Questionnaire:
What IT tools are small law firms using in your country?

**AI4Lawyers Project (JUST /JACC/EJU/AG/2019, Grant n: 881527)**

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# Introduction to the Questionnaire

The European Lawyers Foundation (ELF) and the Council of Bars and Law Societies of Europe (CCBE) were awarded an EU Grant in 2019 to implement a project on Artificial Intelligence for Lawyers (AI4Lawyers). The project is divided into the following three phases:

Phase 1 – Overview on the "average state of the art" IT capabilities of lawyers and law firms in the European Union, together with a gap analysis with comparisons to US/UK/Canada best practices

Phase 2 – Opportunities and barriers in the use of natural language processing (NLP) tools in SME law practices

Phase 3 – Drafting a guide on the use of Artificial Intelligence by lawyers and law firms in the EU

The project started on 1st April 2020 and will run for 24 months (i.e. until 31 March 2022).

Phase 1 is divided into various activities. The first is the production of a questionnaire for 10 selected target Member States of the European Union (Austria, Belgium, Czech Republic, Estonia, France, Germany, Hungary, Italy, Netherlands and Spain). The answers to this questionnaire will form the basis of the first step in mapping the IT capabilities of law practices in these Member States.

Naturally, even within a single jurisdiction, there are differences in the legal structure and how law firms work, which areas of law make up the focus of the practice, and therefore, what tools they are using to pursue their professional activities. However, exploration of such differences in a statistically representative way is a very difficult task even at the level of a given Member State, and it would make many comparisons impossible at the level of the 10 target Member States.

The AI4Lawyers Project’s methodology focuses on mapping not quantitative data directly collected from all lawyers of the 10 target Member States, but on expert advice from each target Member State. Of course, the expert opinion may be based both on expert judgement and on surveys previously carried out in that country. Also, answering this questionnaire may also involve previous discussions within the same Member State. It is up to the national expert to decide in which fields do they want to involve other experts from the same Member State.

Therefore, this questionnaire should be answered by those lawyers, selected by their respective bars and law societies in the target Member States, who have the necessary overview of how *most* small law firms (see the definitions below in 2 and 3) work in that country, and so are able to give a reliable overall picture of the IT capabilities of an average law firm in that country (given by experts).

If you think that in your country there are significant differences between categories of small law firms and that these differences are so significant that multiple answers are desirable, please fill out the given answer for each separate category of small law firm that you think necessary. If you do not have sufficient data for a given category of small law firm, please do not include that category in your answers. The same applies for any geographical or jurisdictional differences within the country.

If you express a ratio of small law firms, such as an expert estimate of how many law firms are using a certain technology, please express the ratio in percentage terms (%) if possible, even if the accuracy of your estimate does not warrant this precise value. This will facilitate comparison of data across Member States.

The results of the questionnaire will be used (a) to identify the most significant differences in the capabilities of law firms within the EU, and also (b) to verify if the terminology selected needs any further refining for comparative purposes. In addition, results of the questionnaire will be used for groupings in the more detailed analysis based on similarities in responses to this questionnaire. The questionnaire also serves the purpose of explaining and documenting the most important decisions in relation to the terminology used and the questions asked.

Compared with the next (second) round of questionnaires, in this questionnare there are fields to comment on the questionnaire itself or a question within it. The questions for the mapping itself start on page 13. If you think that a particular question is difficult to answer precisely or not clear enough, please use the specific field for commenting on that particular question and do not use the answer field.

The questionnaire should be filled out in the original Word document that experts will receive.

The answers submitted will be retained in line with the project’s coordinator data protection policy available [here](https://elf-fae.eu/data-protection-policy/). This data will include the name of the expert and any metadata included in the completed answers (hereinafter: the full answers). The full answers will be accessed by the core project team of the AI4Lawyers Project, including officers and employees at ELF and CCBE, chairpersons of the CCBE IT Law Committee and Future of the Legal Profession and Legal Services Committees, the 4 experts designated by CCBE delegations, one technical expert (Peter Homoki) and one computational linguistic expert. Members and experts of the CCBE committees mentioned in the previous sentence will have access to an anonymised version of the full answer. The duration of retention is set out in the project's coordinator data protection policy as set out above. If you use any published material or other public sources for your answers, please indicate the sources in accordance with requirements of copyright law provisions in effect in your Member State.

