

#### Artificial Intelligence & Law: Through the Lens of IAAIL – Past, Present and Future

Jack G. Conrad, IAAIL President 15<sup>th</sup> International Conference on Artificial Intelligence and Law University of San Diego School of Law 10 June 2015



THOMSON REUTERS RESEARCH & DEVELOPMENT



REUTERS/Susana Vera



REUTERS/Benoit Tessier

## OUTLINE

- Al and Law Perspectives from the Past
- The Role of Al and Law in Advancing the State of the Art
  - Challenges IAAIL well-suited for
  - Areas where IAAIL best to partner
- A Vision of the Future A Path towards Progress



## OUTLINE

• Al and Law – Perspectives from the Past

- The Role of Al and Law in Advancing the State of the Art
  - Challenges IAAIL well-suited for
  - Areas where IAAIL best to partner
- A Vision of the Future A Path towards Progress



## Perspectives of Past IAAIL Presidents

- ICAIL 1997 Edwina Rissland
  - Legal Concepts through a Case-based Lens
  - Royal Botanical Gardens, Melbourne
- ICAIL 2001 Kevin Ashley
  - Opportunities and Prospects for Intelligent Tutoring in Legal Education
  - Washington University, St. Louis
- ICAIL 2003 Trevor Bench-Capon
  - Try to See It My Way: Persuasion in Legal Discourse
  - Univ. of Edinburgh
- ICAIL 2005 L. Karl Branting
  - The Future of AI and Law
  - Alma Mater Studiorum, University of Bologna

## Perspectives of Past IAAIL Presidents

- ICAIL 2007 Thomas F. Gordon
  - 20 Years of ICAIL: Reflection on the Field of AI and Law
  - Stanford Law School
- ICAIL 2009 Henry Prakken
  - On Formal Models of Legal Argument
  - Univ. Autònoma de Barcelona
- ICAIL 2011 Giovanni Sartor
  - Models of the Law in AI and Law
  - Univ. of Pittsburgh
- ICAIL 2013 Radboud Winkels
  - 25 Years of AI and Law
  - Consiglio Nazionale della Riceche, Rome

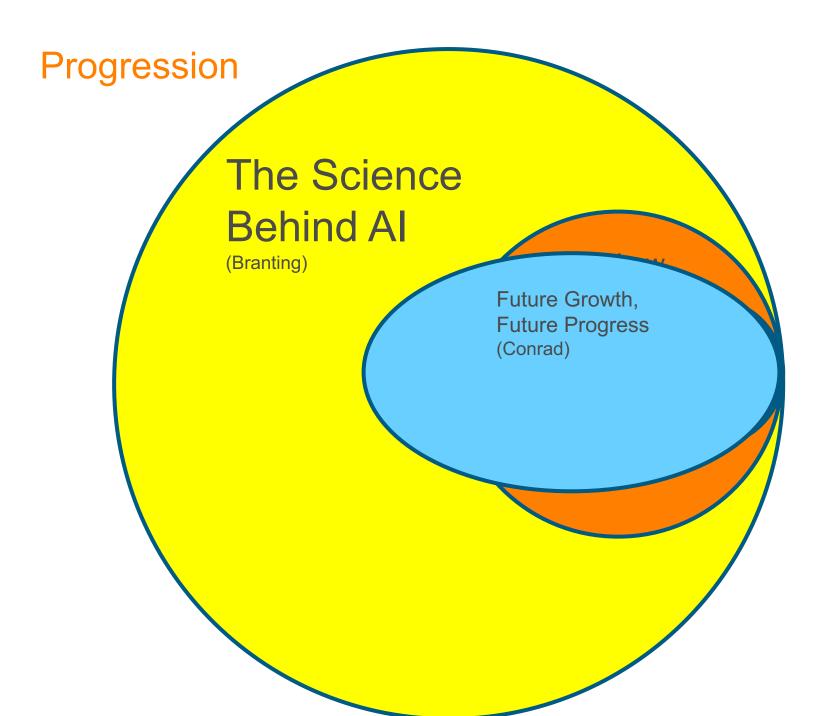


## **Perspective of Past IAAIL Presidents**

#### ICAIL 2005 – L. Karl Branting

- The Future of AI and Law
- Alma Mater Studiorum, University of Bologna
- ICAIL 2007 Thomas F. Gordon
  - 20 Years of ICAIL: Reflection on the Field of AI and Law
  - Stanford Law School
- ICAIL 2013 Radboud Winkels
  - 25 Years of AI and Law
  - Consiglio Nazionale della Riceche, Rome





## "The Future of AI and Law" (Branting, 2005)

- Substance
  - The goals of our discipline and community
  - What we have already achieved
  - How we should focus our efforts to achieve our remaining goals
- Method
  - Identify lessons from the larger AI community
  - Apply those lessons to our community
- Scope: previous 18 years (since ICAIL 1987)
- Themes
  - Rigorous task analysis
  - Decomposition into independent sub-problems
  - Replicated empirical evaluation



# Goals of the AI Discipline (Branting, 2005)

- A computational theory of the mind
- Automated agents with human-like social, learning and problem-solving characteristics
- Tools that solve problems using explicit knowledge that is
  - Expert
  - Common sense
  - Automatically acquired
- Shared research objectives, criteria, evaluation, and sources
- Literature stream embodying key research results



## Examples of Successes (Branting)

- Combinatorial search
  - E.g., 500 city traveling salesman problem, Hubble scheduling
- Human ability reached or exceeded
  - Chess, Backgammon, Othello, et al.
- Theorem proving

(TREC)

- Robbins Conjecture by EQP
- NASA's Autonomous Robots
  - Deep Space One handled unanticipated system failure
- Continuous Speech Understanding
  - HMM models + lexicon + sentence models
- Open Domain Question Answering

Overview of the TREC-9 Question Answering Track







# What Was Responsible for these Successes? (Branting)

- Witness the Wright Brothers amidst fierce competition
  - Decoupling and independently solving key problems
    - Lift vs. Flight Control vs. Propulsion
  - Less successful competitors tried to solve all problems at once
- Comparable Pieces for Open Question Answering included
  - Information retrieval
  - Text segmentation
  - POS tagging
  - Parsing (shallow & deep)
  - Word-sense disambiguation
  - Names entity recognition
  - Information extraction

Each sub-problem:

- A well-defined task
- Separate theoretical & empirical evaluation criteria
- Separate literature
- Due to balkanization, one must consult AI lit. to solve AI problems



