

# 11 Emerging Legal Technologies You Can't Ignore Anymore

By Tom Bangay

You recognize the buzzwords. You dodge the event invites. (Although sometimes you even attend, just for the networking.) You figure, they probably don't affect what you do day to day; and when they do, there'll be someone else who can deal with it.

But failing to engage with emerging legal technologies is a strategy with diminishing returns. Enterprising lawyers at other firms, or in other legal departments, have already built them into their workflows. They're including them in tender offers and RFPs; some even partner directly with start-ups to help guide the future of the industry.

It's important to realize that emerging legal technologies are nothing to fear. After all, they wouldn't attract investment and be successful if they didn't make the practice of law more efficient, and generate commercial value to all parties. Here, in plain English, are 11 legal technologies that you'll have to come to grips with at some point. Why not start now?

## 1. ARTIFICIAL INTELLIGENCE (AI)

It's the undisputed dominant buzzword in legal technology. AI just means machines replicating cognitive function – thinking. Law, as a thinking person's profession, is full of opportunities for such technology to improve on what you do and the service you provide.

Elements of AI have been in the legal profession for years, but now it's much more widespread. For example, when you search for a document in your firm's digital systems, instead of just returning any result that matches the search term exactly, AI can read all of your documents instantly, gain an understanding of what they're about beyond the title, and return all the results that really are relevant, even if they don't include the words in the search term.

AI can take on basic tasks like this at great speed, much faster than using junior lawyers. That doesn't mean you don't need junior lawyers, of course – just that they can focus on more value-add tasks, like client development. AI is less of a gimmick and more of a commercial imperative. Don't think of it as a new tool you need to wrangle, but just an existing lever you can pull to improve efficiency. Specific instances of AI are important in their own right – we'll look at those now.

## 2. BIG DATA

The raw material that underlies many of the technologies below is data, and for it to be harnessed in a way that's useful, that data has to be plentiful, digitized and ordered. Unfortunately, much of the legal industry still falls back on paper, or scanned copies of paper, meaning that whatever data it holds sits in a silo and can't be harnessed through search or sharing.

A key technology that commercial enterprises (and that includes law firms) need to better utilize is the development of usable big data. That means using tools to make sure data is digital, and structured in a way that puts it in context for the end user.

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### 3. PREDICTIVE ANALYTICS

AI is an umbrella term that includes lots of different technologies, and predictive analytics is one of the most powerful. Programmers point their processing power at a set of data and teach it what to look for, then wait as the program turns up the right conclusions with startling speed and efficiency.

Legal is a sector that generates mass amounts of data, much of it public: witness statements, M&A filings, court reports, etc. All that data is ready to be exploited for the benefit of clients.

For example, there's a company in Florida that uses AI to analyze public litigation data sets to predict (with unnerving accuracy) the win rates of lawyers, versus other lawyers and before particular judges. Predictive analytics might seem like a far-off concept, until a client uses it to find the one lawyer that consistently beats your team. Get a grip on analytics and you can have that firepower too.

### 4. MACHINE LEARNING

Machine learning is an application of AI. AI-driven machines can learn from their mistakes – if you're searching, and you don't like the results it returned, the system will remember and improve its accuracy next time. If a thousand users are searching, that improvement will be a thousand times more potent. It will also be permanent: Your system won't forget what you taught it, ever – unless you ask it to.

Machine learning has led to major efficiencies in various areas. Inexpensive proofreading tools can check your contract drafting for errors, and achieve levels of accuracy many times greater than human lawyers – in a fraction of the time. Why should clients accept being billed for a proofread that took an hour when your computer could have done the same thing much better and faster?

### 5. BLOCKCHAIN

Blockchain generates huge levels of hype – remember bitcoin? – but at the basic level it's just a digital database, holding a big list of records of transactions (the "blocks" within the "chain"). Every block has a time stamp, like you see on old digital photos, and every block is tied digitally to the previous block.

What's different with this database is that it's not stored and managed centrally in one place. Instead, it's copied widely, and stored by groups of peers. The reason this works – and is safe – is that you can't alter one block without altering all subsequent blocks, because they're all linked. It's secure by design.

So what? Well, for lawyers, the implications are pretty interesting. Blockchains don't need intermediaries, so they can enable disenfranchised people to exchange things of value without needing powerful arbiters – like lawyers. They also offer an unalterable digital record. For example, one company uses it to prove the ethical provenance of diamonds, by recording the origin and ownership of the stone. That's a lot of risk that's been mitigated.

Another application of the secure nature of blockchain is "smart contracts." Imagine a digital contract with your client that "knows" to execute a change in the ownership of an item once it arrives in the country. Sounds like something that could cut some billable hours out of the workflow, right? Maybe your legal department could use it to cut costs in supply chain due diligence by using blockchain to identify risk.

### 6. DOCUMENT AUTOMATION

It's tempting to say that document automation has already emerged, but research indicates that across the board, law firms are yet to commit fully to the time-savings that it offers. Lawyers can answer natural-language questionnaires in Word, and in a few minutes, generate a watertight document they can roll out across the firm. Early adopters of document automation now have teams of specialists who turn a few hours of partner time into resources (while also generating best-practice precedents) that can persist across a global firm for years.

