
ARTIFICIAL INTELLIGENCE (AI) AND THE FUTURE OF LAW

Anil Kumar¹, Dr. Navya²

¹Research Scholar, Department of Law Lloyd Law College, Greater Noida, Uttar Pradesh, India.

²Assistant Professor Department of Law Lloyd Law College, Greater Noida, Uttar Pradesh, India.

Email: anil.thakur@lloydlawcollege.edu.in

ABSTRACT

The rapid advancement of Artificial Intelligence (AI) technologies presents both opportunities and challenges for the legal landscape in India. As AI systems increasingly permeate various sectors, the Indian legal system must adapt to this technological transformation. This paper examines the potential role of AI in shaping the future of law in India, focusing on its impact on legal research, dispute resolution, contract analysis, and law enforcement. It explores the ethical, regulatory, and societal implications of integrating AI into the legal profession, considering issues of accountability, transparency, and bias. The paper also assesses India's preparedness in adopting AI in legal processes, highlighting existing gaps in infrastructure, education, and policy. Furthermore, it proposes frameworks for harmonizing AI technology with legal practices while ensuring justice, fairness, and compliance with human rights. Ultimately, the paper envisions a future where AI enhances the efficiency and accessibility of legal services in India while preserving the core values of the legal system.

Keywords: Artificial Intelligence, Legal System, India, Legal Technology, AI Ethics, Law Enforcement, Legal Research, Dispute Resolution, AI Regulation, Legal Innovation.

1. INTRODUCTION

Humans have been creating different methods to improve operational speed and reduce physical size in a variety of hardware and applications ever since computers were invented. The rapid evolution of Artificial Intelligence (AI) has started to permeate various facets of life, including legal systems across the world. In India, AI's integration into law promises transformative effects, ranging from legal research and document analysis to predictive analytics for case outcomes and judicial decision-making. However, this potential comes with significant challenges, including ethical dilemmas, the potential for bias in AI systems, and regulatory concerns. This paper explores the role of AI in shaping the future of law in India, addressing both the opportunities and challenges while providing recommendations for a sustainable legal AI ecosystem in India. The discussion also highlights the potential impact on lawyers, judges, legal education, and the public.

Artificial Intelligence (AI) refers to the creation of machines or systems capable of performing tasks that typically require human intelligence, such as learning, reasoning, and problem solving. The goal of artificial intelligence is to create machines that can carry out operations that are generally believed to require human intelligence. Over the past few decades, AI has made significant strides in various industries, including healthcare, education, finance, and transportation. One such domain where AI is poised to revolutionize operations is the legal industry. In India, the legal system is notoriously slow, burdened with a high volume of cases, and lacks efficient access to information. AI presents an opportunity to modernize the legal landscape and address these systemic challenges.

This research paper examines the implications of AI in India's legal ecosystem. The study investigates the potential applications of AI in law, explores the benefits and challenges AI brings, and discusses the future of legal practice in India. By analyzing the intersection of AI and law, the paper presents an overview of what AI-driven legal reform could look like in India, both in terms of opportunities and obstacles. The extensive use of AI (AI) tools and systems and its extraordinary relevance during a multitude of social and economic domains must be framed into the broader context of AI embodies the transformative force and therefore the disruptive potential of a second generation of technologies that are introduction a replacement stage of the digital evolution of our societies and economies. The aim of this text is to plan an analytical framework to spot the disruptive features of AI together of the foremost illustrative exponents of the second-generation technologies and assess the potential impact on certain existing principles rules and ideas AI are often understood because the capability of a machine to breed intelligent behaviour. However, AI relates to the similar task of using computers to know human intelligence but it does not confine itself to methods that are biologically observable.

Meaning of Artificial Intelligence (AI)

In general understanding "Artificial Intelligence" a branch of computing is that the recreation of human intelligence processes by machines specially computing system aims to make intelligent machines which may Artificial Intelligence is intangible and focuses on performing tasks using intelligence methods like:(1) Communication (2)

Internal knowledge (3) External knowledge (4) Goal-driven behaviour and (5) Creativity Machine learning and learning requires ample supervision with numerical regressions and classification.

AI is an umbrella term including a wide range of technologies and applications that have little more in common than their apparent intelligence, a quality that remains very much open to

Interpretation.

It requires intelligence to handle tasks like object manipulation and navigation alongside sub-problems of localization motion planning and mapping AI is not a replacement idea to the one that examines science creative writing. To understand AI and its nexus with our understanding of intelligence one has to check out the event of the concept of AI. In the 1940s, McCulloch and Walter Pitts had first made an effort to know intelligence in mathematical terms. John McCarthy had used term "Artificial Intelligence" in Dartmouth Conference at the Massachusetts Institute of Technology. He defined AI as science and engineering of creating intelligent machines. Oxford dictionary has defined artificial intelligence as a computer system, able to perform tasks, which normally require human intelligence. In layman terms, artificial intelligence is technology that behaves and acts like human or other animals. In popular terms AI is a science and a set of computational technologies that are inspired by the ways people use their nervous systems to sense, learn, reason, and take action. Evaluation of AI Artificial intelligence has been a fascinating topic for everyone around the world.

Aim of AI

The main goal of AI is to facilitate innovation, minimize human labour and to expand the human potential to the maximum extent possible. Now the AI system has become more skilled and can perform the task with more accuracy. The success of robotics and AI generated work has proved that the computers can do the work independently by learning to do the tasks once the codes have been entered. AI has started now creating music, news reports and paintings. In the global technological wave of Artificial (AI) the world is moving towards complete automation of services. Several factors have stimulated AI research like Rise of the digital economy, Progress in cloud computing resources and Consumer demand to access application-based services such as speech recognition and navigation support.

Kinds of AI Applications

Software applications that employ artificial intelligence (AI) methods to carry out particular tasks are known as AI applications. Simple, repetitive tasks to intricate, cognitive tasks requiring intelligence comparable to that of humans can be included in this category. Applications of AI are growing in popularity across a wide range of sectors, such as manufacturing, healthcare, finance, and retail. Future AI applications are likely to be even more inventive and revolutionary as the technology advances. Over the past few years, artificial intelligence (AI) applications have advanced dramatically and are now used in practically every industry.

