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Artificial Intelligence, Technology, and the Future of Law

Saturday, March 25, 2017

Registration and Continental Breakfast	**8:30 - 9:00 am**

Opening Remarks	**9:00 – 9:15 am**

- **Prof. Simon Stern**, Co-Director, Centre for Innovation Law and Policy

Panel 1: How Will Artificial Intelligence Alter the Practice of Law?	**9:15 – 10:30 am**

- **Prof. Ben Alarie**, University of Toronto, Faculty of Law
- **Prof. Albert Yoon**, University of Toronto, Faculty of Law

Moderator:
Michael Hilliard
Inter Alia Law

Morning Break	**10:30 – 10:45 am**

Panel 2: Will Technology Democratize Access to Legal Services?	**10:45 - 12:00 pm**

- **Prof. Frank Pasquale**, University of Maryland School of Law
- **Prof. Paul Gowder**, University of Iowa College of Law
- **Sherry MacLennan**, British Columbia Legal Services Society

Moderator:
Prof. Martin Friedland,
University of Toronto
Faculty of Law

Lunch and Keynote Speaker: **Professor Dana Remus, UNC School of Law**	**12:00 – 1:30 pm**

Panel 3: How Will Technology Change Legal Education?	**1:30 – 2:45 pm**

- **Prof. Daniel Rodriguez**, Dean, Northwestern Pritzker School of Law
- **Prof. Michele Pistone**, Villanova University Charles Widger School of Law
- **Prof. David Thomson**, University of Denver Sturm College of Law

Moderator:
Prof. Simon Stern
University of Toronto
Faculty of Law

Afternoon Break	**2:45 – 3:00 pm**

Panel 4: Will Technology Challenge the Conceptual Foundation of the Law?	**3:00 – 4:15 pm**

- **Prof. Mireille Hildebrandt**, Vrije Universiteit Brussel
- **Prof. Brian Sheppard**, Seton Hall Law
- **Prof. Daniel Katz**, Chicago-Kent College of Law

Moderator:
Prof. Simon Stern
University of Toronto
Faculty of Law

Reception	**4:15 - 5:30 pm**

For Ontario lawyers, this program is eligible for up to 6 Substantive Hours.

SPEAKER BIOGRAPHIES

Panel 1: How Will Artificial Intelligence Alter the Practice of Law?

Moderator: Michael Hilliard, Inter Alia Law
Michael is a technology lawyer who advises companies ranging from start-ups to global industry leaders on legal and regulatory matters. In addition to drafting and negotiating agreements, Michael also provides advice on Canadian intellectual property, competition, privacy, advertising and promotions, Internet sales, and French language laws. Prior to joining Inter Alia Law, Michael functioned as general counsel for Microsoft Canada's online, consumer and channel sales and marketing divisions as well as its developer, human resources, operations and finance groups. While at Microsoft, Michael also led key government and regulatory affairs and corporate social responsibility initiatives. Michael began his legal career as an intellectual property litigator at Gowlings GSH and then joined the technology business law group at Oslers, Hoskin & Harcourt, both in Toronto.

Prof. Ben Alarie, University of Toronto, Faculty of Law
Benjamin Alarie, M.A. (Toronto), J.D. (Toronto), LL.M. (Yale) researches and teaches in taxation law and judicial decision-making. Before joining the Faculty of Law, Professor Alarie was a law clerk for Madam Justice Louise Arbour at the Supreme Court of Canada (2003-2004). Over the years his publications have appeared in numerous academic journals, including the American Business Law Journal, the British Tax Review, the Canadian Business Law Journal, the Canadian Tax Journal, the Osgoode Hall Law Journal and the University of Toronto Law Journal. His research has been funded by the Social Sciences and Humanities Research Council, the Canadian Foundation for Innovation, and the Ontario Ministry of Research and Innovation. He is coauthor of several editions of Canadian Income Tax Law (LexisNexis) and was awarded the Alan Mewett QC Prize for Excellence by the JD class of 2009. In addition to his academic career, Professor Alarie is co-founder and CEO of Blue J Legal, a fast growing startup company which brings advanced machine learning and natural language processing technology to the field of tax law.