# How Far Have We Come Since 1987? (Branting, 2005)

- An examination of the beneficiaries of AI & Law technology
  - <u>Citizens</u>\*
    - E-government has flourished
  - <u>Attorneys</u>\*
    - + / examples, proprietary legal expert systems, document drafting
  - Judges
    - Suspicion and resistance to many systems, e.g., sentencing systems
  - Juries
    - Seldom understand instructions an opportunity for tutorial tools
  - Clerical staff
  - Legislators, regulatory rule makers
    - Source of active AI & Law research
  - Scholars (e.g., law professors, legal philosophers)
    - Little perceptible influence; AI & Law not recognized as contributing fruitful insights into jurisprudence

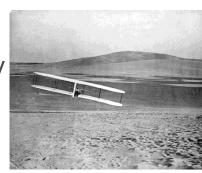
# ICAIL is a Successful Forum (Branting, 2005)

- Less successful at standards, repositories, shared evaluation criteria
- Still less successful at embodying key research results
  - Commercial development largely *independent* of AI & law literature
  - Contrast speech understanding, data mining, planning, question answering, or robotics
- Note recent trends in ICAIL (2005 vs. 1987)
  - Number of applied papers ullet
  - Number of Argumentation papers
  - − Task analysis papers disappeared ⊗

# Recommendations (Branting, 2005)

- Study legal discourse
- Return to task analysis (re: Open Question Answering EX)
- Attend Computational Linguistics conferences
  - Exploit developments in computational narrative theory
- Emulate the Wright Brothers
  - Decompose tasks into well-defined sub-problems
  - Rigorously evaluate alternative approaches to each sub-problem
- Develop techniques that are usable by commercial developers
- Develop corpora and data repositories
- Let disinterested domain experts judge models
  - But don't mistake models for the real thing





#### "20 Years of AI & Law": Have We Witnessed a Convergence in AI & Law?

- Legal Argumentation is the central topic of AI and Law
- Limitations of deductive and inductive logic
- Needed: normative models of argument and dialogue
- Legal philosophy failed to provide the necessary theoretical foundation for our field
- AI and Law, in collaboration with the field of Argumentation in Philosophy, is developing this theoretical foundation
- A unified theory of legal argument is beginning to emerge, as a result of this collaboration

International Association for Artificial Intelligence and Law

## Legal Argumentation is our Main Topic

- McCarty & Sridharan; "A Computational Theory of Legal Argument", 1982.
- "Experts can do more with the rules than follow them ... lawyers can argue about the rules themselves." Gardner, 1987.
- Ashley, "Modeling Legal Argument: Reasoning with Cases and Hypotheticals", 1990.
- Prakken; "Logical Tools for Modeling Legal Argument", 1992.
- Loui & Norman; "Rationals and Argument Moves", 1995
- Verheij, "Rules, Reasons, Arguments", 1996
- Bench-Capon, et al.; "Dialectical Argument with Argument Games", 2000.

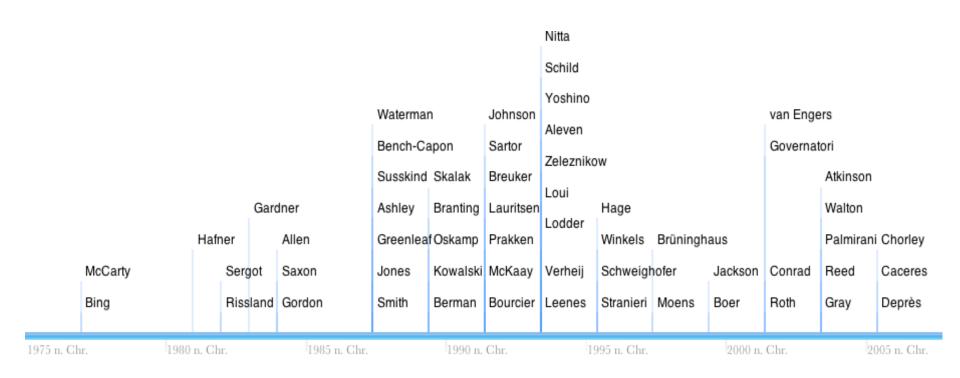
International Association for Artificial Intelligence and Law

## Basic Elements of the Unified Theory of Argument

- Argumentation Schemes
  - Argument from Rules
  - Argument from Cases
  - Argument from Ontologies
  - Argument from Evidence
  - Argument from Purpose and Policy
  - Argument from Values
- Dialogue Types and their Protocols
  - Administrative Procedures
  - Pleading, Trial
  - Appellate Court Proceedings
  - Arbitration
  - Negotiation
  - Deliberative Democracy (eParticipation)

International Association for Artificial Intelligence and Law

#### Growth of the AI & Law Community



International Association for Artificial Intelligence and Law

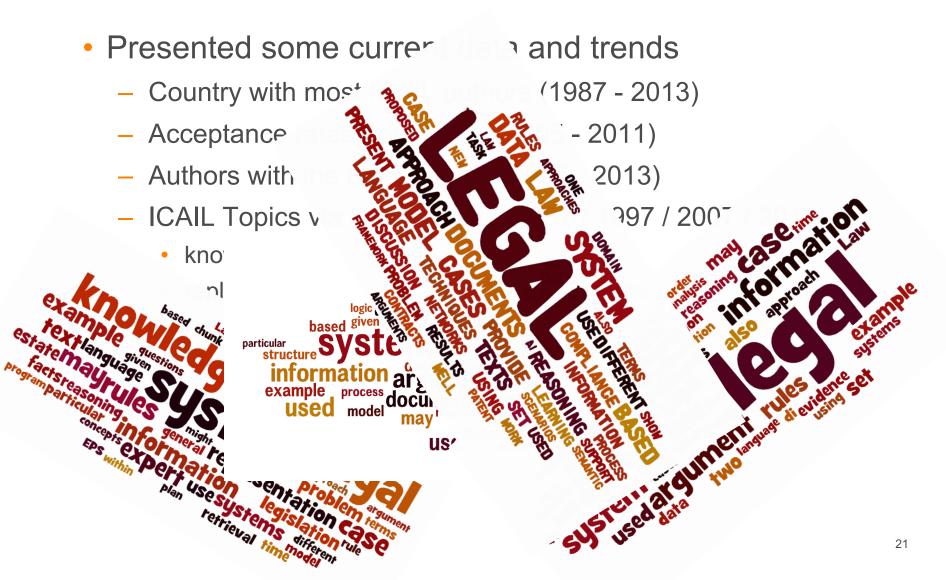
## On the Need for Endurance and Patience

- It took 20 years for rule-based legal expert systems to become established ... and they are still not widespread.
- It may take another 20 years for more advanced AI and Law method to succeed (CBR, conceptual retrieval, argumentation systems)
- We are tackling difficult problems which philosophy has failed to solve in over 2000 years.
- Non-deductive forms of reasoning have been largely neglected since the ancient Greeks.
- Only since the late 1950s, with the birth of the fields AI and Informal Logic, has work begun again in earnest.

