

THE FUTURE OF LAW: HOW TECHNOLOGY WILL CHANGE LEGAL PROFESSIONS

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SUMMARY

This short paper aims to question how the technology revolution will change the traditional standard of law courses all over the world and, of course, with repercussion in Brazil and on the reality of legal professions. Historically, law courses are very traditional, most of times, using the base of study in standard codes based in Roman Germanic law. In order to understand the profound changes, it is necessary to analyse the raise of technology in confrontation with the classical system of law. The first question is: are layers going to be replaced someday, by any algorithmic machine? Machine learning and deep learning are going to change the historical concept of law? Is it going to be possible to create a new class of law professionals? Are lawyers going to be a useless class? Those questions are going to be faced in this short paper. There is growing evidence that these transformations are on the way. Wikipedia, google scholar and many other platforms are replacing traditional books and traditional skills. The use of APPs increase more each day. Online courses are being created. This paper also aims to find better solutions to face the changes in this rapid change of paradigm, proposing some tools to the reality in Centro Universitário de Anápolis – UniEvangélica. Last but not least, this short paper was only possible after the discussions in the seminário de práticas docentes da UniEVANGÉLICA.

KEY-WORDS: TECHNOLOGY, LEGAL EDUCATION, PROFESSION, LAWYER, SOCIETY.

INTRODUCTION

Technology is sweeping through society and the classroom, more specifically; legal courses have to keep up with progress. New technologies like AI, machine learning, and educational software aren't just changing the field for students, they're shaking up the role of educators, creating philosophical shifts in approaches to teaching, and remodelling the classroom, as well as all professions in general. With an influx of new learning models available, traditional educational methods are bound to continue evolving.

With technology making it easier than ever before to search academic papers or models for law suits, educators are determining the types of knowledge students need in order to thrive in a technology-saturated workforce. While educational models of the past focused on providing students with the requisite skills to turn them into skilled workers, the legal courses of today are more concerned with teaching students

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how to learn on their own. It is necessary to believe that many developments are connected with artificial intelligence and deep learning machines and the internet of things (known in Brazil as “internet das coisas”). People and objects are becoming connected and the world is being transformed into a great global village. Questions like climate change, and technological developments are on the table of discussion. These are early indicators of a transformation that we have been studying together since the beginning of this century, when the internet emerged and became popular. At that time, our main preoccupation was with the professions of lawyers and legal education, specially, in Centro Universitário de Anápolis. However, the main question is: how do we share technical expertise in the legal society where artificial intelligence and technology is being used and more and more people are changing their point of view about law? Is it possible to use the common sense of law when society is very fluid? Many experts say it is not possible, but this is not the final answer.

LEGAL EDUCATION AND THE LEGAL PROFESSION

Lawyers play such an important role in society that we can barely imagine society without them. It would be complete chaos. However, professions are not immutable and the understanding of social relations is always changing. Society in permanent search of solutions for problems. Society is always one step ahead. A problem comes up; only afterwards do we find a solution. In legal terms, we call the problems “conflicts”. In a society, where different types of people coexists, we are bound to have conflicts.

*In Brazil, the legislative usually finds solutions for these problems in the form of passing laws. These laws are then put into practice by the judiciary. In Brazil, only lawyers have what is called as *ius postulandi*, that is, only lawyers have the legal authority to stand before a tribunal or a judge. That is why Brazilian citizens are so dependable on lawyers. As we progress into internet-based technology, society claims that lawyers have to change their current form of acting. This change will no longer be the best answer to the needs and professional skills and Artificial Intelligence will change legal perspectives.*

It is of paramount necessity that citizens trust lawyers but it is necessary to understand that artificial intelligence, the use of algorithmic tools for example, is replacing some human skills and we don't know how the future will be, thirty or forty years from now. The only thing we must know for sure is that lawyers will always need to reinvent themselves.

To be seen as people in constant improvement, whose motives often seem noble. It is necessary to perpetually study the new concepts of the profession, and the law course will need to have the sensibility to be in constant change, to always be on top and permanently in the market, preparing their students to be efficient and up-to-date lawyers in the future.

For professionals the embodiments of honesty, probity, and integrity is indispensable. Society expects that lawyers act in good faith, and put the interests of those they help ahead of their own. Lawyers, perhaps more than any other kind of profession, also claim a broad, legal, moral, and intellectual mandate.

Not only do the practitioners, by virtue of gaining admission to the charmed circle of the profession, individually exercise a license to do things others do not do, but collectively they presume to tell society what is good and right a broad and crucial aspect of life. In Brazil, our Bar Association, Ordem dos Advogados do Brasil (OAB), plays a very active role in the job market and a major role in all legal issues in society in general. Ruy Barbosa, who was a very famous lawyer (among many other titles) said that: “In all free nations, lawyers constitute the category of citizens who exercise the most power and authority before their society”.