Existing AI applications are forms of "narrow" AI or "artificial specialized intelligence" (ASI), aims to solve specific problems or take actions within a limited set of parameters. When we communicate with a device to book film tickets, pay a gas bill, or listen to GPS directions etc., we employ "weak" or "narrow" AI. Most recognizable products i.e., Apple's Siri and Google's self-drive cars are using "weak" AI. It appears intelligent, but it still has defined functions. It has no self-awareness. When a person used a credit card an AI algorithm approves the transaction, use the GPS in a car, we use an AI algorithm. Using Google translate service, is part of AI and is based on statistical machine learning. The face recognition capability of our cameras is AI. AI can enable a machine to mimic "cognitive" functions that humans associate with other human minds, such as "learning" and "problem solving." AI which is used in mainstream technologies such as web search, smart phone applications is based on deep learning. Tasks such as trading stocks, flying military planes and keeping a car within its lane on the highway are now all within the domain of ASI (artificial specialized intelligence).

Why Artificial Intelligence is important for India's Legal Framework?

In recent times we've seen AI being implemented at a little but highly effective scale in various Industries, from robotic concierges in hotels to automated entertainment or in Cell phones. Artificial intelligence has changed the form of multiple industries.

In addition to changing a number of industries, including healthcare and finance, artificial intelligence's explosive growth in India is also having a big impact on the legal system. AI is being used by the legal industry to increase productivity in areas like contract review, legal research, and case management, and India's regulatory environment is working to stay up to date with these developments.

The self-learning nature of artificial intelligence and its capacity to process large datasets create special legal challenges in India. AI, for example, can reduce manual labor in legal research for law firms, but it also poses risks regarding data

privacy and accountability. The challenges facing the regulatory environment, new issues unique to India's legal system, and how AI is changing legal operations are all covered in this section.

The legal and regulatory ramifications are significant despite these advantages, addressing important topics like liability, data privacy, and intellectual property rights.

The Indian legal sector has seen little or no innovation in terms of technology and lawyers lately still comfortable and counting on the methods and solutions that were designed years ago. Artificial intelligence can play an enormous part in changing the way lawyers operate and therefore the law is checked out in India.

One of the most important disruptions which will be caused by AI in law is that within the field of legal research. The Indian system is vast and constantly changing and with the utilization of AI, lawyers can get unparalleled insight into the legal domain within seconds. Currently to urge legal research done a big number of man-hours are required and this significantly reduces the profit-making ability of a firm, however, with AI the entire legal fraternity can be balanced. An artificially intelligent platform for research can get research wiped out seconds and be it a firm with 400 lawyers or single practicing lawyer, AI can balance the expenditure required for in legal research making the standard of research uniform. It can provide lawyers with highly efficient and advanced tools helping lawyers become better in advising clients or litigating.

A slew of Indian legal tech startups i.e., SpotDraft, CaseMine, NearLaw, Pensieve, Practice League etc are building tongue Processing [NLP] based applications and introducing next-generation legal research platforms that help law firms transcend simple, keyword-based research, thereby making it less time-consuming. Many legal startups are fast rising in AI research capabilities, a number of who have their own AI research labs.

Emergence of Artificial Intelligence in Transforming the Legal Profession

AI technologies have shown promise in improving the efficiency and effectiveness of legal systems around the world. In the legal profession, AI applications range from document review, contract analysis, legal research, and litigation prediction to automation of routine legal tasks. In India, AI is gradually gaining traction in the legal domain, with several startups and law firms incorporating AI-powered tools to improve service delivery. Fortunately, AI will not replace most lawyers' jobs anytime soon. AI would only cut lawyers' billing hours by 13% over the next five years, according to a thorough study of the legal industry.

Although they are a little less optimistic, other projections do not predict a disastrous effect on the employment of attorneys. According to a McKinsey & Company database on the impact of automation on more than 800 professions, robots could replace 23% of the typical attorney's work. By 2025, automation is expected to eliminate 100,000 legal jobs in the UK, according to a Deloitte study. Last year, JPMorgan replaced 360,000 billable hours of lawyer work with an AI computer program. According to one report on the development, "the software reviews documents in seconds, is less error-prone, and never asks for vacation."

Legal Research and Document Review

AI-powered systems such as natural language processing (NLP) can help lawyers conduct legal research more effectively. Traditional legal research requires immense human effort to sift through vast legal databases, precedents, statutes, and case law. With AI, lawyers can use sophisticated algorithms to find relevant legal precedents, statutes, and legal opinions in a fraction of the time.

A prominent example of AI in legal research in India is the platform CaseMine, which uses AI to assist lawyers in finding relevant case law. These tools can reduce the time spent on manual research and improve the accuracy of the results by suggesting relevant case laws based on the context of the case.

Contract Analysis and Drafting

AI can also play a crucial role in automating the drafting and reviewing of legal documents. AI tools like Kira Systems and LawGeex are designed to analyze contracts and legal agreements by identifying key clauses and inconsistencies, flagging potential risks, and suggesting improvements. These tools reduce human error and ensure faster contract turnaround times.

In India, law firms are beginning to integrate such AI systems to enhance the speed and precision of contract analysis, especially in commercial, financial, and corporate law. The use of AI can significantly reduce the risk of overlooking critical terms in contracts, which can have far-reaching consequences for clients.

Litigation Prediction

AI is also being utilized in predicting litigation outcomes. Machine learning algorithms can analyze past court judgments, judge behavior, legal arguments, and the overall trajectory of cases to make predictions about how similar cases may unfold in the future. This predictive analysis can help law firms better advise their clients on the chances of

success or failure in litigation, assisting them in making more informed decisions about whether to settle or proceed with a case.

One such example of AI-driven litigation prediction is Premonition, which uses data to predict the outcomes of court cases based on patterns in past judgments. While this technology is still in its nascent stages in India, it has the potential to revolutionize the way lawyers and clients approach litigation.

