

The Last **WORD**

By Edward J. Walters, Jr.

IPSE DIXIT: BIG DATA

Due to our current technology, there is now so much data available and so much computing power to manipulate it that we can now do things which were unthinkable, and even unknowable, not so long ago.

What does "Big Data" have to do with the practice of law?

Enter "Ross." Ross is touted as "the world's first artificially intelligent attorney that helps human lawyers research faster." You ask Ross a question in plain English and Ross returns an answer with readings from statutes, cases and other sources. Ross's handlers claim that Ross can THINK like a lawyer and that several (unnamed) big firms are now using Ross like an additional unpaid (but not unbilled) associate. True story. Google it.

So, let's fast forward and peek at the conversation between your client and Ross.

Ross: Dewey, Cheatham and Howe, this is Ross, may I help you?

Client: Mr. Ross, ...

Ross: Call me Ross, Mr. Jones. As I see, you are president of Jones Industries, a public company in Sandusky, Ohio, with 3,127 employees and 13 offices throughout the Midwest, calling from your wife's cell phone in Aspen.

Client: ... er ... , yes, our company had an accident where one of our employees got his arm caught in a lathe and he was very badly injured. May I speak to Mr. Dewey?

Ross: Well, Mr. Jones, this is your intake portal. Luckily for you, according to the OSHA report, which I have now read, and according to the Louisiana law on job site negligence, which I have read, all you owe this person is workers' compensation benefits, which are meager, of course, unless this was an intentional act, which would make you liable for full damages, but, since the accident was in St. Atchafalaya Parish, a VERY conservative parish, you should easily win the case, so we will settle

very quickly. I have researched the injured person's background, work history, criminal record, and that of his family. In all probability, his family will hire the local lawyer, Alcide Boudreaux, who has NEVER tried any case to a jury. I see the injured person is way behind on the mortgage on his trailer and Mr. Boudreaux is behind on his office rent. So, we will pay him \$50,000, which we will write off as office expenses. Please log on to your computer and see the documents I have just emailed to you. I have your authorization to use your electronic signature, so I signed them for you. I will handle everything.

Client: I'd REALLY like to speak to a lawyer. Is Mr. Cheatham available?

Ross: Well, Mr. Jones, I am in Calcutta, so I don't know if Mr. Cheatham is at work today — not part of my data-set.

Client: What if my employee does not agree to the \$50,000? I LIKE this guy and feel like we should do the right thing because he got hurt on this lathe because we removed the guard.

Ross: Let's go with the data, Mr. Jones. I spoke to your foreman who witnessed the accident.

Client: Wait, I didn't want you to discuss this with my management personnel ...

Ross: You signed the waiver for the insurance carrier who has your coverage in this matter. As we were talking, using the Federal Court Electronic Filing system, I placed \$50,000 in an interpleader. I have your permission to file, on file, so I filed.

Client: Wait! We have an arbitration clause in our employment contract.

Ross: Those arbitration clauses are very much under attack, as you know. If you read the law in Nebraska ...

Client: We ain't IN Nebraska ...

Ross: Mr. Jones, regardless, my research reveals that you have no chance of winning that point. The firm's program calls for filing

a concursus, which is what I did.

Client: You did? When?

Ross: Just now, as we were speaking. I just emailed a copy to you. It should be there by now.

Client: I need to speak to a lawyer! Get me to Mr. Howe, immediately. I didn't hire a MACHINE. I hired a PERSON. Get me a PERSON! NOW! ... Ross?

buffering

Client: What happened? Ross? I want a lawyer. ... Ross?

Ross: Do not turn off your computer. We will do that for you. We need to update your software. This may take a few minutes.

please wait

DAL: This is DAL, your law firm's Disciplinary Complaint Portal. Please enter your username, password and the grounds of your complaint. It will be analyzed through our disciplinary complaint database. Your legal matters are very important to us and we appreciate your business. Please fill out the short evaluation form attached so that our quality control computer can report on our performance.

Client: I'll be GLAD to ...

"You have entered an invalid username and password. Please try again. If you need assistance, please contact our firm's online client support portal."

Edward J. Walters, Jr., a partner in the Baton Rouge firm of Walters, Papillion, Thomas, Cullens, L.L.C., is a former Louisiana State Bar Association secretary and editor-in-chief of the Louisiana Bar Journal. He is a current member of the Journal's Editorial Board. He is the chair of the LSBA Senior Lawyers Division and former editor of the Division's e-newsletter Seasoning. (walters@lawbr.net; 12345 Perkins Rd., Bldg. 1, Baton Rouge, LA 70810)

