

LAWFOYER INTERNATIONAL
JOURNAL OF DOCTRINAL LEGAL
RESEARCH
(ISSN: 2583-7753)

Volume 1 | Issue 3

2023

© 2023 LawFoyer International Journal of Doctrinal Legal Research

Follow this and additional research works at: www.lijdlr.com
Under the Platform of LawFoyer – www.lawfoyer.in

After careful consideration, the editorial board of LawFoyer International Journal of Doctrinal Legal Research has decided to publish this submission as part of the publication.

In case of **any suggestions or complaints**, kindly contact info.lijdlr@gmail.com

To submit your Manuscript for Publication in the **LawFoyer International Journal of Doctrinal Legal Research**, To submit your Manuscript [Click here](#)

THE IMPACT OF TECHNOLOGY ON THE LAW

Priyal Thakor¹

I. ABSTRACT

The article focuses on how technology has fundamentally changed the practice of law, from legal education to actual practice. While enhancing legal services, technology has sped up business dealings and enhanced learning. ICT, or information and communication technology², is key to this shift. All facets of the legal profession have been impacted by technology, which has increased productivity, facilitated access to justice, and made work in courts and government organisations easier. In order to meet customer expectations, law firms have realised that offering tech-based services gives them a competitive advantage. In the end, technology encompasses digital and electronic instruments that make it easy to acquire information.

II. INTRODUCTION:

“Technology will never replace great teachers but technology in the hands of great teachers is transformational.” – George Couras

Technology³ has completely transformed the legal world in recent years. It's made everything in the legal field, from how lawyers work and teach to how courts and government agencies operate, much faster and easier. It's improved business deals and learning, and it's made the legal system more efficient and accessible. Law firms have realized that using technology is essential to stay competitive. This change shows how important technology is in shaping the future of the legal profession and requires continuous exploration to understand its impact.

III. THE USE OF TECHNOLOGY IN THE COURTROOM

¹ Law Student, KES' SHRI JAYANTILAL H. PATEL LAW COLLEGE, MUMBAI, MAHARASHTRA.

² American Bar Association, *Center for Innovation*, <https://www.americanbar.org/groups/innovation/> (last visited October 2003).

³ Gurdev Kaur, *Law and Technology*, Journal of Emerging Technologies and Innovative Research (JETIR), <https://www.jetir.org/papers/JETIR2005074.pdf> (2020). (Last Visited- October 2023)

The architecture of judicial facilities ought to be flexible enough to accommodate various forms of court technology. Information can be more efficiently organised, court operations can run more smoothly, the public may access court information and services more easily, and administrative costs can be reduced while cases are handled more effectively because of this technology.⁴ All computing and communication jobs can be assisted through computers. As new technologies like speech recognition, real-time interfaces, and smart accessories are used in offices and courtrooms in the future, they will become even more intertwined. The technology will continue to get smaller and more portable, like wireless tablet computers. Modern courthouses must be equipped with electronic devices and sophisticated structural systems to ensure that voice, data, and video signals are delivered properly.

A. THE USE OF ICT TECHNOLOGIES IN THE COURT⁵

The advantages of using information and communication technology (ICT) in courts

- **Cost-Effectiveness:** ICT, especially video conferencing, significantly reduces the cost of operating the judicial system. It reduces the need for courtroom staff, including judges, clerks, and attorneys, to go to actual court locations. This makes the entire legal process more affordable by cutting down on both travel costs and the requirement for lodging.
- **Automating processes:** ICT enables courts to run around the clock, giving users, including solicitors, access to essential services whenever they need them. From the convenience of their homes, attorneys can easily file cases, submit documents, receive notices, view upcoming hearing dates, and access an extensive e-library. Because of their accessibility, they can complete these activities at any time, whether it's during the day, night, workdays, or weekends, greatly accelerating the legal procedure.

⁴ *The Courthouse Technology*, National Center for State Courts (NCSC) (2021), <https://www.ncsc.org/courthouseplanning/needs-of-persons-with-disabilities/tech>

⁵ Smith, J., *The Impact of ICT in Modern Society*, Tech Insights (2023), <https://www.techinsights.com/impact-of-ict> (last visited: October 2023).

- **The outcomes of the Cultural Gap:** Technology helps to improve cultural integration within the judicial system. It makes communication and idea sharing easier between people from various cultural backgrounds and geographical locations. Regardless of where they are located or what their cultural background is, judges and attorneys can effectively communicate and work together. This integration promotes a more united and effective legal procedure by bridging the gap between various jurisdictions within the legal system.

Technology now plays a critical role in every aspect of legal procedures. This significance has been increasingly obvious as courts have adopted computerised and virtual means of operation. This move towards technology isn't simply a trend; it's here to stay and will influence how courts will function in the future. Let's look at how these technology developments are transforming how individuals manage cases and seek justice. The courtroom is becoming more convenient, effective, and accessible in addition to this shift.

