AI REVOLUTIONIZING THE LEGAL LANDSCAPE: THE IMPACT AND IMPLICATIONS FOR THE LEGAL PROFESSION

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ABSTRACT

This article delves into the benefits and challenges posed by the integration of AI in the legal profession. As AI becomes an integral part of our reality, understanding its impact across various fields, including law, becomes crucial in preparing for both the advantages and potential threats it brings. AI offers numerous benefits in the legal field, streamlining tasks such as case analysis, documentation, case reviews, and legal research, thereby easing the burden in an industry known for its complexity and demanding nature. Its effectiveness, efficiency, and cost-effectiveness make it a valuable tool. However, alongside these advantages, there are notable disadvantages to consider. Concerns arise regarding potential job displacement for lawyers and researchers, increased dependence on technology, and other drawbacks. This article provides an overview of the benefits and drawbacks of AI in the legal profession, aiming to facilitate informed discussions and guide legal professionals in harnessing AI's potential while addressing its limitations and ethical implications.

Keywords: Artificial Intelligence, Due Diligence, Legal Professionals.

INTRODUCTION

Artificial Intelligence has emerged as a prevailing force in the present times, with both advantages and disadvantages. While it possesses the ability to replicate human-like functions and consequently jeopardize numerous job opportunities, certain areas still demand the indispensable expertise and discernment that only humans can provide. A prime example is the legal domain, where professions like lawyers and judges heavily rely on human intelligence throughout their practice. In recent times, the legal field has experienced a significant transformation due to the emergence of Artificial Intelligence (AI). AI innovations are fundamentally changing the approach of legal professionals, leading to remarkable advancements in legal research, contract analysis, case prediction, and other aspects. This article delves into the profound influence of AI on the legal domain and examines how legal

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practitioners are embracing these state-of-the-art developments to streamline operations, boost efficiency, and provide improved legal services. This article delves into the influence of AI on the legal profession and explores its potential impacts.

AI plays a crucial role in the legal domain, and numerous judicial systems worldwide have embraced its adoption to simplify tasks. Given the complexity of the legal profession, various technologies, including AI, have been instrumental in tasks such as research, document management, case analysis, and providing virtual legal assistance. Learning about AI mechanisms has become essential in this context. While AI streamlines work processes, some argue that it limits human creativity and problem-solving abilities. However, it ultimately depends on how humans utilize AI, as they must remember that AI may mimic human behaviour but remains a creation of human programming. Despite the belief that the legal profession remains unaffected, the truth is that AI has permeated every field with its swift and intelligent services.

Before exploring its ramifications, it is essential to understand the concept of AI and become acquainted with the diverse AI tools employed within the legal sector.

DEMYSTIFYING AI: A BRIEF INTRODUCTION TO ARTIFICIAL INTELLIGENCE

AI is a multifaceted concept that defies a concise definition. It can be described as a tool capable of human-like thinking, intelligent decision-making, and problem-solving. It encompasses systems that process and interpret data, emulating human reasoning and thought processes. According to Bellman, AI involves the automation of human tasks such as thinking, making decisions, problem-solving, and learning.

AI involves the creation of intricate algorithms, ranging from general-purpose tasks like perception and logical reasoning to specific endeavours such as chess playing, theorem-proving creative writing, and disease diagnosis. It aims to automate human activities, including thinking, decision-making, problem-solving, and learning. Various AI tools exist in the public domain, such as ChatGPT, ROSS Intelligence, and Law Bot Pro.

As per several reports, approximately 37% of organizations have already integrated artificial intelligence (AI) into their operations, and there has been a significant growth of 270% in the adoption of AI by businesses over the past four years. Predictions suggest that by 2025, AI

will be involved in about 95% of customer interactions. This trend is understandable given that 74% of consumers prefer using chatbots for basic queries, and 65% feel at ease receiving answers without the need for human intervention.[1]

TYPES OF AI

Narrow AI: As the term "narrow" implies, Narrow AI refers to AI systems that have limited capabilities and are confined to specific tasks or domains, also referred to as Weak AI, which is limited to performing specific tasks within defined boundaries.[2] It excels at activities like internet searches, face recognition, and speech detection while adhering to preset guidelines and limitations. Examples of its applications include spam email filtering, music recommendation services, and autonomous vehicles. However, some cautionary concerns exist regarding its extensive use in critical infrastructure functions. In a similar vein, Narrow AI is designed to carry out particular tasks exclusively, such as conducting internet searches, recognizing faces, or detecting speech, all within predefined guidelines and limitations.