Ethical and Legal Challenges of AI in Law

The ethical implications of AI have significant societal ramifications that go beyond adherence to the law. Fairness, transparency, and bias issues become more pressing as AI systems grow more independent and have the ability to make decisions that affect people's lives. AI algorithms used in loan approvals or hiring procedures, for instance, may unintentionally reinforce systemic biases found in historical data, producing discriminatory results.

A diversified strategy involving participants from a range of academic fields, such as law, ethics, computer science, and sociology, is needed to address these ethical issues. The Asilomar AI Principles and the IEEE Ethically Aligned Design are two examples of ethical guidelines that offer useful frameworks for developers, legislators, and organizations to responsibly negotiate the ethical complexities of AI deployment. Nevertheless, there are difficulties and moral dilemmas associated with incorporating AI into the legal field. The possibility of bias in AI algorithms is one of the main worries since it has the potential to reinforce or worsen already-existing inequities in the legal system. AI systems may unintentionally discriminate against particular groups and produce unfair results if they are trained on biased datasets or are programmed with faulty algorithms.

While AI offers several advantages for the Indian legal system, its integration also raises significant ethical and legal concerns. These challenges must be addressed to ensure that AI systems enhance the legal framework without compromising fairness, justice, and privacy.

Bias and Discrimination

One of the primary concerns in AI systems is the potential for bias. AI algorithms learn from historical data, and if the data used to train these systems contains biases, the AI may perpetuate or even amplify those biases. In the context of law, this could lead to unfair outcomes, such as biased sentencing or case predictions based on race, gender, or socio-economic status.

AI systems' potential for bias is a concern. Unintentionally, these biases may reinforce racial or gender disparities that already exist within the legal system. In order to address bias in AI, meticulous consideration must be given to data selection, algorithm design, and continuous monitoring to minimize unforeseen consequences. Nevertheless, there are difficulties and moral dilemmas associated with incorporating AI into the legal field. The possibility of bias in AI algorithms is one of the main worries since it has the potential to reinforce or worsen already-existing inequities in the legal system. AI systems may unintentionally discriminate against particular groups and produce unfair results if they are trained on biased datasets or are programmed with faulty algorithms.

For instance, AI systems used in predictive policing or sentencing could reinforce discriminatory practices, especially if the data used to train these systems reflects existing societal biases. In India, where systemic biases related to caste, religion, and gender are prevalent, there is a need for caution when deploying AI in legal settings.

Privacy and Data Protection

The use of AI in the legal field requires the processing of vast amounts of personal and sensitive data. In India, where data protection laws are still evolving, the privacy of individuals could be at risk if proper safeguards are not put in place. AI-driven legal tools that access case details, client information, and even confidential communications need to be designed in compliance with data protection regulations, such as the Personal Data Protection Bill (PDPB).

Without stringent data protection frameworks, there could be potential risks of data breaches, identity theft, and unauthorized access to confidential legal information.

Accountability and Transparency

It is commonly acknowledged that responsible AI development and implementation require transparency and accountability. While accountability guarantees that there are clear procedures for allocating responsibility and offering redress when these systems cause harm, transparency helps people understand how AI systems make decisions that impact their lives. It can be difficult to put these ideas into practice, though, because they frequently clash with other crucial factors like privacy, intellectual property, and the complexity of AI systems.

As AI systems become integral to legal decision-making, questions surrounding accountability and transparency arise. When an AI system makes a decision, it may not always be clear how or why the decision was reached, making it difficult to hold the system accountable for errors or unjust outcomes. In the legal profession, accountability is essential,

as legal decisions can profoundly influence individuals' lives. Ensuring transparency in AI algorithms, particularly in the legal context, will be crucial for maintaining trust in the legal system. Lawmakers in India will need to create regulatory frameworks that ensure AI systems are subject to scrutiny and review.

Indian Perspective

A significant issue currently plaguing the Indian judicial system is the enormous backlog of cases that are pending at all judicial levels, from Taluka Courts to the Hon'ble Supreme Court of India. The judicial system would collapse and become practically meaningless if early action is not taken, according to recent debates. Worse, the public would lose faith in the judicial system. Justice must be served immediately. The Honorable Supreme Court has ruled that justice delayed is justice denied in one of its rulings. The Indian Judicial System uses AI in numerous ways, such as legal research, due diligence, contract generation (smart contracts) etc. In fact, one of India's top law firms, Cyril Amarchand Mangaldas became the first Indian firm to come into an agreement with Kira Systems, to gain access to their machine learning system in order to expedite their legal research and productivity. Sharad Arvind Bobde, the Chief Justice of India, in an event organized by the Supreme Court Bar Association on the Constitution Day in 2019, stated that "We propose to introduce, if possible, a system of artificial intelligence. There are many things which we need to look at before we introduce ourselves. We do not want to give the impression that this is ever going to substitute the judges."

Artificial Intelligence, however, has the power to completely revolutionize the daily lives of everyone, for better or for worse, it is our duty to follow a proper framework to ensure positive impact of Artificial Intelligence. Artificial intelligence goes beyond normal computer programs and technological functions by incorporating the intrinsic human ability to apply knowledge and skills and learning as well as improving with time. This makes them human-like. Since humans have rights and obligations, shouldn't human-likes have them too?

But at this point in time, there have been no regulations or adjudications by the Courts acknowledging the legal status of artificial intelligence. Defining the legal status of AI machines would be the first cogent step in the framing of laws governing artificial intelligence and might even help with the application of existing laws.

A pertinent step in the direction of having a structured framework was taken by the Ministry of Industry and commerce when they set up an 18-member task force in 2017 to highlight and address the concerns and challenges in the adoption of artificial intelligence and facilitate the growth of such technology in India. The Task Force came up with a report in March 2018 in which they provided recommendations for the steps to be taken in the formulation of a policy.

