

# **Legal technology and its impact on the access to justice, society, and the legal industry**

## **Report of Contributions**

Contribution ID: 1

Type: **not specified**

## **Introductory remarks, greetings**

*Thursday 23 June 2022 08:50 (10 minutes)*

**Presenter:** DELI, Gergely (Rector, University of Public Service)

**Session Classification:** PANEL 1

Contribution ID: 2

Type: **not specified**

## **Future Justice: some impacts of legal technology on the administration of justice.**

*Thursday 23 June 2022 09:00 (25 minutes)*

Future Justice: some impacts of legal technology on the administration of justice. In her talk, Dory will focus on legal information, technology, and how they will impact the way justice is done. Access to information, smarter technology will become more pervasive, and this way, change the way justice can be awarded to citizens.

**Presenter:** REILING, Dory (Former senior judge of the Amsterdam District Court, independent legaltech expert)

**Session Classification:** PANEL 1

Contribution ID: 3

Type: **not specified**

## A brief history of LegalTech

*Thursday 23 June 2022 09:25 (25 minutes)*

“In his presentation, Kai will reflect on the journey LegalTech has taken since 2015, give an overview of where we are today and what the future will bring. He will highlight trends and specifics of the legal transformation and argue that besides technology, agile thinking, digital literacy and a people-centric approach are crucial.”

**Presenter:** JACOB, Kai (Founder and co-chair of the Liquid Legal Institute, Partner in Legal Operations & Transformation Services at KPMG Law)

**Session Classification:** PANEL 1

Contribution ID: 4

Type: **not specified**

## **The incorporation of ICT's in the Chilean and Latin-American civil justice systems. Analysis from an access to justice and judicial reform perspectives**

*Thursday 23 June 2022 15:25 (20 minutes)*

The incorporation of Information and Communication Technologies (ICTs) in the justice sector -which we refer to as e-justice- is not necessarily a recent phenomenon in Chile (Lillo and Vargas, 2020), Latin America (JSCA, 2020), and abroad (Reiling, 2009; Sanders, 2020). Notwithstanding, the outbreak of the Covid-19 pandemic has accelerated this process since it has required rapid solutions to mitigate the impact of social distancing and other safety measures, for which ICTs proved to be critical for securing the continued provision of basic legal services. Initially in urgent matters only, after two years has integrated greatly in the regular functions of judicial institutions and is expected to continue as a critical tool against overburdened dockets.

ICTs in the justice system might serve different purposes, and therefore it can be analyzed from different perspectives: efficiency in the administration of justice, interoperability between institutional actors, improvement of the information for the decision-maker, transparency and accountability, among others (Lillo, 2022). This presentation as part of an ongoing research agenda it is focused on access to justice. Thus, it will analyze the ICTs implemented in the Latin-American countries with focus in the Chilean judiciary -especially in the civil justice system- and its impact on access to justice standards. The main goal is to exchange information with other countries in order to contribute to the pending civil justice reform, which is currently under discussion in our country.

**Presenter:** LILLO, Ricardo (Doctor of Juridical Science (SJD) University of California Los Angeles (UCLA). Assistant professor at Universidad Adolfo Ibañez School of Law)

**Session Classification:** PANEL 1

Contribution ID: 5

Type: **not specified**

## **Human factors in dispute resolutions - can artificial intelligence and the use of smart contracts help resolve disputes?**

*Thursday 23 June 2022 09:50 (25 minutes)*

Some attempts have recently been made in Poland to restore the justice of the peace model. The authors of the presentation note that this is a good moment to reflect on the contribution of new technologies to dispute resolution. Currently, two trends can be observed in improving dispute resolution. The first is the implementation and use of artificial intelligence. This direction raises different emotions - but it is beyond doubt that AI can help human judges. The second is the so-called justice protocol. This is a solution developed on Blockchain technology that uses the human factor but in the highly algorithmic environment. Such methods are used in disputes involving parties to transactions recorded on distributed ledgers. The presentation will briefly focus on both directions with an indication that they may lead to the initiation of attempts to hybridise them.

