## Index

Access to justice, 62, 74, See Artificial Intelligence: Access to justice, See Online Dispute Resolution, See OECD Commercial dispute resolution solutions, 217 COVID-19, 202-3, 215, 220-22 Digital vulnerability, 203 Digitalisation, 200, 202-3, 209-10 Fundamental rights, 201 Innovation, 238 People-centred approach, 203, 222-24 Risks, 228-29 United Nations Sustainable Development Goals, Goal 16 of, 219-20 AI and jurisprudence, 55-57 AI decision-makers Discrimination, 231 Humans, role of, 178-79, 231 Opaque decision-making, 231 AI in dispute resolution, use of, 41-42 AI in court, 48 Preconditions, jurisdictional differences in, 49-51 AI in law, role of, 43 Access to justice, 61 Analysis, 43 Decision, 44 Information, 43 Rationality, 44-45 Application Programming Interfaces (APIs), 148 Artificial Intelligence Access to justice, 81-82 Co-existence, 23, 52, 55, 84, 173-74 Difficulties unique to law, 23 Ethics, 48 Goal-based regulation, 136-37 Human lawyer, preference for, 36-37, 53-54

Jurisdictional differences in research and use of, 59-60 Liability, 53 Limitations, 68, 82-83 Outcome prediction precision, 39-41 Risk bias, 45-46, 62, 135-36 Social values, 140-41 Transparency, lack of, 46-47, 51-52, 62 Blockchain, 157, 161-62 Business innovation Japanese economy, fall of, 4-5, 9-11 Transition, need for, 8-9 Venture ecosystem, 11-15 Business models, 180 Combination of, 182-83 Consulting, 182 Legal operations, 182 Legal technology, 182 Value creation, 181 Capital market, 3 Case Crunch Lawyer Challenge, 33-36 Civil Code of Japan Natural disaster, legal liability for, 89-90 Coase, Ronald, 132, 139 Companies Act, Article 14 of, 128 Corporate governance, 237 Artificial Intelligence AI principles, placement of, 130-33 Fusion approach, 137-38 Misora Habari revival, 130 Audit, 123-24, 141-42 Digital transformation, changes due to, 122-23 Supply chain, 132

## Index

Council conclusions, 200 COVID-19 Challenges, 120-21 ESG priorities, change in, 124-25 Regional disparity, 7 Triple crunch, the, 221 COVIDX, 121 Credence good, 181 Crisis, financial, 120 Data protocols, 168 Datasets Accuracy, 68 Anonymisation, 51 Availability, 49-50, 54, 80, 194-95 Civil Law system, 51 Digitalisation, 51 Limitations, 82-83 Organisation, 65-66 Development, approaches to Relay race, the, 115 Rugby, the, 115 Digital innovation, 237 Big-boned policy, 16 Capital market, interlinkage with digital market, 3-4 Digital transformation, 16 Design, 125 Five Ds, 121-22 Fundamental changes, need of, 17-19 Digitalisation, lag in Germany, 204 Japan, 204-5 DX, See Digital innovation, Digital transformation Enforcement, change in See Blockchain, See UNIDROIT Accountability, 158 Court, role of, 159-60 Digitalisation, 157 Infrastructure, lack of, 158 Public-private collaboration, 158-59 Entrepreneurship, 15, 69 Experimentation, role of, 66, 69 Passion, role of, 66 Vision, role of, 67, 69-70

Finance, decentralised, 161 Financial Services Agency, See FSA Financial services, change in, 161, 164–65 Financial supervision, See FSA Banking as a service, 160 Corporate number, effective use of, 151–52

Data analysis, automation of, 152 Data collection, 148, 163-64 Data, normalisation of, 150-51 Digitalisation, 148-49 Efficiency, improvement in, 153-54 Financial institutions, working together with, 152-53 Financial Services Agency and Bank of Japan, data sharing between, 149 Granular data, utilisation of, 149-50 Securities and Exchange Surveillance Commission, 156-57 Surveillance, 167 FinTech, 156 FinTech Proof of Concept Hub, 155 FinTech Support Desk, 154 FSA Change in, 160, 162-63, 165-66 Culture, 163 Digitalisation, 162 Future lawyers Programming, 186 Three career paths, 187-89 Good country practices, 216

