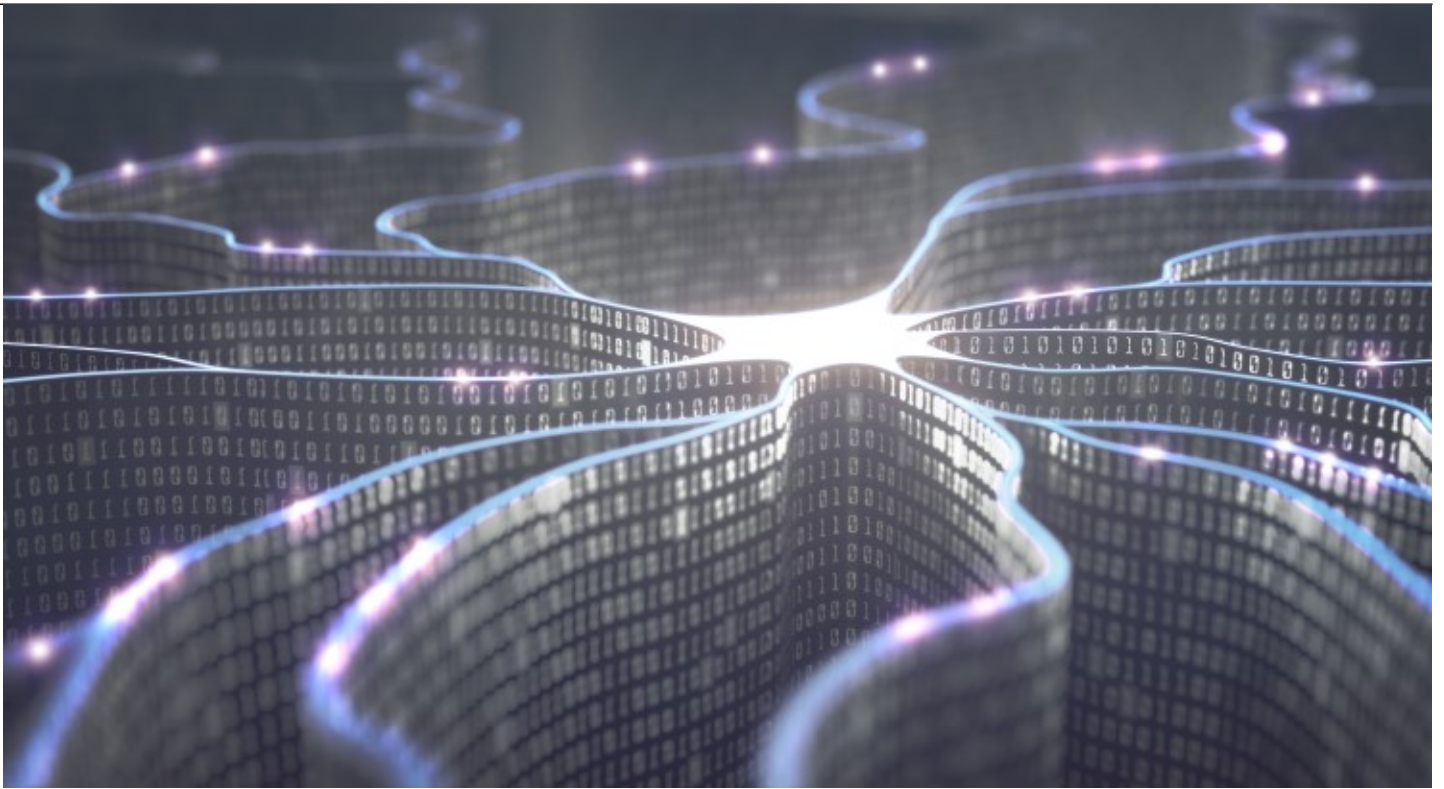




AI and You

Technology, Privacy, and eCommerce



You've probably heard a lot about artificial intelligence (AI) recently and wondered whether it matters to you. It may already impact your career, and if it hasn't yet, it almost certainly will. Here's why.

First, what do we mean by AI? AI is often conflated with various notions about super-intelligent computers that could, for example, pass the Turing test. So, we watch movies like *2001: A Space Odyssey*, *The Terminator*, and *The Matrix*, in which computers have become so "intelligent" that they are virtually indistinguishable from and potentially superior to humans.

But that's not what AI really means. AI is a far more limited (and useful) standard. It involves the development of computer systems that are able to perform tasks that normally require human intelligence, such as visual perception, speech recognition, decision-making, and language translation. As you can see by this definition, AI has already become relatively commonplace in today's world. We ask the Amazon Echo to play particular music; we dictate emails using Siri; we ask Google what the deepest part of the ocean is; and we locate pictures of cats, mountains, and even our own children using photo management apps.

The rapid advancements that we have made in these areas tend to be obscured by the fact that we often find ourselves frustrated when our AI assistants misinterpret things that any small child would easily understand. As a result, many lawyers have come to prematurely discount the usefulness of AI.

But here's the thing — AI is improving much faster than people realize, and when it gets sufficiently advanced, it will transform the way we do our work.

It is already proficient at doing certain limited tasks. Tell Siri on iOS or Google on Android to open any

app on your smartphone and you will find that the responses are astonishingly accurate. Indeed, according to a March 19 *The New York Times* article, a recently completed study by Dana Remus at the UNC School of Law and Frank Levy at MIT concluded that using existing AI effectively could reduce the time lawyers currently need to complete their work by 13 percent.

Steve Lohr, “A.I. Is Doing Legal Work. But It Won’t Replace Lawyers, Yet.”, *The New York Times* (2017).

I am confident that AI will rapidly improve. Soon, we will be able to ask AI assistants to locate and open particular documents, do research, and create simple contracts.

And I think this is only the beginning. Imagine if you could have your clients get answers to simpler questions by querying an AI database customized by your own legal department. Imagine if you could have almost all of your eDiscovery reviews and objections handled by an AI assistant. Imagine if you could have your assistant automatically alert you to substantial legal developments without having to rely on the limited saved search mechanisms that we use today.

Some people are terrified that AI is becoming a threat. In fact, there have even been hyperbolic claims that AI will eliminate the need for human lawyers. But as noted in the *Times* article, this appears to be nonsense in the short term. At present, AI is far more “artificial” than it is “intelligent.” No existing AI technology can master even the simplest challenges without human-provided context, and this is just as true for super computers as it is for smartphones. IBM’s Watson had to be fed terabytes of trivia and natural language examples in order to win Jeopardy. It is only with a great deal of such “training” that machines can sometimes appear to mimic human thought. The idea that computers will be able to provide sophisticated legal advice in any near term is ridiculous.

But as noted above, AI could make corporate counsel and other lawyers much more effective and efficient than we are today. For example, on March 22, Casetext closed a US\$12 million round of funding for its AI legal tools, including its CARA (Case Analysis Research Assistant). Just prior to that funding, Casetext disclosed that leading law firms like Quinn Emanuel, Fenwick & West, DLA Piper, Ogletree Deakins, and Greenberg Traurig, among others, were using the CARA to provide services to their clients.

AI will get rapidly better over time. I recommend continuing to use the AI that we have at our fingertips right now (Siri, Google, etc.) even if it is occasionally frustrating. Not only will you increase productivity, but you will also be more adept with developments in a technology that is set to dramatically impact the legal profession.

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