

Judgment day: Will the rise of AI be the end of lawyers?

August 18 2023, by Ben Knight



Credit: Pixabay/CC0 Public Domain

For centuries, regulations of the legal profession have made it clear there

can't be an engagement in legal practice by unqualified entities. In other words, the practice of law is limited to those admitted as licensed legal practitioners in the jurisdiction.

Today, some [artificial intelligence](#) (AI) systems like [Chat GPT-4 are competent enough to pass a bar examination](#). While legal practice involves much more than knowledge of the law itself, as AI continues to evolve, is it simply a matter of time before it's representing us in court?

Professor Michael Legg, an expert in legal innovation from the School of Private & Commercial Law, UNSW Law & Justice, says AI will disrupt the legal profession and raise questions about who, or what, can be a [lawyer](#).

"Anybody, any entity, can provide legal information, including AI systems," says Prof. Legg. "But the provision of legal advice needs to be done by a lawyer because it's not just enough to get the law right, it needs to be applied to a client's circumstances and needs.

"AI doesn't have to comply with [ethical responsibilities](#) like a duty to act in the client's best interest that sets lawyers apart."

Prof. Legg says we can be quick to celebrate the potential cost-savings from automation and overlook the other costs of replacing human lawyers that may harm society.

"There are very good reasons why we have the legal profession and why we limit the practice of law to lawyers who are qualified to do so," Prof. Legg says. "Part of that is to protect the client and ensure the quality of legal services, but lawyers also play a critical role in upholding the rule of law and maintaining a just society."

The AI-enhanced lawyer

Advances in artificial intelligence will change the nature of legal work for lawyers, helping to make them more effective and efficient.

"AI can speed up legal research and help draft contracts and other [legal documents](#)," Prof. Legg says. "It can review huge numbers of documents for discovery in litigation or for due diligence in a transaction."

Prof. Legg also says a lower cost base will be needed for lawyers to remain competitive. AI can save the lawyer time and the firm money.

The rise of artificial intelligence may also make access to certain legal services more cost-effective or, at the very least, shake up the billable hour model. Lawyers may find themselves selling a product for a flat fee rather than a service.

"For dispute resolution, like small claims, particularly those where the cost of accessing legal services would be disproportionate to what is at stake, they may be able to interact with a chatbot that provides legal information at little-to-no cost."

Driving costs down may also benefit lawyers, enabling them to spend more time on higher-level work and advising and advocating for their clients.

Prof. Legg says more law firms will likely adopt proprietary AI systems tailored to their needs. However, lawyers must also learn how these systems work to be able to use them effectively and manage risks.

"From the consumer side, even though we're likely to see more low-risk self-serve style legal products become available, they will still require some level of oversight from a lawyer to manage the inherent risk of relying on an AI system when it gets it wrong," Prof. Legg says.

"From the lawyers' side, if we look at generative AI like Chat-GPT, it can be trained to read legislation and judgments and draft documents, but it still needs oversight from a lawyer who effectively takes responsibility for what is produced."

The future of the legal profession

But there are still many aspects of the [legal profession](#) that no amount of AI development would likely be able to automate or replace.

"There may be an AI-enhanced lawyer, who is more efficient and effective at their job, but it's still the human skills that distinguish them from the machine and to continue to add value," Prof. Legg says. "It's the ability to address the novel and the uncertain problem through practical wisdom and judgment, but also to listen and provide empathy."

"While the legislation that deals with the practice of law could be amended to allow AI and machine-provided services to practice law, whether society would want that is another question."

Prof. Legg says society must also ask how AI would comply with ethical and professional responsibility requirements applicable to lawyers: "Can AI be programmed to advance the client's interests but be independent and comply with a paramount duty to the court and the administration of justice?"

"The lawyer has an ethical obligation to their client's best interests, but it is not just about serving a client."

"They're also there to support the administration of justice and uphold the rule of law, and while not always perfect, those ethical obligations make human lawyers essential to a well-functioning society."

Prof. Legg says the profession needs to be more proactive in advocating for its role in the social fabric. Law is not just a business for making money.

"Ultimately, lawyers are there to serve society, and that idea can get lost sometimes," Prof. Legg says. "But if the profession wishes to remain of service, it can't be complacent. It's up to lawyers to continue demonstrating their value to society."

Provided by University of New South Wales

Citation: Judgment day: Will the rise of AI be the end of lawyers? (2023, August 18) retrieved 17 July 2024 from <https://techxplore.com/news/2023-08-judgment-day-ai-lawyers.html>

This document is subject to copyright. Apart from any fair dealing for the purpose of private study or research, no part may be reproduced without the written permission. The content is provided for information purposes only.