Endringsforslag i litteratur, hjelpemidler og læringskrav.

Med dette foreslås det at faget JUS5670 Electronic Commerce Law endres til «Legal Technology: Artificial Intelligence and Law». Faget inngår i LLM ICT law, og det tilbys også som valgfag i MiR (både bachelor og master).

Det er ønskelig å gjennomføre endringen allerede fra vår 2019, av følgende grunner:

- Et fag med tradisjonelle forelesninger erstattes med et nytt tilbud som bruker varierte undervisningsmetoder basert på «flipped classroom» konseptet (inkludert studentpresentasjoner og audiovisuelle elementer, se under). Faget er ment å støtte opp under fakultetets planlagte satsning på et senter for fremragende undervisning, med fokus på «experiential Learning».

- Sammenlignet med «Electronic Commerce Law» er «Legal Technology: Artifical Intelligence and the Law" bedre forankret i pågående og planlagt forskning ved Senter for rettsinformatikk og Institutt for offentlig rett (inkludert forskjellige forskningssøknader) og undervisningsplaner på det foreslåtte SFU. Vi antar at faget vil ha større interesse blant studenter. Vi har også etablert kontakt med eksterne aktører som vil bidra til kurset.

- Forslaget er primært et tiltak for å oppdatere innholdet i LLM ICT law. Det er ikke meningen at forslaget skal foregripe den pågående evalueringen av valgfagsporteføljen i MiR, men Institutt for privatrett har vurdert og støtter endringen..

- Det skal gjennomføres en siste eksamen i Electronic Commerce Law våren 2019.

Emnekode: JUS5670 (ny emnekode kreves, pga store endringer i innhold)	**Fagområde:** ~~Electronic communications law~~ **Legal Technology: Artificial Intelligence and the Law**
Navn på ansvarlig faglærer: Tobias Mahler og Malcolm Langford	
Forslag til endring i læringskrav (må beskrives i kategoriene: kunnskap, ferdigheter og generell kompetanse): **Knowledge** • Knowledge of the rise of new legal technologies in both public and private law and potential future applications, globally and in Norway, with	

a focus on use of artificial intelligence, big data, blockchain and online platforms.

- Knowledge of how artificial intelligence is theorised in the field of law.
- Knowledge of potential ethical, legal and practical challenges with using legal technology, including accuracy, accountability, fairness and discrimination.
- Good knowledge of a specific sub-set of legal technology issues, in particular through the selected focus for the term paper/project, which can be a concrete legal technology project or a theoretical, doctrinal or ethical, or socio-legal reflection.

Skills

- Ability to understand how computational methods are being applied in law.
- Ability to reflect over the benefits and limitations of legal technology from different perspectives
- Ability to participate in policy debates about legal technology and/or design legal technology.

General competence

- Understand how the idea and practice of law is being transformed by new technologies, especially through machine learning, blockchain and digital platforms.
- Develop contacts with practitioners in the legal technology industry
- Development of oral presentation skills.

Exams:

Bachelor and masters students

- Presentation of draft (group or individual) term paper – counting 33%
- Individual or group term paper (3000 words per student) - counting 66%

Forslag til endring i litteratur (både hovedlitteratur, støttelitteratur og tilleggslitteratur. Merk at det kun er hovedlitteratur som omfattes av sidetallsnormen. Antall sidetall må fylles inn)**:**

Mandatory reading

Total: 300 pages.

Kevin Ashley, *Artificial Intelligence and Legal Analytics: New Tools for Law Practice in the Digital Age* (Cambridge University Pres, 2017):

Part I: Computational Models of Legal Reasoning

- 'Introducing AI & Law and its Role in Future Legal Practice' pp. 1-37 (37 pages)

- 'Modelling Statutory Reasoning' pp. 38-72 (35 pages)

- 'Models for Predicting Legal Outcomes', pp. 107-126 (20 pages)

- 'Modelling Case-based Legal Reasoning' or 'Computational Models of Legal Argument, pp. 73-106 or 127-159 (33 pages)

Part II: Legal Text Analytics

- Machine Learning with Legal Texts', pp. 234-258 (25 pages)

- One other chapter from Part II, 169-204, 210-233, 259-284, or 285-310 (36 pages)

Part III: Connecting Computational Legal Reasoning Models and Legal Texts

- Cognitive Computing Legal Apps', pp. 350-392 (42 pages)

Reggie O'Shields, 'Smart contracts: Legal Agreements for the Blockchain', *North Carolina Banking Institute,* 21(1), pp. 171-94 (23 pages).

