Law about Artificial Intelligence

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Abstract: With the development of technological revolution and information age, artificial intelligence has been paid more and more attention to. For artificial intelligence, people in the wait-and-see vigilance and active research and development of such a contradictory state. Artificial intelligence is even more important than law. The emergence of Artificial intelligence has challenged the law on the subject qualification, and there is a large gap in the bearing of responsibility and related legal regulations. Therefore, this paper will be divided into three parts, first introduce artificial intelligence to the development of law, and then from the artificial intelligence of the legal analysis of the pros and cons of artificial intelligence, and the third part will propose the related opinion and the improvement measure to the above question.

Key Word:artificial intelligence; subject qualification; burden of responsibility; legal regulation Introduction

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I.   INTRODUCTION

Artificial intelligence has been a hot topic in recent years, in the face of emerging industries in all walks of life or wait-and-see state, or in a state of activism. There are countless studies of artificial intelligence around the world. Based on the angle of legal reason, I think we should keep calm. There are too many controversial issues in the field of Artificial Intelligence. Therefore, this paper analyzes the future development trend of artificial intelligence, the identification of the subject and the assumption of responsibility in AI law, and other issues under AI, combined with the attitude that law circles should keep.

Status Quo and Future
1. The Development Trend of Law under Artificial Intelligence — — Judicial Application of Artificial Intelligence
(1)   The automatic generation of legal documents;
(2) Legal services are being commercialized;
(3) The effectiveness of legal aid availability has been improved significantly;
(4) The legal profession is more transparent;
(5) Professionalization of artificial intelligence law

(1)The automatic generation of legal documents: With the development of artificial intelligence, the review of legal documents will be gradually changed into automatic reading. Systematic and accurate analysis of legal documents can effectively reduce unnecessary simple and repeated collection and sorting, and greatly improve the efficiency of staff members and save more manpower in terms of investigation and verification, etc. In addition, the generation of legal documents will also be automated, with the improvement of hardware facilities, in the near future, indictments, judgments and other advanced legal documents will also have artificial intelligence.

(2) Legal services are being commercialized: With the development of computer, a lot of online legal consultation are rising, the parties can enjoy more convenient legal services at a lower price. There is no doubt that the legal robot will have a more profound impact on legal services, so that everyone can have better legal service.

(3)The effectiveness of legal aid availability has been improved significantly. Costly lawsuits have long been a major reason why people are reluctant to use legal means to solve problems. Along with the development of Internet technology, many mechanisms for online dispute resolution have emerged. The promotion of artificial intelligence, will solve the problem of legal aid, so that the availability of greatly improved

(4)The legal profession is more transparent: The rapid development of artificial intelligence and big data must be more transparent to the lawyer industry and the courts. In the meantime, the role of professional supervision and supervision such as judges and prosecutors is invisible. Second, the evaluation of lawyers in the selection of lawyers, some relatively reliable reference, and put forward higher requirements for the professionalism of legal persons.

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(5)Professionalization of artificial intelligence law: Committed to providing intellectual support for the development of the legal and artificial intelligence industry, improving legislation in the era of big data, and cultivating high-end, complex talents ruled by law.

II. ANALYSIS AND THINKING

2. Thinking about artificial intelligence law

Regarding this part, I set out to correct the subject qualification of artificial intelligence, analyze its responsibility in conjunction with relevant cases of self-driving cars, and finally make relevant views on the laws and regulations of artificial intelligence.

(1)Analysis of artificial intelligence as a legal subject:

A. Analysis of the rationality of artificial intelligence as the responsible subject

B. Feasibility analysis of artificial intelligence as behavior subject

A. Analysis of the rationality of artificial intelligence as the responsible subject

Can artificial intelligence be the subject of a law, or more directly, whether it can be a legal person. The natural person in jurisprudence we often mention is only at the level that artificial intelligence can reach at present, because it is not the appropriate emotional logic. It is not difficult to find that the field of artificial intelligence is developing rapidly. When artificial intelligence can and has the same emotions as human beings, the law promises permanent "manufacturing" is expansion, and replacement is how we will appropriately divide its identity.

Another argument is about how to regulate artificial intelligence as a legal subject.

It is mentioned in the law that there is no unlawful person in the fictional subject, but we know that the responsibility of a legal person lies with its legal representative. But what about artificial intelligence? It is another questionable question whether the producer as its representative and the owner's rights as a representative should be balanced.

Then there is the question of responsibility. As mentioned earlier, who should bear this ultimate responsibility?

B. Feasibility analysis of artificial intelligence as behavior subject

Specifically, in the case of road traffic disputes in autonomous vehicles, in general, the responsible accident itself must be the driver, but it is difficult to divide the responsibility of traffic accidents in autonomous vehicles. If it is simply because the driver or the user is not operating properly, it can be directly blamed. However, if it is because of the problem of the self-driving car itself, it also involves the issue of the quality of product liability.

