
Book Reviews

Law, Computers and Artificial Intelligence, Volume 1, Number 1

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Just a few issues ago, we were pleased to announce that a journal in the field of computers and law had reopened. The *Journal of Law and Information Science* was very well received, and is by all accounts flourishing. It has been joined by another journal, called *Law, Computers & Artificial Intelligence*. The editor, Dr Indira Carr of University College of Wales at Aberystwyth, Wales, notes in her inaugural statement that the purpose of the journal is to provide a focus for articles and notes on law and artificial intelligence. However, it appears that the journal will publish not only on artificial intelligence and law, but also on computers and law generally.

The first issue is excellent. While maintaining a focus on artificial intelligence and law it does cover a wider field. The first two articles are about building legal expert systems and show some of the approaches adopted by English researchers. The third article, by Mital & Johnson [whose book *Advanced Information Systems for Lawyers* is reviewed below – Eds] looks at building expert systems in the financial-legal domain, and whether courts will be able to apply the reasonableness test for professional negligence where expert systems have been used for advice. This is a much neglected question, and is one which

is likely to become more important in future. It is pleasing to see the issue aired at last.

The fourth article by K.Puri, the Acting Dean and Head of the Law School at the University of Queensland examines computer software copyright in Australia. It is very detailed and learned, and an extremely interesting addition to this well-trodden field. It is nonetheless somewhat disappointing that the discussion breaks off after the Full Federal Court decision of *Autodesk*. Presumably the paper was written prior to the High Court's decision, and certainly before the application for re-hearing [see last issue of *Computers & Law* - Eds].

The final two articles look at some questions in using computer technology in criminal matters. As would be obvious from the descriptions of the articles, one can see that this issue delves into a number of fascinating areas. The journal is not devoted simply to artificial intelligence, though it seems that a proportion of each issue will focus on this. One issue each year is to have a particular theme. This year it will be 'Legal Implications of Electronic Data Interchange'.

This journal is very professionally produced, and promises to contribute greatly to discussion of computers and law. It is highly recommended. 

[Abstracts of all articles appearing in the above issue of *Law, Computers & Artificial Intelligence* appear on page 42 in this issue of *Computers & Law* - Eds]

Advanced Information Systems for Lawyers

V.Mital & L.Johnson

Chapman & Hall, 1992, 306 pages

Hardback \$105.95 (Due in stock November)

Distributed by Thomas Nelson Australia, 102 Dodds Street, South Melbourne 3205

ph: (03) 685 4111

Over the last few years there has been a strong push towards computerising aspects of legal practice, together with a growing body of researchers who are building the sorts of systems which we shall see in practical use in a number of years. This book by researchers Mital and Johnson of Brunel University in England, aims to provide the practising lawyer with an understanding of the current research, practical systems available at present, and the theoretical background of the field of Artificial Intelligence and Law. Though the avowed intent of the authors is to provide a book for legal practitioners at times this reviewer believes that the book would be better as a text for students undertaking an advanced law and artificial intelligence subject. That said, for those lawyers with an interest in the area, this book repays careful study and provides an excellent overview of current work.

After a brief introduction, the first part of the book gives technical foundations of advanced legal practice systems. The five chapters tackle knowledge systems (that is, expert systems), fundamental representations of rules and logic, the object-oriented approach to programming, the means of acquisition of knowledge in a legal domain and development methodologies. This part, covering nearly 100 pages, will be heavy going for most lawyers. As one with a computer science and law degree and an interest in the field, I found parts of it difficult. A keen, but untutored, lawyer will find it extremely complicated. In a sense

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this is inevitable: the field is by its nature theoretical and multi-disciplinary, and hence not easy to master.

Another issue emerges here. While the authors cover the computer-technical background most thoroughly, they ignore some of the issues from a legal-technical perspective. Little if any mention is made of the jurisprudential debate as to whether we can use computers in this way and no discussion is raised about the best way to approach knowledge representation in the legal domain. A few examples are given but none which really help in the debate. Further, in the technical discussion, the authors have emphasized some less relevant aspects (for example, object-oriented programming) while ignoring some other interesting ones (for example, the capabilities of machine learning).

Part two then covers examples of these technical concepts. The areas covered are document assembly systems and hypertext, litigation support systems and legal reasoning systems. However, once the benefits of existing commercial technology are discussed, such as standard litigation support tools as mentioned in this issue of *Computers & Law*, the focus is very much on advanced research systems. Mention is made, indeed two chapters are devoted to, neural networks. Other discussions include case based reasoners, expert systems which reason with cases much as lawyers do. While these systems have enormous potential, they are currently in the very embryotic stages.