International Association for

ntelligence and Law

## "25 Years of AI & Law: ICAIL 1987-2013" (R. Winkels)



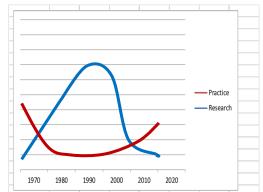
# On Building Knowledge-based Systems (re: Leibniz )

- From Sources of Law to Formal Models
  - World vs. Normative Knowledge
  - Other types of knowledge representation
  - Structures of representing law vs. problems w/ world knowledge
- The Larger Problem
  - Context of Task (Agent perspective)
  - Tools integrated with Methodology
  - Trade offs exist
- Still hard to find business cases for LKBS
  - Simpler prerequisites may exist: information management



# The Research Paradox within IAAIL/ICAIL (Winkels)

- The kind of research needed by society and in practice seems to correlate negatively with our research endeavors.
  - Hypothesizes, may be caused by the fact that our research pursues "legally interesting" problems instead of practically interesting ones.
  - May explain sub-optimal levels of evaluation present across certain ICAIL works
  - Also hard to evaluate legally interesting problems since often there exists no golden standard
- How to address this paradoxical situation?
  - Design an AI & Law Challenge ...
    - Predict future developments
    - Argumentation game of humans vs. machine
    - Solve the story interpretation challenge



## OUTLINE

- Al and Law Perspectives from the Past
- The Role of Al and Law in Advancing the State of the Art
  - Challenges IAAIL well-suited for
  - Areas where IAAIL best to partner
- A Vision of the Future A Path towards Progress



## OUTLINE

- Al and Law Perspectives from the Past
- The Role of *AI and Law* in Advancing the State of the Art
  - Challenges IAAIL well-suited for
  - Areas where IAAIL best to partner
- A Vision of the Future A Path towards Progress



- Legal Search Systems 1995 vs. 2015
- Expert Search a study in leveraging evidence
- Performance Results
- Lessons Learned







THOMSON REUTERS RESEARCH & DEVELOPMENT

#### WHAT MAKES STATE OF THE ART LEGAL SEARCH?

• Q: What differentiates a state-of-the-art legal search engine in 2015 from its predecessor in 1995?

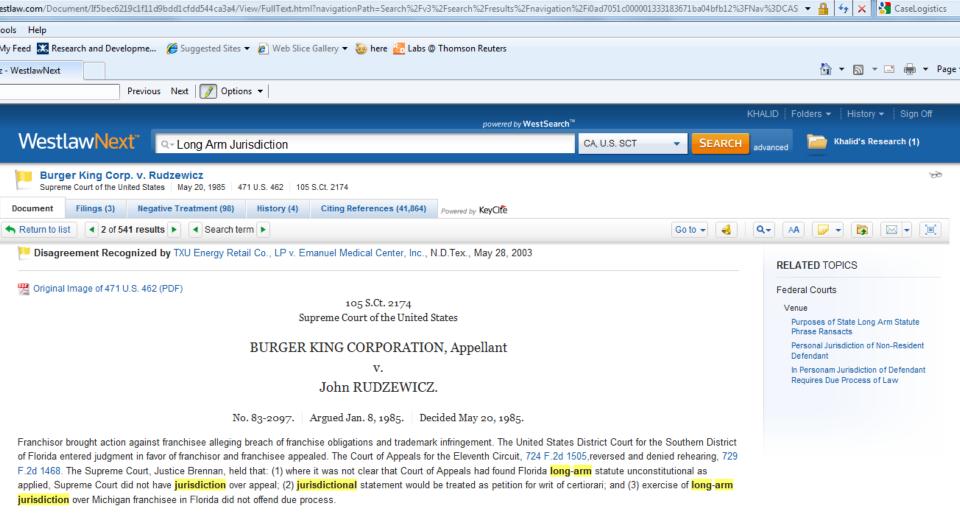
- A: The breadth (diversity) and depth (detail) of the evidence from the candidate documents examined
  - Demonstrates the value and strength of human annotations
  - Traditionally present, but not exploited by computer-assisted search
  - Illustrated through a running example



# **REQUIREMENTS OF LEGAL SEARCH**

- The completeness requirement (Recall)
  - Misses can have significant consequences
    - Less redundancy than on the Web
- The accuracy requirements (Precision)
  - A high frequency of relevant docs in top results is essential
    - Time is money ..... literally
- The authority requirement
  - Need governing authorities
  - That have not been superseded, overruled, or disagreed with on the relevant issues.





Reversed and remanded.

Justice Stevens dissented and filed an opinion in which Justice White joined.

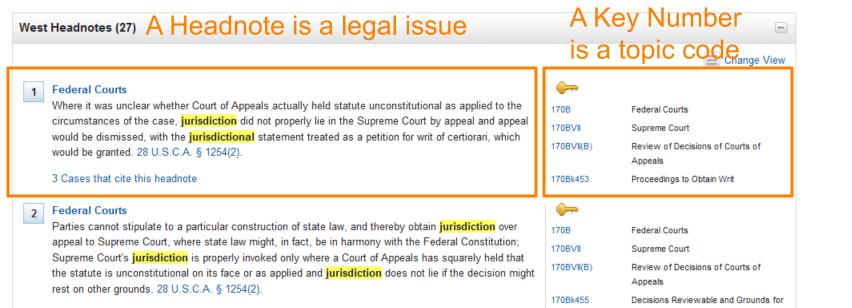
West Headnotes (27)		-
		Change View
1 Federal Courts Where it was unclear whether Court of Appeals actually held statute unconstitutional as applied to the circumstances of the case, jurisdiction did not properly lie in the Supreme Court by appeal and appeal would be dismissed, with the jurisdictional statement treated as a petition for writ of certiorari, which would be granted. 28 U.S.C.A. § 1254(2).	00000000000000000000000000000000000000	Federal Courts Supreme Court Review of Decisions of Courts of Appeals