If you need any further clarifications regarding the contents of the questionnaire, please send your enquiries to peter.homoki@homoki.net.

The answers to the questionnaire should be sent to Peter Homoki, peter.homoki@homoki.net.

The deadline for submitting the answers is […].

# General definitions used

The following terms used in this questionnaire have specific meaning.

**Establishment Directive** means Directive 98/5/EC of the European Parliament and of the Council of 16 February 1998 to facilitate practice of the profession of lawyer on a permanent basis in a Member State other than that in which the qualification was obtained ([ELI](https://eur-lex.europa.eu/eli/dir/1998/5/oj))

**February 2020 EC Survey on AI use**: The survey carried out by the European Commission among lawyers in the EU on the use of AI tools in several member states. The IT Law Committee of the CCBE commented in November 2019 on the questionnaire for the survey. The findings were sent to the CCBE in February 2020, but the survey was not used in the EU Justice Scoreboard due to the receipt of a limited number of responses from some Member States.

**IT tool** means software, hardware, computer database and web-based services (including cloud services).

**Joint law practice** means groupings (as defined in Article 1 e) of the Establishment Directive) formed under the law of a given Member State, within which lawyers pursue their professional activities jointly under a joint name in that given Member State, regardless of the legal form of the grouping.

**Law firm** means both a solo law practice and joint law practices.

**Lawyers' Services Directive** means Council Directive 77/249/EEC of 22 March 1977 to facilitate the effective exercise by lawyers of freedom to provide services ([ELI](http://data.europa.eu/eli/dir/1977/249/oj))

**Professional activity** means a professional activity under one of the designations of Article 1 2. of the Lawyers' Services Directive.

**Solo practice** means an individual lawyer who pursues his or her professional activity in his or her own name or in the name of an entity formed under the law of a given Member State, the sole owner or founder of which entity is the individual lawyer.

**Small law firm** is defined and explained under section 3.1.

### Comments on definitions in this section 2

If you have any comments on the definitions used above (e.g. not precise enough, not applicable in your country, difficulties in interpretation), please write your comments here.

Click or tap here to enter text.

# The law firms within the scope of the questionnaire: the small law firm

## What makes a law firm small?

Based on the [statistics](https://appsso.eurostat.ec.europa.eu/nui/show.do?query=BOOKMARK_DS-120959_QID_-42DF9A69_UID_-3F171EB0&layout=TIME,C,X,0;GEO,L,Y,0;NACE_R2,L,Z,0;INDIC_SB,L,Z,1;SIZE_EMP,L,Z,2;INDICATORS,C,Z,3;&zSelection=DS-120959INDICATORS,OBS_FLAG;DS-120959NACE_R2,M691;DS-120959SIZE_EMP,TOTAL;DS-120959INDIC_SB,V11110;&rankName1=SIZE-EMP_1_2_-1_2&rankName2=INDICATORS_1_2_-1_2&rankName3=INDIC-SB_1_2_-1_2&rankName4=NACE-R2_1_2_-1_2&rankName5=TIME_1_0_0_0&rankName6=GEO_1_2_0_1&sortC=ASC_-1_FIRST&rStp=&cStp=&rDCh=&cDCh=&rDM=true&cDM=true&footnes=false&empty=false&wai=false&time_mode=ROLLING&time_most_recent=false&lang=EN&cfo=%23%23%23%2C%23%23%23.%23%23%23) provided by Eurostat for enterprises in legal activities (NACE 69.1), we suggest using a definition of **small law firm** that means a law firm with the number of persons employed being between 0 and 9 employees. Please bear in mind that in this case, the "number of persons employed" should be interpreted in a way to reflect the complexity of the internal working of a law firm. The more employees there are, the more complex the administrative operation of a law firm becomes, with more internal opportunities for automation and bigger budgets for implementing IT solutions. Based on the objective of the grant, we would like to focus on opportunities that are meaningful for the largest number of practices across the EU. However, at the same time, restricting the scope to solo law firms would also be counter-productive, because important aspects of lawyers interacting internally with another lawyer would be completely left out of the survey.