**Presenters:** SZOSTEK, Darius (Professor of the Faculty of Law and Administration at the University of Silesia); PRABUCKI, Rafał Tomasz (Assistant professor at the University of Silesia for the MAS4AI project)

**Session Classification:** PANEL 1

Contribution ID: 6

Type: **not specified**

## **Electronic communication with the court considering the traditional rules of civil procedure – on the example of the Polish legal regulations**

*Thursday 23 June 2022 11:05 (25 minutes)*

In recent years, we have seen the tremendous development of new technologies, especially in the field of electronic communications. As they are present in citizens' lives, there is an expectation that new technical possibilities will be used in the courts. In Poland, since 2010 the digital transformation of civil procedure began with the implementation of electronic writ proceedings. Among the electronic tools, which support the trials, is the possibility of hearing the parties and witnesses using videoconferencing.

Information Portal allows authorized entities to get access to the information on the pending case, i.e. the present status of the procedure, activities performed by the court, access to documents generated by the court in digital form (judgments, decisions, electronic protocol). Since the pandemic has started, this is the main way of delivery of court letters for attorneys.

The above solutions raise doubts as to compliance with the basic procedural principles. This requires analysis particularly considering the openness, equality of the parties and directness in the proceedings.

**Presenter:** KACZMAREK-TEMPLIN, Berenika (Assistant professor at the Faculty of Management of the Wrocław University of Science and Technology)

**Session Classification:** PANEL 1

Contribution ID: 7

Type: **not specified**

## **Greetings from the European Legal Technology Association (online)**

*Friday 24 June 2022 08:50 (10 minutes)*

Holger will talk about some case studies concentrating on the Russian LegalTech scene, where he lives for more than 20 years.

**Presenter:** ZSCHEYGE, Holger

**Session Classification:** PANEL 2

Contribution ID: 8

Type: **not specified**

## **Changing social and economic expectations towards the courts - faster, higher, stronger?**

*Friday 24 June 2022 09:00 (25 minutes)*

There is an academic consensus that the development of information technology is radically transforming social interrelations and the functioning of the economy, on a much larger scale than the industrial revolution of the 17th century. This process must also be understood by national courts and tribunals and they must recognise what is expected of them by the parties involved in these changes. This presentation will attempt to summarise what is already known today and to show how the information technology solutions currently available can effectively help.

**Presenter:** OSZTOVITS , András

**Session Classification:** PANEL 2

Contribution ID: 9

Type: **not specified**

## **Does artificial really mean perfect? Liability for damages caused by lawyers' use of AI and other LegalTech tools**

*Friday 24 June 2022 14:30 (25 minutes)*

The use of artificial intelligence in the work of a lawyer should theoretically streamline and accelerate it. Algorithms working at a pace unavailable to a living human being process immeasurable oceans of data and come to the only right conclusion. But are we sure? What if, however, an error occurs - whether by providing the wrong data or calibrating the device incorrectly - and damage is caused as a result. Who should be held liable: the lawyer, the operator hired by him, or the software manufacturer? And what if the data used by the AI algorithm or other LegalTech tools is leaked? Or, for example, their blocking by hackers.

Closely related to the issue of liability is also the question of possible insurance of lawyers against damages caused by them. In many European countries, obligatory liability insurance for attorneys and legal advisors is a kind of standard. But is it sufficient for modern lawyers? Shouldn't cyber risk insurance become a standard? And what about the planned insurance of artificial intelligence systems? Should it also be applied here?

These and many other issues related to lawyers' liability will be discussed in my presentation.

**Presenter:** SZPYT, Kamil

**Session Classification:** PANEL 3

Contribution ID: 11

Type: **not specified**

## Lawyers and the effect of novel technologies on the core values of the profession

*Friday 24 June 2022 14:55 (25 minutes)*

Lawyers have to adapt to the ways how society at large changes: the more our life revolves around digital data, the more such data lawyers have to process as well and to input into the judicial processes. However, no matter the changes in technology, lawyers still have to comply with rules of deontology. Although the details considerably differ from country to country, and they are subject to change in time as well, there are also common, mostly persistent principles behind such rules that are uniform for the whole EU. The presentation shows the major challenges novel technologies (such as cloud computing, online platforms and AI) pose to those traditional principles of the profession, such as competence, client confidentiality or independence.

