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Title of research article

Legal Consultation in the Era of Artificial Intelligence: Challenges of Civil Liability, Ethical Accountability, and the Redefinition of Professional Practice in the Digital Age

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Abstract

Artificial intelligence (AI) has emerged as one of the most disruptive technological developments of the 21st century, reshaping multiple professional domains, including law and legal consultancy. Within the legal field, AI-driven tools are increasingly utilized to streamline tasks such as case analysis, document review, legal research, and contract drafting. These tools significantly enhance efficiency, reduce the time required for repetitive processes, and provide consultants with predictive insights based on vast databases of jurisprudence and statutory frameworks. Despite these advantages, the integration of AI into legal consultancy presents fundamental challenges. Central among these is the reliability of algorithmic outputs, which often lack contextual sensitivity, interpretive nuance, and ethical reasoning that characterize human legal judgment. Furthermore, the absence of a comprehensive and binding legislative framework regulating the use of AI in legal practice generates considerable ambiguity in terms of accountability and civil liability for errors, omissions, or biased outcomes produced by AI systems.

This study demonstrates that AI should not be regarded as a replacement for human legal consultants but rather as an auxiliary instrument functioning under their direct supervision. The research highlights that legal consultants remain irreplaceable in providing interpretive reasoning, ensuring the validity of legal arguments, and safeguarding ethical responsibility. Findings suggest that while AI enhances productivity, it also introduces risks of over-reliance, data privacy breaches, and unresolved issues of liability in cases of erroneous or misleading outputs. Accordingly, the paper concludes that the effective use of AI in legal consultancy requires a dual approach: (i) legal reforms to establish a clear regulatory and liability framework governing AI-assisted advice, and (ii) the reinforcement of human oversight to ensure the accuracy, fairness, and ethical legitimacy of AI-driven legal processes. The study underscores that the future of legal consultation lies not in the substitution of human expertise but in the symbiotic interaction between human consultants and intelligent technologies, thereby fostering a more efficient yet accountable legal system.

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1. Introduction:

The advent of artificial intelligence has triggered profound transformations across multiple fields, including the legal domain, which was traditionally the preserve of legal professionals such as lawyers, notaries, bailiffs, and university professors specializing in law. These professionals were legally authorized to provide legal consultations. In the present day, however, access to legal information has become attainable through technological advancements, with sophisticated algorithms capable of analyzing legal texts and predicting possible solutions to specific disputes.

This evolution in the use of technology, particularly artificial intelligence tools, prompts several pressing questions: Can artificial intelligence genuinely deliver legal information with precision, transparency, and impartiality? Does it truly enhance the effectiveness of legal professionals? In light of these considerations, the following research problem emerges:

Do artificial intelligence tools threaten the role of legal consultants, or do they serve as complementary instruments supporting their profession?

Moreover, under what circumstances do legal consultants remain accountable for errors that result from the use of artificial intelligence in providing legal consultation?

Research Hypotheses:

Examining legal consultation in the era of artificial intelligence requires the formulation of a set of hypotheses to illuminate this technological transformation:

- **Hypothesis 1:** Artificial intelligence facilitates the work of legal consultants and legal professionals in general, and contributes to improving their performance.

- **Hypothesis 2:** Drafting legal consultations through artificial intelligence diminishes the credibility of legal consultation.

- **Hypothesis 3:** The legal consultant remains responsible for errors contained in legal consultations prepared using artificial intelligence.

Research Methodology:

This study adopts a descriptive-analytical approach, identifying and describing the functioning of artificial intelligence tools and applying this framework to the field of legal consultation. The methodology also involves analyzing both the positive and negative dimensions of these tools.

Study Axes:

The problem under discussion will be examined through three main axes:

- **Axis 1:** The nature of artificial intelligence.

- **Axis 2:** The impact of using artificial intelligence in the legal field.

- **Axis 3:** Defining responsibilities in the use of artificial intelligence tools in legal consultation.

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Axis 1: The Nature of Artificial Intelligence

Defining the nature of artificial intelligence with precision is not a simple task, as it continues to evolve constantly. Nevertheless, numerous attempts have been made to provide definitions, some of which are presented below:

First: Definition of Artificial Intelligence

Artificial intelligence is a branch of computer science that refers to the ability of machines to replicate human behavior, including processes such as thinking, planning, and even creativity.

At its core, it consists of algorithms that enable machines to analyze, make decisions, and adapt intelligently to different situations. Through the use of neural networks inspired by the schematic functioning of biological neurons, artificial intelligence systems are also capable of predicting outcomes based on acquired data.