Strong AI: Strong AI also known as General AI, aims to replicate human-level intelligence and serves as a versatile problem solver. This type of AI operates similarly to humans, possessing human-like intelligence and the capability to perform tasks analogous to human abilities. General AI has the capacity to learn from past experiences and apply knowledge across various domains. It can reason, comprehend natural language, and adapt based on learned information. Researchers are striving to create models that emulate the intricate interconnections found in the human brain. Advancements in technologies like natural language processing and computer vision are bridging the gap between narrow AI and general AI. Examples of General AI applications include chatbots and autonomous vehicles.[3]

Artificial Superintelligence (ASI) is a theoretical AI system that goes far beyond human cognitive abilities in every aspect of intelligence. It is a speculative idea, representing the potential future development of AI that exceeds human intelligence.

[1] Gartner survey shows 37 percent of organizations have implemented AI in some form(*Gartner 21 January 2019*)<37% of Organizations Have Implemented AI | Gartner> accessed 18 July 2023
[2] Mansi Gupta,"what is Artificial Intelligence?"(*Greeks for Greeks org. 2 Oct.2022*)<What is Artificial Narrow Intelligence (ANI)? - GeeksforGeeks>accessed 15July 2023
[3] Nick Bostrom, Superintelligence: Paths, Dangers, Strategies (Oxford University Press, 2014) 18.Kathleen Walch, "Rethinking Weak vs. Strong Al" Forbes (4 October 2019)

THE SYNERGY OF LAWYERS AND AI

Lawyers often face a multitude of intricate tasks that can make their days overwhelming. However, in the legal domain, there are specialized AI tools available to simplify their lives and reduce stress. These AI tools assist in various ways, such as analysing cases, conducting legal research, preparing case summaries, and conducting in-depth research on specific topics. With the support of AI, lawyers can streamline their work processes and experience a more manageable and less burdensome professional life.

They often endure the challenges of attending numerous hearings and conducting extensive case research, leaving them with little time for personal life. In this demanding routine, AI emerges as a saviour by efficiently completing tasks in less time, allowing lawyers to find some balance. However, we must question whether these apparent benefits of AI are truly advantageous or if they conceal potential horrifying effects that might manifest in the long run. To gain a comprehensive understanding, let's examine various AI tools specifically designed for tackling legal issues.

ROSS INTELLIGENCE

Ross Intelligence is a legal tech company that employs artificial intelligence (AI) to enhance legal research and analysis. It was established in 2015 by Andrew Arruda, JimohOvbiagele, ParglesDall'Oglio, and Akash Venkat.

The company created a legal research platform known as ROSS, which harnesses the power of AI, natural language processing, and machine learning algorithms to analyse extensive legal data. Its objective is to assist lawyers and legal professionals by providing them with relevant insights. By delivering precise and thorough results in a significantly shorter time frame compared to conventional approaches, the platform aims to streamline and optimize the legal research process.

The ROSS platform has the ability to respond to legal research inquiries by examining case law, statutes, regulations, and various legal documents. It can furnish lawyers with pertinent citations, summaries, and legal arguments to support their work. Through user feedback and interactions, the system consistently learns and enhances its functionalities. Ross Intelligence has garnered acclaim and generated substantial interest within the legal sector due to its inventive methodology towards legal research.

Kira Systems: Kira Systems is a company that specializes in contract analysis and due diligence software. Established in 2011, Kira Systems employs machine learning and natural language processing technologies to enhance the efficiency and accuracy of extracting and analysing information from contracts and legal documents.

The primary offering of Kira Systems is its Kira software, which aims to streamline the process of reviewing and analyzing contracts. By identifying and extracting pertinent clauses, provisions, and data points from contracts, the software enables users to gain insights and make well-informed decisions more expeditiously. It assists with various tasks such as contract management, due diligence, compliance, and risk assessment.