**Primary author:** HOMOKI , Péter

**Presenter:** HOMOKI , Péter

**Session Classification:** PANEL 3

Contribution ID: 12

Type: **not specified**

## Artificial Intelligence in criminal justice: recent experience from Malaysia

*Thursday 23 June 2022 11:30 (15 minutes)*

During recent years, the most emerging spread of artificial intelligence in the judiciary has been experienced in Malaysia, this tendency generated controversial social resound. The first steps were made during the first months of 2019, when a software has been developed to conduct certain judicial tasks. This technology was used first in February 2020, but during that period, only for possessing drugs and rapes. In the summer of 2021, a guideline has been published from the application of these new facilities, while the scope of its involvement has been also broadened significantly (for crimes against property or against the order of the circulation). After three stages of implementation, the Artificial Intelligence Sentencing System (AISS) is envisaged to be available at all courts of the country for calculating the sanctions of all perpetrators.

The court may not demand the assistance of the AISS, and the outcome of its assessment might be neglected by the human judge. The alleged crime and the main sociological circumstances of the perpetrator should be provided for the AISS, and after a short period of assessment, the results of its calculation, so the recommended sanction will show up on the screen.

According to the supporters, the AISS is just useful technical support for the judge, which might make faster and more objective decisions than human judges. The court has the opportunity to neglect the calculation, and the parties are informed of the recommended sanction during the trial, so they may also raise their counterarguments against the calculation of the AISS.

By contrast, the opposants claim, that AISS would distort the analysis of the courts, several human factors will be left out from the judicial proceedings. Moreover, AISS will cause severe uncertainties for the parties, the involvement of AI has been contested even during the test applications by all stakeholders. People fear from the intervention of unknown technologies, while judges are also not ready to collaborate with AISS efficiently.

The variety of arguments demonstrates excellently, that the application of AI might lead to several advantages and disadvantages, and the growing practical experience from Malaysia should be an important point for reference for other countries also, which consider the broader involvement of modern technologies into the judiciary. For this reason, my research aims to systematise the available information from the Malaysian sample and will assess those aspects of these developments, which might be relevant also in North America and Europe.

**Presenter:** SZENTGÁLI-TÓTH, Boldizsár

**Session Classification:** PANEL 1

Contribution ID: 13

Type: **not specified**

## Protecting consumers by design

*Thursday 23 June 2022 11:45 (15 minutes)*

Empowering consumers and creating an efficient consumer protection system has been a major challenge of all modern consumer societies, as trust and confidence are crucial for economic development.

As the complexity of the economy grows, an increasing number of regulations (e.g. data protection, consumer protection, competition law, sector-specific regulations, etc.) and the relevant enforcement authorities aim to protect consumers' rights, especially in the online world.

However, while certain hardcore conducts shall be targeted by regulation and enforcement actions, certain more subtle challenges might be addressed more efficiently by using legal design as a tool.

Nowadays, we all struggle with constant information overload in almost every area of our lives, especially when browsing online. In 1996, Jobs pointed out that people don't actually use the Internet to get more information, but to filter and narrow down the information to the relevant scope according to their actual interests or needs. In this context, by stipulating complex information disclosure rules, regulation may also contribute to the 'information overload syndromes' of consumers.

Building on UX design tools and processes, our presentation aims to discover opportunities how legal design could help to empower and protect better consumers in the digital age.

**Presenters:** DÖMÖTÖRFY, Borbála Tünde; FIRNIKSZ, Judit

**Session Classification:** PANEL 1

Contribution ID: 14

Type: **not specified**

## **Do androids dream about biased judges? – Self-fulfilling prophecies in litigation prediction by AI**

*Thursday 23 June 2022 13:25 (15 minutes)*

Quantitative legal prediction (QLP) is gaining increasing traction in the legal market. A potentially valuable feature of QLPs is identifying insightful behavioral patterns of specific judges inaccessible to human cognition. Even though there is an evident positive effect in such capability as it enhances the transparency of adjudication, there are concerns that such utilization of QLP raises. One issue is that the QLP tools that recognize biases of judges might enable the litigation parties to exploit these biases, which could lead to a not desirable forum shopping effect. Another concern stems from the fact that humans can easily corrupt QLPs with cognitive biases. When the parties ultimately decide to rely upon the biased predictions of the algorithms, they profoundly compromise their images as capable agents who have the right to participate and argue in a legal process. Additionally, the biased predictions of the algorithms can quickly turn into self-fulfilling prophecies. Humans should consider AI a super-intelligent but inherently naive agent in this respect and have to show some parental responsibility for cognitive flaws.