The Report identified ten sectors which have the greatest potential to benefit from the adoption of artificial intelligence and also cater to the development of artificial intelligence-based technologies. The report also highlighted the major challenges which the implementation of artificial intelligence might face when done on large scale, namely (i) Encouraging data collection, archiving and availability with adequate safeguards, possibly via data marketplaces/exchanges; (ii) Ensuring data security, protection, privacy and ethical via regulatory and technological frameworks; (iii) Digitization of systems and processes with IoT systems whilst providing adequate protection from cyber-attacks; and (iv) Deployment of autonomous products and mitigation of impact on employment and safety. The Task Force also suggested setting up of an "Inter-Ministerial National Artificial Intelligence Mission", for a period of 5 years, with funding of around INR 1200 Crores, to act as a nodal agency to coordinate all AI-related activities in India.

Regulatory Framework for AI in Law

The implementation of AI in law requires a comprehensive regulatory framework to address the ethical, legal, and technical challenges associated with AI. In India, the current legal and regulatory environment is not fully equipped to manage the complexities of AI. Therefore, it is imperative for the Indian government to design a policy structure that promotes innovation while safeguarding individual rights.

The Indian government released a warning on March 1, 2024, directing platforms to get the Ministry of Electronics and Information Technology's (MeitY) express consent before introducing any "unreliable Artificial Intelligence (AI) models / Large Language Models (LLM)/Generative AI, software or algorithms" for users of the Indian Internet. Intermediaries and platforms must also make sure that their systems don't support prejudice or discrimination or jeopardize the fairness of the election process. They must also add unique identifiers or metadata to all artificially generated text and media to make identification simpler.

National AI Strategy

In 2018, the Indian government launched the National Strategy on Artificial Intelligence (AI for All), with a focus on promoting AI research, innovation, and applications across various sectors, including healthcare, education, agriculture, and governance. However, this strategy lacks specific provisions for AI in the legal sector. India's legal system could benefit from a more specialized AI policy that outlines ethical guidelines, regulatory standards, and best practices for

integrating AI into legal processes. This should include provisions for data protection, transparency, and accountability of AI systems.

The Role of AI in Legal Profession

AI has advanced significantly in a number of industries, including healthcare and finance, and the legal profession is no exception. With the ongoing development of AI technologies, the question of whether AI will eventually replace lawyers emerges. This article investigates the potential future effects of artificial intelligence (AI) on the legal profession, looking at the technology's potential, its drawbacks, and the consequences for attorneys. While AI tools will augment the legal profession, they will not replace human lawyers. Legal professionals will continue to play a crucial role in interpreting the law, ensuring justice, and providing counsel. However, lawyers must embrace AI as a tool that enhances their abilities, rather than a threat to their jobs.

To foster an AI-friendly legal environment, Indian law schools must integrate AI and technology courses into their curriculum. This will equip future lawyers with the skills needed to work with AI systems and understand their implications.

AI Ethics Guidelines for Legal Profession

India must develop a robust ethical framework for the use of AI in the legal profession. This should address issues such as data privacy, transparency in decision-making, and the prevention of algorithmic bias. The ethical guidelines should also include provisions for regular audits and reviews of AI systems to ensure compliance with legal standards and ethical norms.

At this time, no specific law exists in India for regulation of AI. Ministry of Electronics and Information Technology, also known as MEITY is the executive agency. This agency is for AI-related strategies. They have made committees. The committees are to bring in policy framework for AI. NitiAyg has developed set of seven responsible Ai principles. These include safety and dependability. Also, it includes equality, inclusivity and non-discrimination. Privacy and security are part of it too. So are transparency and accountability. Along with that, they focus on protection of positive human values and their reinforcement. The Supreme Court and high courts have a constitutional mandate. It is to enforce fundamental rights. This includes right to privacy. Primary legislation for data protection in India is the Information Technology Act. This act has associated rules. Moreover, the Digital Personal Data Protection Bill is introduced by MEITY. However it is awaiting formal enactment. If the bill becomes law individuals will have new rights. They can ask about data collected from them by all entities. It could be by private or government entities. They can also inquire about methods used to process and store it.

The Future of AI in Indian Law

As AI continues to evolve, its role in India's legal system is bound to expand. In the future, we may witness AI being deployed for more complex legal functions, including advising clients on legal strategies, automating dispute resolution processes, and enhancing the efficiency of courts.

Court Management and Automation

AI can play a significant role in improving the functioning of the judiciary by automating case management. AI-powered systems could help in scheduling hearings, tracking case progress, and ensuring that documents are available and properly categorized.

In India, where case backlog is a significant issue, AI-driven case management systems could drastically reduce delays and improve judicial efficiency.

AI-Driven Legal Education

As AI transforms legal practice, it will also affect legal education in India. Law schools may need to adapt their curricula to train students in AI tools and technologies, ensuring that future lawyers are prepared for the AI-powered legal ecosystem. This shift could include courses on technology law, legal tech innovations, and the ethical use of AI in legal practice.

The face of future Law firms

Over previous few years, the legal industry not only India however globally has seen a high growth within the extent of competition. Now it has become imperative for law companies to understand competitive blessings by understanding the advancements in technology and client requirements.

Those who would flip a blind eye to those changes would, sadly, be obsolete within subsequent few years. Future Law Firms would be completely different from what we tend to ascertain lately. Let's shed some light on a couple of characteristics of what the advanced law firms would be like:

Innovations in servicing clients:

The Covid-19 pandemic planted the seeds for change, even though the emergence of generative AI has begun to alter this by automating processes like contract drafting, legal briefs, opinions, and filings. Clients and attorneys resorted to online resources when lockdowns and court closures interfered with in-person consultations.

The way clients are serviced and treated would drastically change within the future. Law Firms would approach their clients with some innovative ideas and more authentic and economic legal solutions. Nowadays, in India Law Firms billed their services supported the time is taken for it to supply the services or in alternative words, the billable hour method, however, this billing method would go obsolete within the future. To service their clients better, law firms would check out innovating their pricing strategies and implement say a Performance-Based Pricing Strategy [PBPS] because the name suggests, this pricing model would be extremely client friendly as client shall only pay once they achieve targets and same would strengthen the professional relations between the clients and Law Firms.