The Kira software is highly adaptable, allowing users to customize and train their own models to align with their specific requirements and industry standards. Leveraging machine learning capabilities, the software continuously improves its accuracy and efficiency based on user interactions and feedback. Law firms, corporate legal departments, and organizations involved in contract-intensive industries commonly utilize Kira Systems' software. By automating and expediting contract analysis, Kira Systems aims to save time, reduce costs, and minimize the possibility of errors and oversights during legal document review processes.[4]

Law bot pro: Law Bot Pro, powered by OpenAI's GPT-3, is an AI-based system designed to offer solutions related to Indian laws. It serves as a virtual assistant capable of answering queries, providing explanations, generating content, and giving suggestions within the realm of Indian legal matters. It was publicly introduced on June 11, 2020, coinciding with the launch of OpenAI's GPT-3 model. While Law Bot Pro aims to provide helpful and accurate information, it's important to acknowledge that its responses may not always be flawless or up to date. Additionally, it can assist with tasks such as drafting emails, data translation, and aiding in data analysis.

eBrevia:eBrevia is a company that specializes in contract analysis and due diligence software. Using artificial intelligence (AI) and natural language processing (NLP) technologies, the company automates the extraction and analysis of information from legal documents, particularly contracts. Their software, eBrevia, provides features that allow users

[4] B. Boessel, "Can AI Be Problematic in the Legal Sector?" (Kira System, Apr 16, 2020)<https://kirasystems.com/learn/can-ai-be-problematic-in-legal-sector/>accessed on 18 July 2023.

to efficiently review and analyze contracts, identify relevant sections, extract important data, and generate summaries or reports. Through its AI capabilities, the software can understand and interpret contract language, improving the accuracy and efficiency of contract analysis tasks. eBrevia's software is utilized by law firms, corporate legal departments, and other organizations involved in contract management, due diligence, and compliance processes. By automating and streamlining contract analysis, eBrevia aims to save time, reduce costs, and enhance overall efficiency in the review and analysis of legal documents.

AI tools for legal purposes are readily available in the public domain, and accessible to both the general public and legal professionals.

At first glance, these tools offer numerous advantages. However, their actual impact is more nuanced and can be both beneficial and detrimental, akin to a double-edged sword.

AI: A MIXED BAG

At first glance, AI presents itself as a dual-edged sword. While its advantages are evident, it is crucial to also acknowledge the drawbacks it carries, shedding light on the less favourable aspects that may go unnoticed amid its positive attributes. By examining the dark side of AI, we can gain a comprehensive understanding of its potential drawbacks and implications.

Lack of Human Judgment: AI tools may lack the capacity to interpret context, exercise discretion, or consider ethical considerations like human legal professionals. This can be problematic in complex legal scenarios that necessitate nuanced analysis and subjective decision-making. The field of law is intricate and constantly evolving. The interpretation of a particular law can vary from one case to another, making it a dynamic and complex subject. There are no fixed or absolute rules dictating how a law should be applied in every situation. As society progresses and changes, the expectations and requirements placed on the law also shift, necessitating corresponding adjustments in interpretation.

Artificial intelligence (AI) is limited in its ability to provide solutions because it relies solely on the data it is provided and lacks the capacity for human emotions. Therefore, depending solely on AI interpretations is not advisable. A prime example of this is the varying interpretations of Article 21 in different cases. Article 21[5]guarantees right to life and personal liberty and it has been subject to diverse interpretations, encompassing rights such as the right

[5] *Constitution of India,1950* Art. 21

to sleep, right to privacy, right to live with dignity, right to die with dignity, and more. These intricate interpretations require the capabilities of human minds, as AI operates based on provided information and lacks the ability to make such nuanced inferences. Therefore, AI falls short in various aspects where human judgment and understanding are essential. Similarly, the understanding and application of passive euthanasia differ depending on the specific circumstances involved. In the case of Aruna Ramchandra Shanbaug v. Union of India[6]. The court ruled that under specific circumstances, passive euthanasia may be allowed, provided certain conditions are met. It acknowledged that in cases where a patient is in an irreversible vegetative state and there is no chance of recovery, the High Court's consent can be obtained to discontinue life-sustaining treatment. The determination of those exceptional circumstances can only be made by judges on a case-by-case basis. AI cannot make a predetermined decision on whether a specific case is suitable for passive euthanasia or not. Human involvement is essential in these situations, as only humans can assess the unique circumstances and make the necessary judgments. These nuanced interpretations require the cognitive abilities of the human brain and cannot be accurately replicated by programmed data alone.

Potential Bias: AI systems learn from existing data, which might contain biases inherent in the legal system. If not adequately addressed, these biases can persist or even be amplified by AI tools, resulting in unfair or discriminatory outcomes.