In summary then, this book is written more for academics than practitioners. It is nonetheless an excellent overview of the field of Artificial Intelligence and Law, and would be of great use as a text for students study-

ing the subject. For those practitioners with patience, and perhaps more importantly a good knowledge of computers, it makes for fascinating reading. ♪

Computerizing for Personal Productivity: A Guide for the High Performance Lawyer

S Michael Brooks

Butterworths, 1989, 184 pages

\$70.00

The purpose of this book is to explain to lawyers how computerisation may improve the speed, quality and profitability of their work. The emphasis is on equipping lawyers themselves, rather than support or technical staff, with computers.

Michael Brooks is a practising Canadian lawyer who recognises the benefits of hands on use of a computer by lawyers, and is keenly aware of the importance of the bottom line. He understands that lawyers are specialists. Even within a small firm their needs may vary dramatically. He thinks that lawyers should themselves write the specification for the individual computer resources they need, rather than having an expert impose a system for a firm's collective needs.

To this end he thinks it essential that the decision to automate be preceded by an analysis of the law office's systems and production processes, from the bottom up. He provides several practical suggestions for analysing office systems. In later chapters he discusses choosing the right computer hardware and identifies types of computer software useful to the lawyer, briefly outlining word processing, precedent, project management and graphics packages.

He focuses on concepts and principles rather than existing capabilities.

Other chapters explain the main features of document modelling and expert system software. While some of this material is necessarily obsolete (this book was published in 1989) the general overview of automated document assembly tools and AI is useful. A bibliography and a software bibliography are provided.

This is an excellent introductory text for lawyers considering computerization, who wish to wrest back the initiative from the expert. Michael Brooks effectively argues the case for increased productivity through computerisation. Armed with his sensible and practical suggestions, the hitherto hesitant lawyer can confidently define his or her office automation needs. ♪

Computerised Litigation Support

Jane Lodge

Federation Press, 1990, 105 pages

Saperback \$35.00 (\$33.00 if cheque sent with order)

For anyone who is interested to know what CLS is or how to set up efficient CLS systems, Jane Lodge's book is a good place to start.

The first section of the book is devoted to the principles of computerised litigation support. Jane Lodge begins with a discussion of the uses to which computerised litigation support systems may be put. She then discusses the factors which determine when computerised litigation support is appropriate - the number of documents, the relevant characteristics of the litigation, the cost and human factors such as in-

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ternal acceptance by lawyers within the firm.

The second part of the book discusses the procedures and pragmatic considerations of computerised litigation support. Issues such as system requirements, planning considerations, training and database design are discussed.

It is clear that Jane Lodge has had considerable experience in litigation support and as a result her book affords valuable practical insights into the use of computers for litigation support in law firms. *LB*

The Computer Virus Crisis

Philip Fites, Peter Johnston & Martin Kratz

Van Nostrand Reinhold, 2nd edition, 1992, 399 pages

Paperback \$65.95

Distributed by Thomas Nelson Australia, 102 Dodds Street, South Melbourne 3205

ph: (03) 685 4111

From the Preface:

'Do you worry about computer virus programs? If you use personal computers, and especially if you frequently swap diskettes, use freeware or ShareWare or pirate copies, or

use bulletin boards, perhaps you should. This book provides accurate information to help you learn what the whole virus phenomenon is about.'

Executive Information Systems

Wayne Burkan

Van Nostrand Reinhold, 1991, 174 pages

Hardback \$69.95

Distributed by Thomas Nelson Australia, 102 Dodds Street, South Melbourne 3205

ph: (03) 685 4111

From the Preface:

'This book is dedicated to exploring the practical aspects of what causes the success and failure of executive information systems, and how to translate that knowledge into action...Executive information systems can have an extraordinary impact on organizations. An EIS can dramatically improve an executive's ability to move an organization in new directions, can enhance the management and control of key resources, and can reward both private and public sector leadership with significant productivity gains. This book is dedicated to the realization of these visions.'

Wilmer Cutler & Pickering Manual on Litigation Support Databases

Deanne Siemer and Douglas Land

Wiley Law Publications, 2nd edition, 1989, xix + 377 pages

Hardback \$250.00

Distributed by Jacaranda Wiley Ltd, 1 Thomas Holt Drive, North Ryde NSW 2113

ph: (02) 805 1100

1992 Australasian Legal Software Directory

Edited by S. McNamara, S. Lewis, N. Deluca and P. Allatson

Legal Management Consultancy Services Pty Ltd, 1992, 133 pages

\$40.00 (\$30.00 to members of the Societies)

For a full abstract refer to Issue 19 of the Computers & Law Journal, page 37.