



AI: REVOLUTION, EVOLUTION OR JUST CONTRIBUTION?

MVConversations with António Macedo de Vitorino

As Artificial Intelligence becomes less of a futuristic prediction and more of a realistic companion, one question keeps cropping up: Will the legal profession be taken over by machines?

With opinions on the subject ranging from alarmist to utter denial, a more realistic approach is finding the balance between embracing what Artificial Intelligence (AI) has to offer without jumping the gun, according to António Macedo de Vitorino. "I believe my generation is not in any danger, we're talking about future-generation problems that are well beyond our current horizon."

With every step we take, he explains, the landscape of course increases. But as AI systems relative to the legal market are still very much at their infancy, we are a very long way to achieving an AI that understands cultural, legal and linguistic nuances and achieving the same level of awareness and rationale as a human being.

We also need to be careful in how we define 'AI' itself, he says. "Are these new systems really AI or just algorithms? Yes, they facilitate research, collating and organising information, but do they learn and evolve yet? They are still heavily reliant on human input, so while they have the potential to streamline the provisions of legal services, the type of leaps forwards that many are talking about are still a long way off."

So what does AI mean for lawyers, now and in the future?

AI is definitely making moves into taking away some of the routine 'heavy lifting' work, from due diligence to contract review, work that currently requires a large number of bodies and a great deal of time, says António Macedo de Vitorino. "In the systems I've looked at for law firms, they are not making near the same progress as you see in Google AI for example. It's still very mechanical key word search, key terms search, etc., and the end product is all about cutting down on admin, but nothing truly to do with legal work."

One of the things that is having an effect on the way lawyers work is having systems that assist in bridging the language barrier and facilitating the internationalisation of transactions. "A great deal of work here at the firm is transnational, so we need documentation to be available in all the relevant languages," he explains. "This is something that used to be an enormous undertaking for any law firm, due to the size of the documentation and the speed at which they are usually needed. You used to have huge teams working around the clock, but with the advent of automated translation systems, that work has been cut in half."

While these automated systems are evolving at speed, and there is the potential in future for the end result to be near perfect, the AI is not yet so evolved as to be able to take into account the legal aspects of a translation, not just in terms of language but in understanding the legal systems and requirements of the respective country's legal system. "This finite knowledge, interpretation and application is something that can only be provided by a human," explains António Macedo de Vitorino. "Legal language is like mathematics, it is a language of precision, with fundamental differences in each country, as well as



cultural considerations. Every word counts, and legally, an entire contract or transaction can be affected with the incorrect use of a word."

So while these systems are a huge help in terms of cutting down some of the time-consuming work, they are far from having the necessary awareness to playing an interpretive or advisory role. "You need the involvement of lawyers at the end of the day, because human rationale is not something that can be based on algorithms. And we're only talking here about translating, a relatively simple concept, but even this shows how much margin there is for error."

The business of 'lawyering'

With the eventual evolution of AI systems, where we will see significant changes is in the actual role of the lawyer. "If we look at current due diligences, contract or evidence reviews, for example, we are talking large numbers of lawyers collating, reviewing and analysing huge amounts of documents," says António Macedo de Vitorino. "What AI will eventually do is take care of all of that, so you will no longer need the same sort of lawyer that you need today."

So what will be left for the lawyers? Ironically, as AI takes away much of the grunt and routine work, lawyers will be freed up to be able to concentrate again full-time on the business of 'lawyering', he explains. "We'll see a return to the old days where lawyers truly acted as advisors and legal counsellors, solely helping clients in terms of interpretation, options, strategies and decision-making."

As much routine work is usually carried out by very junior lawyers or paralegals, the way firms train their junior lawyers will also change, and we may even see the elimination of the role of paralegals. As a consequence we will see smaller teams, a concentration of talent and a streamlining of the legal process, says António Macedo de Vitorino. "It won't be a question of getting as many lawyers involved as possible anymore, but a focus on concentrated teams of strategic advisors. That's where AI will make the biggest impact."

What may come as a surprise to law firms looking to invest in the AI systems of today is that they will have difficulty passing the costs of investment onto the client - the current AI offerings on the market come at a stiff price, he explains. "As with any new tech, when it comes out, people pay a fortune, but as it evolves it gets commoditised and the price drops. We're talking software licences, training, etc., of a very new technology. Clients know that five years down the line, as this technology becomes commoditised, it will also get much cheaper."

So we are just entering the start of the AI evolution. There will come a time when AI will evolve in such a way as to be able to eliminate routine legal work, concludes António Macedo de Vitorino, and we will see lawyers return to a fulltime strategic and advisory role. "But until AI has achieved awareness and rationale at human level, you will always need the involvement of a human lawyer."

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