These definitions, articulated from a technical perspective, emphasize the complexity of artificial intelligence and its continuous development. Attempts have also been made to define artificial intelligence from a legal perspective, though without achieving a universally comprehensive definition.

One of the most significant contributions is that of Alexandre Vial, who suggests defining artificial intelligence as a software system operating on algorithms that collect and utilize data, capable of partial or complete autonomous learning, and able to make decisions either partially or fully independently on the basis of learning and the use of data.[1]

This definition seeks to establish a general framework for understanding artificial intelligence.

Second: History of Artificial Intelligence

When addressing the origins of artificial intelligence, reference is often made to ten conferences held between 1946 and 1953 by the Macy Foundation. These conferences were preceded by a pivotal event in 1942: a meeting on brain inhibition organized by Frank Smith, director of the Jasiah Macy Jr. Foundation. [2]

This interdisciplinary meeting brought together Warren McCulloch and Arturo Rosenblueth, specialists in neurobiology and physics, who were the first to design a model of the neuron based on binary logic. Their model laid the groundwork for the construction of virtual neurons and later neural networks, positioning them among the earliest advocates of modeling the brain through a digital approach, with information encoded according to the binary system of 1 and 0.[3]

The meeting also included Margaret Mead and Gregory Bateson, specialists in anthropology, along with Lauren Kubie, a psychoanalyst, all of whom were engaged in efforts to better understand human thought processes. In addition, the founder of the Macy Foundation was present, and subsequent participants included Julien Bigelow, a physicist and computer engineer, and John von Neumann, a mathematician and the founder of game theory.

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[1] Alexandre Vial, *"Artificial Intelligence Systems and Civil Liability: Positive Law and Proposal for Reform"*, Doctoral Thesis, Law, University of Bourgogne, France, 2022, p. 42.

[2] The Josiah Macy Jr. Foundation, also known as the Macy Foundation, is an American organization established in 1930 to support health and education. It is well known for the Macy Conferences, which brought together scientists from diverse fields and played a major role in the development of cybernetics.

[3] Jacques Haiech, *"Tracing the History of Artificial Intelligence to Better Define and Understand It"*, *Médecine et Sciences*, No. 10, Vol. 36, October 2020.
https://doi.org/10-1051/Medsci/2020145. Accessed 05-04-2025 at 00:16.

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Alan Turing also made a decisive contribution with his landmark 1950 article addressing the question "Can machines think?", which laid the foundation for the creation of the world's first programmable computers. In other words, the pursuit of simulating human thought became the cornerstone of major advances in computer science, ultimately leading to the emergence of artificial intelligence.[4]

In 1956, John McCarthy and Marvin Minsky envisioned a future in which machines would not only simulate humans but also be capable of learning, adapting, and thus making decisions. This constituted the first true foundation of artificial intelligence, which has since undergone immense development and has spread across all areas of life—so much so that imagining its future has become daunting.

Axis 2: The Impacts of Artificial Intelligence in the Legal Field

Legal professionals seek to benefit from artificial intelligence tools in their practice, particularly in assisting with specific tasks and enhancing performance in order to provide better services to clients. However, such use inevitably presents drawbacks, which can be addressed through the following points:

First: Advantages of Using Artificial Intelligence in Legal Consultation

The application of artificial intelligence offers numerous services in the legal domain, the most significant of which include:

1 – Legal Analysis:

Artificial intelligence has introduced substantial transformations in legal analysis, facilitating the interpretation of complex legal texts in a manner that is faster, more accurate, and more accessible. With artificial intelligence, it is possible to examine laws, judicial rulings, court decisions, and regulatory texts in record time. This enables legal professionals to obtain a clearer understanding of the interconnections among legal provisions relevant to a particular case.

