A.L. has marked the line… to the road that leads to tomorrow. Speech for the National Meeting (8th of October 2022)



Dear Colleagues,

on this important occasion of reflection

among us, on our essential function of public interest as mediators of justice, wh

ich we must perform with competence and with the organization of adequate meaning

and instruments, I must – as head of innovation technology of AL and of the depa rtme

nt of information and IT law_invite you to become aware of the great change give

n by new technologies on our daily life and not only on our professi on.

*Assistenza Legale*has marked the road, since its first years of activity, from the change in the way of managing our profession, overcoming stale models, even of an associative

type, which are proved to be no longer efficient in today's digital civilization, characterized with remote connection and remote collaboration between us. We understood, before others who then followed us, that fair communication is the strategic lever for the promotion of our legal services now offered in a *smarter,* more efficient way. Therefore, we must also consider improving the habits of citizens as our task, even before they come to us as clients, through information, education and awareness of the new possibilities offered by digital. And we can do this both with writings, even through social media, and by organizing seminars at universities or even webinars.

In short, we have entered, at the dawn of the third millennium, the new era of digital civilization. The challenge that we must take up is to live the change without being overwhelmed by the new models of life, work and sociality that are imposed on us, without letting ourselves be weakened in our constitutional rights so hardly won by our ancestors. Especially in this current scenario of generalized crisis, for citizens and businesses, aggravated by the pandemic contingency, it has been understood how important coordinated **communication with *marketing*** is, if it is true, as it is true, that the Internet and new telematic technologies can enormously amplify its scope. Only in this way we can face this revolution as it already happened with the past three industrial revolutions, from the appearance of steam engines, electricity, television, cars, aircrafts, atomic energy and finally the Internet and information technology.

The telematic process is now upon us. Legal, tax and labor law consultancy will be necessary for the analysis of decision-making processes, for the drafting of corporate and individual agreements, for the choice of the most efficient and innovative digital platforms.

Important achievements of Artificial Intelligence will take our civilization to unprecedented levels: the *blockchain* in its non-monetary applications together with telematics, *smart*

contracts, will allow a revolution in law and in the administration of justice itself, as foreseen by the *OpenLaw project*.

The new models of production organization based on **automation and interconnectivity begin a new era** in the way of living and working. Of this technological revolution, of this fourth industrial revolution, based on **sharing** and **disintermediation,** on the security and transparency of transactions thanks to *DLT Distributed Ledger Technology,* we are all spectators, but we must also be consciously involved in it.

Today, most lawyers still have little knowledge of the use of new technologies, encountering strategic difficulties in the organization of the law firm. Jurimetry, or computer science applied to law, has meanwhile taken giant steps, moving towards *lawtomation,* that is legal automation. This is thanks to the new generation self- learning algorithms, which are different from the previous ones of the "expert systems" that work on the basis of a system of predetermined rules that start from a premise (if) and arrive at a conclusion (*then*). Today we speak of ***machine learning,*** which are algorithms that allow the computer to improve performance with experience through the requests that are entered into the computer.

We therefore arrive at a dynamic and creative A.I., which gives efficient responses even in conditions of change, as it happens with the contractual clauses of standard contracts to be adapted to changing and concrete cases. The necessary supervision of the lawyer implies that the lawyer knows a minimum of logic and computational grammar to translate the sentences and legal questions into the language of the machine.

Let's think about what enormous advantages it can bring, starting from a *database* of data and experiences, in extracting and managing information from the text of contracts or sentences to analyze and evaluate, according to the rules

of statistics and mathematical models, the risks and outcomes of a dispute like a case already decided. From *lawtomation* we pass to **predictive justice**. The figure of the lawyer is still central to the process of choosing the data to be entered into the system, interpreting the results processed by the computer and illustrating them to the client in the context of the usual fiduciary relationship between the client and the professional figure.

I mean that the lawyer will now be able to devote himself to activities of greater added value than the work of analyzing voluminous documents, but he will always have to supervise the results of the machine. And this also as a consequence of the result obtained because if he were to deviate from the decision suggested by the A.I. he will have to motivate and explain to the assisted party why, in the specific case, he has taken a different defensive path, otherwise failing the ethical duties of independence (in art. 9 of the forensic code of ethics) and of competence (in art. 14) of the lawyer.

Currently there are *softwares* based on *machine learning* technology, for the legal services sector that allow document analysis and content research, the development of contractual models, the automation of the firm's organizational processes, capable of analyzing, modify and update legal documents by correcting typing errors and also allowing, through analytical and predictive searches (legal *analytics*), the rapid retrieval of jurisprudential cases relevant to the cause.

Finally, I would like to underline that this dynamic A.I., reducing the operating costs of the law firm and combining the offer of a service (at an hourly rate) for the client combined with a real technological product, aimed at solving a problem – without prejudice to the obligation of means and not of result of the commitment of the professional -, presupposes a broader preparation of the lawyer, who must have **digital and IT skills** suitable for feeding and increasing *machine learning* and supervising the performance of the computer.

Today in Italy there are no university courses, in the faculty of law, which integrate legal skills with technical ones to make people understand the opportunities and risks of using A.I. in the legal sector. There is no training offer on this topic which is a prelude to the new figure of the ***code lawyer*** and an entirely new and inevitable interdisciplinary business model. Our association AL, now *committed to excellence*, could give a stimulation and be an example, organizing webinars on the subject and indirectly providing the legislator with ideas for future regulation. Thanks for your attention.

Milan, 8.10.2022

Giovanni Bonomo *new media lawyer* – AL *Chief Innovation Officer*