Therefore, the term "number of persons employed" has an economic meaning that relates to the complexity of law firm operations, and it should not be interpreted in a strict legal sense under the law of your jurisdiction. For instance, it includes partners of a firm, and if lawyers may not be employed at all in your Member State, and lawyers have to be independent, but in practice, for operational efficiency reasons, lawyers work in larger operational structures based on flexible contractual arrangements, such operational structures may be seen as a single law firm working together. However, such operational structures should be considered as a law firm only if the structure is not an ad-hoc structure only, that is not specific to a single matter only, and that this operational permanency is reflected in a comprehensive IT system used internally by such lawyers on a day-to-day basis.

Also, taking into account of the operational complexity of law firms, the number of employees should cover both lawyers and also permanent non-lawyer staff as well, including retired partners or off-site counsel working on a permanent basis with a specific law firm as consultants etc.



Under "number of persons employed" we use the [definition by Eurostat](https://ec.europa.eu/eurostat/statistics-explained/index.php/Glossary%3APersons_employed_-_SBS):

The **number of persons employed** is defined, within the context of [structural business statistics](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Glossary:Structural_business_statistics), as the total number of persons who work in the observation unit (inclusive of working proprietors, partners working regularly in the unit and unpaid family workers), as well as persons who work outside the unit who belong to it and are paid by it (e.g. sales representatives, delivery personnel, repair and maintenance teams). …

### Comments on definitions in this section 3.1

If you have any comments on the definitions used above (e.g. not precise enough, not applicable in your country, difficulties in the interpretation), please write your comments here.

Click or tap here to enter text.

## What are the main economic activities of a small law firm in your country that should be covered?

The question of the areas of practice of most small law firms in a given country is important from the point of view of the kind of IT tools that could assist the work of a law firm, the opportunities for further supporting existing business processes (especially by way of AI tools etc.).

However, there are significant differences in this also between Member States and within the same Member State. The focus of small law firms also considerably change over time based on the profitability of certain activities, changes in national regulation and changes in the economic situation at various levels (EU, national, regional, local etc.). Depending on rules of professional conduct, some law firms may carry out activities that are not a professional activity in the sense of this questionnaire etc. There are considerable differences between Member States regarding what activities are reserved for lawyers (if any) which also affects the IT tools mostly used by small law firms.

To be able to provide a concise report on the opportunities of law firms and a guide on the use of AI by lawyers in the EU, we should avoid gathering information on those IT tools that are used by small law firms in a particular country, but which are not relevant for most other Member States. Therefore, the scope of the questionnaire will be limited in terms of what kind of activities should be covered by the survey.

However, if we limit the scope of questionnaire to the minimum common activities of lawyers across the EU e.g. activities relating to the "representation of a client in legal proceedings or before public authorities" (cf. Lawyers' Services Directive Article 4.1), then we might restrict the scope of this questionnaire too far, and limit the common opportunities of lawyers across the EU in future documents to be drafted under this project.

Taking into account these differences in the activities of lawyers in the different Member States, it is important that only those IT tools should be covered by the respondents for a given Member State where that IT tool is used by lawyers in that given Member State for activities that lawyers are entitled to carry out. For example, if lawyers are entitled to prepare specific authentic acts in Member State "A" and there are IT tools that support this activity in that Member State "A", but lawyers in Member State "B" are not entitled to carry out this activity (only e.g. public notaries), then the respondent from Member State "A" should cover such IT tools supporting this activity, but respondent from Member State "B" should not cover these tools, as the activity being supported by these tools is closed to lawyers in their home country "B".