Law Firms' Change of Focus: From Revenue to Greater Profits

Contemporary legal entities have a new emphasis. The emphasis moves from revenue to larger profits. The law firms strive to boost revenue. Look closer. The rivalry between these entities is always on the rise. Consequently, need for legal services has been stable. This makes revenue growth extremely hard. The implication is clear. Law firms in the future will not focus on revenue. They will focus on increased profits and margins. The firms will not specialize in growth. They will concentrate on greater margins.

Making Technology the foundation for growth:

In the previous couple of years, we've noticed a big introduction of latest AI-based solutions aimed toward making the legal sector more efficient and client friendly. From E-Discovery solutions to automation in contract drafting, trademark search, various legal tech startups have come up to enhance the lives of a lawyer or firm. Artificially Intelligence based legal solutions help law firms become more efficient and possibly reduce costs and gain higher profits. The future firm wouldn't only adopt these technologies but also will add synergies with various companies to create AI-based solutions that would further improve the legal sector.

High focus on brand value:

In future the firm will focus primarily on brand presence. A single piece of careless advice can easily harm a firm's reputation. This can come from just a couple people. For brand's value development, the firm needs to believe in AI legal solutions. It also needs to believe in platform and tech-savvy lawyers. On the opposite end law firms have to organize more conferences. Additionally, they have to attend cross-border seminars. They also need to be at workshops on Core Legal Issues more often.

When we view adoption of artificial intelligence from legal and regulatory outlook. Main issue to ponder is, are existing laws enough to deal with possible legal issues? Or do we require a new set of laws to regulate artificial intelligence technologies. While few aspects like intellectual property rights and data use to develop AI might be covered under the existing laws, some legal issues might need new regulation. These could overlook artificial intelligence technology.

Liability of Artificial Intelligence

The current legal regime does not have a framework where a robot or an artificial intelligence program might be held liable or accountable in case a third party suffers any damage due to any act or omission by the program. For instance, let us consider a situation where a self-driven car controlled via an artificial intelligence program gets into an accident. How will the liability be assessed in such a scenario?

The more complex the artificial intelligence program, the harder it will be to apply simple rules of liability on them. The issue of apportionment of liability will also arise when the cause of harm cannot be traced back to any human element, or where any act or omission by the artificial intelligence technology, which has caused damage, could have been avoided by human intervention.

One more instance where the current legal regime may not be able to help is where the artificial intelligence enters into a contractual obligation after negotiating the terms and conditions of the contract and subsequently there is a breach of contract.

In the judicial pronouncement of United States v. Athlone Indus Inc it was held by the court that since robots and artificial intelligence programs are not natural or legal persons, they cannot be held liable even if any devastating damage may be caused. This traditional rule may need reconsideration with the adoption of highly intelligent technology.

The pertinent legal question here is what kind of rules, regulations and laws will govern these situations and who is to decide it, where the fact is that artificial intelligence entities are not considered to be subject of law.

Personhood of Artificial Intelligence Entities

From a legal point of view, personhood of an entity is an extremely important factor to assign rights and obligations. Personhood can be either natural or legal. Attribution of personhood is important from the point of view that it would help identify as to who would ultimately be bearing the consequences of an act or omission.

Artificial intelligence entities, to have any rights or obligations should be assigned personhood to avoid any legal loopholes. "Electronic personhood" could be attributed to such entities in situations where they interact independently with third parties and take autonomous decisions.

Protection of Privacy and Data

For the development of better artificial intelligence technologies, the free flow of data is crucial, as it is the main fuel on which these technologies run. Thus, artificial intelligence technologies must be developed in such a way that they comply with the existing laws of privacy, confidentiality, anonymity and other data protection framework in place. There must be regulations, which ensure that there is no misuse of personal data or security breach. There should be mechanisms that enable users to stop processing their personal data and to invoke the right to be forgotten. It further remains to be seen whether the current data protection/security obligations should be imposed on AI and other similar automated decision-making entities to preserve individual's right to privacy which was declared as a fundamental right by the Hon'ble Supreme Court in *KS Puttaswamy & Anr. v Union of India and Ors.* This also calls for an all-inclusive data privacy regime which would apply to both private and public sector and would govern the protection of data, including data used in developing artificial intelligence. Similarly, surveillance laws also would need a revisiting for circumstances which include the use of fingerprints or facial recognition through artificial intelligence and machine learning technologies.

Now there are many loose ends to be tied up like the rights and responsibilities of the person who controls the data for developing artificial intelligence or the rights of the data subjects whose data is being used to develop such technologies. The double-edged sword situation between development of artificial intelligence and the access of data for further additional purposes also needs to be deliberated upon.

Artificial Intelligence is not the replacement of a lawyer?

AI is certainly changing legal field. It provides tools to make tasks more efficient and accurate. Yet we are not close to seeing AI replacing lawyers. The intricacies of legal reasoning and the role of client connections are crucial. Lawyers bring human judgement and empathy to the table. These elements make them essential. Currently, we should view AI as a helpful partner to lawyers. AI can enhance their skills and allow them to concentrate on their core competency. This means offering top-tier legal guidance and representation to their clients. The landscape of technology is always in flux. The association between AI and human legal professionals is likely to intensify. This could bolster innovation and excellence within the legal sector. In the end the future of law does not entail AI taking over the role of lawyers. Rather it is about AI enabling lawyers improve their client services and achieve deeper justice. By utilizing the strengths of AI and human skills, the legal profession can continue to adapt. It is equipped to tackle modern world challenges.

Nowadays there is a provocative question among the lawyers that whether Introduction of AI in legal sector would replace the lawyer and legal analyst or the AI-based solutions and platform would increase the efficiency and productivity of Firms and Lawyers.

The legal sector has seen the introduction of the many new solutions where technology has improved the efficiency of lawyers, contract analysis, trademark search software, legal research software and far more. However, none of the AI-based software or program target to take a lawyers job and all the IA based software and programmes are increasing the authenticity, accuracy of research and analysis and therefore the same are more result oriented now.