Such outcomes are achieved through machine learning algorithms capable of extracting information pertinent to the consultation subject and analyzing data accordingly. As a result, legal analysis becomes more comprehensive and precise. This not only accelerates decision-making but also ensures that the analysis is grounded in reliable and up-to-date data.[5]

2 – Enhancing Efficiency and Productivity

Efficiency is reflected in the facilitation of drafting legal documents, including contracts and other documents that traditionally require considerable time for preparation. These have become known as smart contracts, representing a novel method of automated contract execution supported by Blockchain technology. Such innovations are expected to reshape the legal field and compel legal professionals to adapt to these emerging circumstances.[6]

With the assistance of artificial intelligence, these documents can now be produced in record time while maintaining accuracy, credibility, and consistency in managing the various variables specific to each case or file.[7]

Furthermore, artificial intelligence contributes to risk assessment, strategic development, compliance with legal obligations, and the reinforcement of legal protection by supplying updated information consistent with the latest legislative amendments.[8]

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[4] Cédric Arnaret, *"The History of Artificial Intelligence: Origins, Evolution, and Perspectives"*, SEP Édition ADN, France, 5 March 2025. https://iafortune.fr/l'histoire-de-l'intelligence-artificielle/ Accessed 05-04-2025 at 15:54.

[5] Philippe Claudon and Bruno Deffains, *"Artificial Intelligence in the Legal Sector: Myths and Reality"*, *Innovation*, 21 March 2024. https://Storage.googleapis.com/public. Accessed at 22:15.

[6] Boris Barraud, *"Law in Data: How Artificial Intelligence Redraws the Legal World"*, *Revue Lamy, Droit de l'immatériel*, 2019, pp. 49–54. Hal-02445023.

[7] *Artificial Intelligence in Legal Practice: Revolution, Challenges, and Perspectives.* https://formation.lefebre-dalloz.fr/actualité-dans-la-pratique-juridique-revolution-enjeux-perspective. Published 26-03-2025, accessed 30-03-2025 at 22:57.

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Artificial intelligence operates through algorithms designed to analyze databases and judicial decisions. In the field of legal data analysis, it employs data mining techniques to extract statistics and case outcomes relevant to the subject of consultation, which are made available in the digital domain—while encrypting the identities of the litigants to safeguard their privacy.[9]

Overall, the use of artificial intelligence in legal consultation constitutes a substantial advantage for lawyers and legal consultants, as it enables them to save time and review a greater number of files, thereby generating economic benefits. In addition, it presents several advantages for judges, as it allows them to expedite the issuance of rulings, thereby reducing delays in case processing and alleviating the accumulation of cases in the courts.[10]

Second: Disadvantages of Using Artificial Intelligence in Legal Consultation

Although artificial intelligence has become an effective tool for accelerating and simplifying legal processes, its use in the field of legal consultation presents several challenges and has been subject to various criticisms. The most significant drawbacks can be summarized as follows:

1 – Credibility of Information Obtained Using Artificial Intelligence:

It must be stressed that the initial models of artificial intelligence, even today, continue to suffer from limitations. There are no programs currently capable of predicting the outcomes of disputes presented before the courts with a high degree of reliability.[11]

In addition, the work of lawyers and legal consultants inherently requires a creative dimension that enables them to devise solutions for disputes that have not been previously addressed. By contrast, artificial intelligence relies on compiling the results of past disputes and therefore lacks the capacity to produce genuinely novel solutions. Furthermore, the practice of law is inseparable from creativity, which is essential for adapting to socio-economic developments.[12]

2 – Lack of Deep Understanding of the Legal Context:

Even though artificial intelligence tools significantly assist legal consultants by gathering information and analyzing vast quantities of data in record time, they may still fail to apprehend the social complexities or cultural contexts that shape the interpretation of law. These tools may misinterpret legal texts when such texts are ambiguous or susceptible to multiple interpretations. Moreover, artificial intelligence lacks elements such as emotion or empathy, which are intrinsic human qualities of great importance in the practice of law.[13]

Legal cases frequently involve human or psychological dimensions—such as the motivations of parties or the influence of social pressures—that artificial intelligence is unable to comprehend.

Axis 3: Determining Liability for the Use of Artificial Intelligence in Legal Consultation

[8] Boris Barraud, Op. cit., p. 50.
[9] Ait Ali Zaina, *"Predictive Justice in the Age of Artificial Intelligence: Advantages and Disadvantages"*, *Revue Afak Sciences*, Vol. 8, No. 3, 2023, pp. 584–596.
[10] Ibid., p. 560.
[11] E. Kestenaire, *"Justice and Legal Protection: What Contribution to Our Client Relationship?"*, *Arch-phil, Droit*, 2018, p. 278.
[12] Jacquemine Hervé and Hubin Jean-Benoît, *"Artificial Intelligence: True or False Friend of the Litigant? The Stakes of AI Use by Lawyers, Insurers, and Legaltechs"*, in *The Judge and the Algorithm: Augmented Judge or Weakened Justice?*, CRDIS Collection, No. 46, Larcier, Brussels, 2019, pp. 75–104.
[13] Canvat Raphael, *"Artificial Intelligence in Legal Practice: Reception in European Law, Impact on the Legal Profession and Ethics"*, Faculty of Law and Criminology, University of Louvain, France, 2020, p. 25.
https://hdl:handle.net/2078-1/thesis:24422. Accessed 15-04-2025.