- **Does the court have equivalent case management and electronic filing systems?⁶**

The convenience of electronic filing comes with some ambiguity until attorneys can confirm that their filings have been accepted on the court's docket. The possibility of technological errors exacerbates this uncertainty. To prevent missing deadlines, attorneys need a rapid means to determine whether their submissions were processed and, if not, to resubmit as necessary.

Judges also require direct access to electronically filed documents in order to prevent overlooking important submissions from attorneys. Courts should use a comprehensive system that combines electronic filing with immediate access to court documents to reduce these dangers. If such a system is not available, courts should

⁶ Dahiru Muhammed Abubakar, *Use of Information Technology in Courtroom: Merits and Challenges* (2020), <https://nji.gov.ng/wp-content/uploads/2020/11/Use-of-Information-Technology-in-Courtroom-Merits-and-Challenges.pdf>. (Last Visited: October 2023)

connect their current electronic filing and record-keeping systems. This system might be a single integrated case management and electronic filing system.

- **Does the court can conduct a complex proceeding remotely?**

Many courts are using videoconferencing for remote proceedings as a result of the pandemic. But the infrastructure already in place at the court is what makes this work. Before engaging in difficult distant proceedings like trials, attorneys must determine whether the court's technological capabilities are adequate. This entails providing space for several participants, showcasing complicated exhibits, and making sure the necessary audio and recording equipment is in place. Without these components, it may be necessary to conduct complex proceedings in person in order to protect remote participants from disadvantages.

B. Embracing The Future of Justice In The Form of ODR (Online Alternative Dispute Resolution):⁷

One of the key issues is that in order for ICT to be used fairly, individuals must have access to fundamental technologies like computers, smartphones, and the Internet. Unfortunately, the unavailability of these digital resources in many areas of India produces a gap in the application of ICT. People in these locations lack not only these necessities but also access to the internet. Additionally, a long trip to court already discourages many people from resolving issues there. This divide between various social classes is even wider when Online Dispute Resolution (ODR) options are scarce.

The administration and the judiciary are both aware of how to overcome this difficulty. Even in remote locations, there needs to be digital infrastructure for Online Dispute Resolution (ODR) to be effective. The spread of online dispute resolution depends on this. Along with constructing the necessary physical infrastructure, it's crucial to promote digital literacy through education and public awareness campaigns. Digital education and awareness are aimed to be provided by initiatives like Digital India, the BharatNet Project, and the National Broadband Mission. When

⁷ Priyanshi Aggrawal, *The Use of ICT Technologies in Court*, Manupatra Articles (2022), <https://articles.manupatra.com/article-details/The-Use-of-ICT-Technologies-in-Court>. (Last Visited- October 2023)

no group is left behind by the digital divide, success is certain. This includes underrepresented groups like women, who frequently don't have access to cell phones or the internet.

IV. THE USE OF TECHNOLOGY TO IMPROVE ACCESS TO JUSTICE:

In our rapidly evolving era, technology is increasingly important in the fight for justice. Making sure justice is equitable for everyone is more important than simply being convenient. With the use of technology, we can establish a legal system where everyone, regardless of identity, can obtain the justice they are due. Technology is dismantling the previous barriers to justice, whether it be by enhancing legal assistance, streamlining court procedures, or discovering better ways to resolve disputes. Ensuring the legal system is fair and accessible to everyone is more important than simply speeding up the process.

“The use of technology is no longer an option. Properly deployed for the purpose of hybrid or virtual hearing, technology has the potential to ensure access to justice by obviating the need for citizens to travel long distances to secure the right to be heard...Access to justice is a part of the fundamental right under Article 21 and a necessary concomitant to freedom of speech.”⁸

The directions were passed by a bench comprising **CJI DY Chandrachud, Justice JB Pardiwala, and Justice Manoj Misra** of India. In the case of **Kishan Chand Jain v. Union of India and Ors. W.P.(C) No. 360/2021 PIL-W**

A. EMPOWERING ACCESS TO JUSTICE IN THE DIGITAL AGE: HOW LAW FIRMS CAN MAKE A DIFFERENCE.

In the era of technology and digitization, law firms may be extremely important in ensuring that everyone has access to justice. Here are some ways that they can help:

⁸ Padmakshi Sharma, *Use of Technology No Longer an Option: Supreme Court*, LiveLaw (October 9, 2023), <https://www.livelaw.in/>. (Last Visited: October 2023).

- **Pro Bono Services:** Legal services can be provided pro bono to anyone who cannot afford an attorney. This fills a gap in judicial access, especially for individuals with little financial resources.
- **Innovation:** Technology can help law firms improve the effectiveness of legal procedures. This includes creating user-friendly websites, applications, or online tools that deliver information and streamline legal processes.
- **Community Engagement:** By setting up workshops or lectures on legal topics, law firms can interact with the neighbourhood. Knowing their rights and the legal system gives people more power.