Based on, but not limited by, the definition of [Eurostat](https://ec.europa.eu/eurostat/documents/3859598/5902521/KS-RA-07-015-EN.PDF): NACE Rev. 2 and of the [Panteia Report](https://ec.europa.eu/docsroom/documents/15035/attachments/1/translations/en/renditions/native) (Evaluation of the Legal Framework for the Free Movement of Lawyers, 2.1.2.), the following activities should be covered:

* legal representation of one party’s interest against another party, whether or not before courts or other judicial bodies by, or under supervision of, persons who are members of the bar:
* advice and representation in civil cases
* advice and representation in criminal cases
* advice and representation in connection with labour cases
* advice and representation in connection with administrative cases
* advice and representation in connection with tax cases
* general counselling and advising, preparation of legal documents;
* articles of incorporation, partnership agreements or similar documents in connection with company formation (if lawyers in the Member State of the respondent are entitled to pursue this kind of activity);
* registration of land or real estate (property) and related drafting, legal advice (if lawyers in the Member State of the respondent are entitled to pursue this kind of activity);
* registration of ships or other vessels and related drafting, legal advice (if lawyers in the Member State of the respondent are entitled to carry out this kind of activity);
* copyrights, patents (including utility models), trademarks, and designs.
* preparation of deeds, wills, trusts (if lawyers in the Member State of the respondent are entitled to pursue this kind of activity).

The following activities should be excluded from the scope of the questionnaire:

* activities of bailiffs, arbitrators and forensic experts;
* activities that, in the country of the respondent, are specific to notaries public and civil law notaries (that is, lawyers are not entitled to carry out an activity that a notary public is entitled to do);
* IT tools whose main objective is to provide support for the following activities:
* certifying copies by lawyers or administration of oaths;
* activities specific to the management of trusts as carried out by law firms (however, court representation of trusts, drafting of documents or providing legal advice to trusts can be included);
* lawyers providing assistance that is specific to the exercise of public power, such as assistance in drafting laws and legal acts, managing public procurement procedures etc.;
* management type of activities related to legal activities – that is, keeping an up-to-date record of wills, leases, other contracts, IP rights or companies, vessels, land for third parties (but drafting of wills, contracts and registration of contracts or IP rights with authorities, monitoring of registrations for conflicting IP rights and related opposition and invalidity proceedings before the relevant IP offices are within the scope of the questionnaire).

### Comments on definitions in this section 3.2

If you have any comments on the definitions used above (e.g. not precise enough, not applicable in your country, difficulties in the interpretation), please write your comments here.

Click or tap here to enter text.

# Categories of IT tools used in the questionnaire

The expected outcome of this questionnaire is to be able to provide an overview of relatively common IT tools used by small law firms in various Member States, and also, in a later phase, in the United Kingdom, USA and Canada. A prerequisite is to have one or more taxonomies in place facilitating the comparison of such IT tools, defining the major purpose for which specific IT tools are used.

Based on studies and surveys published in the fields of IT tools for use by small law firms, the following three taxonomies are recommended to be used (with a slight overlap between each).

## Generic categories of IT tools used by law firms

It seems useful to adopt the taxonomy used in the most recent relevant publication of the American Bar Association that is easily accessible for many EU lawyers: "[The 2020 Solo and Small Firms Legal Technology Guide](https://www.americanbar.org/products/inv/book/392770760/)" (by D. Nealson, Simek, Maschke, hereinafter the "Legal Technology Guide").

The American Bar Association has an enviable history of carrying out surveys on office automation and legal technology of law firms since 1990 (cf. [Office automation in smaller law firms : 1990 survey report](https://www.worldcat.org/title/office-automation-in-smaller-law-firms-1990-survey-report/oclc/24682705)). Trying to harmonise with the terminology used in this publication will also make comparisons easier during later phases of the AI4Lawyers Project. Of course, the Legal Technology Guide is not the same as the full report on the legal technology survey published by the ABA from year to year, and there are some differences in categories of the two documents as well, but the Legal Technology Guide is more accessible in its details for the public, and not only at the level of [highlights from the findings](https://www.americanbar.org/groups/law_practice/publications/techreport/abatechreport2019/).

