal information. Despite regulatory challenges, European countries remain at the forefront of AI innovation in law. For example, in the Netherlands, the Dutch Legal Aid Board has used AI to help process legal aid applications, resulting in faster and more accurate assessments.<sup>16</sup> Furthermore, the European Commission's AI plan emphasises ethical norms and human-centric AI, with the goal of balancing technical innovation and basic rights (European Commission, 2020).

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<sup>16</sup>European Commission, *White Paper on Artificial Intelligence: A European Approach to Excellence and Trust* (2020).

- **Asia**

Asian countries are aggressively incorporating AI into their legal systems, motivated by technological advances and the demand for judicial efficiency. In China, AI is being integrated into the judiciary through the creation of "smart courts." These courts use AI to automate mundane processes like case filing and document management, as well as do preliminary case reviews. The Supreme People's Court of China has also appointed an AI judge to handle small cases, demonstrating a novel combination of technology and judicial processes.<sup>17</sup>

- **Australia**

Australia is exploring AI's potential in legal practice and academics. Legal tech startups in Australia are creating AI solutions for contract analysis, compliance, and risk management. In addition, Australian institutions are introducing AI and legal tech courses into their curricula to prepare future lawyers for a technologically driven legal context. The Law Council of Australia additionally noted the importance of preserving ethical norms and human control in AI applications, demonstrating a balanced approach to technological development.<sup>18</sup>

- **Africa**

Africa's adoption of AI in the legal industry is still in its early stages, although there are encouraging trends. South Africa, for example, is using AI to improve access to justice. Legal Aid South Africa has adopted AI-powered chatbots to aid persons who cannot afford traditional legal services. These chatbots offer basic legal advice and guide users through legal procedures, demonstrating AI's potential to enhance legal accessibility in resource-constrained environments.<sup>19</sup>

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<sup>17</sup> Hong Liu, Smart Courts and Big Data: *The Future of China's Judicial System*, 7 China Legal Sci. 23 (2019).

<sup>18</sup> Law Council of Australia, *Artificial Intelligence: Australia's Ethics Framework* (2020).

<sup>19</sup> Kariuki Muigua, *AI and Access to Justice: The Role of Technology in South Africa's Legal System*, 38 S. Afr. J. Legal Stud. 115 (2021).



Innovations in Legal Technology AI-driven legal technology is constantly evolving, including several significant developments:

**Predictive Policing:** Artificial intelligence is being used to predict criminal activities and better implement law enforcement resources. This controversial technology tries to minimise crime by recognising possible hotspots and trends.

**Smart Contracts:** The combination of blockchain technology and artificial intelligence is paving the way for smart contracts, which execute contractual terms when predetermined criteria are satisfied. This innovation has important consequences for transactional law and contract enforcement.

**AI in Legal Research:** Tools such as Westlaw Edge and CaseText use AI to streamline legal research, resulting in more accurate and relevant search results. These technologies use natural language processing to understand enquiries and provide precise legal information.<sup>20</sup>

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<sup>20</sup> Jhanavi Gupta, *Artificial Intelligence in Legal System: An Overview*, 4 INT'L J.L. MGMT. & HUMAN. 6076 (2021).

## GENERATIVE AI & LEGAL PRACTICE

Generative AI is rapidly emerging as a transformative force across various industries, including the legal profession. This advanced technology, which creates new content based on patterns learned from existing data, offers numerous opportunities to streamline processes, improve efficiency, and enhance decision-making in the legal field. Understanding its potential applications, the ethical considerations involved, and the ways it can be responsibly integrated into legal practice is crucial for modern legal professionals.<sup>21</sup>

### Understanding Generative AI

Generative Artificial Intelligence (AI) refers to systems capable of generating text, images, or other media in response to prompts. Unlike traditional AI, which relies on pre-defined rules and data analysis, generative AI learns from vast datasets to create new, coherent outputs. This capability opens up a wide array of applications, particularly in the legal profession where generating documents, briefs, and analyses are routine tasks.<sup>22</sup>

