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“Journal of Unique Laws and Students” (JULS) which shall provide law students, young lawyers and legal professionals to deliberate and express their critical thinking on impressionistic realms of Law. The JULS aims to provide cost free, open access academic deliberations among law students and young lawyers. The ISSUE II of Volume 1 focuses on three themes i.e. (i) Artificial Intelligence and Block chain in Law (ii) Intellectual Property Rights and Media, and (iii) Laws applicable to the intermediaries.

The journal strives to contribute to the community with quality papers on a vast number of legal issues and topics written by authors from various groups that have been reassessed and revised by our editorial team to reach the highest possible standard.

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THE TECH SAVVY LAWYER – TECHNOLOGY FOR LEGAL PRACTITIONERS*Author – Nitu Subedi****INTRODUCTION**

Technology is the engine that propels the planet forward. It is the practical application of scientific knowledge, especially in industry. Legal technology (also known as legal tech) refers to the tools and applications that have a significant impact on how we use legal services in our everyday lives. Legal tech has come to be synonymous with technology startups that are transforming the legal profession by providing people with online software that decreases or removes the need to see a lawyer, or by linking people with lawyers more effectively through online marketplaces and lawyer-matching websites. Technology has had a profound influence on the practice of law in recent years. Legal information has fused with machine learning, and when combined with legal books, it has a wide variety of applications in all legal fields -corporate and government alike.

The primary aim of this form of technical innovation has been to improve legal office performance and clerical work productivity. Management can now compare the performance of various divisions and cost centers within an enterprise thanks to the technologies used to track internal capacities.

IMPACT OF TECHNOLOGIES IN LEGAL FIELD

To mobilize the desk-oriented, pen-pushing working style of law practice, technology came to the rescue. To work on their trials, lawyers do not need to be glued to libraries, record offices, telephones, or copiers. There has been a move away from traditional desktop working mechanisms, owing to advanced computing, storage devices, the internet, search engine software, smartphones, tablets, and kindles.

During the past, even the most basic investigative work for a case could be time consuming, involving manual investigations in person, library visits, record references, calls, and meetings, all of which took several days to complete. The situation in the courtrooms was

* This *Short- note* is authored by Advocate, *Supreme Court of Nepal*, Deputy Editor-in-Chief *JULS*, available at: nitu.subedi50@gmail.com

more complex, and the procedure was time-consuming and lengthy. This is one of the big setbacks in the legal system, as well as a branch of the root cause of case backlogs.¹

But due to the advancement in technologies, the legal profession in all countries quickly shifted and incorporated it into their practices in order to be in sync with modern times and stay linked to the up-to-date information. Work that used to take several days to complete in the past is now done in a matter of few hours in the modern world.

IMPORTANCE OF TECHNOLOGY FOR LEGAL PRACTITIONER

1. Reduced Chances of Errors:

Since all data is now available online and is managed by Artificial Intelligence (AI), the chances of errors are much lower.

2. Time Management and Information Processing:

There is no question that technology, when used correctly, is faster and more effective than any human being. This can be very beneficial to any law firm.

3. Research Made Easy:

Despite the fact that legal professionals have become accustomed to using the Internet and other similar tools for their study, they continue to rely on print items. They print everything, including the new laws and regulations, and use it as a reference when working on each case. This increases the amount of time needed for analysis.

¹ Prateek Saxena, WHAT'S THE ROLE OF TECHNOLOGY IN THE LEGAL SECTOR? APPINVENTIV (2020), <https://appinventiv.com/blog/technology-in-legal-sector/#:~:text=Another%20benefit%20of%20introducing%20technology,access%20to%20all%20the%20details,> [Last visited may1, 2021].

4. **Improved Transparency:**

Many attorneys present their clients' problems in a convoluted manner in order to increase their income. They keep quiet about the fact that the issue they're having is as easy as using a DSLR. In addition, law firms are limited to offline outlets. This causes clients to have reservations about any lawyer they meet. However, with the aid of the best legal practice management solutions and other similar deals, this condition can be changed. These technical solutions have the ability to create a marketplace where clients can find profiles of the best legal practitioners in the field. They can talk to various lawyers and stay in touch in real time, as well as learn about the basic legal standards. This can also assist them in partnering with the right experts and reaping greater benefits, as well as ensuring confidence and accountability in the process.

5. **Increased Comfort:**

The use of legal-based mobile apps and tools improves the efficiency of legal processes. On the one hand, these technological solutions enable ordinary people to communicate with top legal professionals without having to leave their homes.

THE BENEFITS OF TECHNOLOGY FOR A LAWYER²

1. Document Review

By automating the document review process in due diligence, modern technology will save lawyers valuable time. The AI tools can easily review the contract, evaluate key clauses like change of ownership, assignment, event of default, termination, and so on, identify threats, and generate reports, similar to what a law firm might create with a team of lawyers.