ext.westlaw.com/Document/lf5bec6219c1f11d9bdd1cfdd544ca3a4/View/FullText.html?originationContext=citingReferences&transitionType=Docu	ment&contextData=(sc.Search)&docSource=/56c3f003c6/4c2bt 👻 🏥 🛟
s Tools Help	
mer My Feed 🐹 Research and Developme 🏾 🎉 Suggested Sites 🔻 🔊 Web Slice Gallery 🔻 🤯 here 🔚 Labs @ Thomson Reuters	
rewicz - WestlawNext	🛅 🔻 6
Previous Next 📝 Options 🗸	
powered by WestS	iearch™ KHALID   Folders <del>▼</del>   Hit
WestlawNext Q-Long Arm Jurisdiction	CA, U.S. SCT
Supreme Court of the United States May 20, 1985 471 U.S. 462 105 S.Ct. 2174	
Document Filings (3) Negative Treatment (98) History (4) Citing References (41,864) Powered by KeyCite	
← Return to list	Go to 👻 ≼ 🛛 📿 🗸 🗍
No. 83-2097. Argued Jan. 8, 1985. Decided May 20, 1985.	

Franchisor brought action against franchisee alleging breach of franchise obligations and trademark infringement. The United States District Court for the Southern District of Florida entered judgment in favor of franchisor and franchisee appealed. The Court of Appeals for the Eleventh Circuit, 724 F.2d 1505, reversed and denied rehearing, 729 F.2d 1468. The Supreme Court, Justice Brennan, held that: (1) where it was not clear that Court of Appeals had found Florida long-arm statute unconstitutional as applied, Supreme Court did not have jurisdiction over appeal; (2) jurisdictional statement would be treated as petition for writ of certiorari; and (3) exercise of long-arm jurisdiction over Michigan franchisee in Florida did not offend due process.

Reversed and remanded.

Justice Stevens dissented and filed an opinion in which Justice White joined.



dzewicz - westlawnext - whitdows Internet Explorer				
a.next. <b>westlaw.com</b> /Document/If5bec6219c1f11d9bdd1cfdd544ca3a4/View/FullText.html?originationContext=citingReferences&transition	Type=Document8	&contextData=(sc.Search)&docSource=756	ic3f003c674c2bb	🝷 🔒 😽 🗙 🚼 Casel
rites Tools Help				
rammer My Feed 🐹 Research and Developme 🏾 🏉 Suggested Sites 🔻 💋 Web Slice Gallery 🔻 🤯 here 🛅 Labs @ Thomson Reuter	rs			
udzewicz - WestlawNext				🟠 🕶 🗟 👻 🚍 🖶
Previous Next 📝 Options 👻				
			KHALID Fo	olders 👻 History 👻 Sigr
	red by WestSearch <sup>™</sup>		- -	_
WestlawNext <sup>®</sup> Q-Long Arm Jurisdiction		CA, U.S. SCT - SEARCI	advanced	Khalid's Research (1
Burger King Corp. v. Rudzewicz           Supreme Court of the United States         May 20, 1985         471 U.S. 462         105 S.Ct. 2174				
Document         Filings (3)         Negative Treatment (98)         History (4)         Citing References (41,864)         Powered by KeyCit	e			
Return to list		Go to 👻 🔫	Q.	
		-Arm <sup>-</sup> Jurisdiction in General		
	170Bk76.5	Contacts with Forum State		
20 Federal Courts				
Parties' negotiations and contemplated future consequences, along with the terms of the contract and	170B	Federal Courts		
the parties' actual course of dealing, must be evaluated in determining whether the defendant has purposefully established minimum contacts with the forum.	170BII	Venue		
	170BII(A)	In General		
	170Bk76	Actions Against Non-Residents; "Long -Arm" Jurisdiction in General		
based citation network	170Bk76.30	Contract Cases		
21 Federal Courts	<b></b>			
21 Federal Courts Michigan franchisee who deliberately reached out beyond his state of residence and negotiated with a	170B	Federal Courts		
Florida franchisor for purchase of a long-term franchise and the manifold benefits that would derive from	170BII	Venue		
affiliation with the nationwide organization, who entered into a carefully structured 20-year relationship which envisioned continuing and wide-reaching contacts with Florida, who accepted regulation of his	170BII(A)	In General		
business from the Miami headquarters of the franchisor, and who was required to make monthly	170Bk76	Actions Against Non-Residents; "Long		
payments to the franchisor in Miami was constitutionally subject to long-arm jurisdiction in Florida in	1705170.00	-Arm <sup>®</sup> Jurisdiction in General		
dispute arising out of the franchise arrangement. West's F.S.A. § 48.193(1)(g); U.S.C.A. Const.Amend. 14.	170Bk76.30	Contract Cases		
476 Cases that cite this headnote				
22 Federal Courts	<b>\$</b>			
Although choice-of-law provision on a contract, standing alone, would be insufficient to confer jurisdiction in forum whose law is to apply, choice-of-law provision should not be ignored in considering	170B	Federal Courts		
whether defendant has purposefully invoked the benefits and protections of a state's law.	170BII	Venue		
99 Cases that cite this headnote	170BII(A)	In General		
55 Gabes that cite this headhole	170Bk76	Actions Against Non-Residents; "Long - <mark>Arm</mark> " Jurisdiction in General		
	170Bk76.30	Contract Cases		