**Presenter:** VAJDA, János

**Session Classification:** PANEL 1

Contribution ID: 15

Type: **not specified**

## **Lawtech as a means of legal empowerment –the empirical lessons learned from a legal aid program**

*Thursday 23 June 2022 13:40 (15 minutes)*

Lawtech is often viewed as a means of making legal processes more efficient, thereby producing more value over less time. This value is measured in revenues. However, what if we stopped looking at lawtech as a means for lawyers to create more value over less time, and instead as a means of creating a sense of agency. Based on over a year-long experience in a legal aid program, the most value a lawyer can create is legal knowledge and public awareness. As legal resources (such as lawyers) are limited and most sources (such as legislation) are incomprehensible for laymen, lawtech generates information dissemination creating an unprecedented sense of agency in the legal subjects.

**Presenter:** HORVÁTH, Valéria Eszter (UPS Department of International Law / Budapest Bar Association)

**Session Classification:** PANEL 1

Contribution ID: 16

Type: **not specified**

## Legal design for GDPR compliance

*Thursday 23 June 2022 13:55 (15 minutes)*

The General Data Protection Regulation (GDPR) has created significant compliance requirements for personal data controllers, mostly of course business enterprises. The GDPR requires among others, that controllers must provide certain information for the data subjects on the controlling activity. In case of complex data controlling activities, these privacy policies are usually long, complicated documents, filled with technical legal terms hard to comprehend for the data subjects. Of course, the essence of privacy laws is informational self-determination. A prerequisite for this is the understanding of the intentions of data controllers on the proposed controlling of personal data.

In light of the above, we argue, that legal design solutions (LDS) can and should be used in privacy policies, although as of yet in addition to traditional text-based information. We claim, that LDS are much more easily accessible and comprehensible than the traditional privacy policies, which mitigate the risks of complaints and increases client trust. On the other hand, it is highly likely that LDS—solely—cannot be used above a certain level of complexity in data controlling, and DPAs are probably not ready to accept such solutions in and of themselves as fully compliant with the GDPR.

**Presenters:** KIS KELEMEN, Bence (senior lecturer (University of Pécs, Faculty of Law, Óriás Nándor Szakkollégium Law and Technology Working Group)); KAPPEL, Gergely (student (University of Pécs, Faculty of Law, Óriás Nándor Szakkollégium Law and Technology Working Group))

**Session Classification:** PANEL 1

Contribution ID: 17

Type: **not specified**

## Robolawyers and legal chatbot services

*Thursday 23 June 2022 14:55 (15 minutes)*

Artificial intelligence (AI) has become an active player in the justice system in the recent years. This is especially true for legal chatbots and similar advisory services, which counsel clients in simple matters and are able to solve an array of everyday cases, such as appealing parking tickets or accomplishing similarly simple tasks. Legal chatbots are also actively used for empowering Pro Bono services and for helping members of the public navigate in family, taxation or other legal matters. Besides the benefits of robolawyers and similar solutions, their negative effects are also often emphasized, such as hindering the development of paralegals and young associates, syphoning work from individual professionals or raising the market share of non-lawyer service providers using AI. My presentation would summarize both the positive and negative effects of the use of legal chatbots and robolawyers in the legal market, present use cases from EU and American market practice and would also help to dispel fears about the increasing role of AI in the legal market.

**Presenter:** NECZ, Dániel**Session Classification:** PANEL 1

Contribution ID: 18

Type: **not specified**

## Online dispute resolution systems. A real alternative of courts?

*Thursday 23 June 2022 15:10 (15 minutes)*

When e-commerce appeared in the 1990s it brought with it disputes arising from it. E-commerce is risky as the contracting parties do not even know each other not to mention that disputes has additional legal difficulties concerning jurisdiction and applicable law. E-commerce websites worked out online dispute resolution (ODR) systems in order to maintain the trust of the users with an efficient and impartial method if problems occur from deals made on their website. These ODR systems are considered successful as they are faster, cheaper and more appropriate than asking for remedy from the courts.

Some fear ODR systems will take the place of the public courts, however in some points of view they are not even lawful. The big e-commerce sites operating their own ODR platforms seem to be above the law in a sense as they make the rules how the users may pursue their rights. Terms and conditions should be checked closely to make sure they do not violate consumer rights.

