

ARTIFICIAL INTELLIGENCE AS A LEGAL FRAMEWORK: RETHINKING THE SHIFT FROM HUMAN EXPERTISE TO MACHINE INTELLIGENCE

Ms. Simran Chhabra
Dr. Tapabrata Pakrashi

Abstract

Artificial Intelligence (AI) is changing the way how any work is done. In India, AI is rapidly being used in areas such as research, marketing, law, education, healthcare banking, business and many other fields. Many tasks that earlier required a lot of time and highly trained and experienced people can now be performed or assisted by AI by just a click. It can complete these tasks with more efficiency, in less time, more accuracy and often at a comparatively lower cost. This shift from human intellect or expertise to machine intelligence is changing the nature of the work done and creating new issues for law and society. This paper aims to explore whether AI can evolve as a new legal framework in a world where machines are becoming capable of performing complex tasks that were earlier done exclusively by humans. It examines the shifting role of professional expertise, now depending on AI for everyday activities. The paper also discusses the benefits and limitations of AI, such as increasing efficiency, reduction in cost, more accuracy, reduced time and effort and wider access to specialised services, along with concerns relating to accuracy, lack of human element of understanding emotions, responsibility, accountability, employment, and human control. The paper focuses on the Indian context and examines how the increasing use of AI may change the way legal responsibility and human involvement are understood. It explores the need to maintain a balance between technological development and the importance of human judgment, responsibility and control.

Keywords: Artificial Intelligence, Lawyers, Machine Intelligence, Human Expertise, Automated Service

Introduction

With ever increasing impact of Artificial intelligence across various fields, it is likely to bring an evolution in the legal frameworks across the world. Especially, to the laws relating to intellectual property rights, Information

* Research Scholar, NorthCap University

** Assistant Professor, NorthCap University

technology, data privacy, the liability of platforms for their software products or services, contract drafting and legal research.¹ AI has the ability to bring changes to the practice of law across the world. Legal field has been constantly making efforts for evolving with the technology driven changes since ages, and the recent development of AI based system such as ChatGPT, Claude etc marks the developing era where technology can perform the legal writing and research tasks with such expertise and efficiency that earlier required more time and efforts by highly qualified and trained people in the required field.

With the constant advancement in this sector, changes are being brought in for providing fully automated legal services by adoption of this latest technology to ease the legal tasks that earlier could only be done by highly qualified professionals, consuming a lot of time. But to bring that evolution, legal framework needs to be updated as per the current requirement and policies need to be formulated to promote innovation in this sphere, while also protecting against the associated risks.

Effect of AI in Legal Profession

With the advent of AI in all industries, notable effect can be seen in the legal profession as well. Though in reality AI would assist the lawyers than replacing them in the coming times as AI is already being used in conducting legal research, predict legal outcomes, to review and formulate contracts and even to recommend judicial decisions about various aspects such as bails and sentencing.²

For legal fraternity, using the best of AI tools to their maximum advantage and getting the most out of them will involve a lot more skill than just a click on the mouse. AI would be useful when it would be used to compliment human intelligence and skills as an assistive tool, so it should be construed as an assistance tool rather than replacement of the human lawyers.³ The people who would learn the skills to use this technology well,

- 1 Shahid, A., Qureshi, G. M., & Chaudhary, F. (2023). Transforming legal practice: The role of AI in modern law. *Journal of Strategic Policy and Global Affairs*, 4(01), 36-42.
Available at: <https://doi.org/10.58669/jspga.v04.i01.04>
- 2 Wang, Weiyuan. (2023). An Analysis of the Feasibility of Artificial Intelligence to Replace Lawyers. *Advances in Politics and Economics*, 6(2), p161.
Available at: <http://dx.doi.org/10.22158/ape.v6n2p161>
- 3 Kilic, M. (2021). Ethical-juridical inquiry regarding the effect of artificial intelligence applications on legal profession and legal practices. *J. MARSHALL LJ*, 14, 202-211.
Available at: <https://www.johnmarshall.edu/lawreview/wp-content/uploads/2021-AJMLS-Spring-Journal-XIV2-Muharrem-Kilic.pdf>

will get the most benefit out of this AI tool. This will require learning about these tools, learning about the technicalities to give prompts, developing new skills, choosing the appropriate AI tool as per the requirement of a specific task, raising the right questions and evaluating the outcome or responses as per their relevancy and then reconstructing the query as needed for an appropriate response.⁴ It would also require the knowledge to corroborate and synthesis the result into cohesive outcome ensuring to protect the confidentiality while using the AI tools.