The bar is very driven by analysis, deciding, and representation which can't be automated. AI-based software and programmes can reduce a lawyer's time and effort considerably and can help the lawyers and firms give a more authentic and result oriented suggestion to their clients.

The legal industry remains developing in India and searching forward to more IA based and automatic assisting tools and software. However, these IA-based and automated assisting tools and software are not going to replace the lawyers' job where analysis, decision making and stratification is required but would actually make them more efficient & competent while automating various clerical tasks.

Legal Challenges- Can under copyright law Copyright be given to the AI?

There have been several high-profile international conflicts involving AI and copyright law between media behemoths in the entertainment and journalism sectors and AI companies. Since AI has started now creating music and paintings that, although, eventually have raised the question of applicability of property law (copyright) on the works which are

created by feeding the codes into it. What shall be status of Artificial Intelligence under IPR Laws as AI is Transforming Copyright Law? What happen if any software is developed by AI? The essence of legal personhood lies in whether such entity has the proper to have property and therefore the capacity to sue and be sued. As per Indian law legal personhood has not been granted exclusively to humans only, status of legal personality has granted to non-human entities also such as companies' corporate houses and other legal persons. But till date copyright has been granted only to natural or legal persons and any machine or tool used for creating any original work is only considered as a mere tool and thus haven't been granted any copyright within the programs name. Today machine learning has increased the work which can be generated through AI application. It is debated that the IPR law has to amend to include AI generated work. The result of the gap in copyright law and A.I registration in copyright law is widespread and may result in a decrease of valuable new works.

Humans are traditionally thought to be intelligent and capable of producing original works that can be registered as intellectual property. Lawmakers have reflected this belief in their creation of Intellectual Property laws. What if there was a device or piece of software that could understand the data that was fed into it to produce a much more advanced, precise, and accessible intelligence for everyone? Why should intelligence of this kind be treated differently and denied the rights associated with human-developed intellectual property? Why shouldn't the person who created the machine be given credit for the work that it produces, or why shouldn't the machine be given credit for the work that it develops on its own without assistance from human beings.

Regarding copyright, AI-generated content poses special difficulties in India. Works produced by human authors are normally granted copyright protection under the Indian Copyright Act, 1957.

Indian Copyright Law defines author as "the person who causes the work to be created in relation to any literary, dramatic, musical, or artistic work that is computer-generated."

Patents Act, 1970, which limits the rights of "persons" by excluding AI systems from its regulatory purview. The patentee is referred to as a person in, which stipulates that "any person" may file a patent application, additionally "inventive step," which is a necessary condition for an invention to be patentable, and states that the invention must not be 'obvious to a person skilled in the art'.

Original works of human expression are safeguarded by copyright law. While it does protect works created with the use or assistance of AI, it does not protect works where a human has little to no creative influence, such as when typing a simple prompt. The amount of creativity needed to make AI-assisted work copyright-protectable is still unknown. Although legislation or the courts are likely to resolve the matter, these questions will be settled through litigation and may not initially provide consistent answers.

Can AI execute the contract and be bound by its contract?

Another concern is that the ability of an AI to execute and be bound by contracts. Under Indian law only a "legal person" is often competent to enter a legitimate contract. The general rule so far has been that an AI might not qualify as a legal person. Hence, a contract entered into by an AI of its own wish may not be regarded as a valid contract in India.

Do we need to amend industrial or employment Laws?

The strength behind the expansion of AI is the need for automation of services, which lead to the use of AI as a replacement of the human workforce. This wave of automation is creating a niche between the prevailing employment laws and therefore the growing use of AI within the workplace. For instance, can an AI claim benefit such as provident fund payments or gratuity under existing employment legislation or sue a company for wrongful termination of employment? Such questions have relevance for the human workforce in most case. The failure of employment laws to have clarity with regard to the above questions may have adverse impact as well.

Can AI tend Legal Rights and Duties?

Can AI be given legal personality? Can AI have locus standi? The question of whether legal personhood can be conferred on an AI depends whether it can be made the subject of legal rights and duties. The legal concept created for corporates is a precedent for granting legal personhood to AI. However, there is distinction between corporates and AI. Corporates are fictitiously independent, yet accountable via their stakeholders, while an AI could also be actually independent. At present no law in force recognizes Artificial Intelligence as a legal person.

What shall be nature of liability?

What happens if autonomous car committed accidents? Who is responsible for damage to property or personal harm caused or death of a person caused due to accident autonomous car? The Autonomous vehicles also raise complex legal issues, such as liability insurance. Can AI be held liable for civil, criminal or tortious acts? What would be the character of this liability – civil or criminal or both? A main legal difficulty that arises upon realization of AI is the question of

apportionment of liability. If we identify the responsible party for damage due to AI application, another issue is whether party be liable under the 'principle of strict liability with certain exceptions' as laid down in *Rylands v. Fletcher's* case, or the 'principle of absolute liability *M.C. Mehta and Anr. v. Union of India and Ors.* be applicable.

Attributes of Artificial Intelligence

Another question that arises is attributing of liability to an AI. The general rule is that since an AI cannot meet the criteria as a legal person, it cannot be held liable in its own capacity. The biggest obstruction to consider this rule is the problem as to how to penalize an AI for its wrongdoing or who would be held liable - would it be the technology developer, the retailer, or the top -consumer? Further, would the parties be liable on a joint, contributory and several bases or otherwise? For instance, in the context of a mishap concerning autonomous vehicles, would the liability rest on the developer, the car manufacturer, or the driver? What principle should be applied to work out and accord liability?