Under normal circumstances, the bearer of product quality responsibility is the product manufacturer, and the subject requesting product quality responsibility can be any consumer, but in such cases, if the victim of a road traffic accident is allowed to cross over to the other party, The producer's claim for compensation is deemed to be contrary to the spirit of relief. At this time, if the driver or the self-driving car is held accountable, it is also the victim's identity for them

Similarly, insurers are often the main body in disputes over road traffic accidents, and the emergence of autonomous vehicles will inevitably pose corresponding challenges to the insurance industry. Insurance companies usually bear the burden of proof, and disputes arise in autonomous vehicles The professionalism involved is very strong. Correspondingly, questions have also been raised about the insurance company's drafting of insurance contracts and the introduction of corresponding insurance categories.

(2) The boundary between artificial intelligence and exclusive rights:

Finally, it is a cliché that the difference between artificial intelligence and humans, or that artificial intelligence can be planned for in the human field.

What artificial intelligence has always been vigilant about is whether its emergence and development are a part of people. Generally speaking, the development of artificial intelligence must have more advantages than disadvantages, but even now, people have questioned the field where artificial intelligence is constantly invading people.

Artificial intelligence is most concerned about the suspected field. How to regulate artificial intelligence, how to use artificial labor correctly, and what requirements for artificial intelligence users need to be discussed one by one.

In the Prism Gate incident, the observation said in defense of the US surveillance method: "You cannot have 100% ownership and 100% convenience at the same time with 100% security." Whether it is correct afterwards, we can truly understand It is the ambiguity and impact brought by artificial intelligence to the inherent rights boundary of human beings.

(3)The three potential impacts of AI legal services: structural transformation, access to justice, and a society without claims

A. AI may bring structural changes to the existing legal services market.

B. AI can improve the availability of legal services and solve the problem ofinsufficient legal aid.

C. AI may help achieve the goals of an undisputed society.

A. AI may bring structural changes to the existing legal services market.

The first question that needs to be answered is, does AI intervene in the legal services market to replace the marginalization of lawyers?

Although AI lawyers may devalue some legal practitioners such as trainee lawyers, paralegals, etc., or replace lawyers to handle similar consultations, divorce and other legal matters that require a lot of search work, there is no evidence that AI lawyers can replace lawyers on a large scale. For example, appearing in court and acting as a defender. Therefore, a simple answer may be that AI will not replace lawyers, but will work side by side with lawyers, just like the relationship between doctors and medical devices.

AI-enhanced legal services (AI-enhanced legal services) may become the norm in the future, and law firms that do not deploy in this area may lose their core competitiveness in the future. With the assistance of AI, lawyers can focus more on complex legal issues and be more efficient, which means that costs may be reduced and the affordability of lawyer services will be increased.

Transformation, AI's intervention may further divide the legal service market, make legal services no longer exclusive to law firms, and may redefine the work and functions of lawyers, as well as the business model of the legal service market.

A large number of AI companies such as Legalzoom and Axiom entered the legal services market, and some even received nine-figure investments, which will change the results and tools of legal services.

In the future, replacing hypotheses and hearsay with data will be crucial for better service delivery, resource selection, case management, and outcome prediction.

B. AI can improve the availability of legal services and solve the problem ofinsufficient legal aid.

The most popular person in the legal services market has been criticized for its high costs. Legal services cannot reach a large number of individuals, SMEs, etc., resulting in a crisis of justice availability (recourse to the crisis of justice). In fact, most people may not go to a law firm when they encounter legal problems, and ask a lawyer. AI's involvement is changing this.

The cheapness and efficiency of AI legal services can help thousands of individuals and SMEs to obtain similar consulting, contract and other legal services, reduce the cost of legal services, and provide multiple options.

As a result, AI lawyers can even provide legal aid services in cases that cannot afford litigation costs. Professor Roland Vogel of Stanford University believes that robots will be the main entry point into the legal system.

The legal aid team refused to provide assistance because it had no time to take care of it, but in the future, artificial intelligence computer systems could assist in intervention in cases, and lawyers need to intervene only when lawyers are required.

C. AI may help achieve the goals of an undisputed society.

No lawsuit and interest lawsuit has been a pursuit of Chinese society since ancient times. Typically, on eBay's e-commerce site, a large number of disputes are submitted to the software for trial and adjudication. Using an APP or chatbot, each can complete a questionnaire survey of case facts and submit electronic evidence.

A similar online dispute resolution mechanism exists on Taobao in China. It can be predicted that future legal disputes including wills, contracts, divorces, etc. can be resolved in a similar way, and because the intelligent trial system is not affected by various subjective factors of human judges, it can guarantee the basic consistency of results in most cases . Once again, smart contract management can determine the breach of contract by monitoring the actions of both parties at any time, and take corresponding actions to avoid going to court after a dispute occurs. Similar third-party referee software can quickly resolve disputes digitally.