For this law firms and law schools would be required to provide training programmes to the practicing lawyers and law students respectively so that they can adapt to this new technology and make the best use of it, while ensuring the ethical implications. Law schools should provide students with the knowledge of using AI tools for writing and research work as they would help enhance their skill set as per the industrial requirement but they have to make sure students or users in the legal fraternity understand the ethical implications of it and use it wisely.⁵

It is quite evident that AI would be imperatively used in legal field. But even with widespread adoption of this technology, lawyers will still be very important as AI cannot make a convincing argument before the judge nor can it weight the multiple factors that would required to be considered during the course of an ongoing litigation process while arriving at the complex decisions. Despite being so competent and advanced, it still lacks the ability to understand the emotions and replace the human element of relationships.⁶

Practically, usage of such advancements cannot be ignored altogether nor can be given the leverage to overpower the importance of human element. It has to be used to the best advantage of legal fraternity, clients, judiciary and society at large. It can help fundamentally reshape the legal arena.

4 Hu, T., & Lu, H. (2020, January). Study on the influence of artificial intelligence on legal profession. In *5th International conference on economics, management, law and education (EMLE 2019)* (pp. 964-968). Atlantis Press.
Available at: <http://dx.doi.org/10.2991/aebmr.k.191225.184>

5 Ehirim, U. G. (2025). Ethical Legal Practice and the Integration of AI into Legal Profession: Striking the Balance. *Open J. Legal Stud.*, 8, 13.

6 King, D. (2024). How to Retain Being a Human Lawyer While Using Generative AI. *Cal. WL Rev.*, 61, 331.
Available at: <https://scholarlycommons.law.cwsl.edu/cwlr/vol61/iss2/4>

There is a widespread assumption in the legal fraternity like many other professions nowadays that AI is a threat to the existence of the lawyers and the law firms.⁷ With the help of factual evidences from other sectors or industries it has been quite evident that AI will enable law firms and lawyers to be way more efficient by putting in lesser time and efforts. It would make them more productive and would help them adopt the policy of smart work over hard work with better proficiency and accuracy.

The goal of AI in legal industry is its widespread adoption from Bar to Bench enabling advocates, legal researchers and even the judges to utilize the power and ease of technology which would help them summarise the contentions and deduce the relevant factors quickly as per the merits of the case and according to the law in practice and relevant precedents suggest a probable outcome.

Use of AI in Legal Profession

Currently with the extensive adoption of AI in all spheres of life, there is a constant fear amongst the lawyers as prevalent in the other sectors as well, that if AI would replace the lawyers and researchers or if the AI tools and services would prove to be beneficial for the efficiency and productivity of the lawyers and law firms. In simple terms, whether AI would be a replacement or an assistive tool.

The legal justice delivery system has witnessed the introduction of many tools and services where technology has made the lawyers more proficient in their work and eased their efforts and time like, online filing, analysis of documents, existing trademark search software, tools providing for legal research, drafting and much more. However, till date as per the current scenario and technology, AI tool are being used as an assistant for legal research, drafting, analysis etc. rather than being able to replace an advocate's or researcher's job, increasing the efficiency, accuracy and authenticity of drafting, research and analysis and the same are more appropriate and result oriented now if used properly.⁸

7 El Maknouzi, M. E. H., Sadok, H., Sakka, F., Jadalhaq, I. M., & Alqodsi, E. M. (2026). Artificial intelligence competing with legal professionals: sketching a multidimensional approach towards an integrated response. *SN Social Sciences*, 6(6), 188.

Available at: <https://link.springer.com/article/10.1007/s43545-026-01439-z>

8 Shahid, A., Qureshi, G. M., & Chaudhary, F. (2023). Transforming legal practice: The role of AI in modern law. *Journal of Strategic Policy and Global Affairs*, 4(01), 36-42.