The most generic categories used in the Legal Technology Guide are the following:

Computers, Computer Operating Systems, Computer Peripherals, Printers, Scanners, Servers, Server Operating Systems, Networking Hardware, Smartphones, Productivity Software, Security Software, Case Management, Time and Billing Software, Document Management, Document Assembly, Cloud Computing, Collaboration, Remote Access, Mobile Security, Email Providers, Backup

This list serves as a starting point for the category of IT tools at the most generic level, but of course it does not mean that our survey has to cover all these areas, because the aim of our survey is rather different from the surveys of the American Bar Association and also from the aim of the Legal Technology Guide (e.g. there is no point in having an overview of peripherals, printers, network hardware or email providers etc. of EU lawyers, as the aim of our survey is to obtain an overview of the possible IT support for the business processes of EU lawyers and the barriers in these fields rather than to have an overview of how secure these lawyers are compared to their US colleagues).

We will use elements within that list where possible and try to use the words with roughly the same meaning as in the Legal Technology Guide (e.g. remote access, productivity software, cloud computing will have the same meaning. Practice management software such as e.g. Clio will be considered under case management, even though some vendors differentiate between case management software and practice management software.

Regarding such products, case management software focuses only on supporting administrative tasks that are related to court procedures (e.g. strengthening the support of specific processes, with workflow based deadline alerts, recording information about a specific stage of a court procedure, providing information and document templates specific to that stage of the workflow etc.) At the same time, practice management software has a wider focus, intended to support as many aspects of the day-to-day activity of a lawyer as possible, including aspects that are not related to court cases, such as general record keeping and compliance obligations. More sophisticated practice management software serves the same purpose as the activity that general businesses call enterprise resource planning (ERP) or customer relationship management (CRM) software. Even though small law firms usually do not have the financial means to customise and use the standard ERP and CRM software that larger businesses use (such as SAP, Microsoft Dynamics, Salesforce CRM or NetSuite), respondents should still report similar software used by small law firms in that country under "practice management" regardless of whether it is called ERP or CRM.

Besides the Legal Technology Guide, the following similar taxonomies were also considered.

An interesting report by the University of Oxford also confirms the use of the above terminology ([Sako, M., Armour, J. & Parnham, R. (2020) Lawtech Adoption and Training: Findings from a Survey of Solicitors in England and Wales. University of Oxford](https://www.law.ox.ac.uk/unlocking-potential-artificial-intelligence-english-law/unlocking-potential-ai-english-law-research), hereinafter the "**Oxford Report**"):

* Document / knowledge management
* Accounts / time recording
* Document automation / matter workflow
* Extranets / deal-rooms
* CRM / marketing / tender document creation

The three most commonly-used were “document/knowledge management” (80% of respondents), “accounts/time recording” (69%) and “document automation/matter workflow” (43%). One in five (11% of) respondents used lawtech in all five areas of application – namely, these top three plus “extranets/dealrooms” and “CRM/marketing/tender document creation”.

For instance, more recent legaltech is categorised by the Stanford University CodeX TechIndex:

* Marketplace
* Document Automation
* Practice Management
* Legal Research
* Legal Education
* Online Dispute Resolution
* E-Discovery
* Analytics
* Compliance

Similarly, the European Company Lawyer's Association - ECLA (together with Wolters Kluwer and the European Legal Tech Association, ELTA) published in 2020 a study based on a survey called ["Legal departments in a digital era"](https://europe-legaltech.org/wp-content/uploads/2020/04/20200421-LD-in-a-Digital-Era.pdf). In this study, there is a taxonomy of "implemented legal technologies" using the following terms (in order of percentage of already being implemented):

* Shared document and data repository
* eBilling (electronic invoicing)
* Corporate / Entity management
* Compliance management
* Intellectual property management
* Data privacy management
* Contract lifecycle management
* Legal matter management
* Digital signature software
* Boardroom management
* Task management tools
* Legal spend management
* Collaboration portal for legal intake
* Automated document creation tools
* E-discovery tools
* Automated contracts and document review tools

The ECLA studies focused on corporate law departments, not on law firms, and at least the boardroom management and legal spend management software categories are irrelevant for our questionnaire.

Besides the ABA survey, the International Legal Technology Association (ILTA) also carries out surveys every year. The executive summary of the survey is [published](https://www.iltanet.org/HigherLogic/System/DownloadDocumentFile.ashx?DocumentFileKey=de074a9a-f5e0-f42c-16f9-ba0fa1bdc422&forceDialog=1), but the content does not seem very relevant in our context.

