Revolutionizing the Practice of Law Through Data Science: Use Case and Applications

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ABSTRACT

As demonstrated at past DESI workshops at ICAIL, advances over the past decade in artificial intelligence and machine learning have transformed the practice of e-discovery in making legal search more cost-effective and efficient. Similar forms of data analytics now hold the promise of similarly aiding the legal profession across a spectrum of traditional activities, many of which consist of highly repetitive tasks. Law firms are not, however, incentivized to be more efficient if they are simply giving away the efficiency gains without reaping a benefit for themselves. In order to effectively apply data science to the practice of law, a new billing mechanism needs to be applied so that the efficiency gains benefit both the client and the firm, aligning their incentives. In this session, we will discuss how data analytics principles can best be applied to the practice of law, with an eye towards how AI methods are being used within law firms to complement human legal expertise. Illustrative use cases will include using AI in contract analysis, mergers & acquisitions, and employment and whistleblower investigations.

In: Proceedings of the First International Workshop on AI and Intelligent Assistance for Legal Professionals in the Digital Workplace (LegalAIIA 2019), held in conjunction with ICAIL 2019. June 17, 2019. Montréal, QC, Canada.

Bennett B. Borden is Partner and Co-chair of Drinker Biddle & Reath's Information Governance and eDiscovery Practice, as well as the firm's Chief Data Scientist. In his two decades of legal practice, he has conducted both offensive and defensive electronic discovery in complex litigation. Bennett has had extensive experience counseling Fortune 500 clients on the establishment of information governance and records management policies. He regularly advises multinational clients regarding data privacy, security and regulatory compliance. In his role as the firm's Chief Data Scientist, he is responsible for the firm's overall data analytics strategy. Bennett advises the firm and its clients on the development and use of analytics models that enable insight, data storytelling and economic value generation. Bennett's research into the use of machine-based learning and unstructured data for organizational insight is now being put to work in data-driven early warning systems for clients to detect and prevent corporate fraud and other misconduct. Bennett also builds machine-based learning models to transform and improve legal outcomes in key corporate events including mergers and acquisitions, information governance program development and enforcement, litigation, and investigations and business intelligence. He has been Chambers-ranked nationwide in e-discovery for the past four years, and recently was appointed to the National Conference of Lawyers and Scientists (NCLS) of the American Academy for the Advancement of Science.

- Bennett holds an M.S. in Business Analytics from New York University, a J.D., *cum laude*, from Georgetown University Law Center, and a B.A. with highest honors from George Mason University. He is a member of the Bars of the District of Columbia and Maryland.