Despite the widespread adoption and usage of AI based system in legal sector, it is also true that legal profession cannot be fully automated as it is highly driven by the imprompt decision making, representation and analysis, which cannot be automated. But at the same time it has proved to be providing great assistance to lawyer's by reducing their time and effort considerably and it also helps the lawyers and law firms to give a more accurate and result oriented suggestion to their clients.

Today, this industry is constantly developing in India and its seeking to advance constantly by adoption of new age technology and assistive tools that could facilitate in providing better legal services to the clients and which may also help lawyers and judges in their respective jobs. The legal industry is looking forward to explore more automated AI based assisting software and tools. However, these are not going to take over an advocate's job where comprehension, analysis, oral presentations, decision making and accuracy is required along with the element of human intelligence and understanding but in reality it would automate the clerical tasks and actually make the lawyers and law firms more competent and efficient.

AI can automate the following tasks reducing the lawyer's time and efforts, while bringing in more accuracy and precision.

- AI can be effectively used to do due diligence, review contract or other documents, to conduct legal research and also to perform electronic discovery functions so as to facilitate due diligence process. The software can be really effective and helpful.
- Another feature of AI tools that helps in law is the prediction of the probable outcome of the case being adjudged which gives a validation to the human judgment and can also provide direction to the adjudicator before the court of law.
- AI tools have been proved to be very effective in providing precedents and case laws to be used by advocates in pleading their cases. It has been very helpful in finding out the appropriate judgments for the legal issue in question with much more accuracy and by consuming considerably less time and efforts of the lawyers, sparing them time and energy to invest in other core areas which requires their expertise.
- AI tools have also been coherent in providing insights into registration process and search mechanism of the existing intellectual property portfolios.

- The drafting and documentation of legal documents have been automated to a great extent with the help of AI. Just by putting in the required files and content, you can instantly get your legal documents ready.
- It also helps in keeping proper records of legal files, preparation of invoices within minutes and finding the requisite files whenever required with few clicks.

Law firms will be able to offer favourable and efficient outcomes in litigation with the help of AI technologies as they will be able to acquire higher accuracy, more productivity and would be able to offer services at more competitive prices as a lot of time and effort would be saved without compromising the output.⁹

Law firms that would fail to grasp and move forward with the pace of AI will fail to gain benefits of AI as litigation involves many time-consuming tasks if done entirely by human efforts like extracting relevant information, from a large set of documents produced during drafting, discovery, research and building structure for the further development of the case.¹⁰

On the other hand, AI would evidently accelerate this process by doing this work with just a click in seconds which would otherwise might take days or rather weeks. AI can also be used for the convenience of drafting pleadings and other documents with ease to be filed with the court as it would help in quick and efficient research work, to produce initial drafts, researching the relevant case law, preparing arguments, and rebuttals and also it would help in anticipating arguments that could be advanced by opposing counsel. Though human intervention would still be needed to review, verify and produce the final draft, but the process will be much faster with the help of AI tools. So, AI would not act as a replacement but as a facilitator that would ease the tasks of humans in litigation and other legal tasks. It would make the task of litigators that requires high level of customization and personalisation much easier. For instance, updating the documents as per every subsequent recent development, responses to queries, drafting of documents and vetting contracts as per requirements of the clients, discovery of documents, preparation of summaries and help

-
- 9 Rodriguez, X. (2023, September). Artificial intelligence (AI) and the practice of law. In *Sedona Conf. J.* (Vol. 24, p. 783). Available at: https://www.thesedonaconference.org/sites/default/files/meeting_paper/83_AI%2520and%2520Practice%2520of%2520Law_0.pdf
- 10 Segal, P. (2018). Legal jobs in the age of artificial intelligence: moving from today's limited universe of data toward the great beyond. *Savannah L. Rev.*, 5, 211.

with visual aids that can assist in trials and can also help with drafting pitches to land new clients anticipating the outcomes of their queries. It can also help in preparing for cross questioning the witnesses by helping them analyse the documents and trial transcript and help frame the relevant or effective questions.

Lawyers will be able to create documents requiring a high level of research work much more efficiently thanks to AI. AI also has the potential to increase the number of people who have access to legal services, which are now costly for many individuals and small enterprises because litigation currently requires a great deal of time, effort, and labour.