Legal and Ethical Challenges: The utilization of AI tools in the legal field gives rise to legal and ethical concerns. Questions may arise regarding liability, accountability, and compliance with legal and ethical standards when employing AI-generated outputs or making decisions based on AI recommendations.

Liability and Accountability: Establishing responsibility becomes intricate when AI systems independently make decisions or cause harm. Traditional legal structures may struggle to assign liability for actions performed by machines.

Privacy and Data Protection: AI heavily relies on data gathering and analysis, leading to concerns regarding the privacy and security of personal information. Compliance with

[6]*Aruna Ramchandra Shanbaug v. Union of India*WP(crl) 115/2009

existing data protection laws and regulations is crucial for the collection, usage, and storage of data by AI systems.[7]

Bias and Discrimination: If AI algorithms are trained on biased data or designed with biased assumptions, they can unintentionally perpetuate bias and discrimination. Ensuring fairness and equality in decision-making processes becomes challenging.

Transparency and Explainability: AI algorithms can be complex and opaque, making it difficult to comprehend how decisions are reached. This lack of transparency hampers accountability and erodes trust. Efforts are being made to develop explainable AI methods that shed light on the decision-making process.

Intellectual Property and Ownership: AI systems have the capacity to generate novel creations or inventions, raising questions regarding intellectual property rights. Additionally, concerns arise when AI systems produce derivative works based on copyrighted material.[8]

Employment Disruption: The automation potential of AI raises concerns about job displacement across various industries. Addressing this issue involves considerations of unemployment rates, worker retraining, and ensuring a fair transition for affected individuals.

Ethical Decision-Making: AI systems must be programmed with ethical guidelines, but establishing universal ethical standards poses challenges. Decisions made by AI may not align with human values and can result in unintended consequences.

Effectively tackling these legal and ethical challenges necessitates collaboration among policymakers, technologists, legal experts, ethicists, and society at large. It involves the development of regulatory frameworks, ethical guidelines, and transparency mechanisms to ensure the responsible deployment of AI for the benefit of humanity.

Security and Privacy Risks: AI tools may require access to sensitive legal information and data, raising concerns about data security and privacy. It becomes crucial to ensure robust safeguards and adherence to data protection regulations when utilizing AI tools in the legal domain.

[7]C.F. Kerry, "Protecting privacy in an AI-driven world", (*Brookings, Feb.10, 2020,*) <Protecting privacy in an AI-driven world | Brookings> accessed 17 July 2023
[8]AnkeMoerland,"Artificial Intelligence and Intellectual Property Law"(*SSRN,15 sept 2022)*<Artificial Intelligence and Intellectual Property Law by AnkeMoerland :: SSRN>accessed 16 July 2023

SOME BENEFITS

In a democratic society, it is crucial to maintain and promote awareness of the law. However, in India, legal judgments are predominantly available in English, creating a barrier for individuals who are not proficient in the language. To address this challenge, the Kerala High Court has proposed a solution. They have set a goal to translate and publish a minimum of five judgments from each Court in the District judiciary into Malayalam, the local language. To aid in the translation process, they are leveraging 'Anuvadini,' an artificial intelligence (AI) tool developed by the All India Council for Technical Education (AICTE), a part of the Ministry of Education under the Government of India. This application of AI demonstrates its potential to enhance access to legal information and make it more widely available to the general public.[9]

Here are some benefits of AI

Reliance on Data Quality: AI tools heavily rely on the quality and accuracy of the data they are trained on. If the data used is incomplete, outdated, or biased, it can lead to unreliable or misleading results, potentially compromising the legal analysis and decision-making process. Impact on Employment: The automation capabilities of AI tools have the potential to replace or diminish the demand for certain legal tasks traditionally performed by human professionals. This can have repercussions for job displacement or necessitate legal professionals to adapt their skill sets to collaborate with AI tools.

Document Review: AI-driven tools can aid in the examination and assessment of legal documents, contracts, and case law to identify pertinent information, potentially reducing the time and manual effort required for review.

Legal Research: AI can assist in legal research by granting access to extensive databases, conducting searches for relevant case law, statutes, and regulations, and offering suggested insights or relevant precedents.

Due Diligence: AI can streamline due diligence procedures by automatically extracting and analyzing information from large volumes of documents, identifying potential risks or inconsistencies, and generating comprehensive reports.