² 5 Ways Technology Is Changing the Legal Profession, Firstlight.Net (2018), <https://www.firstlight.net/5-ways-technology-is-changing-the-legal-profession/> [last visited May 1, 2021].

2. Contract and Case management

Electronic contracts and case management tools have also revolutionized how law firms and in-house legal departments treat paperwork and lawsuits. Companies can now electronically store large contracts and use technology to analyze, organize, monitor, and archive documents in a fraction of the time it would take humans.

3. Drafting Documents

Lawyers can stop reinventing the wheel by using document automation software to generate basic legal documents based on certain inputs that they must provide. Such software will help lawyers concentrate their time on more complicated legal problems while reducing delays, costs, and risks.

4. Online Dispute Resolution

New dispute resolution mechanisms such as online mediation and online arbitration, also known as online dispute resolution (ODR), are increasingly being used by businesses, especially e-commerce businesses, as the internet's position in communication and business grows.

VARIOUS STEPS TO BE TAKEN FOR THE IMPLEMENTATION OF THE LEGAL TECH MARKET³

1. Identifying the issues and possibilities

To get the most out of considering legal software creation, you must first understand why you need it. That is to say, you must have a good understanding of the problems you face with conventional business processes, the opportunities you are losing out on, and how legal innovations can provide the right solutions.

2. Selecting the Best Legal Software Development Firm

Though a wide variety of technology solutions providers have demonstrated the ability to produce fantastic applications for law firms, not all of them are the right choice. This is due to the fact that each legal project necessitates a unique collection of skills and experience.

3. Organize an internal launch

It's time to launch your technology programme now that you've successfully built, tested, and marketed it. A successful internal launch requires planning and teamwork. Keep concentrated on the execution as the launch date approaches, and be prepared to fix any last-minute problems. The project's long-term sustainability can be determined by effective communication and preparation.

4. Feel free to make changes

Embracing creativity necessitates flexibility. It's fine to abandon a method or legal technology tool if metrics show it's not performing as planned. Setting goals and being open and truthful when things don't go as planned is the only way for the company to succeed and eventually outperform the competition.

³ Sergio Esteve De Miguel, How to effectively introduce Legal Technology in your law firm? Legal Document Management Software Blog, <https://blog.biglelegal.com/en/how-to-introduce-legal-technology-law-firm> [last visited May 2, 2021].

TECHNOLOGICAL ADVANCEMENT IN INDIAN COURTS

India has taken a number of steps to simplify processes in the judiciary, with the aim of increasing productivity and reducing time spent on non-productive tasks. Some of the measures include: quick access to online case records and previous judicial pronouncements, voice recognition software to minimize reliance on stenographers, video conferencing to extend the reach of courts, case management systems, e-registry of court, automated preparation of cause-lists, and phasing out physical records by e-filing and e-submission.

The introduction of technology in India has resulted in a paperless world. Filing FIRs online, questioning witnesses, suspects, recording evidence, and so on via video-conferencing saves time, money, and the expense of dealing with hard-core offenders, and allows cases to be resolved quickly. With freely accessible precedents and legal prepositions online, judges are in a stronger position to examine and resolve cases.

The Indian judiciary's digital development allowed litigants to have their questions about pending cases answered online. The full text of all Supreme Court published judgments from 1950 to the present is available online. Litigants and advocates can check the status of their cases using an integrated voice response system (IVRS).

LANDMARK JUDGMENTS

The right to use the internet is considered a Fundamental Right.

The Supreme Court ruled in January, 2020, that, by definition, the freedom to access the Internet is a fundamental right under Article 19 of the Constitution.⁴ The Supreme Court stated that it is important to differentiate between the internet as a medium and internet-based freedom of speech.

The court ordered the Jammu and Kashmir administration to restore internet access to government websites, localized/limited e-banking facilities, hospital services, and other critical services as soon as possible. The decision came in response to petitions challenging the region's telecommunications blackout, which occurred after Article 370 was repealed. Non-recognition of technology within the realm of law, according to the Supreme Court, is

⁴Prabhash K Dutta, Internet access a fundamental right, Supreme Court makes it official: Article 19 explained India Today (2020), <https://www.indiatoday.in/news-analysis/story/internet-access-fundamental-right-supreme-court-makes-official-article-19-explained-1635662-2020-01-10> [last visited May 4, 2021].

just a disservice to the unavoidable. In this light, the importance of the internet cannot be overstated, as we are encapsulated inside cyberspace from morning to night, and our most essential activities are facilitated by the use of the internet, as the court observed. The ruling, however, made no mention of a timeline for restoring internet access to other industries or to citizens in the area. The Supreme Court stated that none of the parties involved in the case have argued for the declaration of the right to access the internet as a fundamental right, and therefore it is not voicing any opinion on the subject. "We are restricting ourselves to announcing that under Article 19(1) (a) and 19(1)(g), the right to freedom of speech and expression, as well as the right to carry on any trade or service, are guaranteed."⁵

The Supreme Court ruled in *Anuradha Bhasin vs. Union of India and Others* that while freedom to practice any profession or carry on any trade, service, or occupation over the internet is protected by the Constitution under Article 19(1)(a) and 19(1)(g), restrictions on such fundamental rights should be governed by Article 19(2) and (6) of the Constitution, including the proportionality measure. The internet is an essential tool for trade and commerce, and it plays an important role in running an e-commerce company because it offers a virtual forum that is more affordable to a businessman.⁶

The right to freedom of speech and expression is guaranteed under Article 19(1)(a) of the Constitution, according to the Supreme Court in *PUCL vs. Union of India*. Here, freedom refers to the ability to freely express one's views through speech, writing, publishing, photography, or any other means.