To answer the question in the title of my presentation, I will examine the function of courts and then investigate whether available e-commerce sites are capable of fulfilling them according to the law.

**Presenter:** PÁLFI, Dóra

**Session Classification:** PANEL 1

Contribution ID: 19

Type: **not specified**

## How do you connect the digital dots in the legal ecosystem?

*Friday 24 June 2022 09:25 (25 minutes)*

As the entire world goes digital, legal stakeholders are no exception: tech is driving transformation of in-house legal teams, external law firms, shared service centers and legal managed service providers. We believe that the future of legal is a more interconnected approach –a digitally powered legal ecosystem where all players work together to optimize output and quality.

**Presenter:** ECK, Eric (Director - Legal Function Consulting & Legal Managed Services )

**Session Classification:** PANEL 2

Contribution ID: 20

Type: **not specified**

## Demystifying LegalTech

*Friday 24 June 2022 09:50 (25 minutes)*

In recent years there has been a lot of hype around innovation in law firms, the use of legaltech and particularly 'AI-tools'. What works and what can be useful in the practice? Where to start and how to ensure real adoption?

**Presenter:** MISKOLCZI, Andrea (European Director of Innovation, Dentons)

**Session Classification:** PANEL 2

Contribution ID: 21

Type: **not specified**

## **Is small really beautiful? Challenges and opportunities of small legal offices and small languages in light of artificial intelligence-based technologies**

*Friday 24 June 2022 11:05 (25 minutes)*

The vast majority of legal offices in Europe employs less than 10 people. The future of this industry and the population it represents is challenged by disruptive technologies such as AI, blockchain etc. After a short overview of relevant AI technologies employed by small legal offices the possible impacts are scrutinized on the industry caused by these. Special attention is given to the small languages in the EU whose speaking population is less than 10 million. Remedies and survival strategies are recommended.

**Presenter:** VADÁSZ, Pál

**Session Classification:** PANEL 2

Contribution ID: 22

Type: **not specified**

## **The legal challenges of contract automation with smart contracts and distributed ledger technology - are consumers on board too?**

*Friday 24 June 2022 11:30 (25 minutes)*

The development of new technologies has led to significant advances in the automation of contracting and contract execution processes. Particular expectations have arisen in relation to the smart contract. Its enthusiasts recognise it as a tool that can globally change the way business is conducted. But can it meet the requirements of consumer law?

**Presenter:** KUBIAK CYRUL, Agnieszka (associate professor, AFM Krakow University, Faculty of Law, Administration and International Relations)

**Session Classification:** PANEL 2

Contribution ID: 23

Type: **not specified**

## Digital Transformation in the Legal Industry: A Cultural Change

*Friday 24 June 2022 13:00 (15 minutes)*

In a 2021 study, only 52% of General Counsels reported that their department is effective at adding value to their business. It's no surprise, as the way organizations create, deliver and measure value has been radically transformed in the past decades. However, the legal industry's traditional value creation processes haven't captured this development and legal professionals' approach lags. Legal technology has the potential to change this and transform lawyers into advanced value creators and into the drivers of competitive advantage.

Among others, this transition requires a strategic mindset shift and a cultural reboot from lawyers. Without that, they will be unable to understand the potential of technology, channel them into the legal space, and widely implement legal-technology solutions. For instance, they need to look at contracts as decision trees and sources of valuable data, and legal complexity as something measurable and therefore improvable. To comprehend these concepts and apply them to legal matters, lawyers need to work closely with tech experts, designers, engineers, and developers to establish a modern co-value creation environment. Lawyers need to drive this transformation, otherwise, they will be forced to adapt non-legal specific technology solutions that will fail to capture the promises of legal technology and transform legal value creation.

**Presenter:** KAKAS, Mark (manager gunnercooke LegalTech and LEXITUP)

**Session Classification:** PANEL 2

Contribution ID: 24

Type: **not specified**

## Marketplace platforms in the legal sector

*Friday 24 June 2022 13:15 (15 minutes)*

A digital marketplace is a platform that matches potential buyers of a service or a product with providers of that service or product. The pioneers of this business model have transformed e-commerce and traveling (e.g. Amazon and Booking.com) in the 1990s. In the 2000s, the second wave of entrants (e.g. Airbnb, Uber) created the sharing economy, where platforms enable the utilization of idle resources. For the services industry, marketplace platforms enable access to the on-demand workforce –in our case, they match legal professionals with their potential clients.