[9] Navya Benny,"Kerala: More Than 5000 Judgments Of District Judiciary Translated To Malayalam"(*LiveLaw*8 July 2023)<Kerala: More Than 5000 Judgments Of District Judiciary Translated To Malayalam (remotlog.com)>accessed 14 July 2023

Predictive Analytics: AI technologies can facilitate the prediction of legal outcomes based on historical data, assisting lawyers in making strategic decisions and assessing cases.

Contract Management: AI tools can automate contract management by tracking crucial dates, monitoring compliance, and aiding in contract drafting and negotiation.

Legal Writing: AI-powered writing tools can provide suggestions for legal drafting, proofreading, and ensuring consistent usage of language.[10]

CAN LAWYERS AND JUDGES BE REPLACED: THE FUTURE OF LAWYERS AND JUDGES IN AN AUTOMATED WORLD

Although AI technology has made significant advancements and has been integrated into various industries, including the legal field, it is unlikely to completely replace lawyers. This is primarily due to several reasons.

Firstly, complex legal analysis often requires human judgment, interpretation of nuanced factors, and understanding of context and ethics. While AI systems are proficient in processing large amounts of data and providing insights, they cannot replicate the critical thinking, reasoning, and expertise possessed by lawyers.

Secondly, lawyers possess emotional intelligence, empathy, and the ability to build relationships with clients, which are essential for providing legal advice, negotiating, and representing clients. These interpersonal skills are currently lacking in AI.

Thirdly, lawyers play a crucial role in legal advocacy and strategy. They develop legal strategies, build arguments, and use persuasive techniques that involve creativity, intuition, and strategic thinking. AI is currently unable to emulate these skills effectively.

Lastly, legal practice involves navigating complex ethical dilemmas, and lawyers must make decisions with ethical implications. AI systems lack the ability to navigate such nuanced ethical considerations effectively. However, AI can support lawyers in research, document analysis, and administrative tasks, enhancing and streamlining legal processes. The

[10] The Pros And Cons Of Artificial Intelligence (*Forbes,1 Dec.2022*),<The Pros And Cons Of Artificial Intelligence (forbes.com)> accessed 15 July 2023

collaboration between AI and human lawyers can increase efficiency and effectiveness, allowing lawyers to focus on higher-level tasks that require their unique skills and expertise[11].

Judges exercise discretion in cases where there is no precedent or when the law is unclear. They have the flexibility to adapt and decide based on unique circumstances. AI systems operate on predefined rules, making it difficult to account for unforeseen situations. Judges must consider the emotional and ethical dimensions of cases, which requires empathy and the ability to balance legal principles with human concerns. AI lacks emotional intelligence and ethical reasoning. Judges engage in legal reasoning and evaluate arguments presented by legal counsel. AI can process information but lacks sophisticated legal reasoning skills. Complex legal issues require deep legal expertise, precedent analysis, and a comprehensive understanding of the law, which human judges are better equipped to handle. Judges play a crucial role in upholding human rights and interpreting the Constitution, tasks that involve societal values and evolving legal principles. Public perception and legitimacy rely on the human element, as judges interact with the public and maintain trust in the legal system. While AI can assist judges, the complex nature of judicial decision-making, discretion, ethical considerations, and public trust make it unlikely that AI will replace judges. An instance where AI cannot replace a judge is in the determination of the death penalty. This decision demands a thorough examination and analysis of various factors, including a deep understanding of the circumstances surrounding the case. The judgment of whether an individual should receive the death penalty involves extensive study, careful consideration, and the ability to empathize with the complexity of human emotions and intelligence. These qualities are intrinsic to human judges and cannot be replicated by AI, which lacks emotions and the depth of human understanding. Collaboration between judges and AI can enhance legal processes, but the final decision-making authority is expected to remain with human judges.

THE INTERSECTION OF EVIDENCE AND AI

The role of evidence is pivotal in shaping the outcome of any case. Voice recordings, videos, and call history can serve as crucial evidence, but the increasing ease of manipulation raises concerns about their reliability. Distinguishing between original and manipulated evidence

[11] D. Faggella, "A I in Law and Legal Practice - A Comprehensive View of 35 Current Applications",(Business Intelligence, Mar. 14, 2020,)<AI in Law and Legal Practice – A Comprehensive View of 35 Current Applications | Emerj Artificial Intelligence Research>accessed18 July 2023.

has become challenging, especially with the potential of AI to alter voices, create fake videos, and generate false images. A recent controversy involving Indian wrestlers in police custody gained significant attention when it was discovered that a smiling face image was manipulated. This incident highlights the difficulty in trusting electronic evidence, placing an additional burden on the judicial system to carefully evaluate the presented evidence due to the possibility of AI-generated content.