### Applications in Legal Practice

1. **Document Drafting and Review:** Generative AI can significantly expedite the drafting and reviewing of legal documents. For instance, AI tools can draft initial versions of contracts, wills, and briefs, saving lawyers considerable time. These drafts can then be reviewed and refined by human attorneys, ensuring accuracy and compliance with legal standards.
2. **Legal Research:** AI-powered tools can analyse vast amounts of legal data, including case law, statutes, and regulations, to provide comprehensive research results. This capability is particularly beneficial for smaller firms with limited resources, enabling them to compete with larger firms by accessing and analysing extensive legal databases quickly and efficiently.
3. **Due Diligence:** In corporate mergers and acquisitions, due diligence is a labour-intensive process that involves reviewing numerous documents to identify potential legal risks. Generative AI can automate much of this process, identifying relevant information and flagging potential issues for further human review.

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<sup>21</sup> Joe Regalia, *From Briefs to Bytes: How Generative AI Is Transforming Legal Writing and Practice*, 59 TULSA L. REV. 193 (2024).

<sup>22</sup> LexisNexis Legal & Professional, *Generative AI for the Legal Profession* Aug (2023)

4. **Litigation Support:** AI tools can assist in preparing for litigation by generating summaries of key legal points, identifying relevant precedents, and even predicting case outcomes based on historical data. This support can help lawyers develop more effective strategies and improve their chances of success in court.

### **Ethical and Responsible Use**

While the benefits of generative AI are clear, its integration into legal practice must be handled with caution. Ethical considerations include ensuring confidentiality, preventing bias, and maintaining transparency in AI-generated outputs.

1. **Confidentiality:** Lawyers have a professional duty to maintain client confidentiality. Using AI tools that process sensitive legal information requires stringent safeguards to ensure that this information is not disclosed or misused. Proprietary AI models developed by trusted legal tech companies, like LexisNexis, can provide more secure alternatives to open-source models by ensuring that data used in searches and document generation remains confidential and protected from unauthorized access.
2. **Bias and Fairness:** AI models can inadvertently learn and replicate biases present in their training data. This issue is particularly concerning in the legal field, where fairness and impartiality are paramount. Legal professionals must carefully select and train AI models, continually monitoring and updating them to mitigate biases and ensure equitable outcomes.
3. **Transparency and Accountability:** AI-generated outputs must be transparent and explainable. Lawyers using AI tools should be able to understand and justify the AI's suggestions and decisions. This transparency is crucial for maintaining trust in the legal system and ensuring that AI tools complement rather than undermine human judgment.

### **The Future of Legal Practice with AI**

The integration of generative AI into legal practice is still in its early stages, but its potential is vast. According to a survey by LexisNexis in August 2023, approximately 92% of lawyers believe that generative AI will impact the legal profession, with 77% predicting it will increase efficiency and 63% expecting changes in how law is taught and studied. Mike Walsh, CEO of LexisNexis Legal & Professional, has emphasized the transformative potential of AI, noting

that while the tools are not yet perfect, they are improving rapidly and will soon significantly enhance the capabilities of legal professionals.<sup>23</sup>

Greg Lambert, Chief Knowledge Officer at Jackson Walker LLP, echoes this sentiment, highlighting that the legal community is abuzz with discussions about AI's potential to revolutionize the profession. However, he also cautions that this transformation will not happen overnight. It will require time, experimentation, and a willingness to adapt to new ways of working.<sup>24</sup>

Moreover, Joel Murray, an attorney at McKean Smith, underscores that while AI can augment the work of lawyers by identifying relevant statutes and case law, it cannot replace the human aspects of legal practice, such as providing personalized guidance and innovative legal interpretations . AI can assist in routine tasks and enhance productivity, but the creativity and strategic thinking of human lawyers remain irreplaceable.<sup>25</sup>

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<sup>23</sup> Mike Walsh, CEO of LexisNexis Legal & Professional, at the Generative AI Conference, 2023.