Since the internet allows citizens to express themselves on a global scale, it falls under the purview of Article 19(1) (a) of the Constitution. Article 21 of the Constitution has a broader scope and functions as an unfilled container into which people must pour their substance based on their experiences. There is no distinction between a right granted under Part III of the Constitution and those that have been declared as a result of Apex Court decisions.⁷

⁵ Top 10 crucial judgements by supreme court in the year of the pandemic, BUSINESS INSIDER(2020), <https://www.businessinsider.in/india/news/top-10-crucial-judgments-by-supreme-court-in-the-year-of-the-pandemic/articleshow/79967305.cms> [last visited May 4, 2021].

⁶ Access to internet not a Fundamental Right, The Statesman (2020), <https://www.thestatesman.com/supplements/law/access-internet-not-fundamental-right-1502893356.html> [last visited May 4, 2021].

⁷ Right to Internet and Fundamental Rights, Legal Service India - Law, Lawyers and Legal Resources, <http://www.legalserviceindia.com/legal/article-2967-right-to-internet-and-fundamental-rights.html> [last visited May 4, 2021].

In the last decade, there have been more than 391 Internet shutdowns across India, resulting in a rapid decline in technology development. While the government has taken steps to promote the IT sector by launching programmes such as Digital India, which has nine pillars, six of which are directly related to Internet access, suspending the internet for such a long period not only creates a barrier for growth, but it also creates a barrier for innovation.

In one of the landmark cases, the Supreme Court ruled that a statute restricting a person's personal liberty would pass not only the Article 21 test, but also the Article 14 and Article 19 tests. The Golden Triangle is formed by Articles 14, 19, and 21 and cannot be read in isolation since they are mutually inclusive.

The above-mentioned Articles are extremely important and fundamental to the concept of the rule of law. Since the Golden Triangle provides people with complete protection against any infringement of their rights, shutting down internet services is a violation of those rights.⁸

WHY IS IT MORE IMPORTANT THAN EVER TO EMBRACE TECHNOLOGY IN THE LEGAL INDUSTRY?

COVID-19 has shown the importance of and need for such reforms in the legal industry. Technology is being used more and more by law firms and litigators on a regular basis. Courts have gone interactive, from electronic filing to video conferencing hearings, despite some challenges for judges and attorneys. However, dealing with change and necessity has left little space. Time is unpredictably volatile, as the Coronavirus epidemic has shown, bringing people and both small and large businesses to a halt for an indefinite period of time. In such a case, embracing technology has proven to be critical, as it can make the work process much smoother and simpler. It will also save time and keep you from doing things that aren't important.⁹ People have learned to find alternative and long-term alternatives over the available resources as a result of the current situation. In the midst of this crisis, technological adoption has become critical to sustainability and success.

⁸ Access to internet is a fundamental right, says Supreme Court, Hindustan Times (2020), <https://www.hindustantimes.com/india-news/access-to-internet-is-a-fundamental-right-says-supreme-court/story-miomQARGJTy7Cz1WPazENI.html> (last visited May 4, 2021).

⁹ Importance of Technology for Lawyers in the Coming Times, Legal kart, <https://www.legalkart.com/legal-blog/importance-of-technology-for-lawyers-in-the-coming-times> (last visited May 1, 2021).

CONCLUSION

Given the growing scale of legal ventures, some of which even include multiple actors and a mountain of paperwork, it's become critical to provide clients with services that are as low-cost, reliable, and competent as possible. As a result, the ongoing advancement of legal technology has become increasingly relevant in recent years. Using configurable systems, business rules engines, and workflows, technology can help courts respond more easily to changes in legislation, culture, and demographics. However, given our country's limited IT infrastructure, technology adoption by attorneys, law firms, and law offices will take some time. As a result, every lawyer should prepare for future change, development, and success by learning to embrace technology and being future-ready. Apex Court ruled that the right to practice any profession or conduct any trade, service, or occupation over the internet is protected by the Constitution and is therefore essential to Article 19 of the Constitution, subject to appropriate limitations. Suspending Internet access not only prevents people from doing business online, but it also prevents them from earning a living, except in an emergency. Article 21 of the Indian Constitution guarantees; no fundamental right can be stripped away.