However, it's crucial to recognize that with the continuous advancement of AI technology, there is a potential for misuse or unintended consequences. Here are a few hypothetical situations where AI could potentially manipulate evidence:

Deepfake Videos: AI has the capability to generate highly realistic videos, known as deepfakes, where a person's face is convincingly superimposed onto someone else's body. These deepfake videos have the potential to manipulate evidence by falsely depicting individuals engaging in illegal or unethical activities.

Fabricated Digital Documents: AI technology can produce authentic-looking digital documents, signatures, or timestamps that may be difficult to distinguish from genuine ones. This could be exploited to create false evidence or modify existing digital documents.

Metadata Manipulation: AI algorithms could potentially manipulate or alter metadata linked to electronic evidence, including timestamps, geolocation data, or file properties. This manipulation might lead to misrepresentation or distortion of the circumstances surrounding the evidence.

Bias and Discrimination: AI algorithms can inherit biases from training data, potentially resulting in biased outcomes, especially in cases involving protected characteristics. Mitigating biases requires proper oversight and evaluation.

Privacy and Security Concerns: The use of AI in handling electronic evidence raises concerns about data privacy and security, necessitating robust cybersecurity measures to safeguard sensitive information.

Reliability and Accountability: Ensuring the trustworthiness and accountability of AI systems in handling electronic evidence is crucial. Transparent functioning and decision-making processes are necessary for scrutinizing and relying on AI-generated results.

Legal Implications: The use of AI in handling electronic evidence raises legal considerations, such as admissibility, authentication, and challenges associated with cross-examining AI algorithms or systems. Jurisdictions may need to update laws and evidentiary rules to address these issues, ensuring AI systems meet the requirements for evidence in court.[12]

It's important to note that while these scenarios are theoretically possible, they are not widely prevalent in current practice. Legal systems and professionals must remain vigilant and adapt to new challenges posed by emerging technologies like AI to ensure the integrity and authenticity of evidence in legal proceedings. Additionally, legislative measures and ethical guidelines may be necessary to address and mitigate potential risks associated with AI-driven manipulation of evidence.

To promote transparency, ensure equitable access to justice, and enhance public awareness of the law, the Court has made the significant decision to translate and provide all certified judgments in the Malayalam language. This move aims to facilitate wider dissemination of Court judgments, allowing a broader audience to understand and engage with the legal system.[13]

The impact of AI on electronic evidence is significant and encompasses both positive and negative implications.

BENEFITS

Enhanced Efficiency: AI aids in collecting, organizing, and reviewing electronic evidence, reducing the manual effort required by lawyers and investigators.

Improved Accuracy: Machine learning algorithms in AI effectively identify patterns and anomalies in electronic evidence, enhancing data analysis and interpretation.

Strengthened Forensic Investigation: AI tools assist forensic investigators in preserving evidence, recovering deleted or hidden data, and analyzing metadata, bolstering the integrity of electronic evidence.

[12]*Daniel Seng and Stephen Mason, 'Artificial Intelligence and Evidence' (2021) 33 Singapore Academy of Law Journal 241*

[13] Seng,Daneil,Mason,Stephen,Artifical Intelligence and Evidence(Heinonline33 SAcLJ 241 (2021)<SCC Online Law Journal Library - HeinOnline.org (remotlog.com)>accessed on 10 July 2023

Effective Data Visualization: AI-powered data visualization tools present complex electronic evidence in a clear and persuasive manner, facilitating better communication during legal proceedings.

Regarding examples of AI playing a negative role in manipulating evidence, it is important to note that as of now, there are no well-documented instances. However, the potential misuse of AI exists, such as the creation of deepfake videos, fabrication of digital documents, and manipulation of metadata. These hypothetical scenarios highlight the need for vigilance, adaptation, and ethical guidelines to address emerging challenges in the use of AI in evidence manipulation.

