

LAW LIBRARIANSHIP in the AGE of AI

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Preface

Artificial intelligence (AI) has erupted on the legal technology scene of late with the promise to disrupt the legal industry. Machine-learning and augmented intelligence technology (such as IBM's question-answering computer system, "Watson"), as well as legal analytics tools, search enhancements, predictive coding, and e-discovery technology can be found amidst legal headlines, tweets, and blog posts on a daily basis. But what exactly is AI, what does it really mean for the legal field, and how does it affect law libraries and law librarians in particular?

Law Librarianship in the Age of AI provides answers to these questions and serves practicing law librarians who want to be at the forefront of information technology and law libraries. This resource discusses all aspects of how cutting-edge artificial intelligence tools and applications impact the law library field and the role that law librarians can play in their implementation, evaluation, and ongoing maintenance.

The opening chapters will give you a foundation in understanding what AI is and its impact on the law library field. Subsequent chapters will provide you with the essentials about what types of artificial

intelligence technologies and applications are currently available and being adopted in the legal field, as well as inspirational case studies of how law libraries and librarians in particular are actively using these technologies. You will discover potential opportunities for new roles that librarians can play in AI adoption, the importance of AI tools in the areas of legal education, research, and access to justice, as well as the ethics, benefits, drawbacks, and risks of AI tools. Finally, you will be presented with a discussion of the future direction of AI technology in law libraries and an essential list of resources, such as books, blogs, podcasts, articles, and newsletters that you will want to subscribe to and/or read going forward to keep up with ongoing developments in the area of AI in law libraries.

Written by the field's top innovators from all areas of legal librarianship and legal technology, including academic and private law firm libraries along with industry experts, this book strives to provide inspiration and guidance to librarians of all backgrounds about artificial intelligence tools as they pertain to the LIS field.

Introduction

The first rule of any technology used in a business is that automation applied to an efficient operation will magnify the efficiency. The second is that automation applied to an inefficient operation will magnify the inefficiency.—Bill Gates

AI is everywhere but not visible anywhere.—Anonymous

The 2018 Altman Weil *Law Firms in Transition Survey* reported that only 38 percent of law firms are actively engaged in experiments to test innovative ideas or methods. This indicates that the vast majority of law firms have a vacuum in innovation leadership waiting to be filled. While all innovation does not require AI, algorithms and analytics will play an important role in the transformation of the business and practice of law over the coming decades. Hopefully, this book will inspire reluctant librarians to grab a seat at the innovation table or even set out the innovation agenda at their organizations.

Over the past 10 years, many research products have morphed into workflow products. Algorithms are so ubiquitous they are often invisible. Startups such as CARA, Ravel (now Context), and Fastcase have used data associated with primary law to create new types of visualizations, deeper insights, and custom reporting.

All of the large legal information vendors, including Thomson Reuters LexisNexis®, Bloomberg Law, and Wolters Kluwer, have developed

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or acquired tools using algorithms and analytics to streamline workflow and deliver custom insights. Librarians hold a unique position in their law firms in vetting the glut of sometimes fantastic claims of vendors offering “robot lawyer” solutions. Just because there is an element of AI in a product doesn’t mean it is wise to assume that the product will deliver efficiency or a return on investment. It might give the firm a great press release—but that is not enough. Today’s market requires law firms to be skeptical and invest their innovation dollars judiciously. Law librarians are well positioned to be skeptical advisors when their firm is assessing AI products.

Law librarians are faced with a dazzling array of new legal research tools and enhanced features in mature products. Legal research tools now include drafting tools, redlining tools, “what’s market” reports, and customizable analytics insights.

Fastcase has developed a sandbox and a toolbox specifically designed to enable consumers to develop their own tools and insights. Lexis and Westlaw offer natural language “answers” to a subset of research queries. Lexis includes a predictive legislation tool that forecasts the likelihood that individual bills will be acted. Intelligize, Bloomberg Law, and Wolters Kluwer tools extract market data from deal terms in SEC filings. Context (formerly Ravel) provides insights into a judge’s precedential history of rulings on specific issues. Lawyers can drop and drag a brief into CARA to get a report on any missing precedent. Lex Machina, Bloomberg, and Westlaw now offer a host of analytical insights for assessing litigation strategy and likely outcomes. News curation platforms have become commonplace. Predictive business tools, such as the Manzama Insights dashboard, are already in the legal market.

Who is best positioned in a law firm to put each of the options into market context and test the quality and need for each innovation? Who can best envision how commercial data can be aligned with internal data to generate custom insights that can “move the competitive needle?” None of these assessments can be optimal without consideration by the firm’s content and market experts: law librarians.

In an increasingly competitive marketplace, law firms will have to select the right portfolio of tools in order to optimize the firm’s efficiency and competitiveness.

It is not enough to purchase and deploy a technology. The technology must be used. Librarians are uniquely qualified to help spearhead innovation into practice. Law librarians have been tasked with driving lawyers’ technology adoption since the early 1980s—long before PCs, the World Wide Web, and email became ubiquitous tools. Not only are they skilled at driving adoption, but more importantly, they understand where new technology solutions fit in lawyers’ workflow. Lawyers will

not adopt products that: 1) they have to “hunt down,” 2) require burdensome installations or complicated protocols, or 3) are not embedded into their workflow.

In *The Future of the Professions*, Richard and Daniel Susskind predict that by 2025 lawyers will face re-branding as legal process analysts, legal project managers, and legal knowledge engineers. These same job titles could easily be opportunities for law librarians as well.

Librarians who are willing to utilize their existing skill set, which includes analyzing information quality issues, assessing user experience optimization, developing taxonomies, and defining user needs, will find unlimited opportunities to enhance all areas of the business and practice of law.

While I still love books and large research libraries, I embrace the transition of legal research from print to digital. Print libraries consume enormous budgets, occupy expensive real estate, and require low-value clerical work to be maintained. Worst of all, they are an analog, one-book-to-one-lawyer solution. Digital libraries, on the other hand, offer 24/7, “one-to-many” access for a mobile workforce. Most importantly, in a digital library, the budget and staff can be directed to delivering higher value solutions, including analytics, AI, custom portals, bots, widgets, and customizable dashboards. Digitization has enabled law library directors to focus on delivery problems with higher value information. Instead of delivering a book, they can now deliver a custom insight. Librarians who have chosen to make the transition have already climbed the value ladder.

The future is all about asking the right questions: What problems are we solving? How good is the data? “The reference interview” is a key skill set of the future.

Law Librarianship in the Age of AI assembled a cast of thought leaders from across the law library and technology spectrum. Their ideas should inspire and guide law librarians at all stages of their careers. This book also serves as a tool for executive directors and law school deans to understand the critical role that law librarians can and should play in driving innovation and insights into their institutions.

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