(4)Three challenges brought by AI legal services: supervision, confidentiality obligations and recognition of authorized practice

For AI lawyers such as DoNotPay who can provide legal consulting services and assist in the preparation of legal documents, an interesting question is, does the client have a lawyer-constitutional relationship between them?

When artificial intelligence lawyers begin to provide legal services to users, whether there is a trust relationship between them is an interesting question. Therefore, whether algorithm-based AI legal services can

meet the values and concepts of the legal profession also needs careful consideration.

But there are also challenges when AI lawyers are not substitutes or helpers for human lawyers. First, in terms of law, AI lawyers such as legal search, document review, and case prediction are not real lawyers. So are human lawyers who only need to work together to monitor their behavior?

It is logical that lawyers need to supervise human non-lawyers involved in the provision of legal services to ensure that their actions are consistent with lawyers' professional obligations.

Then, when the work or decision made by the AI lawyer is actually providing legal services, whether the legal documents are prepared and the decision whether to submit specific documents is completed, or the similar behavior of the military, whether the lawyer needs to supervise ? Many current AI systems are a "black box", and AI systems that provide legal services are no exception. Lawyers may not know how to make decisions at all. Is it necessary or feasible to extend the lawyer's supervision obligations to the AI system? This is worth exploring.

Second, the obligation of confidentiality. Many legal AI applications are provided by third parties, not the law firm itself, which is only purchased as a service. Based on machine learning, sample and data measurement, the quality of AI analysis is like this, and it will be continuously improved and optimized.

Therefore, AI technology providers may aggregate the data of each customer into a database for the system to learn. Therefore, from the perspective of the obligation of confidentiality, lawyers must consider what data is provided by the AI. If both parties to the lawsuit use the same AI legal service, is it possible that both parties' data are trained in the AI system? In these cases, the lawyer's duty of confidentiality will be of concern.

For more mature and capable AI lawyers, when they provide legal services to users, do they need to have professional qualifications? As far as so-called robot lawyers in the market are concerned, do they need to take a legal professional qualification exam? Or do they need other forms of assessment to replace their professional ability? Of course, transforming the booming market for AI legal services is also a question worth considering.

III. Discussion

1. Do we need the necessary professional supervision of legal technology?

In "Shakespeare's" Henry VI ", Butcher Dick said," The most important thing we do is to kill all lawyers. "The 2015 legal system predicted in the film" Back to the Future 2 "is so perfect that Since no lawyer was needed at all, when Marty crossed 2015, she discovered that there were no lawyers at all. Of course, these predictions are far from being realized, but AI legal services are gradually becoming a reality. Based on artificial intelligence and big data, legal technology is changing the legal service market. Like precision medicine and personalized medicine, precision lawsuits and personalized lawsuits are becoming possible. The impact of legal technology on the legal industry may just be unveiled.

In the paper "Can Robots Become Lawyers? " "Computers, lawyers, and legal practice (Can robots become lawyers? Computers, lawyers, and legal practice), the author believes that automated predictions are affecting legal practice. If legal technology is not universally available in the legal profession, it means that In the transaction, one party can obtain specific legal technology, while the other intervenes in the degree of interference in legal services to deepen and occupy it. Although it can improve the availability of legal services, the other party also needs to ensure that it does not distort some of the values of the just legal system that some people believe in, does not bring new prejudices and abuses, and does not make justice a technology Show.

2.The attitude of the study of law of artificial intelligence:

Some scholars believe that jurisprudence is not legal forecasting, nor is it numerology. The focus of jurisprudence has been to explain, respond to, and work to resolve the social problems that are most urgent and need to be solved by the broadest people.

There are too many such issues, such as the gap between the rich and the poor, social security issues, financial decentralization to false issues, the issue of revitalizing the real economy, and environmental pollution issues.

The social problems that need to be solved and not solved are urgently needed to be studied by the legal profession. Therefore, we should remain calm in the face of the rise of artificial intelligence.

It is true that artificial intelligence, as a new technical transformation, does exist in law, and the law has caused certain impacts or shocks, which requires a predictive response from the legal profession. However, the gesture of response must also be concentrated on research, bold assumptions, careful verification, and real problems. There are a lot of academic bubbles in the industry, which we should first be alert to.

IV. CONCLUSION AND SUGGESTIONS

In short, due to the development of innovative technologies, the time for new things to be produced has been greatly shortened, and new cases caused by new things will be more and more. Known as the "Edison successor", the famous American inventor Ray Kurzweil humorously stated in the book "Heart of the Machine" that robots will write poems, composers and paintings. No longer the smartest species on earth. However, a complete set has not yet been formed. Artificial intelligence and legal issues are extremely complex. It is a topic of the times that law, philosophy, scientific research, sociology and other disciplines face together, and has a broad space for exploration.

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