Corp. v. Rudzewicz - WestlawNext -	- Windows Inte	ernet Exploi	rer					
vestlaw.com/RelatedInformation/If5b	bec6219c1f11d9	9bdd1cfdd5	544 ca3a4/Citin	gReferences.html?originationContext=documentTab&transitionType=CitingReferences&con	textData=(sc.Search)ⅆ	ocSource=756 🔻	🔒 😚 🗙	🚼 CaseLogisti
Tools Help								
My Feed 🐹 Research and Develop	me 🏉 Sug	gested Site	es 🔻 🙋 Web	Slice Gallery 🔻 🧽 here 🔚 Labs @ Thomson Reuters				
ng Corp. v. Rudzewi							🟠 = 🔊	- 🖃 🌐 - I
	evious Next	Onti	ions 💌					
		i 👔 opa						i or or
				powered by WestSearch <sup>™</sup>		KHALID   Fold	ers 🔻 🕴 Histoi	ry <del>▼</del>   Sign Off
WestlawNext	Q-Lon	a Arm Ji	urisdiction	CA, U.S. SCT	- SEARCH	advanced	🚞 Khalid's I	Research (1)
		.g,	anouronon			advanced		
Burger King Corp. v								Ŕ
Supreme Court of the United	d States   May 2	20, 1985	471 U.S. 462	105 S.Ct. 2174				
Document Filings (3)	Negative Trea	ment (98)	History (	4) Citing References (41,864) Powered by KeyCite				
KeyCite, Citing References	s (41,864)	1-20 🕨	Sort By: D	epth: Highest First 💌	No ite	ms selected	= -	
			atmont	Title	Data	Turre	Death	llaadaata
	~~	Tre Tre	eatment	Tide	Date	Туре	Deptn 👻	Headnote (s)
VIEW			clined to	1. Chloe v. Queen Bee of Beverly Hills, LLC 33	Aug. 05, 2010	Case		5
Cases	10,610		end by	- 1. Chibe V. Queen Bee of Beverly Hills, LLC "	Aug. 05, 2010	Case		S.Ct.
Administrative Decisions & Guidar	nce 67		NEGATIVE					3.01.
Administrative Filings	3			Declined to Extend by				
Secondary Sources	2,678			TRADEMARKS - Jurisdiction. Competitor's employee was subject to personal				
Appellate Court Documents	5,112			(Negative) handbag seller's trademark infringement suit.				
Trial Court Documents	23,359		clined to	2. HealthMarkets, Inc. v. Superior Court 37	Mar. 09, 2009	Case		5 8 11
IP Filing Rules	33		NEGATIVE	90 Cal.Rptr.3d 527, 532+, Cal.App. 2 Dist.				S.Ct.
Arbitration Awards	2			56 Gali (pil.54 521, 5521, Gali (pp. 2 515).				
All Results	41,864			BUSINESS ORGANIZATIONS - Jurisdiction. Foreign company did not purposefully				
NARROW				direct activities of subsidiary toward California as required for jurisdiction.				
			clined to	3. Marriott PLP Corp. v. Tuschman " Level of dis	Oct. 30, 1995	Case		9 16
Select Multiple Filters			end by NEGATIVE		scussion			S.Ct.
Search within results			HEGHTTE.	904 F.Supp. 461, 465+, D.Md.				
				Limited partnership, general partner, and corporation that was limited partner, sued				
				individual limited partner, seeking declaratory judgment that it did not commit fraud,				
Access additional filters by choosin	ng a			or				
content type (e.g. Cases).			clined to	4. Sutherland v. Brennan 33	Sep. 08, 1995	Case		9 16
			end by NEGATIVE	901 P.2d 240, 245+, Or.				20
								S.Ct.
				Personal Jurisdiction. Making several telephone calls to forum state was not sufficient	nt			
				minimum contacts to allow for personal jurisdiction.				
		Dis	stinguished	5. ChemRisk, LLC v. Chappel 33	May 12, 2011	Case		19 21
		by	NEGATOR					S.Ct.
			NEGATIVE	2011 WL 1807436, *3+, N.D.Cal.				

Ø

✓ Trusted sites | Protected Mode: Off

ng Corp. v. Rudzewicz - WestlawN	lext - Windows In	nternet F	Explorer	Include Country and the				
westlaw.com/RelatedInformation	1/If5bec6219c1f11	1d9bdd1	.cfdd544ca3a4/Citii	ngReferences.html?originationContext=documentTab&transitionType=CitingReferences&cont	extData=(sc.Search)&do	ocSource=756 🔻	🔒 😽 🗙	CaseLogi:
Tools Help								
er My Feed 🛛 🐹 Research and Dev	relopme 🏾 🏉 S	Suggeste	d Sites 🔻 💋 Web	o Slice Gallery 🔻 🤯 here 🔚 Labs @ Thomson Reuters				
ing Corp. v. Rudzewi							👌 • 🔊	• 🖃 🖶 •
	Previous Nex	kt 🛛 🥖	Options 👻					
				and the second M		KHALID Folde	rs 👻 🕴 Histo	ry 🔻 🕴 Sign Off
WestlawNe				powered by WestSearch <sup>™</sup>	Crancu		- Khalid'a	Research (1)
VVESILAVVIVE		ong Ar	rm Jurisdiction	CA, U.S. SCT	SEARCH	advanced	Kilaliu s	Research (1)
Burger King Co	rp. v. Rudzev	wicz						9
Supreme Court of the			471 U.S. 462	105 S.Ct. 2174				
Document Filings (3)	Negative Tre	eatment	t (98) History	(4) Citing References (41,864) Powered by KeyCite				
KeyCite, Citing Refere	nces (41.864)	) 1-2	0 🕨 Sort By: D	epth: Highest First 💌	No ite	ms selected 🛛 🥃		
							-	
	~~		Treatment	Title	Date	Туре	Depth 🔻	Headnote
VIEW								(s)
Cases	10,610		Declined to	1. Chloe v. Queen Bee of Beverly Hills, LLC 💔	Aug. 05, 2010	Case		5
Administrative Decisions & G			Extend by NEGATIVE	616 F.3d 158, 165+, 2nd Cir.(N.Y.)				S.Ct.
Administrative Filings	3							
Secondary Sources	2,678			TRADEMARKS - Jurisdiction. Competitor's employee was subject to personal				
Appellate Court Documents	5,112			jurisdiction in New York in handbag seller's trademark infringement suit.				
Trial Court Documents	23,359		Declined to	2. HealthMar		Case		5 8 11
IP Filing Rules	33		Extend by	<sup>90 Cal, Rotra</sup> Issue based citation netv	vork,			S.Ct.
Arbitration Awards	2		acostre.	oo odaa paa				
All Results	41,864			BUSINESS With Polarity & Relevance	e			
NARROW				direct activities or substatary toward Camonna as required for junstitution.				
				📜 3. Marriott PLP Corp. v. Tuschman 💔	Oct. 30, 1995	Case		9 16
Select Multiple Filters			Extend by NEGATIVE	904 F.Supp. 461, 465+, D.Md.				S.Ct.
Search within results				3041.30pp. 401, 4037, D.Mu.				
Q				Limited partnership, general partner, and corporation that was limited partner, sued				
				individual limited partner, seeking declaratory judgment that it did not commit fraud,				
Access additional filters by ch	oosing a			or				
content type (e.g. Cases).			Declined to Extend by	4. Sutherland v. Brennan 33	Sep. 08, 1995	Case		9 16
			NEGATIVE	901 P.2d 240, 245+, Or.				20
								S.Ct.
				Personal Jurisdiction. Making several telephone calls to forum state was not sufficien minimum contacts to allow for personal jurisdiction.	t			
			Distance in the		11	0		
				5. ChemRisk, LLC v. Chappel 33				
			Distinguished by	or ononmon, eeo vronapper w	May 12, 2011	Case		19 21 S.Ct.