According to a recent study conducted by Princeton University, the University of Pennsylvania, and New York University, the field most vulnerable to the impact of AI is "legal services." Another report from economists at Goldman Sachs estimated that automation could potentially affect 44 percent of legal work. The study also highlighted that office and administrative support jobs ranked even higher at 46 percent.[14]

It's worth noting that lawyers are not the sole profession facing the progress of AI. A joint study conducted by OpenAI, the organization behind ChatGPT, and the University of Pennsylvania revealed that approximately 80 percent of American workers could witness at least a 10 percent impact on their tasks due to the latest AI software.

ARTIFICIAL INTELLIGENCE ON TRIAL: CAN AI BE HELD LIABLE?

When an individual or company commits a crime, they can be held liable and sued accordingly. Similarly, if something falls within the definition of a state under Article 12 of the Indian constitution, liability can be established against them. However, an intriguing question arises regarding the liability for errors or cybercrimes committed by AI. This question holds great significance as AI becomes increasingly prevalent, necessitating clarification on who is responsible for the actions and liabilities of AI.

Several legal inquiries arise in this context, such as whether AI can be considered a legal person, whether it can have citizenship, or whether it can be regarded as a consumer, among

[14] SteveLohr A.I. is Coming for Lawyers ,Again(The New York Times,10 April 2023)<A.I. Is Coming for Lawyers, Again - The New York Times (nytimes.com)>accessed 16 July 2023

others. The emergence of AI as a new reality has prompted the need to address these legal questions and determine the accountability and liability framework for AI.

The Indian Copyright Act, 1957

The Indian Copyright Act of 1957 can have implications in the context of AI concerning matters relating to the creation and ownership of works generated by AI systems. Regarding AI-generated works, the general principle is that copyright protection is granted to the author or creator of the work. However, copyright ownership becomes more complex in the case of AI-generated works, as they do not involve a human author in the conventional sense.

The Copyright Act defines an "author" as the individual who creates the work, typically referring to a natural person[15]. However, the Act does not explicitly address AI-generated works.

According to the Act, if an AI system is merely a tool or instrument used by a human author to create a work, the human is considered the author and holds the copyright. In such cases, the AI system is regarded as an extension of the human author's creative capabilities.

However, if the AI system is capable of independently producing work without human intervention, determining copyright ownership becomes more intricate. In such situations, ownership may depend on the agreement between the developer/operator of the AI system and the person or entity commissioning the AI-generated works.

It is important to note that for an AI-generated work to be eligible for copyright protection, it must meet the requirement of originality, meaning that it should not be a mere reproduction or imitation of existing works.

THE INDIAN PATENTS ACT, 1970

The Patents Act allows for the granting of patents to inventions that meet criteria such as novelty, inventive step, and industrial applicability.[16] AI-related inventions are not explicitly excluded from patent protection, and therefore, they may be subject to the same requirements as other inventions.

[15]Indian Copyright Act of 1957, s.17
[16]The Indian Patents Act1970, s.43

In the realm of AI, patent protection can be sought for various elements, including algorithms, software, hardware configurations, machine learning models, and other innovative technologies that are fundamental to AI systems. Securing a patent provides exclusive rights to the inventor or applicant, enabling them to prevent unauthorized use, sale, or importation of the patented AI technology.

To qualify for a patent, an AI-related invention must meet criteria such as novelty, inventive step, and industrial applicability. It is important to ensure that the invention is not obvious to someone skilled in the field of AI and does not fall under excluded categories like mathematical methods, business methods, algorithms as such, or computer programs.

When pursuing patent protection for AI-related inventions, it is essential to carefully craft the patent application, emphasizing the technical aspects and innovative aspects of the invention. The disclosure should adequately describe the invention and its technical impact, adhering to the requirements set forth in the Patents Act.

THE POWER DUO: HARNESSING AI TO REVOLUTIONIZE DUE DILIGENCE

AI has a significant impact on due diligence within the legal profession, enhancing efficiency, accuracy, and comprehensiveness. Here are some key ways in which AI influences due diligence:

Document Analysis: AI-powered technologies, including machine learning algorithms, assist in reviewing and analyzing large volumes of documents. This encompasses contract analysis, regulatory compliance checks, and identifying relevant information. AI quickly identifies critical clauses, highlights potential risks, and categorizes documents based on predetermined criteria, saving time and reducing errors.

Legal Research: AI aids lawyers in conducting legal research by efficiently analyzing extensive legal databases and providing relevant case law, statutes, and scholarly articles. Natural Language Processing (NLP) algorithms understand and extract information from legal texts, making legal research more precise and efficient.