B. THE FUTURE OF LAW: TECHNOLOGY, INNOVATION AND ACCESS TO JUSTICE IN LEGAL SERVICES AROUND THE WORLD.⁹

There are various locations around the world where legal services are evolving. Technology and contemporary thought processes are to blame. Access to legal counsel is becoming simpler because of technology. To resolve legal issues, you don't necessarily need to see a lawyer in person; you can use computers and the Internet. Innovation in the legal field refers to efforts to simplify and make legal concepts more understandable for the general public.

Technology is important, but it's also important to make sure that everyone can access the assistance they require, wherever they may be. This entails providing pro bono (free legal services) as well as educating the public on legal issues and human rights. Not just in one location, but all around the world, these changes are taking place. People's ability to obtain justice and legal services is changing on a global scale. It's about utilising technology, exercising originality, and ensuring that justice is accessible to all people, regardless of their location.

C. EMBRACING TECHNOLOGY TO CREATE A JUST FUTURE.

⁹ *Technology, Innovation and Access to Justice*, Edinburgh University Press (2021), <https://www.jstor.org/> (last visited October 2023).

Through increased accessibility of legal resources and services, technology has fundamentally changed how people access justice. However, issues like the digital divide continue to exist. We must concentrate on closing this gap through digital literacy activities in order to ensure a just judicial system.

V. THE USE OF TECHNOLOGY TO REGULATE EMERGING TECHNOLOGIES:

The goal of employing technology to control developing technologies is to ensure that the newest and most cutting-edge instruments are used responsibly and safely. Imagine having a set of laws or regulations to make sure that innovations like self-driving cars, artificial intelligence, or novel medical treatments are employed in ways that are beneficial to people and do no harm. It's similar to ensuring that, while embracing this innovative new technology, we also keep them under control to safeguard both our well-being and the well-being of the world. In this manner, we can take advantage of advancement's positive effects while avoiding any possible disadvantages.¹⁰

Regulating emerging technologies for a safer future: The Intersection of Technology and Law

- **Upgraded Legal Analysis and Research:** Technology has completely changed how solicitors perform legal research. The days of digging through stacks of paper documents are long gone. Lawyers may now access a massive repository of legal knowledge with unmatched speed and precision thanks to digital databases and sophisticated search algorithms. This helps lawyers construct stronger cases and arguments, which ultimately strengthens the pursuit of justice. It also speeds up the research process.¹¹

¹⁰ *Regulating Emerging Technologies*, NSW Productivity Commission Government (2021), <https://www.productivity.nsw.gov.au/regulating-emerging-technologies>. (Last Visited: October 2023).

¹¹ Karolina Mania, *Legal Technology: Assessment of the Legal Tech Industry's Potential*, (January 28, 2022), <https://link.springer.com/article/10.1007/s13132-022-00924-z>. (Last Visited: October 2023)

- **Document Management Therefore Simplified:** Stacks of data from paper files are no longer a hardship for solicitors. Legal documents can be efficiently organised, stored, and shared using document management systems and cloud-based solutions. This lowers the possibility of losing important data, promotes teamwork across legal teams, and makes it easier to present evidence in court.
- **The use of blockchain technology in contracts:** In the legal sector, blockchain technology, which is well-known for its use in cryptocurrencies, is creating waves. Smart contracts are becoming more popular since they are self-executing contracts with the conditions of the agreement built directly into the code. By eliminating the need for middlemen and instantly becoming enforceable, these contracts increase trust in commercial dealings. Blockchain technology can be used in contracts to simplify procedures, reduce disagreements, and increase contract transparency. To take advantage of these advantages, more and more legal practitioners are integrating blockchain technology into their practices.

VI. EMPOWERING THE NEXT GENERATION OF LEGAL MINDS

“The millennials in the legal industry stand out in part because of their skill with technology. Young lawyers who grew up in the digital era are quick to adopt digital tools, e-filing systems, and online research tools, increasing productivity and expediting legal procedures. This technological sophistication plays a critical role in modernising the judicial system and enhancing accessibility for a wider variety of people.”¹²

- **Digital assets for legal research:** Modern digital tools have supplanted conventional legal research techniques. Law students can obtain case law and legal documents with surprising accuracy using legal research tools like “Westlaw” and “LexisNexis”. These resources help students learn critical

¹² Advashutoshdebata, *Empowering The Future: Youth In India's Legal Sector Shaping The Course Of Justice* (2021), <http://www.legalserviceindia.com/legal/article-11503-empowering-the-future-youth-in-india-s-legal-sector-shaping-the-course-of-justice.html>. (Last Visited: October 2023)

research skills that they will use throughout their legal careers while also saving them time.

