



ARTIFICIAL INTELLIGENCE; PARADIGM SHIFT IN LEGAL PRACTICE

Every aspect of our lives is being changed by Artificial intelligence (AI) since it influences how we work, play, solve global issues like climate change and grants access to quality services.

John McCarthy, the father of Artificial Intelligence (AI) in 1955 coined the term artificial intelligence and defined it as the development and use of machines to execute tasks which usually required human intelligence.

There are various types of AI used to carry out various tasks in several fields to simplify work which the legal profession is no exception to these advancements.

AI was one of the main issue for deliberation at the World Services Group's annual employment law conference held in February, 2018. Its impact on the legal profession, lawyers, clients, the way business is done and also the traditional understanding of the concepts of law and justice were highlight of the conference.

Barrister Opeyemi Olusoga, the MD of Law Pavilion Business Solutions unveiled "TIMI" as Nigeria's first AI legal assistant in 2016 and this brought Nigeria into contact with the 21st century technological progression.

Several other AI had been developed to function in diverse aspects of the practice of law which includes:

JP Morgan's Contract Intelligence, a software which condenses the expanse of time it takes to review legal documents;

ROSS Intelligence's EVA which scrutinizes brief of arguments to check for archaic laws and provide cases where some expressions have been used before;

ThoughtRiver, a contract intelligence software for the legal sector which uses machine learning to X-ray contracts and other legal documents and presents the information in an online dashboard which allows users to envisage risk.

These different types of Artificial Intelligence have in many ways contributed positively to the development of the legal industry.

The impact of Artificial Intelligence (AI) on the legal profession cannot be overstressed. The study carried out by Deloitte shows that by 2025, 100,000 legal jobs will be eliminated by robotics. This has put the legal field in a quandary as it has been interpreted to mean that machines will take over the jobs of lawyers in the nearest future. However, this interpretation is unrealistic as AI merely augments and simplifies the job of a lawyer and cannot as a matter of fact replace human beings in the field reasons being that most legal jobs requires human intelligence which robotics cannot offer. This article trails the impact of artificial intelligence in legal sector in Nigeria.

Some of the benefits of the introduction of AI in the legal profession includes:

- i. **Legal Research:** One thing that remains persistent in the legal profession is the importance of research. In the past years, laws were found only in books, housed on grubby old shelves in law school, law firm, or law library. Lawyers would have to call the library, park themselves in carrells, walk through the books, and law reports to conduct research on laws or judicial principles. Online legal research services, now made available over the internet today dominate this landscape. Law students and lawyers now conduct vast majority of their legal research online which has made camping out at the library old fashioned. In the words of Don MacLeod, Manager of Knowledge Management at Debevoise & Plimpton and author of *How to Find Out Anything and The Internet Guide for the Legal Researcher*, *"As lawyers, you need to be on top of the current legal landscape. Legal research will allow you to advise your client on the standards of the law at this moment, whether they come from case law, statutes, or regulations."*

The importance of legal research persists, but how it's coxswained is constantly advancing and evolving. Just as lawyers who used hard-copy books for all of their legal research would be amazed by online legal research services like Westlaw, attorneys using current services will be amazed by the research tools of tomorrow, powered by artificial intelligence and analytics. For instance, through the advent of WestLaw and LexisNexis; law schools worldwide are exposed to automated legal research.

- ii. **Document Generation:** The making of documents such as wills, incorporation documents, real estate documents, loan agreement, promissory notes etc. – currently are being generated at the peak of ease and the lowest cost with the highest speed possible with AI.

- iii. **Legal Case Management:** Legal case management (LCM) refers to a subcategory of law practice management and cover a range of styles and technologies used by law firms and courts to leverage knowledge and methodologies for managing the life cycle of a case or matter more effectively and effectively. The right case management software hinders any client communications, deadlines, or tasks from falling through the cracks, ensuring that clients have prodigious experience every time.
- iv. **Due diligence software:** A growing number of law firms use AI to conduct due diligences to unearth background information on behalf of their clients. For example, in the most limited use of software for due diligence, the program is given information from a virtual data room, and through a combination of keywords it eradicates superfluous or irrelevant documentation. The next phase in more developed DD software which includes the program processing the relevant documentation through the recognition of certain word combinations or information, pairing it then with its' own legal terminology based on the laws and rulings that it was fed. The AI can also compare information, fill in parts of the report or assists in some other way. Since most clients these days request a fast reaction and a due diligence more often needs to be conducted within few days, in order to speed things up and reduce costs, law firms decide to use this kind of software as it makes things the work easier.
- v. **Contract review and management:** This assist lawyers to review contracts in order to identify risks and issues with the manner in which the contracts are written that could have adverse impacts on their clients. Legal AI first reads and analyzes legal agreement such as leases and commercial contract to extract the meaningful data from them, and/or scrutinize them against current laws/ rules. The simplest soft computing technique that helps in decision making is the *fuzzy rule-based system*. Fuzzy techniques are based on natural language; so, it works well in dealing with vague data. It decodes the human solution into fuzzy dependency and common language using fuzzy if-then rules. Some of its applications that law firms found are lease law, eDiscovery, due diligence, sales/ procurement contract review, compliance and risk review, financing/ OTC derivative agreement review and employment contract review.
- vi. **Intelligent interfaces:** This is an AI enabled system which aids lawyers and clients to carry out every day speedy legal undertaking that entail some experienced