## Specific categories of IT tools

The two following specific areas of IT tools warrant the use of special terminology as well.

### Court uses and eJustice functionality

One of the most important e-Justice tools used by lawyers are electronic court functionalities. However, in this area, there are no published detailed surveys on what kind of functions are provided by courts to lawyers in the EU Member States.

The best available starting point is the CEPEJ "[Guidelines on how to drive change towards cyberjustice](https://edoc.coe.int/en/efficiency-of-justice/7501-guidelines-on-how-to-drive-change-towards-cyberjustice-stock-taking-of-tools-deployed-and-summary-of-good-practices.html)" from 2016, but it is rather generic. In the table "Overview of the extent of the development of access to justice tools deployed in Europe" on page 26, the following taxonomy is used:

* Website gathering national information

national level

local level

* Online Services

submit a case to the court

granting legal aid

e-Summoning

Monitor online the stages of a proceeding

From the viewpoint of our questionnaire, only the "Online Services" taxonomies seem useful.

The following categorisation can also be taken from the same guideline (page 26-27) as the two stages of migration to fully electronic court systems:

* [transitory system] transmission of their procedural documents, submissions or other case-file documents: establishment of secure communication through normal electronic mailboxes, which means that data have to be processed by a member of state at the point of entry;
* a fully electronic system: the direct input of the lawyers’ documents into the court’s information system (“e-filing”) without data being input or transferred at the point of entry to the court system by a member …, who in this case merely verifies their submission and their legal effects

The difficulty of using this latter "taxonomy" in our questionnaire is that the "two stages" are just two ends of a spectrum, and all electronic court systems are somewhere before the "full electronic system", with the differences being in the stage of "what kind of information" is already filed electronically e.g. by way of extracting information from submitted electronic forms. Also, the possibility of an e-filing system also depends on the actual type of procedure used e.g. a fully automated filing is possible in certain standard cases of small claims, land registry or company registry procedures, but this level of automation is not likely to be the same in more contentious proceedings, such as child placement procedures. In our understanding, even in a "fully electronic system" as used by the CEPEJ guideline, the court may decide to require further input from the claimant as required by the specifics of the case, and the decision will not (necessarily) be made by an automated process, but by a human judge. However, from the viewpoint of "filing", despite these manual (human) steps, the system will still be a "fully electronic system".

### AI based tools

Due to the aim of our questionnaire, it is important to go into more detail in relation to current and possible future use of IT tools that are based on "artificial intelligence". In this aspect, categorisation already used in the February 2020 EC Survey on AI use should be used and, if necessary, extended:

* Legal analysis (e.g. extracts, trends from past judgements)
* Document automation (e.g. assembling first draft of contracts, forms or other submissions)
* Advanced search (e.g. question answering systems, semantic search engines)
* Compliance and due diligence (such as finding missing or non-standard clauses in large volume of documents)
* Assisted e-discovery: reviewing a large body of electronic evidence
* Automated filing of documents in internal systems of lawyer and case management (other than e-discovery)
* Other

We have collected the answers of those Member States, where the number of responses exceeded 20 (which were: Italy, Poland, Austria, Hungary, Belgium, Slovenia, Slovakia, Luxembourg, France, Estonia, Czechia). These results are probably not statistically relevant in most countries, but the survey still gives a useful overview. The results are not restricted to small law firms and no information was collected on the size of responding law firms.



Based on the results, the most widely used AI based tools are related to "*document automation"* and *"advanced search"*. "*Automated filing of documents"* and *"legal analysis"* type of AI based tools are also used by lawyers in a number of countries. Use of "*compliance and due diligence"* AI tools and "*assisted e-discovery"* types of AI tools were reported to be used only in a couple of countries, and even in those countries, they were ranked as the least used type of AI tools. Given that the focus of our questionnaire is small law firms, the latter two categories can perhaps be safely summed up as not really being currently used by small law firms in the target Member States of the EU, unless the situation is very different in Germany, Spain and the Netherlands (in these countries, the February 2020 EC Survey did not record sufficient responses for analysis).