In order to be subject to the same legal accountability as corporations, artificial intelligence entities must be regarded as legal personalities. Using the reasoning behind giving corporations legal personality, which was to reduce corporate liability on an individual basis, we can draw an analogy that would encourage people to use corporations for business purposes. The same goes for artificial intelligence entities, which should be granted the same legal personhood as corporations. This will make it possible for the current legal system to meet the challenges posed by artificial intelligence. To effectively address issues pertaining to artificial intelligence, our legal system won't need to undergo significant modifications. The liability resulting from artificial intelligence's actions is one such issue that significantly concerns its creators. Artificial intelligence will be used for a variety of tasks once it reaches a point where it can think for itself. These activities may give rise to criminal and civil liability. For example, what if a computer enters into a contract that is never fulfilled or if a computer causes harm to another person? The issue now is who will be responsible for the computer's actions; will the developers or the owner bear all of the blame even though they had no intention of doing so?

The Future of AI and the Law

These early AI applications in the legal field are only the start of a significant technological upheaval that will drastically alter the way that law is practiced. Since the beginning of the legal profession, artificial intelligence (AI) has presented both the greatest opportunity and possibly the biggest threat.

Going forward, AI's revolutionary effects on the practice of law will only intensify. AI will be used for a growing range of legal tasks, replace a steadily growing portion of billable hours for law firms, and demand skills and knowledge beyond what the majority of currently practicing attorneys currently possess. In terms of efficiency, cost-effectiveness, and productivity, artificial intelligence (AI) offers a law firm or individual the chance to lead today. However, in the near future, implementing AI will be more about keeping up than taking the lead.

There will undoubtedly be winners and losers among attorneys who use AI and those who do not. "Private practice lawyers will not be relevant even to their clients unless they start to engage with new technology," said a senior lawyer recently. It is time to board the AI train as it departs the station.

2. CONCLUSION

The integration of AI in India's legal system presents immense opportunities for improving efficiency, transparency, and accessibility. However, it also raises several ethical, legal, and regulatory challenges that must be addressed. For AI to successfully shape the future of law in India, the government, legal professionals, and academia must collaborate to establish comprehensive regulations and guidelines that prioritize fairness, privacy, and accountability.

AI is not a replacement for human judgment in the legal profession, but rather a tool that can enhance and augment legal practice. If used responsibly, AI has the potential to transform the Indian legal system, making it more efficient, accessible, and just for all.

In this evolving world of technology with the capabilities of autonomous deciding, it's inevitable that the implementation of such technology will have legal implications. There is a requirement for a legal definition of AI entities in judicial terms to make sure regulatory transparency. While addressing the legal issues, it is important that there is a balance between the protection of rights of individuals and the need to ensure consistent technological growth. Proper regulations would also ensure that broad ethical standards are adhered to. The established legal principles would not only help in the development of the sector but will also ensure that there are proper safeguards in place. Our inability to answer the challenges arises due to application of AI force us to understand the weakness of our legal system to deal with AI. Since AI is the capability of a machine to imitate intelligent human behavior. To safeguard the mixing of AI, a balanced approach would wish to be adopted which efficiently regulates the functioning of AI systems but also maximizes its benefits. The solution isn't to carry back on innovation, but we've to innovate around: how does one keep people engaged

when AI can do most things better than most people. In the meanwhile, within the absence of a regulatory framework, stakeholders should strive towards implementing measures that might protect them from unforeseen consequences and liabilities which will arise in the course of use and implementation of AI technology. A mere oversight at the contracting stage could lead on to significant losses.

AI has the potential to completely transform the legal industry by providing previously unheard-of chances for creativity and efficiency. But it's unlikely that AI will ever fully replace lawyers in the near future. Rather, AI will be a potent instrument that expands the skills of attorneys, freeing them up to concentrate on more intricate and strategic facets of their work. Lawyers can maintain their relevance and carry on offering worthwhile services in an AI-enhanced world by embracing AI and adjusting to the changing environment.

3. REFERENCES

- [1] Lavanya Sharma, Pradeep Kumar Garg, Artificial intelligence: technologies, applications, and challenges, CRC Press, 2022. Retrieve from https://www.researchgate.net/publication/359705344_Artificial_Intelligence on 3 Jan, 2024.
- [2] Ellen Glover, What Is Artificial Intelligence (AI), Built-in, <https://builtin.com/artificial-intelligence>, 2024
- [3] Philip Boucher, Scientific Foresight Unit (STOA), Artificial intelligence: How does it work, why does it matter, and what can we do about it? PE 641.547 – June 2020
- [4] For a comprehensive review of definitions see Samoili, S. et al, Defining artificial intelligence, European Commission, 2020
- [5] Avijeet Biswal, Top 24 Artificial Intelligence Applications and Uses, <https://www.simplilearn.com/tutorials/artificial-intelligence-tutorial/artificial-intelligence-applications>, 2024
- [6] Maheshwari & Co., The Legal Landscape of Artificial Intelligence in India, <https://www.maheshwariandco.com/blog/artificial-intelligence-in-india/>, 2024 Ibid
- [7] Dana Remus & Frank S. Levy, Can Robots Be Lawyers? Computers, Lawyers, and the Practice of Law 46 (Nov. 27, 2016) (unpublished manuscript), <https://ssrn.com/abstract=2701092>.
- [8] ¹ David Johnson, Find Out If a Robot Will Take Your Job, Time (Apr. 19, 2017), <http://time.com/4742543/robots-jobs-machines-work/>.
- [9] Deloitte Insight: Over 100,000 Legal Roles to Be Automated, Legal IT Insider (Mar. 16, 2016), <https://www.legaltechnology.com/latest-news/deloitteinsight-100000-legal-roles-to-be-automated>
- [10] Hugh Son, JPMorgan Software Does in Seconds What Took Lawyers 360,000 Hours, Bloomberg (Feb. 27, 2017), <https://www.bloomberg.com/news/articles/2017-02-28/jpmorgan-marshals-an-army-of-developersto-automate-high-finance>
- [11] Premonition, "Predicting Case Outcomes with AI" [Online], Available at: www.premonition.ai Praveen Kumar Mishra, AI And the Legal Landscape: Embracing Innovation, Addressing Challenges, Livelaw.in, 2024.
- [12] Praveen Kumar Mishra, AI And the Legal Landscape: Embracing Innovation, Addressing Challenges, Livelaw.in, 2024
- [13] Ben Chester Cheong, Transparency and accountability in AI systems: safeguarding wellbeing in the age of algorithmic decision-making, Frontiers Media Limited, Sec. Digital Impacts, Vol. 6 – 2024, <https://doi.org/10.3389/fhumd.2024.1421273>
- [14] Promila Dhar, India: Role of Artificial Intelligence in Justice Delivery System, Warwick Legal Network (WLN), <https://www.warwicklegal.com/news/627/india-role-of-artificial-intelligence-in-justice-delivery-system>, 2023.
- [15] Pramit Bhattacharya, Core Legal Issues with Artificial Intelligence in India, Fox & Mandal, https://www.foxmandal.in/core-legal-issues-with-artificial-intelligence-in-india/#_ftn1, 2020
- [16] Pramit Bhattacharya, Core Legal Issues with Artificial Intelligence in India, Fox & Mandal, https://www.foxmandal.in/core-legal-issues-with-artificial-intelligence-in-india/#_ftn1, 2020.
- [17] Abhishek Dey and Melissa Cyrill, India's Regulation of AI and Large Language Models, India Briefing, <https://www.india-briefing.com/news/india-regulation-of-ai-and-large-language-models-31680.html/>, 2024
- [18] National Strategy on Artificial Intelligence: AI for All, NITI Aayog, Government of India, 2018.
- [19] Institute of Professional Will writers, The Future of AI in the Legal Profession: Will Robots Replace Lawyers, <https://www.ipw.org.uk/blog/the-future-of-ai-in-the-legal-profession-will-robots-replace-lawyers.aspx>, 2024
- [20] Aditi Prabhu, Artificial intelligence in the context of the Indian legal profession and judicial system, Bar & Bench, 2023.
- [21] Navneet Kaur, Manpreet Kaur, Role of artificial intelligence in the Indian courts, International Journal of Law, Policy and Social Review, Volume 6, Issue 1, 2024, Page No. 17-20.