In this presentation I will first outline the main differences between digital marketplaces and traditional firms, and how may the traditional legal service delivery model be misaligned with market need and demand. We will then introduce how such platforms work in the business-to-consumer (B2C) and business-to-business (B2B) segments of the legal sector. In the case of the B2C platforms, we will focus on how they create trust online, and how they can help with access to justice crisis. For B2B platforms, we will highlight how they may partially replace law firms' coordinating and quality assurance role in the legal sector.

**Presenter:** MOLNÁR, Benedek

**Session Classification:** PANEL 2

Contribution ID: 25

Type: **not specified**

## Revealing the characteristic of legal texts with unsupervised classification

*Friday 24 June 2022 13:30 (15 minutes)*

It is widely accepted that the LegalTech tools that are already commonplace in other parts of the world are less common in continental Europe. One of the main reasons behind this is the fact that the nature of legal data is different in many aspects here (e. g. in continental Europe legislation and legal regulations are more important than in the precedent-based legal cultures), therefore we need different tools to understand the characteristics of our data sources. One way of revealing the characteristics and specifics of the data set is using classification. If we know the sets into which the given data set can be divided, we can develop solutions based on the characteristics of each unit. In many cases, the amount of available data makes impossible the generation of such categorizations manually; a typical case when unsupervised learning can be useful. This presentation will show how the different unsupervised learning-based text classification solutions can be applied, harnessing the power of different vectorization and topic modeling approaches such as Latent Dirichlet Allocation (LDA), Latent Semantic Analysis (LSA), Doc2Vec, etc. We present how 1 these approaches can help in understanding and more efficient usage of the data available in the domains of anonymized court judgments and the decisions of the Central Bank of Hungary.

**Presenter:** VÁGI, Renátó**Session Classification:** PANEL 2

Contribution ID: 26

Type: **not specified**

## The interpretation of Leibniz's theory on legal system and judicial decision-making in the age of AI

*Friday 24 June 2022 15:20 (15 minutes)*

Leibniz discovered that mathematics and logic help to settle the legal system and to solve legal problems as well. He believed that legal system could be axiomatized and judges could solve every legal case (even hard cases) *ex mero jure*. In the past few years, AI has been developing rapidly and from many aspects, it would be able to relieve judges by solving certain questions in the form of mathematical examples. The dilemma is the following: how Leibniz's theory can help to solve judicial challenges? Can "judgement machines" replace real judges in the age of AI? And what about hard cases: could Leibniz's theorem would be still enough?

**Presenter:** PÓDÓR, Lea (PhD, Széchenyi István University Deák Ferenc Faculty of Law and Political Sciences, Department of Legal Theory)

**Session Classification:** PANEL 3

Contribution ID: 27

Type: **not specified**

## Data protection challenges in the course of using LegalTech

*Friday 24 June 2022 15:35 (15 minutes)*

Providing legal services generally requires the processing of personal data, including sensitive categories of data. Technological developments had significant impact on data processing; however, the legal industry has proved to be quite resistant to the use of technology for a long period of time. For now, LegalTech tools continuously change and challenge the delivery of legal services. At first, tools became available that helped legal professionals in the automation of some basic and recurrent tasks. Now, disruptive legal technologies may transform the legal industry for good. Cloud technologies, big data and Artificial Intelligence are capable to change the way how legal services are performed and how people interact with such services. However, such technologies do not only affect the delivery of legal services itself but will also have significant effect on the processing of personal data in the course of providing the legal services. Data protection issues in connection with LegalTech shall be addressed not only from technological or regulatory point of view but due to the specialties of legal profession (including the professional secrecy obligations), ethical considerations shall also play an eminent role in tackling data protection challenges.

**Presenter:** PÓK, László**Session Classification:** PANEL 3

Contribution ID: 28

Type: **not specified**

## **Quo vadis Legal Technology? (wrap-up)**

*Friday 24 June 2022 16:15 (15 minutes)*

**Presenter:** ZÓDI, Zsolt

**Session Classification:** PANEL 3