Prof. Albert Yoon, University of Toronto, Faculty of Law
Albert Yoon holds the Chair in Law and Economics. Albert received his undergraduate degree from Yale and his law and doctoral (political science) degrees from Stanford. During law school, he was the senior articles editor of the Stanford Law Review. After graduation, he clerked for the Hon. R. Guy Cole of the U.S. Court of Appeals for the Sixth Circuit and was a Robert Wood Johnson Scholar in Health Policy Research at U.C. Berkeley. Before joining the Faculty of Law, Albert was professor of law at Northwestern University, during which he was a Law and Public Affairs Fellow at Princeton University and a Russell Sage Visiting Scholar in New York City. Albert writes in the areas of the torts and civil procedure, the legal profession, and judicial behaviour. He has published in the California, Chicago, Cornell, Stanford, and Virginia law reviews; and the Annals of Applied Statistics, Journal of Law & Economics, Journal of Legal Analysis, Journal of Theoretical Politics, and the Journal of Empirical Legal Studies, among others. Albert is a recipient of the Ronald H. Coase Prize for best article in Law and Economics and a member of the American Law Institute.

Panel 2: Will Technology Democratize Access to Legal Services?

Moderator: Prof. Martin Friedland, University of Toronto, Faculty of Law
Martin Friedland, C.C., Q.C., is University Professor and James M. Tory Professor of Law Emeritus at the Faculty of Law. He holds a B.Comm., LL.B., and honorary LL.D. from the University of Toronto, and a Ph.D. and LL.D from Cambridge University. Professor Friedland taught at Osgoode Hall Law School until 1965 when he joined the University of Toronto as an associate professor. He was promoted to professor in 1968 and served as dean from 1972-1979. He also served as a full time member of the Law Reform Commission of Canada in Ottawa from 1971 to 1972. In 1987 he was awarded the University of Toronto Alumni Faculty Award, in 1990 was appointed an Officer of the Order of Canada, and in 2003 was made a Companion of the Order of Canada. He is currently a fellow of Massey College. Professor Friedland specializes in Criminal Law and is author or editor of eighteen books including *Detention Before Trial, Double Jeopardy, Access to the Law, A Place Apart: Judicial Independence and Accountability in Canada, The Trials of Israel Lipski, The Case of Valentine Shortis* and *The Death of Old Man Rice*, as well as many law review articles and reports. His book *The University of Toronto: A History* was published in 2002, on the 175th anniversary of the University's foundation. A second edition, with a new introduction, was published in 2013.

Prof. Frank Pasquale, University of Maryland School of Law
Frank Pasquale researches the law of big data, artificial intelligence, and algorithms. He has testified before or advised groups ranging from the Department of Health and Human Services, the House Judiciary Committee, the Federal Trade Commission, and directorates-general of the European Commission. He is the author of *The Black Box Society* (Harvard University Press, 2015), which has been translated into Chinese, Korean, French, and Serbian. The book developed a social theory of reputation, search, and finance. He has served on the NSF-sponsored Council on Big Data, Ethics, & Society, and the program committees of the Workshop on Data and Algorithmic Transparency and the NIPS Symposium on Machine Learning and the Law. He has spoken at the Nobel Prize Dialogue on the Future of Artificial Intelligence, and at universities around the world, on algorithmic accountability. Frank has co-authored a casebook on administrative law and co-authored or authored over 50 scholarly articles. He co-convened the conference "Unlocking the Black Box: The Promise and Limits of Algorithmic Accountability in the Professions" at Yale University. He is now at work on a book tentatively titled Laws of Robotics: The Future of Professionalism in an Era of Automation (under contract to Harvard University Press).

Prof. Paul Gowder, University of Iowa College of Law
Paul Gowder is Associate Professor of Law at the University of Iowa, where he also holds courtesy appointments in Political Science and Philosophy. His research covers a broad range of subjects spanning the distance between Classical Athenian law and political philosophy and contemporary machine learning in law, but is always focused on the rule of law, democratic legitimacy, and social, economic, and racial equality. He is the author of *The Rule of Law in the Real World* (Cambridge University Press, 2016).

Sherry MacLennan, British Columbia Legal Services Society
Sherry joined the Legal Services Society as a staff lawyer in 2000, following a career in private practice in both BC and Saskatchewan. While at LSS, she has worked in a number of capacities that saw her implement the family duty counsel program and later manage intake, offices and local agents. Since becoming director in 2009, Sherry has overseen the integration of information and referral services in the application process, the expansion of public legal education and information services to include community partners and enhanced Aboriginal services. Sherry is the Chair of the BC Public Legal Education & Information Working Group and sits on the advisory committees of two national access to justice projects, the National Self-Represented Litigant Project and the Evolving Legal Services project.