The profession is also highly regard in our constitution that says, in its Article 133: “The lawyer is indispensable to the administration of justice and is inviolable for his acts or manifestations in the exercise of

his profession, within the limits of the law". Therefore, one can see how important lawyers are for Brazilian society, for lawyers do not act only in the name of individuals, but in the name of society as a whole.

METHODOLOGY

The method used in the preparation of this expanded abstract is that of compilation or bibliography, which consists of exposing the thoughts of several authors who have written about the chosen theme, primarily by compiling works. A bibliographic research was developed, using as support and base contributions from different authors on the subject in question, through consultation of periodical books.

Some stages were observed for the elaboration of the bibliographic research, as for example, the selection of the phenomenon object of the research and its later delimitation; the identification of works; the compilation, consistent in the gathering of material; filing or taking notes; the analysis and interpretation of the theme and, finally, the writing of the text, which will be subjected to rigorous revisions, corrections and criticism, aiming not only at correcting syntax, vocabulary, but mainly at the disposition of ideas and presentation of positions, theories and clarifications to be made in the most appropriate and satisfactory way possible.

It should also be noted that all the procedures used are characterized by the precision of ideas, clarity and conciseness of the arguments. The research used the largest possible number of works published on the subject, in order to organize the various opinions, logically proposing them when they present antagonists, in order to harmonize the existing points of view in the same direction.

Anyway, this methodology proposes to present, in a clear and didactic way, an overview of the various existing positions adopted by the doctrines, jurisprudence of the Brazilian Courts, as well as in articles published on the Internet. The research also seeks the understanding of classical authors on the subject for a greater theoretical foundation.

THEORETICAL REASONS

Comprehension of the future of professions, and in special, the future of the legal profession, is the aim of this short paper. Nevertheless, it is necessary to focus on the changes caused by the twenty-first century, in special, in the conception of the legal profession. In the global village inaugurated with the artificial intelligence the ability to be flexible will be the most important skill.

First of all, might there be entirely new ways of organizing juridical work and the profession of lawyers, ways that are more affordable, more accessible, and perhaps more conducive to an increase in quality than the traditional approach. It is necessary to believe that, in a legal profession, based on an internet society, there must be scope for making at least some of the knowledge and experience of experts available on different legal basis.

And much of this basis will be in the new format of legal courses, like in UniEvangélica. Second, even if we concede, at least for now, that human beings are indispensable in judicial work, as they really are, does it follow that artificial intelligence will be undertaken by classical and licensed experts?

If we break down legal work into more basic tasks, it becomes apparent that much that goes on today, under the common sense, the professional service is in fact routine and repetitive. It is hard to see why we only permit experts to undertake this work. It is necessary to suggest that a new division of labour can and should emerge between artificial intelligence and human skills.

The last question in legal professions, that is also problematic, is that we need to be diplomatic and accept the changes. It is necessary to trust in the professionals and to admit that their services could be delivered differently, (or that some of their work could responsibly), even if the artificial intelligence raises more and more in the legal profession.

This debate about new technologies leads us to express one of our driving principles that is the ethical principle in the use of the legal profession. In an era of increasingly capable systems, lawyers should survive and prosper because they bring value and benefits that no system or tool can; not because we regulate competitors out of the market, nor because we cannot imagine a world without layers, nor again out of nostalgic impulse for a fading way of life.

FINAL CONSIDERATIONS

Analyse and criticise the future of legal professions is essential to understand the profound changes that we are facing today in rapid changes in the world. Like many models of professions, the evolutionary path of juridical profession is, of course, in constant change.

We recognize, for example, that some changes in categories of the juridical work are a great benefit. In the justice system of the State of Goiás, as all over the country, lawyers are using software programs to create new kinds of judicial process and to have access to justice. This is the reason why it is possible to think that judicial work will evolve linearly towards the stage of digital justice. In other way, some parts of juridical work never will dismiss the traditional rules of classical professions.

Of course, the debate is wide and many versions are being created. The only thing necessary is that it is impossible to oversimplify. As a recent report in the guardian journal stated, "Students will have to put some of the work in themselves, though. Law degrees have fallen behind when it comes to equipping graduates with the skills they need. Some universities are grappling with these issues, but they're in the minority, (THE GUARDIAN, ON LINE)" Most universities continue to teach a traditional curriculum, which was fine up until a few years ago, but, nowadays, might not properly prepare young people. For sure, many changes are coming. The need to reinvent the comprehension of the law profession and juridical studies is the most important aim to be achieved and, of course, efforts in this direction must be made to raise a new legal consciousness.

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