



Professor Michael Legg

Director, Law Society of NSW Future of Law and Innovation in the Profession (FLIP) Stream

THE FUTURE OF LAW

3:00pm-4:00pm

Future of online and remote hearings post pandemic

With the onset of the COVID-19 pandemic, courts in Australia and around the world rapidly shifted to remote hearings. This session will draw on findings of the judiciary survey as undertaken during COVID-19 by the FLIP Stream at UNSW Law & Justice and reflect on the experience of remote courts and their users. It will examine the COVID-19 experience and provide guidance on a technology-enabled future court, including how technology adoption can impact open justice, procedural fairness and impartiality.

THE PROFESSION

9:45am-10:45am

Professional Competency in the Current Climate: Rules & Ethics

Part 1: Technological Competency: data and algorithm driven services, cyber risk and AI

Lawyers continue to adapt their ways of working to obtain the benefits of technological innovations and address new risks of dealing with digital data, breaches of client confidentiality, cyber threats and email-enabled fraud.

Lawyers increasingly rely upon legal tech applications, including e-discovery and document assembly tools, AI-based research and decision aids, online file sharing and storage, electronic deal rooms, e-signing, e-settlement and e-lodgement. Electronic communications are now standard business practice, but this has created new opportunities for fraudsters and hackers and increased risk for practitioners managing funds held in trust.

New capabilities bring unfamiliar risks and require new competencies to identify, mitigate and manage those risks, and some areas of legal work now involve a combination of legal and technological knowledge.

What are the core technological competencies that lawyers need to address existing and emerging technological risks? How do legal, professional and fiduciary duties and professional conduct regulation address requirements for these competencies and errors and data breaches that arise in the digital age?

In this session, our panel will use practical examples from everyday practice to illustrate how to identify and address these risks and develop and maintain business processes and technological competencies compatible with lawyers' professional obligations.

About Professor Michael Legg

Michael's research interests are in civil litigation, online dispute resolution / courts and the impact of innovation on the legal profession. In 2020 he co-authored the monograph "Artificial Intelligence and the Legal Profession" published by Hart Publishing and co-edited "The Impact of Technology and Innovation on the Well-Being of the Legal Professional" published by Intersentia.

In 2020 he won the Article/Chapter (General) Award at the Australian Legal Research Awards. In 2017 he was awarded Academic of the Year at the Lawyers Weekly Australian Law Awards for his innovative teaching of technology and legal practice, especially in relation to litigation and alternative dispute resolution, and engagement with the legal profession.

Michael is admitted to practice in the Supreme Court of NSW, Federal Court of Australia, High Court of Australia and in the State and Federal courts of New York. He holds law degrees from UNSW (LLB), the University of California, Berkeley (LLM) and the University of Melbourne (PhD).

Michael is a member of the Law Society of New South Wales' Future Committee and the Law Council of Australia's Class Actions Committee.