Regulatory Compliance: AI automates the process of monitoring and ensuring regulatory compliance. Legal professionals can leverage AI algorithms to track changes in laws and

regulations, analyze their impact on clients' businesses, and identify compliance gaps or potential risks.

Due Diligence Investigations: AI streamlines due diligence investigations by automating the collection and analysis of publicly available information about individuals, organizations, or transactions. This includes screening potential business partners, verifying identities, conducting background checks, and identifying risks or conflicts of interest.[17]

Risk Assessment: AI systems analyse data patterns and make predictions based on historical information, facilitating risk assessment and aiding decision-making. This helps lawyers evaluate potential risks associated with mergers and acquisitions, investments, or other business transactions.

While AI brings efficiency and accuracy to due diligence, it is crucial to acknowledge the continued importance of human judgment and legal expertise in interpreting and applying AI-generated results. Legal professionals must exercise caution in relying solely on AI technology and ensure that the output is critically evaluated and reliable. Additionally, ethical considerations such as data privacy, biases, and accountability should be addressed when integrating AI into due diligence processes.

Although AI offers numerous advantages in enhancing due diligence in the legal profession, it is important to consider some potential negative impacts:

Overreliance on AI: There is a risk of excessive dependence on AI technology, leading to complacency or negligence among legal professionals. Relying solely on AI systems without critically evaluating their outputs or conducting independent analysis may result in the oversight of important nuances or legal considerations.

Bias and Discrimination: AI systems can inherit biases present in the training data, potentially perpetuating or amplifying them during the due diligence process. This can lead to unfair or discriminatory outcomes, particularly in areas such as employment screening or risk assessment.

Lack of Contextual Understanding: While AI excels in processing and analysing data, it may struggle to comprehend complex contextual factors that can significantly impact due

[17] A.L. Gardner, An artificial intelligence approach to legal reasoning, Bradford Book (ed.), [Cambridge, MA: The MIT Press, 1987].

diligence. Legal professionals bring valuable expertise, judgment, and a deep understanding of legal, regulatory, and cultural nuances. Relying solely on AI-generated results without human oversight may result in errors or incomplete assessments.

Data Privacy and Security Risks: The use of AI in due diligence involves handling vast amounts of sensitive and confidential data. Inadequate cybersecurity measures can lead to data breaches, unauthorized access, or misuse of data. Legal professionals must ensure that AI platforms and systems comply with data protection laws and implement robust security protocols.

Ethical Considerations and Accountability: The ethical use of AI in due diligence requires addressing issues such as transparency, explainability, and accountability. It can be legally complex to determine responsibility and liability for mistakes or inaccurate results generated by AI systems.

To mitigate these negative impacts, legal professionals should approach AI with caution and scepticism, critically evaluate AI-generated outputs, and maintain a comprehensive understanding of the limitations and potential biases within AI systems. By combining AI with human expertise, legal professionals can optimize the due diligence process while minimizing potential drawbacks.

CONCLUSION

Artificial Intelligence (AI) has brought about both positive and negative effects on the legal profession, necessitating adaptation by legal professionals.

AI offers benefits in terms of efficiency and productivity by swiftly processing large volumes of data, saving time on research and document review. This enables lawyers to focus on more intricate tasks like crafting legal arguments and building stronger cases.

Furthermore, AI enhances accuracy and consistency in legal analysis through pattern recognition and predictive capabilities based on previous cases. This aids lawyers in research, contract review, and due diligence.

Moreover, AI has the potential to improve access to justice, as online platforms and chatbots provide basic legal information and guidance to individuals without the means for legal

representation. AI systems can assist users in understanding their rights, completing forms, and offering general legal advice, thereby reducing the justice gap to some extent.

However, there are concerns related to AI in the legal profession. Job displacement is a major issue, as AI takes over tasks traditionally performed by lawyers, potentially leading to job loss or necessitating professional adaptation to new AI-related roles.

Ethical considerations also arise, as AI systems can perpetuate biases and discriminatory patterns present in the data they learn from. This can result in unjust outcomes and unequal access to justice. Legal professionals must ensure that AI is employed in a fair and unbiased manner.

In conclusion, AI has the potential to revolutionize the legal profession by increasing efficiency, accuracy, and access to justice. However, it brings challenges such as job displacement and ethical concerns. Legal professionals must embrace AI while monitoring and addressing its potential negative impacts, ensuring the responsible evolution of the legal profession in the pursuit of justice.