guidance to finish. It helps the systems in providing right answers that are customized to user's needs. The intelligent checklist allows people to have accurate facts. The software generally utilizes drop-down set of choices and checkboxes to shift the client all the way through sequence of steps so that they can either be specified the accurate information they desire, for example in answer to an unambiguous legal inquiry or be used to seal in the inappropriate elements of a set manuscript. They may be apparent facing for clients to employ, or innermost facing, allowing legal representative to issue the proficient system for their own precise necessities and/or facilitate them to finish an officially permitted manuscript. An expert system where inward facing or outward facing, are premeditated in a way to facilitate systems to respond to an assured form of job quarrel, or to assist insert in data to a certain category of legal form.

- vii. **Predictive Analysis:** Artificial intelligence is quickly becoming more adept at anticipating human behavior than humans are. AI predictive analytics can assess customer's past and current behavior patterns and predict their motivations, needs, and future actions. All of these insights can be used to supercharge targeted marketing campaigns and personalize the experience of individual site users. In 2002, a group of political scientists and professors of law created a Supreme Court forecasting project which produced 75% accurate result, although this was done without AI, it is not impossible with AI even as McKinsey Global Institute in 2017 released a two-year study results that machine can do more than routine works.

The importance of AI in Law profession cannot be unnoticed as law firms that embrace AI become more systematic and efficient in their work. It is up to each firm to marshal in new AI technology to realize the utmost benefits. It progresses legal efficiency, as it saves time and cost. Firms that commit to reduced manual- and labor-intensive tasks, higher customer retention, reduced costs, and more accurate decisions and work output, will no doubt rise above law practices than those who choose to remain grounded in the status quo, as AI systems make it easier for law firms to gain a strategic advantage in the industry. It reduces the amount spent on manpower as it carries out the mechanical part of the work like reviewing documents while giving room for the lawyers to do the human part for example, the negotiation of terms of the contract. For example, a Slaughter and May AI named Pilot frees up lawyers who would otherwise be scanning through thousands of pages of tedious documents so that they could spend more of their time on the human part of the job. Consequently, as a substitute of creating robot lawyers, AI

takes the robot out of the lawyers. This was elucidated in the case of *Lola v. Skedden, Arps, Slate, Meagher & Flom*, No. 14-3845 (2d Cir. 2015), where the court held that “tasks which could otherwise be performed entirely by a machine cannot be regarded as engaging in legal practice.”

Challenges

It has been argued that one of the problems of artificial intelligence in some part of the world, such as Nigeria is legitimization. This is, however, not true as it has been shown that various law firms all over the world have begun implementing the use of AI.

Another challenge which can be said to ruin the existence and use of AI in the legal profession is funding. The use of AI requires a lot of funds which in a country like Nigeria for instance, is not usually available. However, it is important to note that when law firms consider the benefits from the use of AI in their practice, finance becomes an investment they will be fervent to make.

Despite its benefits, the use of AI in the legal profession is at its growth stage due to hitches of obsolete laws that do not conform with trends of the digital age. This can be changed if our laws are regularly swotted and brought to uniformity with current proclivity of technology.

The Artificial Intelligence Principles

In May, 2019 the Organization for Economic Cooperation and Development (OECD) adopted its principles on artificial intelligence. The Principles were intended to guide governments, organizations and individuals to design and run AI systems in a way that prioritizes peoples’ interests and guarantees that originators and operators are held accountable for their functioning. Representatives of the 36 OECD member countries, together with Argentina, Brazil, Colombia, Costa Rica, Peru, and Romania, have all agreed to uphold the OECD Principles on Artificial Intelligence to ensure that development of AI systems today and in the future will remain safe, fair, and ethical.

The Principles include five key recommendations for AI which includes the following: that,

- AI should proactively pursue advantageous outcomes for people and the planet by driving inclusive growth, sustainable development and well-being.

- AI systems should be programmed in a way that foster the rule of law, human rights, democratic values and diversity, and they should include appropriate safeguards to ensure a fair and just society.
- There should be transparency and responsible disclosure around AI systems to ensure that people understand when they are engaging with them and can challenge outcomes.
- AI systems must function in a robust, secure and safe way throughout their lifetimes, and potential risks should be frequently evaluated and contained.
- Organizations and individuals developing, deploying or operating AI systems should be held responsible for their proper functioning in line with the above principles.

While the above policies are not legally binding, the organization is deemed influential when it comes to setting international standards and helping governments ratify laws as one of its policies; the OECD Privacy Guidelines, underlies many privacy laws across the world today.

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