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The issue of determining liability for the use of artificial intelligence in legal consultation is highly complex due to the multiplicity of parties involved and the overlapping nature of their roles. Each party plays a role that may result in an error or cause harm.

First: Civil Liability for Errors of Artificial Intelligence

Civil liability refers to an individual's responsibility for the consequences of negligence committed either by themselves or by those under their supervision and control. More specifically, civil liability is a legal obligation imposed on a person—whether natural or legal—to compensate for damage suffered by others as a result of a wrongful act or unlawful conduct committed by them, or caused by an object or animal under their custody, or through the failure to fulfill contractual obligations.[14]

Whether contractual liability or tort liability is at issue, both are based on the principle of a person's ability to reason—that is, full mental capacity and legal majority—combined with the commission of an act contrary to the law, which results in harm to others and thus entails personal liability requiring compensation for the damage caused. As is well established, tort liability takes multiple forms: personal liability, liability for the acts of others, liability for things, in addition to the more recent regime of product liability for defective products.[15]

Accepting liability for harm caused by outcomes generated by algorithms would imply recognizing the liability of "machines" containing such algorithms. This is a highly controversial matter, as it would suggest that technical objects possess legal personality, while in reality, they remain only partially autonomous systems programmed, designed, and configured by humans, and ultimately remain subject to human control.[16]

This presents another difficulty: identifying responsibility among the numerous actors contributing to the development and operation of artificial intelligence—the manufacturer, the programmer, the operator, and the user. Given the multiplicity of their roles, separating their respective faults becomes challenging. This situation necessitates examining the conduct of each party, analyzing it, and determining its relation to the damage.[17]

Moreover, highly advanced forms of artificial intelligence, such as Machine Learning, raise the further question of whether the manufacturer, programmer, operator, or user truly retains the ability to control these algorithms. This type of artificial intelligence is characterized by autonomy, unpredictability, and lack of control.

As a result, it negates the attribution of personal liability to individuals for actions not performed directly by them, making it impossible to invoke the concept of human fault without which the harm would not have occurred.

Nevertheless, some legal scholars argue that human fault is always the underlying cause of damage attributed to intangible objects, since such objects cannot, by themselves, independently cause harm.[18]

Second: Liability of the Legal Consultant for the Use of Artificial Intelligence in Preparing Legal Consultation

The use of artificial intelligence by legal consultants, lawyers, or legal professionals in general for the preparation of legal consultations raises numerous questions, as this practice poses significant risks in reality.

 It is therefore essential to distinguish between artificial intelligence systems composed of algorithms that merely assist in decision-making, and artificial intelligence programs composed of algorithms capable of making decisions

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[14] Thabet Dania, *"The Basis of Civil Liability Between the Traditional and Modern Concept"*, *Journal of Legal and Social Sciences*, University of Ziane Achour, Djelfa, Algeria, Vol. 8, No. 3, September 2023, pp. 209–221.

[15] Hans Jonas, *"An Ethics for Nature"*, Arthaud Poche, *Les fondamentaux de l'écologie*, 2017, p. 99

[16] Mostafa Abou Mandour Moussa Issa, *"The Adequacy of General Rules of Civil Liability in Compensating Damages Caused by Artificial Intelligence"*, *Journal of Law, Damietta for Legal and Economic Studies*, No. 5, January 2022, p. 233.

[17] Ibid., p. 271.

[18] Rafaf Lakhdar / Miouf Fayrouz, *"The Specificity of Civil Liability for Damages Caused by Artificial Intelligence Systems in Algerian Law"*, *Tébessa Journal for Academic Scientific Studies*, Vol. 6, No. 1, 2023, p. 582.

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fully autonomously. The latter presents considerable danger, as it does not take into account the specific circumstances of litigants or the client seeking consultation.[19]

This underscores the necessity of the legal consultant's presence and continuous supervision throughout all stages of preparing the legal consultation. In other words, artificial intelligence may be integrated and utilized within the preparation process, but it must never be left to draft a legal consultation entirely on its own without proper verification of the results.[20]

Consequently, errors arising from artificial intelligence raise important questions about responsibility. Should the legal consultant be held accountable when using AI tools developed by a third party? Or should liability fall upon the company that developed the system? These questions demand a careful analysis of existing legal frameworks and an alignment of liability principles with the ongoing developments in artificial intelligence. In many cases, the legal consultant may indeed be liable for errors resulting from the use of AI tools, particularly when such tools are used improperly or when the consultant fails to verify the outcomes.