Ø

✓ Trusted sites | Protected Mode: Off

#### 'Views' Available to Search & Reranking Functions

Search Engine (Text Similarity +)

Key Cite (which legal issue, and is it still good law?)

Judges, West editors and Westlaw users have generated a wealth of information. When combined with domain expertise and technology resources, R&D can build a best of breed solution



#### 'Views' Available to Search & Reranking Functions

Document View (Judges, Clerks, Leg, Attys, Profs)

Text —

Cases, Briefs, Statutes, Regulations, Law Reviews ...

Search Engine (Text Similarity +)

Key Cite (which legal issue, and is it still good law?)

Judges, West editors and Westlaw users have generated a wealth of information. When combined with domain expertise and technology resources, R&D can build a best of breed solution



#### 'Views' Available to Search & Reranking Functions

Document View (Judges, Clerks, Leg, Attys, Profs)	Annotation View (West Editors)
Text —	Synopses
Cases, Briefs, Statutes, Regulations, Law Reviews	Points of Law (Headnotes)
Law Kevlews	Taxonomy Classifications (Topic + Key No.)

Search Engine (Text Similarity +)

Key Cite (which legal issue, and is it still good law?)

Judges, West editors and Westlaw users have generated a wealth of information. When combined with domain expertise and technology resources, R&D can build a best of breed solution



#### 'Views' Available to Search & Reranking Functions

Document View (Judges, Clerks, Leg, Attys, Profs)	Annotation View (West Editors)	Citation Network View (Judges, Clerks, Leg, Attys, Profs)
Text —	Synopses	Citations
Cases, Briefs, Statutes, Regulations, Law Reviews	Points of Law (Headnotes) Taxonomy Classifications (Topic + Key No.)	In-bound (citing) and Out-bound (cited) Issue-based granularity

Search Engine (Text Similarity +)

Key Cite (which legal issue, and is it still good law?)

Judges, West editors and Westlaw users have generated a wealth of information. When combined with domain expertise and technology resources, R&D can build a best of breed solution



#### 'Views' Available to Search & Reranking Functions

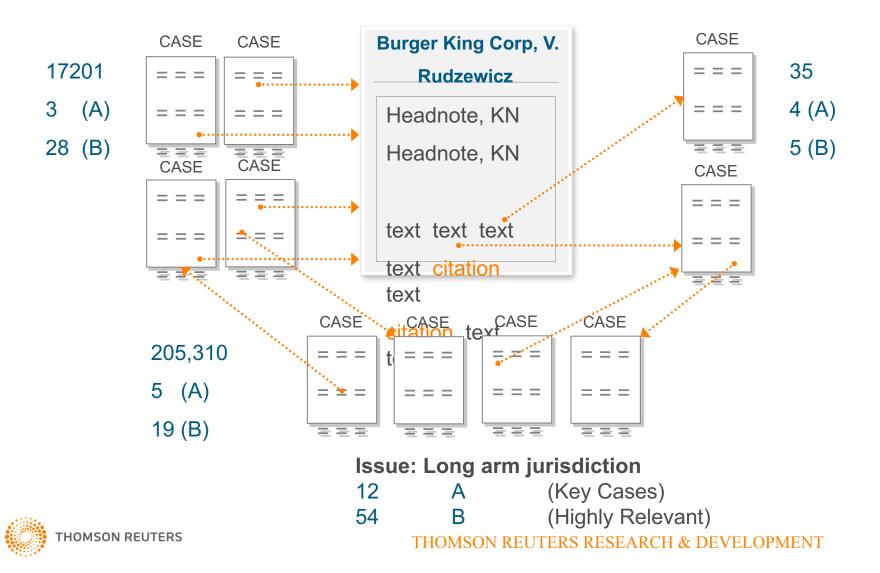
Document View (Judges, Clerks, Leg, Attys, Profs)	Annotation View (West Editors)	<b>Citation Network</b> <b>View</b> (Judges, Clerks, Leg, Attys, Profs)	User View (Westlaw Users)	
Text —	Synopses	Citations	Queries	
Cases, Briefs, Statutes, Regulations, Law Reviews	Points of Law (Headnotes) Taxonomy Classifications (Topic + Key No.)	In-bound (citing) and Out-bound (cited) Topic-based granularity	Session Data Clicks, Prints, KeyCite, Preferences	
Search Engine (Text Similarity +)				

Key Cite (which legal issue, and is it still good law?)

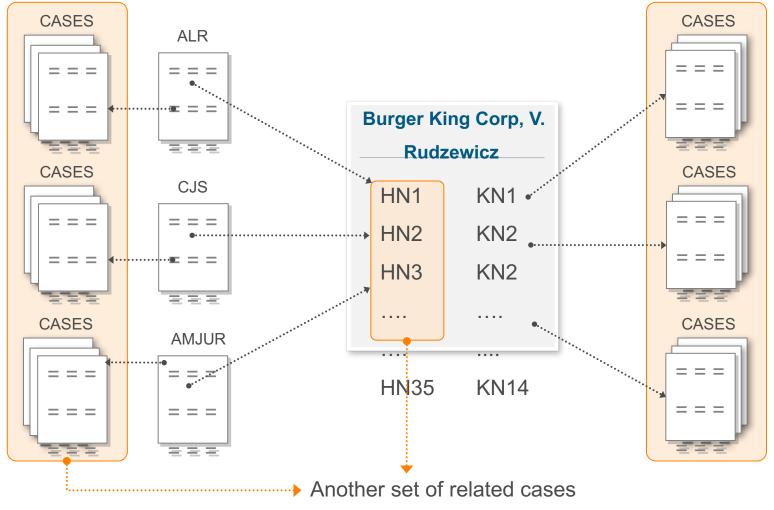
Judges, West editors and Westlaw users have generated a wealth of information. When combined with domain expertise and technology resources, R&D can build a best of breed solution