Good country practices, 210 Great White Shark, 21 Group decision-making, three ways of, 130

Horizontality, 216

Industry, automotive, 114 Autonomous driving, 113 CASE, 113 Red Flag Act, 114 Industry, technology, 71 Innovation, 86 Investment ESG, 11

Japan, adoption of Artificial Intelligence in, 190–94 Japan, AI governance in, 133–34, 138–39 Social Principles of Human-Centric AI, 129, 134–35 Japan, Big Five firms in, 190 Japan, social challenges, 8 Population contraction, 5–6 Regional disparity, 6–7 Justice for All report, 219–20

LawTech start-ups, 183–85 Lawyer, ideal, 89 Legal innovation Actors of, 237 Functional equivalence, 126–29, 143–44

## Index

Human resources for (wise leaders), 114-18 Meaning of, 2, 235-36 Measurement, difficulties with, 116 New goods and services, 112 Path to, 118 Role models for, 115-18 Structural problems, 237 Legal NLP, 60 Legal prediction tools, creation of, 37-39 Legal procedures, change in, 205-8, 210-11 Legal service delivery pipeline, 175 Legal system Human resources, cultivation of, 27-28 Social immune system, 24, 26 Legal transplantation, 128 Litigation finance, 179-80 Litigation strategy 'De facto counsel', role of bereaved families as, 93-97, 106-7 Documents, digitisation of, 107 Lawsuits, difficulties with filing, 109-10 Media, involvement of, 101 Negligence, organisational, 108 Praising people, importance of, 107 Small team, 95 Machine-Learning Operations (ML-Ops) Human-In-the-Loop (HITL), 85-86 MDTs, See Multi-disciplinary teams Multi-disciplinary teams, 174-75 AI use, correlation with, 177 Lawyers, survey of, 176 Mindset, 187 Non-lawyer human capital, retention of, 189 Negligence, 90 Negligence, organisational, 100, 110 Foreseeability, 99-100, 105-6 Liability, 98-99, 102-3

OECD, 217 Inclusive growth, 211 Justice system, barriers of the, 214–15 Justiciable problems, high prevalence of, 212 Vulnerable populations, 213 Okawa Elementary School Tsunami, 91 Online Dispute Resolution, 30, 208–9 Open innovation Closed innovation, problems with, 19-21 Culture of, 20-21 Ore Ore Swindles, 21-22 Pathfinders, 219 Platform business model, 17 Professional fragmentation, 188 Public-private collaboration, 18, 169, See Enforcement, change in: Public-private collaboration Rational contradiction, 91 RegTech, 147-48 Regulation, 48 Academia, role of, 77 Economic analysis and human rights, 72-74 Ethics, different from, 77 Financial services, 75-77 Regulatory sandboxes, 20 Risk management, 78-79 Tiered, 77-78 Robotic process automation, See Financial supervision: Data analysis, automation of

School Health and Safety Act, 101–5 SECI Model Theory, 80 Shadow pandemic, 221 Shigenobu, Hozumi, 117 Substantive law, change in, 205 SupTech, *See* RegTech Susskind, Richard, 173

Task Force on Justice, 219 Tasks, 196–97 Three lines of defence, 122

UNIDROIT Automation, 229 Enforcement, 227–30 Introduction, 224–27 New architectures, development of, 229 Technology, double role of, 228

Volkswagen example Mistakes, 24–25 Response, difference in, 25–26 Vos, Sir Geoffrey, 29–30

World Justice Project, 213

Downloaded from https://www.cambridge.org/core. IP address: 18.223.241.58, on 08 Feb 2025 at 08:09:40, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009427371.012