Litigation will be far more affordable and practical thanks to AI. For example, you may now instantly create a 1000-word lawsuit against spammers or telecallers with just one click. Law companies will find it considerably simpler to extend their services to clients with lesser incomes as a result of these reforms. Insofar as AI can be used to create and organise content, translate texts, and forecast the results of legal cases or any social events using prior similarities or jurisdictions, it could have very positive commercial implications for fields that depend on information and content, like journalism and law practice. This could lead to greater chances for improved AI development and application, as well as facilitate and elevate the value of human creative input. AI has a lot of potential advantages for the legal industry. It can help solicitors work more efficiently and steer clear of expensive errors. In certain instances, it can also speed up research and decision-making by lubricating the justice system. However, because AI lacks the complexity of the human brain and the ability to comprehend and take into account the aspects of human emotions and empathy, it is not yet trustworthy and capable of fully replacing people in the legal profession. Using this technology in different sectors of the legal sector, such as those involving consciousness and emotions, carries a high degree of risk. Decisions made by AI are determined by the algorithm system or the outcome of the input that is provided to it. This issue must be addressed in order to broaden its application in the legal field. AI can prove to be a very efficient and effective way to predict outcomes without any moral hazards. It can make the process of law faster and free from error. It can be really helpful to solve cases by analyzing the correct facts and proceedings and giving immediate solutions.¹¹

11 Kluttz, D. N., & Mulligan, D. K. (2019). Automated decision support technologies and the legal profession. *Berkeley technology law journal*, 34(3), 853-890
 Available at: <https://doi.org/10.15779/Z38154DPK>

In the last few years, there has been a drastic change in operations of legal sector from automation in trade mark search, contract drafting to E-Discovery models. There has been a significant shift to AI based solutions that are aiming to make legal sector more client friendly and more efficient for legal fraternity. There has been introduction of various startups to improve the services and efficiency of layers, at the same time making their lives easier. Artificial intelligence-based legal solutions make law firms more productive, potentially lowering expenses and increasing profits. In the future, law firms would not only rely more on these technology-based solutions, but they would also collaborate with other tech businesses to develop AI solutions that are best suited for them and the legal community as a whole, which would advance the legal industry.

Limitations of Artificial Intelligence in Legal Field

Every coin has two sides. As the litigation costs would go down with AI based solutions, this would have a downside as well. This would result in flooding of court systems in multiple jurisdictions with legal complaints automatically generated by people using frictionless ability of AI to automatically generate lawsuits that would also include frivolous written lawsuits by AI. It would be necessary to update the laws to safeguard the system from vexatious litigants and to impede these kind of abuses in the system.¹²

With increasing dependence on tech based solutions like ChatGPT for research, report writing and drafting work, the knowledge of the workers would be adversely affected. This would also affect the cognitive and learning abilities of students accessing this tool for all their tasks.¹³

Despite being so versatile and useful, it's impossible for a computer to replace humans in totality. AI cannot be a replacement for human judgment, which would create more problem, especially in the context of criminal law there may exist bias in the training data or there can be an error in judgment in the results derived autonomously by AI using its algorithms. This problem can be overcome to a great extent by the process of driving bias out of our training data to the best of one's knowledge and judgment. But there would always be a risk associated with the result which

12 Remus, D., & Levy, F. (2017). Can robots be lawyers: Computers, lawyers, and the practice of law. *Geo. J. Legal Ethics*, 30, 501.
Available at: <https://dx.doi.org/10.2139/ssrn.2701092>

13 Wendel, W. B. (2019). The promise and limitations of artificial intelligence in the practice of law. *Okla. L. Rev.*, 72, 21.
Available at: https://digitalcommons.law.ou.edu/cgi/viewcontent.cgi?params=/context/olr/article/1376/&path_info=02_wendel_article_blu7.pdf