#### SOURCES OF EVIDENCE: AUTHORS, EDITORS & PRACTITIONERS

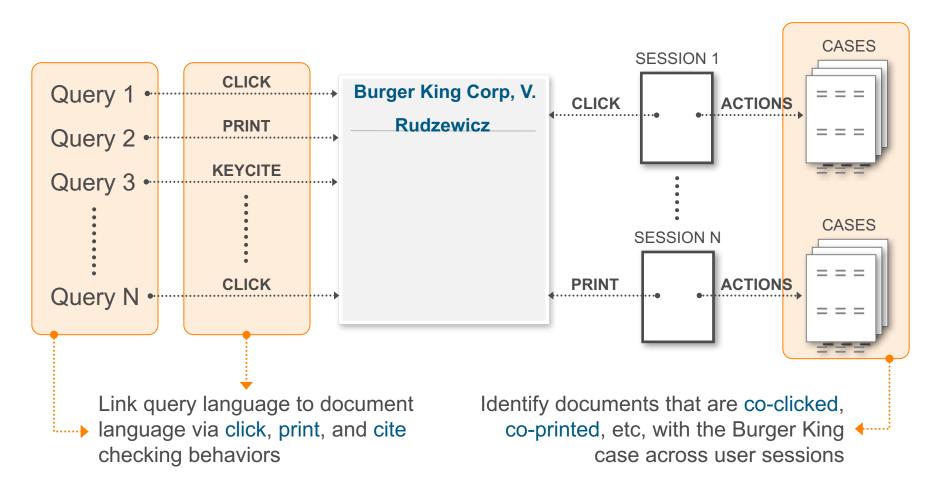


#### SOURCES OF EVIDENCE: AUTHORS, EDITORS & PRACTITIONERS



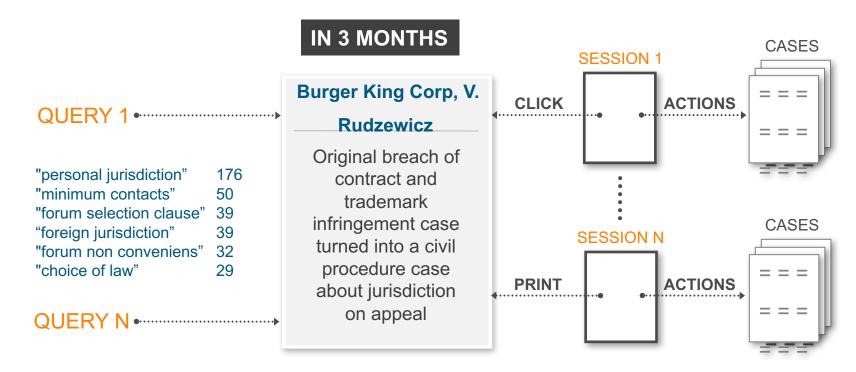
THOMSON REUTERS

#### SOURCES OF EVIDENCE: USERS (I)





### SOURCES OF EVIDENCE: USERS (II)



**USER ACTIONS: 10417** 

#### TOTAL SESSIONS: 9758



## THE RANKING PROBLEM (PRECISION)

- Supervised Machine Learning
  - Iteratively retrieve and rank documents
  - Incorporate all available cues: text similarity,
     classifications, citations, user behavior and query logs 4
  - All of this requires lots of data!
- Training & Validation
  - Gold data: hand-crafted research reports covering a variety of legal issues
  - Report contains an issue statement, multiple queries, *all* seminal, highly relevant documents, some relevant docs
    - > 100K documents judged against ~400 legal issues
  - System was also tested by an independent 3<sup>rd</sup> party



Α

B

2

5

#### LESSONS LEARNED

- Understand the domain and the data
- Leveraging human value addition is key
  - None of the human actors set out to improve search
- Vertical search is not just about search
  - It's about findability
    - Includes navigation, recommendations, clustering, faceted classification, collaboration, etc.
  - It's about satisfying a set of well-understood tasks
    - Usually on enhanced content, for expert customers
- Difficult to design complete solution upfront
  - Need platform for experimentation and validation at scale



#### OUTLINE

- Al and Law Perspectives from the Past
- The Role of *AI and Law* in Advancing the State of the Art
  - Challenges IAAIL well-suited for
  - Areas where IAAIL best to partner
- A Vision of the Future A Path towards Progress



#### OUTLINE

- Al and Law Perspectives from the Past
- The Role of Al and Law in Advancing the State of the Art
  - Challenges IAAIL well-suited for
  - Areas where IAAIL best to partner
- A Vision of the Future A Path towards Progress



#### **Present Trends, Future Implications**

There is certainly an important role to play in AI and Law for traditional research topics like argumentation, but if we fail to acknowledge the major trends now taking place in the field involving big data, machine learning, data mining, knowledge graphs and related technologies, major developments may pass us by and we run the risk of becoming a research community of little practical significance.

-- L. Karl Branting, May 2015

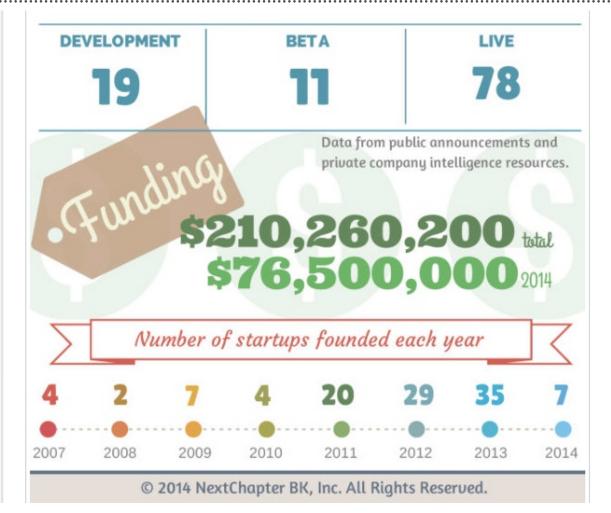


#### Activities in the Legal Startup Space (I)





#### Activities in the Legal Startup Space (II)







# To expand the tent and make meaningful progress, we need to ...

- Acknowledge our roots ... while embracing new developments
  - Argument representation, modeling, applications
- Invite greater participation from industrial players, incl. start-ups
  - Start-ups, CodeX enterprises, others
    - e.g., Lex Machina (ICAIL 2011, 2013), CaseText, Modria ...
  - Such enterprises can help breath new life into the community, expose us to innovative approaches and technologies
- Consider other engagements beyond ICAIL
  - Facilitate workshops in new areas
  - Establish legal data sets
  - Host challenges
  - While being mindful of how essential evaluation is for each of these