<sup>24</sup> Greg Lambert, Chief Knowledge Officer, Jackson Walker LLP, at the Generative AI Conference, 2023.

<sup>25</sup> Joel Murray, Attorney, McKean Smith, at the Generative AI Conference, 2023.

## IMPACT IN INDIAN LEGAL SYSTEM

The Indian legal system, like many others worldwide, has begun to recognize and harness the transformative potential of Artificial Intelligence (AI). AI-driven tools are increasingly being integrated into the daily operations of law firms and legal practitioners, offering significant advantages in terms of efficiency, accuracy, and productivity. The applications of AI in the Indian legal landscape are manifold, encompassing document review, contract analysis, legal research, and case prediction.<sup>26</sup>

One of the primary advantages of AI in the legal profession is its ability to streamline routine tasks. Document review and contract analysis, traditionally time-consuming and prone to human error, can be significantly expedited through AI-driven tools. These technologies can rapidly review extensive volumes of documents, identify relevant information, and highlight potential issues, thereby enhancing the overall efficiency of legal processes. This capability is particularly beneficial during due diligence procedures in mergers and acquisitions, where AI can quickly sift through vast amounts of data to identify potential legal risks.<sup>27</sup>

AI's role in legal research is another area where its impact is profoundly felt. AI-powered tools can analyze vast legal databases, including case law, statutes, and regulations, to provide comprehensive and relevant research results. This not only saves time for legal professionals but also ensures that they have access to the most pertinent and up-to-date information. In a country like India, where the legal system is burdened with millions of pending cases, the ability of AI to speed up legal research and case preparation is invaluable.

One of the most promising applications of AI in the legal field is its ability to predict case outcomes. By analyzing historical case data and identifying patterns, AI can make more accurate predictions about the likely outcome of a specific case. This capability helps lawyers in strategizing their cases more effectively and provides clients with a clearer understanding of their chances of success. It also contributes to a more efficient legal system by reducing the number of frivolous cases and encouraging settlements where appropriate.

AI can also play a crucial role in identifying patterns and biases in the court system, thereby contributing to a fairer and more just legal framework. By analyzing judicial decisions and

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<sup>26</sup> LexisNexis Legal & Professional, *Generative AI for the Legal Profession*, Aug. 2023.

<sup>27</sup> *Ibid.*

identifying inconsistencies or biases, AI can help ensure that justice is administered more equitably. This potential to reduce human errors and biases is particularly important in a diverse and complex legal landscape like India's, where socio-economic and regional disparities can influence judicial outcomes.<sup>28</sup>

### **Case Study: Manipur High Court's Use of ChatGPT**

A notable example of AI integration in the Indian legal system is the recent use of ChatGPT by the Manipur High Court. In a judgment dated May 23, 2024, pertaining to the dismissal of petitioner Md. Zakir Hussain, a retired member of the Village Defence Force, Justice A Guneshwar Sharma used GPT 3.5 to conduct legal research.<sup>29</sup> This instance highlights AI's potential to assist judges in complex cases by providing quick and relevant legal insights. The AI provided information on the structure and duties of the Village Defence Force, which played a crucial role in the court's decision to reinstate Hussain.

### **SUPACE Initiative**

The Supreme Court of India has also embraced AI through the launch of the SUPACE (Supreme Court Portal for Assistance in Courts Efficiency) technology. Inaugurated by former Chief Justice S.A. Bobde, SUPACE is designed to assist judges with routine administrative tasks.<sup>30</sup> Justice L. Nageshwara Rao, Chairperson of the Supreme Court's Artificial Intelligence Committee, emphasized that while AI would not replace lawyers and judges, it could be a tremendous asset in improving court efficiency. Current Chief Justice D.Y. Chandrachud has also spoken about the importance of AI and the digitization of court proceedings, underscoring the judiciary's commitment to modernizing its processes.