Keynote Speaker

Professor Dana Remus, UNC School of Law

Professor Remus joined the UNC faculty in 2013 after teaching at the University of New Hampshire School of Law and Drexel University's Earle Mack School of Law. Her research interests center on legal and judicial ethics and the regulation of the legal profession. Remus recently published *Can Robots be Lawyers? Computers, Lawyers, and the Practice of Law,* with Frank Levy, which posits that automation has a measurable impact on the demand for lawyers' time, but one that is less significant than popular accounts suggest. A previous paper, titled *The Uncertain Promise of Predictive Coding*, argued for the creation of industry standards around the use of technology-assisted review.

Recently, as Senior Ethics Counsel for the Obama Administration, Remus led the White House ethics and compliance team. She, along with six additional lawyers, advised White House staff on all aspects of government ethics and compliance. Several areas fall under this umbrella, including conflicts of interest, political activity by administration officials, records management — which includes transfer of records to the National Archives — and public/private partnerships.

Remus has previously taught at Duke University School of Law, St. John's University School of Law, University of New Hampshire School of Law and Drexel University's Earle Mack School of Law. Remus clerked for U.S. Supreme Court Associate Justice Samuel A. Alito, Jr. and Judge Anthony J. Scirica of the U.S. Court of Appeals for the Third Circuit, and was an associate at Cravath, Swaine & Moore LLP. She earned her J.D. from Yale Law School and her A.B. from Harvard College.

Panel 3: How Will Technology Change Legal Education?

Moderator: Simon Stern, University of Toronto Faculty of Law
Simon Stern, B.A. (Yale), Ph.D., English (UC Berkeley), J.D. (Yale), member of the Washington, D.C. Bar, is associate professor at the Faculty of Law, University of Toronto. While in law school he was Editor-in-Chief of the Yale Journal of Law & the Humanities. After law school he clerked for Ronald M. Gould on the U.S. Court of Appeals for the Ninth Circuit, practiced litigation at Shea & Gardner (now Goodwin Procter) in Washington, D.C., and then served as a Climenko Fellow and Lecturer on Law at Harvard Law School. Prof. Stern teaches and researches in the areas of civil procedure, law and literature, legal history, and criminal law. His research focuses on the evolution of legal doctrines and methods in relation to literary and intellectual history. Current research topics include the development of the "reasonable man" standard (and its precursors and analogues) since the eighteenth century, and the changing conception of legal fictions between the renaissance and the present. He is co-chair of the Critical Analysis of Law Workshop, and is co-editor of Critical Analysis of Law.

Prof. Daniel Rodriguez, Dean, Northwestern Pritzker School of Law
Daniel B. Rodriguez was appointed Dean and Harold Washington Professor at Northwestern Pritzker Law School in January 2012. A nationally prominent law teacher and scholar, Rodriguez's principal academic work is in the areas of administrative law, local government law, and constitutional law. He also has a special interest in the law-business-technology interface and its impact on the future of legal education. He is a leader in the application of political economy to the study of public law and has authored or co-authored a series of influential articles and book chapters in this vein. In addition, he has been a visiting professor at Columbia University, University of Southern California, University of Illinois, and at the Free University of Amsterdam, The Netherlands. Rodriguez received his law degree from Harvard in 1987 and his undergraduate degree is from the California State University of Long Beach, where he is a recipient of that school's distinguished alumnus award. After graduating from law school, he clerked for Judge Alex Kozinski of the United States Court of Appeals for the Ninth Circuit.

Prof. Michele Pistone, Villanova University Charles Widger School of Law
Professor Pistone is a Professor of Law and directs and teaches the Clinic for Asylum, Refugee and Emigrant Services (CARES). She founded the Law School's in-house Clinical Program, which she built and directed for nine years. Professor Pistone has also taught at Georgetown University Law Center, twice as a Visiting Professor at American University Washington College of Law and as a Fulbright Scholar at the University of Malta. Professor Pistone's research focuses on technological innovations in the practice of law and in legal education, asylum and refugee law, immigration law, migration, clinical education, and Catholic social thought. She is co-author of a groundbreaking book entitled *Stepping Out of the Brain Drain: Applying Catholic Social Teaching in a New Era of Migration* (Lexington Books 2007). Professor Pistone received her B.S. cum laude New York University, her J.D. cum laude from St. John's University School of Law, and her LL.M. from the Georgetown University Law Center. Before joining the Villanova faculty in 1999, she was an associate in the corporate and telecommunications departments at Willkie Farr & Gallagher in New York City and Washington, D.C., the Legal Director of Human Rights First in Washington, D.C., where she emerged as a leading advocate for justice in the immigration law system.