# To expand the tent and make meaningful progress, we need to ...

- Signify source of thought leadership for the broader community
  - Given the deep pools of expertise in the community, harness it for good
  - Demonstrate that we represent a true source of authority
    - E.g., contribution to AI & Law on Wikipedia
- Consider new problems
  - Get out of comfort zone
  - May take more time to start, yet the payoffs can be great
- Consider new collaborations, new partnerships
  - Multi-disciplinary initiatives
  - Engagement w/ new Center for Computation, Mathematics & the Law here at USD
- Be open to models and approaches contrary to one's own
  - Also applies to PC service and reviews



### ICAIL as the 'Venue of Choice'

- Aspire to be *the* forum for next gen AI & Law activities
  - In Big Data, ML, DM, NLP, KBs
- Positive examples
  - DESI VI fifth co-located with ICAIL
    - Among most established E-Discovery workshops, now w/ I.G. too
- Other prospective partnerships (legal, judicial, gov'tal)
  - E-government/E-democracy
  - Algorithmic Regulatory Compliance / Verification
  - New Legal Marketplace
  - Computational Law
  - IP Analytics
  - Predictive Modeling of Risk





### And What About Europe? - European Opportunities (I)

- The European Research Council continues to fund well conceived proposals, e.g.,
  - E-Codex: e-Justice Communication via Online Data Exchange
  - **MAPPING**: Managing Alternatives for Privacy, Property & Internet Gov.
  - RESPECT: Rules, Expectations & Security through Privacy Enhanced Convenient Technologies
  - EVIDENCE: European Informatics Data Exchange Framework for Courts and Evidence
  - ICT4Law: ICT Converging on Law Next Generation Services for Citizens, Enterprises, Public Administration, Policy Makers
  - LOIS: Lexical Ontologies for Legal Information Sharing
  - **DALOS**: Drafting Legislation with Ontology-based Support
  - **SEAL**: Smart Environment for Assisting Legislation Drafting/Debating
  - **CEN/ISSS**: Open XML interchange format for legal docs
  - ESTRELLA: Standardized Transparent Representations to Extend Legal Accessibility

# What about Europe? -European Opportunities (II)

News, Events

& Publications

#### HORIZON 2020 The EU Framework Programme for Research and Innovation European Commission European Commission > Horizon 2020 What is Find How to Horizon 2020? Your area Get funding? Sections navigation Excellent Science Excellent Science Article European Research Council

A

Future and Emerging

Marie Skłodowska-Curie

Infrastructures, including e-

Find

Your area

European Research

Infrastructures

Technologies

actions

Newsroom

Activities under this Pillar aim to reinforce and extend the excellence of the Union's science base and to consolidate the European Research Area in order to make the Union's research and innovation system more competitive on a global scale.

The Excellent Science pillar has main four specific objectives:

- 1. The European Research Council (ERC) will provide attractive and flexible funding to enable talented and creative individual researchers and their teams to pursue the most promising avenues at the frontier of science, on the basis of Union-wide competition.
- 2. Future and emerging technologies will support collaborative research in order to extend Europe's capacity for advanced and paradigm-changing innovation. They will foster scientific collaboration across disciplines on radically new, high-risk ideas and accelerate development of the most promising emerging areas of science and technology as well as the Union-wide structuring of the corresponding scientific communities.
- 3. Marie Skłodowska-Curie Actions will provide excellent and innovative research training as well as attractive career and knowledge-exchange opportunities through cross-border and cross-sector mobility of researchers to best prepare them to face current and future societal challenges.
- 4. Research infrastructure (including e-infrastructures) will develop European research infrastructure for 2020 and beyond, foster their innovation potential and human capital, and complement this with the related Union policy and international cooperation.

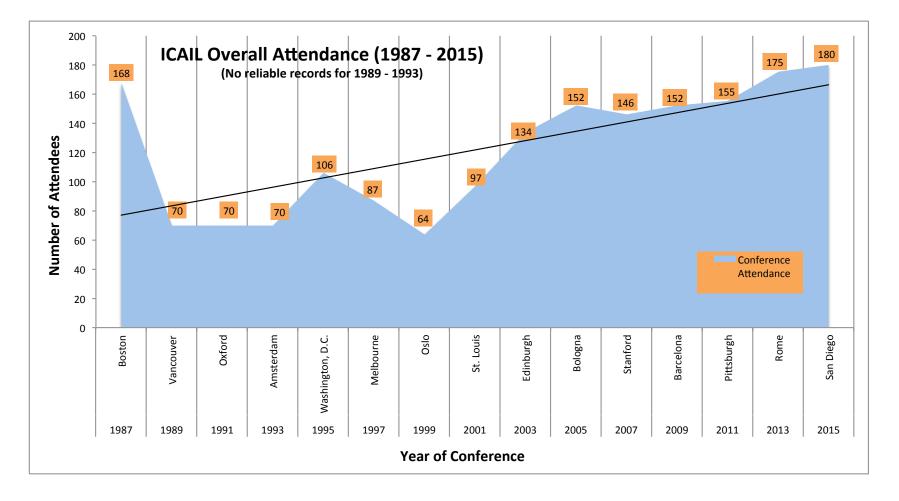
### ICAIL has a Respectable Track Record

- We have a rich and productive history to be proud of, with numerous examples demonstrating it
  - Daphne Gelbart and J.C.Smith on the Flexicon legal text-based intelligent system (ICAIL 1991, 1993)
  - Howard Turtle on the first commercial natural language search engine, WIN, based on his PhD work (ICAIL 1995)
  - Gloria Lau, et al. on a lawyer directory service using legal documents and profile information for support (ICAIL 2005)
  - Paul Zhang, et al., on visualizing and analyzing case history using a semantics-based citation network (ICAIL 2007)
  - Chris Dozier on Medical Litigator's component parts (ICAIL 2007)
  - Mihai Surdeanu, et al. on Lex Machina's IP risk analysis and feature ablation studies for identifying patent trolls (ICAIL 2011, 2013)

HOMSON REUTERS



#### **ICAIL** Attendance





#### Some Final Thoughts

By exercising sufficient thought leadership, playing to our strengths, and pursuing practices that have been repeatedly successful, the community can grow while celebrating its core capabilities and expanding them into alternative but clearly relevant AI & Law subfields.

-- J.G. Conrad, June 2015



58



#### Artificial Intelligence & Law: Through the Lens of IAAIL – Past, Present and Future

Jack G. Conrad, IAAIL President 15<sup>th</sup> International Conference on Artificial Intelligence and Law University of San Diego School of Law 10 June 2015

#### **Questions & Discussion**



**THOMSON REUTERS**