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Legal tech gurus forecast how AI will impact your practice

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There are generally two schools of thought when it comes to the effects of artificial intelligence (AI) on the future of the law practice. One faction believes that robots and all AI are going to render lawyers largely redundant or drastically reduce their numbers. On the other side are those who say artificial intelligence is vastly overblown, that it's just a fad and that it will not have that big of an impact on the legal industry.

Attorney Mark A. Cohen, a leading authority on the delivery of legal services and an early adopter of technology in the legal industry, comes down somewhere in the middle. "I say AI is not going to replace lawyers but instead cause lawyers to work differently in the marketplace than they have before," he explained during a panel discussion on the ABA-sponsored webinar "Artificial Intelligence and the Future of Law Practice." Cohen was joined on the panel by Noory Bechor, Anna Ronkainen and Nicole Black. Sharon D. Nelson served as program moderator.

While law firms are slow to embrace this new technology, AI is already having an impact on firms in the U.S. and around the world. Robots or machines are being utilized to do tedious, time-consuming tasks like collecting data, searching records, going through old cases, verifying facts, etc.— work currently done by junior lawyers and paralegals.

Remember the IBM computer Watson, which debuted on the TV game show Jeopardy some years back? That was AI in its purest form, said Cohen. Well, Watson spun off a son called ROSS, which a number of law firms now employ, including Baker & Hostetler, Lathan & Watkins, Dentons, K&L Gates, Bryan Cave and Womble Carlyle.

"Robots are doing some of these repetitive, mundane tasks," said Cohen, founder & CEO of Legal Mosaic LLC in Washington, D.C. "This does not mean that those lawyers who were doing those

tasks are going to be out of a job, but they are going to be liberated to do other types of things.”

Nelson, an attorney and president of the digital forensics, information technology and information security firm Sensei Enterprises, Inc., in Fairfax, Va., disagreed somewhat with Cohen on jobs not being lost. She pointed to a December 2016 report by Accenture, which said 5 percent of its workforce (20,000 full-time jobs) is no longer human.

“Accenture is not a law firm but it provides high-level consulting, technology services and strategic planning for more than 75 percent of the Fortune 500 companies,” Nelson said. “That’s a long way from a robot on a factory line. And this is indicative, I think, of some of what is going to happen in the legal industry, particularly with Big Law. The big firms is where most of the restructuring will have to be done that will mean fewer associates, fewer paralegals and first-year students.”

Cohen and Nelson gave an illustration of how artificial intelligence has already been used very successfully to combat one of the judicial system’s biggest challenges — access to justice. A 19-year-old, London-born Stanford University student, using a Chatbot, recently created a free service called DoNotPay that helped appeal over \$4 million in parking fines in just 21 months by successfully contesting 160,000 of 250,000 parking tickets (a 64 percent success rate) in London and New York. The program first determines whether an appeal is possible through a series of simple questions, such as were there clearly visible parking signs, and then guides users through the appeals process.

“As a result of this type of new technology,” Cohen said, “legal delivery has morphed from being simply the delivery of expertise in the law and is now a three-legged stool that involves legal expertise, the efficient deployment of technology that will include AI as well as process and project management, of which I think AI will play an important role going forward.”

Nelson shared an Altman Weil 2016 “Law Firms in Transition Survey” that found:

- 52 percent of law firms replacing some human resources with technology
- 74 percent believe client tech is reducing the need for lawyers now or that it threatens to do so
- 85 percent think tech replacing human resources in general is permanent
- 86 percent believe law firms using fewer support staff is permanent

Cohen advised not to dwell on the percentage but rather focus on what forward-thinking firms are doing. “What they are seeing is that if they are going to be competitive they will have to step up and give those people involved in the technology and the process elements of delivery a seat at the management table,” he said. “Their ideas are going to help the firm move forward.”

While some positions can and will be replaced by AI — contract e-discovery data reviewers, paralegals, first-year associates —

others, Cohen said, will never be replaced. Those positions include lawyers who do “custom” work (needed for what and who they know), litigators and high-level advisers and strategists. “This goes to the issue of having either specialized expertise or skill as opposed to being someone working in the back office doing discovery,” Cohen said.

Since change is coming to the legal industry and coming fast, how should law firms be preparing for this new wave of technology? Bechor, co-founder and CEO of Israel-based LawGeex, which uses AI solutions to help legal teams automate the review and approval of contracts, offered two suggestions:

1. **Gear up:** “Invest in legal operations,” he said. “Find and hire operations, information and technology experts who should work together with the lawyers to identify areas that can and should be automated. Give them a seat at the table, even if they are not lawyers, to help strategizing for your law firm moving forward.”
2. **Standardize everything:** “Invest in creating legal playbooks, decision-making processes, even customer interactions, should all be standardized. Fewer decisions should require human interaction or expertise,” Bechor said.

Ronkainen, co-founder and chief scientist of TrademarkNow Inc., in Helsinki, Finland, said AI can be used in many ways – image recognition, text analysis, to analyze contracts automatically and to optimize the online shopping experience, among others. “Voice recognition assistance is a form of AI,” she explained, noting such services as Siri, Cortana, Alexa and Bixby.

AI is even being used in online dispute resolution in family law, tenant-landlord, employment and debt dispute cases, according to Ronkainen.

And if you’re wondering whether AI can one day judge cases, the answer is yes. “In a limited study in the UK, academics say they had a 96 percent success rate in a survey of 32 cases, only got one wrong,” Ronkainen said. “I can see where you could build a system for lower court cases where the volume of cases are lighter, she said. “This is an interesting field of research that is going on right now.”

Black, a legal technology evangelist with MyCase in Rochester, N.Y., said there are at least 50 companies now focused on developing legal AI software for law firms. “There is a lot going on in legal research and also in the prediction area of the law, especially litigation cases to help determine the best strategy in cases based on the judges hearing the case and their tendencies,” she explained. “AI really has potential to impact the legal profession in the months and years to come.”

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