Prof. David Thomson, University of Denver Sturm College of Law
David joined the Sturm College of Law as a member of the faculty in 2003, but he had taught two courses over six years at DU Law as an adjunct professor in the 1990s, and already had extensive experience as a teacher before that. He practiced law for 20 years, starting at Patterson, Belknap, Webb & Tyler in New York City. After several years in New York, he moved to the Environmental Enforcement Section of the Land & Natural Resources Division at the U.S. Department of Justice in Washington, where he litigated pollution cases in federal courts all over the country for the EPA. More recently, he has been working with law professors at Moscow State University on their teaching, having visited with them in Russia several times since 2014, and having hosted them in Denver in March of 2015. In the last two years, he has also been working with professors at Université du Québec à Montréal on a book about Digital Transformations across business sectors, having presented at a conference on the same subject in Montreal in October of 2014.

Panel 4: Will Technology Challenge the Conceptual Foundation of the Law?

Moderator: Simon Stern, University of Toronto Faculty of Law
Simon Stern, B.A. (Yale), Ph.D., English (UC Berkeley), J.D. (Yale), member of the Washington, D.C. Bar, is associate professor at the Faculty of Law, University of Toronto. While in law school he was Editor-in-Chief of the Yale Journal of Law & the Humanities. After law school he clerked for Ronald M. Gould on the U.S. Court of Appeals for the Ninth Circuit, practiced litigation at Shea & Gardner (now Goodwin Procter) in Washington, D.C., and then served as a Climenko Fellow and Lecturer on Law at Harvard Law School. Prof. Stern teaches and researches in the areas of civil procedure, law and literature, legal history, and criminal law. His research focuses on the evolution of legal doctrines and methods in relation to literary and intellectual history. Current research topics include the development of the "reasonable man" standard (and its precursors and analogues) since the eighteenth century, and the changing conception of legal fictions between the renaissance and the present. He is co-chair of the Critical Analysis of Law Workshop, and is co-editor of Critical Analysis of Law.

Prof. Mireille Hildebrandt, Vrije Universiteit Brussel
Hildebrandt is a lawyer and a philosopher. She is a tenured research professor at the Faculty of Law and Criminology, Vrije Universiteit Brussel on 'Interfacing Law and Technology' and a part-time full professor at the Science Faculty, Radboud University on 'Smart environments, data protection and the Rule of Law'. Her research is focused on the nexus of philosophy of law and technology, notably investigating the implications of smart technologies for democracy and the Rule of Law. She publishes widely on these issues, e.g., Smart Technologies and the End(s) of Law (Edward Elgar 2015) and 'Law as Information in the Era of Data-Driven Agency' (Chorley Lecture 2015), The Modern Law Review (79) 1, 1-30.

Prof. Brian Sheppard, Seton Hall Law
Professor Sheppard's research examines how legal norm types, such as rules and standards, affect behavior. His work typically uses the insights of legal philosophy and the methodologies of behavioral psychology to investigate how the clarity of our legal directives changes the way that we justify or argue against state action. He is currently analyzing the relationship between law's clarity and the development of interpretive technology. His other academic interests include legal ethics, international law, jurisprudence, torts, entertainment law, and legal innovation. He has published work in the Vanderbilt Law Review, Yale Press, and the Harvard Law Review Forum, among others. Professor Sheppard joined Seton Hall as an associate professor in 2010 after serving as a Climenko Fellow at Harvard Law School, where he recently earned his S.J.D. In the years before his fellowship, he served as a law clerk in Boston for Justice Martha B. Sosman of the Supreme Judicial Court of Massachusetts and for Judge Levin H. Campbell of the United States Court of Appeals for the First Circuit. Professor Sheppard earned his LL.M. from Harvard Law School and his J.D., cum laude, from Boston College Law School. He is a member (inactive) of the Massachusetts Bar.

Prof. Daniel Katz, Chicago-Kent College of Law
Professor Katz is a scientist, technologist and law professor who applies an innovative polytechnic approach to teaching law - to help create lawyers for today's challenging legal job market. Professor Katz's forward-thinking ideas helped to earn him acknowledgement in the 2013 Fastcase 50, an award which "recognizes 50 of the smartest, most courageous innovators, techies, visionaries, and leaders in the law." He was also named to the American Bar Association Journal's 2013 Class of "Legal Rebels," a prestigious group of change leaders in the legal profession. Professor Katz teaches Civil Procedure, E-Discovery, Legal Analytics and Practice & Professionalism at Chicago-Kent and spearheads new initiatives to teach law students how to leverage technology and entrepreneurship in their future legal careers. He joined Chicago-Kent in 2015 from Michigan State University College of Law, where he co-founded the ReInvent Law Laboratory, an innovative multi-disciplinary center that focused on the intersection of entrepreneurship, informatics, programming and design thinking to better understand, analyze and design the law.