

Let's get digital

Paul Maharg explores the potential for AI & legal education



A free app called LawBot has been in the news recently. It is a “chatbot”, built by four Cambridge law students and sets out to advise victims of crime on their rights. Their initiative—they built it in their spare time—together with the idea of students organising their learning as a public good, goes to the core of what universities are about—indeed goes right back to the foundation of universities, and in two ways. First, it emphasises student achievement and agency. At the first medieval university, in Bologna in the 1080s, it wasn't monks but students who ran the university. They developed the new *universitas*, negotiated with Bologna town council over their rights and obligations within the city, disciplined themselves, organised teaching and assessment, hired scholars, looked after student wellbeing, set up systems of text copying and dissemination to students who came from all over Europe to study there. Students were the university in ways that are almost inconceivable to us now.

Second, LawBot points to how information overload, which affects all of us, can be countered in law schools. The problem was also prominent in the medieval *universitas*. In law for instance, the discovery of Justinian's *Digest* opened up the immense sophisticated corpus of Roman Law to those living under the 11th century laws and customary practices of western Europe's kingdoms and regions. Roman law also influenced the interpretation and development of canon law. But the *Digest* presented huge problems of information overload

for students, teachers and practitioners: how was all this new knowledge to be interpreted, taught and learned, disseminated, practised? New forms of legal learning were developed, as well as new and sophisticated forms of scholarly and professional texts such as glossed manuscripts. Students had to learn to be skilled readers of such professional forms of legal texts in order to immerse themselves in the new legal learning.

Digital tools

Student agency and the creation of digital tools means involving our students in the development and social adaptation of legal knowledge and skills. The idea of a chatbot for law isn't new, after all. A Stanford University student, Joshua Browder, developed a chatbot called DoNotPay (<http://bit.ly/2krR8G7>) to help users contest parking tickets; and his chatbot has been extended to other claims such as compensation for flight delay. The chatbot is one example of artificial intelligence (AI) in client-facing activity; but machine learning is being analysed and developed by academics, information scientists and lawyers in many other areas of the law. The work of Katz, Bommarito and Blackman in judicial prediction proves the potential of machine prediction of outcomes for US Supreme Court decisions (<http://bit.ly/2ksizeZ>); Mowbray, Chung and Greenleaf describe how law citators are being built from automated data-mining techniques without any editorial intervention (<http://bit.ly/2khONks>); and

a map produced by Legal Geek gives us an up to date Underground map of legal startups that includes case and workflow management, cognitive computing, and analytics and search (<http://bit.ly/2ksjdcp>). And the outstanding example of Access to Justice Author, developed by CALI (<http://bit.ly/2kshrlm>) proves how students and staff can work together on justice projects that enhance learning and help tackle justiciable problems and unmet legal needs.

Exploiting potential

If law schools have generally been slow to react to the digital revolution, publishers understand the potential of this sector of the educational market, and are positioning themselves for dominance within it. No longer do they provide content only, but increasingly also the platforms upon which content is read and disseminated, and the tools with which to understand how students and staff are using that content. Macmillan Learning, for instance, has recently acquired Intellus Learning, a company that provides “real time data on student engagement to inform instructional design” (<http://bit.ly/2kslllv>). Others are going further. Pearson is linking up with Microsoft's HoloLens initiative to create educational initiatives that use augmented reality across a whole range of disciplines in the university, including nursing education, history and mathematics (<http://bit.ly/2jdDf9g>).

How to respond

How should law schools respond to this? One way forward is to develop AI knowledge and skills within legal curricula, and to involve students in cutting-edge developments. Another is to collaborate with each other to develop projects and new curricula, for these are fields where it is problematic for law schools to sustain innovation. These and other approaches will be discussed at the upcoming legal education conference in June at Nottingham Law School (<http://bit.ly/2j48l2Q>). As interdisciplinary and collaborative approaches they can open up the new frontiers of digital design to our students, and encourage them to be critical partners in, not merely recipients of, learning. Above all they may contribute to students' understanding of law as a social phenomenon, and of the practice of law as a profoundly democratic activity.

NLJ

Paul Maharg is a professor at Nottingham Law School (part of Nottingham Trent University) and at ANU College of Law, Australia