- [22] Dr NivashJeevanandam, India's AI-driven legal future: Opportunities and emerging trends in 2025, IndiaAI Mission, 2024.
- [23] Mirza Aslam Beg, Impact of Artificial Intelligence on Indian Legal System, <https://www.legalserviceindia.com/legal/article-631-impact-of-artificial-intelligence-on-indian-legalsystem.html>, 2022.
- [24] Gargi Sarkar, How AI Is Powering The Next Wave Of Legal Innovation In India, inc42.com, <https://inc42.com/features/how-are-legaltech-startups-making-their-case-in-india/#:~:text=According%20to%20Kaushik%20Moitra%2C%20partner,their%20files%20with%20more%20ease.,2024>.
- [25] Mirza Aslam Beg, Impact of Artificial Intelligence on Indian Legal System, Legal Service India.com, Retrieved from <https://www.legalserviceindia.com/legal/article-631-impact-of-artificial-intelligence-on-indian-legal-system.html> Jan. 2025.
- [26] Sanjana Shikhar, Role of artificial intelligence in law, iPleaders.in, <https://blog.ipleaders.in/role-of-artificial-intelligence-in-law/>, 2021
- [27] Harshul Gupta, Scope of Artificial Intelligence as a Judge in Judicial Sector, Indian Journal of Law, Polity And Administration, Vol. 3, Issue 1-4, 2023.
- [28] 746 F.2d 977, 979 (3d Cir. 1984).
- [29] Gabriel Hallevy, The Criminal Liability of Artificial Intelligence Entities – From Science Fiction to Legal Social Control. <https://ideaexchange.uakron.edu/cgi/viewcontent.cgi?article=1037&context=akronintellectualproperty>.
- [30] Paweł Nowik, Electronic personhood for artificial intelligence in the workplace, Computer Law & Security Review, Vol. 42, September 2022.
- [31] AIR 2017 SUPREME COURT 4161360 Business Law Limited, Global Blog, Why AI is Not Replacing Human Lawyers – Just Yet, <https://www.360businesslaw.com/blog/why-ai-is-not-replacing-human-lawyers-just-yet/#:~:text=The%20Negatives%3A%20Limitations%20of%20AI,calls%20that%20AI%20cannot%20replicate.,202>
- [32] Katherine Abraham, AI's right to copy, Law.asia, <https://law.asia/generative-ai-copyright-law/>, 2024.
- [33] Rajiv Sharma and Ninad Mittal, Artificial Intelligence Lacks Personhood To Become The Author Of An Intellectual Property, Live Law, <https://www.livelaw.in/law-firms/law-firm-articles-/artificial-intelligence-intellectual-property-indian-copyright-act-singhania-co-llp-238401>, 2023.
- [34] Katherine Abraham, AI's right to copy, Law.asia, <https://law.asia/generative-ai-copyright-law/>, 2024.
- [35] Copyright Act, 1957, Section 2(d)(vi).
- [36] Patents Act, 1970, Sections 2 (1) (p), 2 (1) (t), 6 (1) (a) and Section 2 (1) (ja).
- [37] Matt Blaszczyk, Geoffrey McGovern, Karlyn D. Stanley, Artificial Intelligence Impacts on Copyright Law, RAND, <https://www.rand.org/pubs/perspectives/PEA3243-1.html>, 2024
- [38] (1868) LR 3 HL 330.
- [39] (1987) 1 S.C.R. 819.
- [40] Shubham Singh, Attribution of Legal Personhood to Artificially Intelligent Beings, Bharati Law Review, July – Sept., 2017, p. 196
- [41] Joanna Goodman, Robots in Law: How Artificial Intelligence Is Transforming Legal Services 3 (2016), at p. 129.
- [42] Gary E. Marchant, The SciTech Lawyer, Artificial Intelligence and The Future of Legal Practice, 2017, p. 22.
- [43] David Halliwell of U.K. law firm Pinsent Masons, LexisNexis, Lawyers and Robots? Conversations around the Future of the Legal Industry 3 (2017)