- **Online courses and e-learning:** Legal education is now more accessible and flexible because to the development of e-learning platforms and online courses. In order to supplement their formal education, law students can now select from a broad variety of online courses, many of which are offered by reputable universities. Students can customise their learning using these platforms to meet their own interests and objectives.

In conclusion, technology has transformed legal education by giving students access to a wealth of information, useful skills, and networking possibilities. It fosters cooperation and adaptation while preparing them for a changing legal environment.

VII. THE ETHICAL IMPLICATIONS

The need of ethics in technology has never been greater than it is today, a time of tremendous technological growth. The ethical ramifications of these developments loom large as technology affects every aspect of our lives, from how we communicate and work to how we make decisions and move through the world. Our collective well-being depends critically on the responsible, egalitarian, and sustainable development, deployment, and use of technology. This article explores the many facets that support the relationship between technological advancement and our moral and societal ideals, delving into the crucial necessity of ethical issues in technology.¹³

A. FOR A NUMBER OF CRUCIAL REASONS, THE ETHICAL IMPLICATIONS OF TECHNOLOGY ARE OF UTMOST IMPORTANCE.

- **Impact on Society:** Technology has a significant impact on our daily activities, influencing our attitudes, morals, and even our rights. In order to guarantee that these effects are favourable, do not violate people's rights, or hurt vulnerable populations, ethical considerations are essential.

¹³ Beena Ammanth, *Thinking Through the Ethics of New Tech...Before There's a Problem* (November 9, 2021), <https://hbr.org/2021/11/thinking-through-the-ethics-of-new-techbefore-theres-a-problem>. (Last Visited: October 2023).

- **Accountability and Responsibility:** Moral standards require people and organisations to take responsibility for their technical advancements. This accountability is crucial to preventing abuse or carelessness and it promotes the proper creation and use of technology.
- **Trust and Credibility:** Moral conduct encourages confidence in technology. Users and society at large are more inclined to accept and trust technology if they think it is created and used in an ethical manner.

B. BALANCING SCALES: NAVIGATING LEGAL ETHICS IN THE DIGITAL AGE.

- **Locating Ethical Issues:** When incorporating new technology into their practices, law firms and legal practitioners should start by undertaking ethical assessments. They are able to recognise potential ethical hazards and concerns because to their proactive strategy. Early awareness of these problems enables action to be taken to reduce risks and make sure that technology adheres to moral and legal principles.
- **Creating Ethical Principles:** When employing technology, legal organisations must establish explicit ethical standards. These regulations ought to address a range of topics, such as data security, privacy, and transparency. For instance, law firms should specify how they manage and safeguard private client data and maintain openness in their invoicing and communication procedures.
- **Establishing an Ethical Culture:** It is essential to foster an ethical culture inside law firms and the legal industry. The first step in achieving this is developing principles that support the moral use of technology. Additionally, it entails instructing and preparing support staff and solicitors on the value of moral behaviour in the digital age. This culture places a premium on upholding the greatest standards of professional behaviour, client confidentiality, and legal procedure transparency.

Technology and legislation both depend on ethical considerations for responsible development and behaviour. In terms of technology, these factors include things like guaranteeing the appropriate use of artificial intelligence, fostering fair access, and protecting data privacy. On the other hand, legal ethics uphold client privacy, support openness, and defend human rights. Innovating technologies for improved legal research and efficient procedures are shaped by ethical principles at the nexus of technology and law, protecting access to justice. For technology and law to advance in a way that respects individual rights, upholds justice, and upholds the highest standards of professional conduct, ethical issues in both professions must be integrated.¹⁴

VIII. CONCLUSION

Technology's influence on the law is profound and diverse, leading to substantial changes in a number of subthemes. First, technology in the courtroom has expedited legal proceedings, improving accessibility and efficiency by streamlining digital documentation and evidence presentation as well as remote hearings. As barriers are removed and underserved communities are given access to legal services, technology allows increased access to justice and helps create a fairer legal system. Furthermore, the use of technology to control developing technologies emphasises the significance of ethical and responsible innovation to guarantee that breakthroughs comply with legal norms.

As we use technology to its full potential while preserving individual rights and privacy, ethical considerations continue to be crucial. Last but not least, technology's influence on legal education and training provides aspiring attorneys with cutting-edge research tools and the ability to successfully navigate the digital legal landscape. In conclusion, technology's impact on the legal system has ushered in a new era of effectiveness, accessibility, and ethical awareness, strengthening the legal profession and its capacity to benefit society.

¹⁴ Nayef Al-Rodhan, *The Many Ethical Implications of Emerging Technologies* (March 13, 2015), <https://www.scientificamerican.com/article/the-many-ethical-implications-of-emerging-technologies/>. (Last Visited: October 2023).