are based on the input fed by the user related to some personal issues rather than universal facts.¹⁴ Another drawback is lack of explanations and transparency on which results would be derived by AI. A machine learning software can't be yet questioned or asked reasons for its result that works on a neural network.¹⁵ Allowing liberty depriving outcomes produced independently by AI or with the aid of algorithms might just be unacceptable. Although it has not yet been developed, but it is not impossible that machine learning algorithms will start to accurately anticipate when a person is likely to commit a crime in the future. Another reason to use AI sparingly, particularly in criminal cases, is that judges, solicitors, and society at large may come to rely too much on these algorithms, which are unable to comprehend human psychology and emotions and are unlikely to produce accurate results in cases where life and liberty are at stake. It is not unusual for humans to become unduly dependent on AI-based recommendations and judgements for their convenience and ease of work, even if they do not entirely rely on these legal tech tools and maintain ultimate decision authority. This would result in the phenomenon known as automation bias.¹⁶ The true potential of AI and other machine learning technologies might not be as "intelligent" as they appear.

Effect of AI on Copyright as a Legal Framework

These days, conducting legal research requires a great deal of time and effort, which drastically lowers a law firm's capacity to make money. Nonetheless, legal research is one area where AI has the potential to have the greatest impact on the legal industry. AI can give attorneys unmatched insight into the legal field with a single click in a matter of seconds. India's legal system is extensive and ever-evolving. The entire legal community can be balanced with artificial intelligence. Whether a large law firm with 400 attorneys or a single practicing professional in research uniform, an artificially intelligent platform would balance the expense needed for legal research equally. It can offer high efficiency and

14 Pasquale, F. (2019). A rule of persons, not machines: the limits of legal automation. *Geo. Wash. L. Rev.*, 87, 1.

Available at: <https://www.gwlr.org/wp-content/uploads/2019/01/87-Geo.-Wash.-L.-Rev.-1.pdf>

15 Kapoor, S., Henderson, P., & Narayanan, A. (2024). Promises and pitfalls of artificial intelligence for legal applications. *arXiv preprint arXiv:2402.01656*.

Available at: <https://arxiv.org/abs/2402.01656>

16 Gans-Combe, C. (2022). Automated justice: Issues, benefits and risks in the use of artificial intelligence and its algorithms in access to justice and law enforcement. *Ethics, integrity and policymaking: the value of the case study*, 175-194.

Available at: <https://doi.org/10.1016/j.giq.2024.101953>

advancement, which would enable lawyers to supply their clients with superior services. Numerous legal tech businesses, such as SpotDraft, CaseMine, NearLaw, Pensieve, Practice League, and others, are developing legal tech platforms that will enable attorneys and law firms to do more than just keyword-based research, saving time and money. Even though the laws are becoming out of date due to the rapid advancement of technology, Indian lawyers continue to rely on the traditionally crafted laws and are easily adjusting to those solutions and regulations. There hasn't been much technological innovation or improvement in the Indian legal system. Artificial intelligence has the potential to significantly alter the nature of the legal profession, the application of the law, and the practices of Indian lawyers.

Artificial intelligence is not mentioned in India's data protection legislation. It makes no explicit mention of machine learning or artificial intelligence in general. Technology is not a factor in the information technology law. Evaluating the impact on an individual's interests is part of the question about the fair use of our data privacy. It is probably unfair if an AI-derived decision is made about someone without any justification or foundation.

AI is subject to data protection laws when it uses personal data. This can occur when an AI system is trained, tested, or implemented using personal data. AI is not covered by data privacy laws when it does not use personal data. However, AI frequently uses or generates personal data on its own. These days, AI models are trained and tested using enormous volumes of personal data. This is accomplished either by deploying more personal data that is gathered and passed through the model to make judgements about specific people or by using software that is designed to watch user behaviour and then provide results based on it. Even if those decisions are merely predictions or assumptions, they are nonetheless personal information that may be covered by Indian data protection laws.