Karen Levy, 'Book-Smart, Not Street-Smart: Blockchain-Based Smart Contracts and The Social Workings of Law', *Engaging Science, Technology, and Society* 3 (2017), 1-15 (15 pages).

Karalina Mania, 'Online dispute resolution: The future of justice', *International Comparative Jurisprudenc*e, 1(1) 2015, Pages 76-86. (11 pages)

Kelly Hannah-Moffat, 'Algorithmic risk governance: Big data analytics, race and information activism in criminal justice debates', *Theoretical Criminology*, 2018. (20 pages)

Further reading

Richard Susskind, *Tomorrow's Lawyers: An Introduction to Your Future* (Oxford University Press, 2nd Edition, 2017) (98 pages).

Tale Skjølsvik, Karl Joachim Breunig, and Frida Pemer, 'Digitalization of Professional Services: The Case of Value Creation in Virtual Law Firms', in Andersson, Per Movin, Staffan Mähring, Magnus Teigland, Robin Wennberg, Karl (Red.),*Managing Digital Transformation.* (2018), s. 155-175.

Bryce Goodman and Seth Flexman, 'European Union regulations on algorithmic decision-making and a "right to explanation"', *AI Magazine*, Vol 38, No 3, 2017.

Paul Gowder, 'Transformative legal technology and the rule of law', *University of Toronto Law Journal,* 68(Supp 1)(2017), 82-105.

Gandhi, Milan. Legal technology: Hype, heuristics and humanity, *Proctor, The*, Vol. 37, No. 11, Dec 2017: 32-33.

Daniel Martin Katz, Michael J Bommarito II, Josh Blackman, 'A general approach for predicting the behavior of the Supreme Court of the United States', *PloS one*, 12(4).

Masha Medvedeva, Michel Vols, and Martijn Wieling,'Judicial Decisions of the European Court of Human Rights: Looking into the Crystal Ball', *Conference on Empirical Legal Studies – Europe* (2018).

Lettieri, N., Altamura, A., Faggiano, A. et al., 'A computational approach for the experimental study of EU case law: analysis and implementation', *Soc. Netw. Anal. Min.* (2016) 6: 56.

Sebastian Raschka and Vahid Mirjalili, *Python Machine Learning*, 2nd Edition, Packt (2017).

Forslag til endring i fagbeskrivelse:

Course content

Legal Technology refers to the use of technology, software and computer analytics to provide legal services and justice. It is increasingly transforming legal practice and institutions and the nature of law and research. The most prominent development is the rise of computational applications in artificial intelligence in legal fields diverse as asylum, contracts, policing and finance. Moreover, creative uses of digital platforms and blockchain technology are providing new possibilities in dispute resolution, legal registries and private law orderings.

This course will critically explore current trends and future possibilities of this transformation from the perspectives of legal science, computer science, social science and ethics. Students will:

- Learn about long-standing theory in law and artificial intelligence
- Study the rise of diverse computational law methods and processes,
- Explore potential future applications and development
- Critically examine the sociology and ethics of this transformation for law and the legal profession.
- Meet leading legal technology actors

Forslag til internasjonale rettskilder og/eller fremmedspråklig litteratur:

Se over

Forslag til rettskilder/litteratur som vil bedre kjønnsmessig balanse i faget/emnet. Er det aktuelle kjønnsperspektiv som kan inkluderes i faget?:

Machine learning and gender discrimination/equality.

Forslag til endring i hjelpemidler: Ingen, men ny eksamensform (se over)

Totalt antall sider hovedlitteratur:

300 pages.