Despite the numerous benefits, the integration of AI into the Indian legal system is not without challenges. One significant concern is the potential for AI to generate incorrect or fictional information, as highlighted by Justice Pratibha Singh of the Delhi High Court. In a trademark dispute involving designer Christian Louboutin, Justice Singh cautioned against using AI tools like ChatGPT for legal reasoning, citing the risk of misinformation.

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<sup>28</sup> Anushka Dutta, *Artificial Intelligence: Its Impact on the Indian Legal System*, 2 INDIAN J. INTEGRATED RSCH. L. 1 (2022).

<sup>29</sup> Manipur High Court, Judgment dated May 23, 2024, in the case of Md. Zakir Hussain.

<sup>30</sup> Supreme Court of India, SUPACE Initiative, Inaugurated by Chief Justice S.A. Bobde.

Moreover, while other countries like the United Kingdom have established guidelines for the use of AI in courts, India lacks such regulations. This absence of a regulatory framework could lead to problems such as over-reliance on AI and the potential spread of misinformation in judicial proceedings. Therefore, it is crucial for India to develop comprehensive guidelines to govern the use of AI in the legal system, ensuring that it is used responsibly and ethically.

The impact of AI on the Indian legal system is profound and multifaceted. From enhancing efficiency and accuracy to advancing legal research and ensuring fairness, AI has the potential to transform how legal professionals work and how justice is administered. However, it is essential to address the ethical and regulatory challenges associated with AI to fully harness its benefits. As India continues to integrate AI into its legal processes, it must strike a balance between innovation and caution, ensuring that the legal system remains fair, just, and efficient in the 21st century.<sup>31</sup>

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<sup>31</sup> Safal Tom & Jefin Shaji, *Artificial Intelligence and Blockchain: The Tools of the Modern Era for Speedy Justice*, 5 INT'L J.L. MGMT. & HUMAN. 216 (2022).

## CONCLUSION

Many important concerns are raised by AI in the legal field. One worry is that, given AI's ability to expedite discovery and guarantee more thorough reports, it may be considered misconduct if it is not used in legal procedures like revelation. There are additional ethical issues with the openness of machine learning (ML) designs, the requirement for attorneys to disclose their use of AI, and the future need for fenders to have access to AI technologies. Another major difficulty is making sure algorithms are devoid of ingrained prejudices like racial or gender discrimination.

While AI can improve reliability and effectiveness in civil cases, its application in criminal law remains particularly controversial. The main issues are the AI models' lack of accountability and comprehensibility which impedes due process, and the amplification of biases found in data used for training. Relying on AI's suggestions for important legal issues is troublesome because they cannot be confronted.

Furthermore, it is morally dubious and evocative of the science fiction film "Minority Report" to empower AI to make choices that impair human freedom, such as anticipating future wrongdoing. Machine prejudice is a problem wherein legal professionals and judges may place undue reliance on AI advice, which could result in a misguided faith in the machinery. This excessive reliance is especially worrisome because AI might not be as sophisticated or precise as people think. AI has the power to expose individual fallacies and prejudices, which may lead to changes in the field of law. But the moral ramifications of AI use, particularly in criminal law, emphasize the necessity for cautious thought and restrictions on its use to prevent jeopardizing freedoms and the rule of law.

In summary, artificial intelligence (AI) has the power to completely transform the legal industry by improving accessibility, accuracy, and efficiency. But achieving this potential will require a well-rounded strategy that welcomes innovation while tackling moral and practical issues. The legal community has to collaborate to create guidelines and rules that guarantee the responsible use of AI technology, preserving the integrity of the legal system and upholding public confidence. Fairness, openness, and the moral use of technology must be the guiding principles for AI's incorporation into the legal sector as it develops.



Artificial Intelligence is neither the panacea that will cure every legal issue nor a predecessor to the demise of the legal industry as we currently view it. Nevertheless, AI is an instrument to increase the availability of justice and strengthen the autonomy of lawyers when used sensibly and morally. AI and the law working together can result in a more readily available effective, and just legal framework.