AI as a Person

AI must fit the concept of "person" in order to be protected as an author of a work generated or produced by it under Indian copyright law. According to the Copyright Act of 1957, a "person" who employs computer-generated programs to create literary, musical, artistic, or dramatic works is considered a "author."¹⁷ Artificial and juristic individuals are included in the legal concept of "person." There are differing opinions in various nations about the idea that AI is an artificial human. However, unlike other nations like Saudi Arabia, which recognised the AI-driven robot Sophia as a

17 The Copyright Act, 1957(14 of 1957)

legal person and granted it citizenship, India has not given AI the status of an artificial person. However, other nations, like the USA, have approached the registration of AI-generated work in different ways. For such works to be given copyright registration, "human intervention" is necessary. Ankit Sahni, the applicant, and the "Raghav Artificial Intelligence Painting App" were given co-authorship in an Indian copyright registration request for a piece of art. But later on, the copyright office revoked the co-author position, citing AI's lack of legal personality. Therefore, the Indian legislative and courts' interpretation of a "person" determines authorship by AI.¹⁸

The type of work and the input used to produce it are additional factors that need to be taken into account. whether AI produced the work on its own or if humans had any involvement. AI is able to produce both original and derivative works thanks to its built-in algorithms and the data it receives for programming. It can learn from the data inputs thanks to its built-in algorithm. However, the Indian legal system is still unsure on how to preserve and assign authorship to such works.

Copyright Ownership

The topic of AI-generated content liability is one of the most contentious. AI is still not specifically included in Indian law pertaining to technology or intellectual property rights. Currently, AI-related issues are handled under traditional technology legislation, which creates ambiguity and confusion. AI may fall under the definition of a "intermediary" under the Information Technology Act of 2000 since it is typically utilised like a search engine, where users enter data into the AI tool.¹⁹ As a result, it will be eligible for the safe harbour protection that intermediaries are legally entitled to. Liability for the content used to train AI is another facet of this as it is unclear how such content would be protected and how compensation for such access would be handled.²⁰ However, the intricacy of the issues surrounding the copyrighted content needed to design AI will increase as its use grows. Additionally, as more people use and engage with AI products, the corresponding software companies are probably

18 Graves, M. (2023). What does it mean to consider AI a person?. *Theology and Science*, 21(3), 348-353.

Available at: <https://doi.org/10.1080/14746700.2023.2230424>

19 Sec 2(1)(w), The Information Technology Act 2000

20 Pasquale, F., Malone, T. W., & Ting, A. (2025). Copyright, Learnright, and Fair Use: Rethinking Compensation for AI Model Training. *Nw. J. Tech. & Intell. Prop.*, 23, 205.

Available at: <https://scholarlycommons.law.northwestern.edu/njtip/vol23/iss1/3/>

gathering more personal data in order to provide AI with better results based on user-specific reactions, which would again violate people's right to privacy. Although there is currently little information on the privacy models used by some AI companies, such as OpenAI, it is said to have signed data protection agreements with corporations who have expressed interest in order to allay worries about data extraction and retention.²¹

Conclusion

AI is completely changing the way professional work is done. It can complete any task that earlier required highly qualified and skilled professional much faster and at a much lower cost. In the legal field, AI can assist with many routine tasks such as legal research, drafting, discovery, document analysis and other routine tasks. However, replacing the way a task is done does not mean replacing the entire profession. AI cannot completely replace lawyers because legal practice also requires human element of emotions, judgment, accountability, ethics, strategic decision-making, advocacy, empathy etc, which AI lacks. The future is therefore more likely to be about lawyers using AI as an assistive tool rather than AI replacing lawyers completely as a new legal system. Infact, lawyers who would use AI may replace lawyers who do not. AI can become an important part of the legal system, but it cannot become the entire legal system by replacing professional human beings. Human element will always be necessary wherever emotions, responsibility, judgment and understanding of human circumstances are involved.

India should encourage ethical and responsible use of AI in the legal field to improve accuracy and efficiency, reduce costs and assist lawyers in routine work which otherwise takes days and weeks. At the same time, important legal tasks should continue to involve human expertise and professional judgment. Lawyers and law students should be trained to use AI ethically and efficiently and to be well versed with their work to be able to identify and verify AI generated information. Clear responsibility and accountability should also be maintained when AI produces incorrect or harmful results. AI should therefore be treated as a tool to assist human expertise, to reduce time and effort and not used as a complete replacement for it. The future should focus on a balanced approach for human and AI partnership where technology improves legal work while humans retain responsibility, judgment and accountability.

21 Curzon, J., Kosa, T. A., Akalu, R., & El-Khatib, K. (2021). Privacy and artificial intelligence. *IEEE Transactions on Artificial Intelligence*, 2(2), 96-108.
Available at: 10.1109/TAI.2021.3088084