A TYPOLOGY OF LEGAL TECHS

INTRODUCTION

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COHUBICOL
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CRCL 2022: Computational 'law' on edge

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CROSS-DISCIPLINARY RESEARCH IN COMPUTATIONAL LAW

COMPUTATIONAL 'LAW' ON EDGE

An international conference organised by COHUBICOL in collaboration with *CRCL*

General Co-Chairs:
Katie Atkinson, Mireille Hildebrandt, Frank Pasquale, Laurence Diver

3-4 November 2022 in Brussels
In person / Online / Hybrid (COVID permitting)

Registration now open at EasyChair

What's next?

- Who
- What
- How
- Why

By who?

L. Diver, P. McBride, M. Medvedeva, A. Banerjee, E. D'hondt, T. Duarte, D. Dushi, G. Gori, E. van den Hoven, P. Meessen, M. Hildebrandt

- Law Team: Diver, Van den Hoven, Gori, Duarte, McBride, Dushi, Banerjee - Hildebrandt
- CS Team: Meessen, D'hondt, Medvedeva

For whom?

Legal practice and academia

- Courts
- Law firms
- Legislature
- Regulators
- Bar Associations
- Law Schools
  - Legal education (Tel Aviv course)
  - Legal research

CS practice and academia

- Developers of legal technologies
- Computer Science

Natural and legal persons

- Citizens
- NGOs in advocacy or activism around fundamental rights
- Companies

What

- A set of 30 **tokens**: concrete ‘legal techs’:
  - Applications, scientific papers, datasets
- Categorised in terms of **8 types**:
  1. intended users (e.g. academics, in-house lawyers, litigators)
  2. code- and/or data-driven
  3. form (component and/or application and/or platform)
  4. automation and/or support
  5. in use or not in use
  6. creators (academics and/or in-house lawyers and/or tech developers)
  7. jurisdiction (of developers, of intended users),
  8. access (e.g. open source, license, SaaS)

What

- Addressing the following ***3 questions*** for all tokens:
  1. What does it **claim** to do (according to developers/vendors)?
  2. What is the **substantiation of claims** & potential issues (both technical and legal)
  3. How might the intended user **assess effectiveness**?

What

This is a ***typology*** NOT a ***taxonomy***:

1. NOT about **completeness** in time and space
2. NOT about **mutually exclusive categorisation**
3. Distinctions are **analytical** **NOT** **ontological**

How

- An online tool that affords:
  - To **map and compare** different concrete ‘systems’
  - To see **at a glance** what a particular system is about
  - To see what they are **claimed** to do and how this can be **substantiated**
  - To obtain an understanding of **how the system operates at the backend**

  - **By way of filters**
  - Clickthrough **options**
  - Links **to brief explanations of relevant technologies**
  - Links **to relevant scientific literature**

Why

- To better understand the **different types** of legal techs
  - Mapping
  - Comparing
- To offer a methodology to **assess claimed functionality** (intended purpose)

Why

- To create the ground to **foresee potential issues**
  - **Technical issues**: bugs, flaws, mismatch between system and claimed functionality
  - **Legal issues**: direct or indirect effect on legal effect (legal impact)
  - **Moving beyond CBA** which restricts assessment to efficiency and effectiveness
  - Maybe things go faster and cheaper while ‘law’ is **denaturalised** in the process
- The main concern is how deployment could affect **legal protection**, depending on xyz

Pick your persona!

1. Judge

2. Commercial business

3. Developer

- Pick a persona
- Forecasting court decisions
- Problems and solutions?