However, there may also be circumstances in which the developer company is held responsible for errors, especially in cases where defects exist in the software or algorithms. Accordingly, there is a pressing need to establish clear and precise rules and to develop a legal framework that aligns with technological progress, while setting standards to ensure the responsible use of these technologies.

From this perspective, it can be concluded that artificial intelligence cannot, under any circumstances, replace human involvement, as the sensitivity of cases requiring consultation presupposes precision in their handling. Hence, the use of artificial intelligence in preparing legal consultations must always remain under the supervision of the legal consultant in order to avoid erroneous or biased results that may arise from deficiencies in the databases employed or from algorithmic misinterpretations.

Furthermore, the human relationship between the legal consultant and the client—built on trust and psychological support—cannot be replaced by a machine. The majority of clients continue to prefer direct, face-to-face meetings with legal consultants and do not fully place their trust in artificial intelligence tools.

This highlights the importance of the human element as a crucial and irreplaceable foundation in the work of legal consultants, whose responsibility therefore remains intact.

Conclusion:

Although artificial intelligence tools contribute to saving time and effort, this does not exempt the legal advisor from the fundamental responsibility of ensuring the accuracy and validity of the information provided to the client or to the court. The role of the legal advisor is not limited to transmitting information; rather, it is a task that demands a high degree of intellectual and legal skill, as well as expertise in the legal field. For this reason, the advisor must exercise sound judgment and precision when employing artificial intelligence tools in professional practice.

- The use of artificial intelligence tools in legal consultation has accelerated legal research and analysis processes, thereby facilitating the work of legal advisors.

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[19] Pauline Bertrand, *"Decision-Making Support Systems in Judicial and Legal Matters: Ethical, Technical, and Legal Aspects in Comparative Law (France, Germany, United States)"*, Master 2 Comparative Business Law, Harvard Law School, 2021–2022, p. 89.
[20] Emilie Guiraud, *"The Role of Ethics in Establishing Certification for the Use of Algorithms in the Legal System"*, *Éthique Publique*, Vol. 21, No. 01, 2019.
https://doi.org/10.4000/ethiquepublique-4429. Accessed 13-05-2025.

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- Analytical errors may occur when using artificial intelligence tools, which could result in incorrect legal outputs and potentially harm the interests of the client seeking legal advice.

- Artificial intelligence must be regarded as an auxiliary tool that supports the work of legal advisors, rather than as a complete substitute.

- A comprehensive legislative framework regulating the use of artificial intelligence in the legal field is still lacking.

Findings

1. AI as a Supportive Tool, Not a Replacement: The study confirms that AI technologies improve efficiency in legal practice but cannot replace the interpretive, ethical, and strategic reasoning of legal consultants.
2. Civil Liability Concerns: The absence of clear legislation leaves significant ambiguity in determining liability for errors or damages arising from AI-generated legal advice. Consultants remain primarily responsible for validating AI outputs.
3. Reliability and Accuracy: While AI tools expedite research and analysis, they are prone to algorithmic bias, lack of contextual awareness, and limitations in interpreting complex legal reasoning.
4. Ethical Accountability: Legal consultants carry the ethical obligation to ensure that the integration of AI does not compromise justice, fairness, or client confidentiality.
5. Need for Legal Reform: The research stresses the necessity of adopting comprehensive legislative and regulatory frameworks to govern AI in legal practice, focusing on liability, professional responsibility, and data protection.
6. Future Outlook: AI is best understood as a complementary partner to human expertise, requiring balanced integration that strengthens, rather than undermines, the ethical and professional foundations of legal consultancy.

Acknowledgement

Ethical Considerations

This research was conducted in accordance with academic and ethical standards for scholarly work. All arguments, analyses, and conclusions are based on independent academic judgment without the influence of third-party interests. No confidential case data or personal client information was used in the preparation of this study. The study is purely conceptual and does not involve human or animal subjects, thereby requiring no formal ethical approval.

Conflict of Interest

The author declares no conflict of interest. The research was conducted independently, without any financial, institutional, or personal relationships that could be construed as a potential conflict.

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