The untapped potential of document automation is greatest in the public sector, where legal departments have felt pressure to cut costs over the past decade. By automating key documents, they could share expertise between departments, sectors and geographic locations and free up busy public-sector lawyers to pursue real value-added tasks.

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## 7. CHATBOTS

You've probably used a chatbot, perhaps to upgrade your phone, or fix an IT issue – it's the friendly person in the IM window that helps you with your problem. You might not have realized that it probably wasn't a person, but a computer program driven by AI.

It's not news that computers can express themselves in natural language now; they've been doing it in one form or another since Steve Jobs first made his Macintosh® say hello in 1984. What's different nowadays is that programs can learn extremely quickly from their interactions with us, and adapt their problem-solving techniques to deliver the right solution to complex problems, fast, and in natural language.

For lawyers, this saves time and money. Triage, where a junior colleague spends time (not billable time) working out where to direct a client, could be done at basically no cost, digitally, before the client even sets foot in the office. For in-house lawyers, the kind of low-level compliance queries that people could solve if they had first consulted the firm's intranet could be dealt with through a friendly conversation with a chatbot.

## 8. CLOUD-BASED CASE MANAGEMENT

Plenty of firms have case management systems in place nowadays, but many – particularly midsize and smaller law firms – stop short of transitioning to a cloud-based system. They feel that clients make a big step in trusting them with their confidential information, and it wouldn't feel right to take that information and store it outside the firm environment, with a third party.

The problem with that noble intent is that cloud-based platforms are built on security – it's their livelihood – whereas security is just a small (albeit vital) part of what a law firm does. Once you accept that client matters are likely safer with a dedicated provider, then you're ready to take advantage of everything else those vendors have to offer. Imagine all your customer relationship management, business process management, document management and case management in one place, accessible on the go from whatever device you happen to be holding. Sounds like a competitive advantage.

## 9. E-FILING

Not all courts are digitized yet, although programs like Thomson Reuters C-Track® are delivering advantages to courts in the US and UK already. However, a lot of courts are offering e-filing, even if it's not yet mandatory. You can submit all the documents your court needs electronically, at any time of day, without the monetary and environmental cost of printing out reams of paper. The risk of court files being lost, or one party not receiving the proper documents, disappears almost immediately.

Your trainees and assistants might have a little less in the way of reproduction or graphic duties to do, and a little more time to learn skills and add value. But there's more to e-filing than efficiency: It's a public good. Citizens can access court filings online – sometimes for a small fee, sometimes at no cost – bringing transparency and accountability to a justice system that can seem opaque and inaccessible to many. Plus, you get your documents filed quicker; and a faster-moving court system is better for all sides.

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## 10. CROWDFUNDING

You know what crowdfunding is – you help colleagues raise money for marathons, and community initiatives can generate funds for repairs and new facilities. But it empowers end users in the legal industry too. Various organizations are employing the Kickstarter model to let disparate groups of individuals raise money online, with small donations, for public interest litigation.

More generally for lawyers, this can expand the number of interested parties in a given case, without the necessity of a class action, or a third-party litigation finance company. It can make marginal cases worth taking, and it can make easy wins suddenly difficult. Either way, it's worth familiarizing yourself with crowdfunding platforms and their major interest areas, as citizens become empowered through technology like never before.

## 11. INTELLIGENT KM

Knowledge management (KM) has been guarding and marshaling the intellectual firepower of law firms for decades. However, the introduction of AI to KM systems has the potential to revolutionize the way you work. AI-enabled KM means that when a precedent enters the system, that system “reads” the document and works out all the areas of the law that precedent touches. It can then suggest relevant authorities, and distribute the document to all teams and individuals that could potentially be impacted by it.

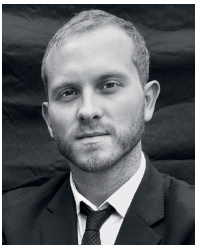
Intelligent KM gets really exciting when it comes to distributed teams. If you’re a GC at a global resources company, it would help your stress levels to know that your top team’s best-practice new agreement will automatically hit the inbox of the people who need it, wherever they are in the world. The upsides for mitigating risk are obvious, and it’s a competitive advantage for those lawyers astute enough to explore them.

## CONCLUSION

You have nothing to fear from these 11 emerging legal tech tools, but much to gain. The perception that AI and big data are just for Big Law needs to change; there’s no reason why the vast majority of legal clients who use smaller firms, or work in small in-house teams, shouldn’t benefit from innovation that’s driving the legal industry forward globally.

By spotting emerging technologies, and how they could fit into your workflow, you can change your practice bit by bit to be more efficient, profitable and future-proof.

## ABOUT THE AUTHOR



Tom Bangay is a writer and editor specializing in law, the legal industry and technology. Tom has worked as an editor, publisher and journalist in the legal sector for the last decade for various international organizations, and was previously Thought Leadership content manager for Thomson Reuters Legal UK & Ireland.

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