In this field, the Legal Technology Guide states that in the practice of law, the following are the chief areas where AI is being used (Chapter 22):

* Electronic discovery/predictive coding
* Litigation analysis/predictive analysis
* Contract management and analysis
* Due diligence review
* Detecting dangerous or bad behavior within an entity
* Legal research

The Oxford Report uses a rather similar taxonomy:

* Legal research
* Due diligence
* eDiscovery / eDisclosure / technology assisted review
* Regulatory compliance
* Contract analytics
* Fee-earner utilisation analytics and / or predictive billing
* Predictive analytics for litigation

In comparison with more longstanding lawtech solutions, such as document/knowledge management and accounts/time recording, usage of AI-assisted lawtech by respondents was typically lower. This technology was used most prevalently in relation to “legal research” (27% of respondents), “due diligence” (16%), and “e-discovery/e-disclosure/technology assisted review” (13%)

In the International Legal Technology Association's [2019 December survey](http://epubs.iltanet.org/i/1193169-aiml19/9?_ga=2.239472451.1746023108.1594706827-833782549.1594706827) on Artificial Intelligence & Machine Learning, the ranking of the "relevancy of AI-powered software" was the following (page 6, again noting that the survey was carried out among large law firms):

|  |  |
| --- | --- |
| Category of AI-powered software | Mean of ranking |
| *E-Discovery/Document Review* | *3.67* |
| *Legal Research* | *3.08* |
| *Insight/Predictive Tools* | *3.06* |
| *Security* | *3.06* |
| *Contract (Post-Execution)* | *2.99* |
| *Contract (Pre-Execution)* | *2.96* |
| *Billing/Spend Management* | *2.73* |
| *Expertise Automation* | *2.70* |
| *Risk Assessment* | *2.70* |

(The "mean of ranking" is the arithmetic mean of how each respondent ranked the relevancy of each category based on the importance of that category in the respondent's organisation.)

Even taking into consideration the differences in legal systems (e.g. the role of e-discovery), the differences in the categorisation are quite apparent, as in what the respondents thought as important in the fields of "AI tools". Therefore, we suggest sticking, as far as possible, to the February 2020 EC Survey on AI use.

# Questionnaire

## Your Member State

Please enter the name of the country for which you provide an answer.

Click or tap here to enter text.

## Contact details

### Name and contact details of the person(s) filling out the questionnaire:

Click or tap here to enter text.

## Major categories of small law firms

### Different categories of law firms in terms of IT capabilities

In terms of IT capabilities of small law firms, do you think that there are different categories of small law firms (in practice or geographical areas) in your Member State that should be taken into account in the report to provide an accurate picture of the average IT capability of a small law firm?

For instance, there may be a strong distinction between the tools used by criminal lawyers working as defence lawyers, because they are not required to use complicated IT tools, and lawyers working in real estate or company law who use very specific and expensive tools that other lawyers are not using. Therefore, a strong distinction may exists even between these categories of small law firms in your country due to the different IT capabilities or tools used.

Click or tap here to enter text.

## Activities of small law firms where support by IT tools is important

### General management related administrative burdens of small law firms

What areas of general practice management (i.e. management issues not specific to activities of law firms) do you think are the most burdensome and costly for small law firms to carry out without the use of IT tools?

Click or tap here to enter text.

### Possible IT support for general management of small law firms

Do you think some of the burdens listed in the previous section could be effectively decreased by appropriate IT tools available to lawyers? Should these IT tools be developed at national level or below only, or is there any possibility for EU level action?

Click or tap here to enter text.

### Dominant professional activities of small law firms

What professional activities are the most important in terms of revenue for small law firms in your country? What are the dominant activities of small law firms from which they make a living?

Click or tap here to enter text.

### Professional activities of small law firms in which support of the activity by IT tools is important

Among the activities listed in the previous answer, which activities do you think need the most support by IT tools?

Click or tap here to enter text.

Should these IT tools be developed at national level or below only or is there any possibility for EU level action?

Click or tap here to enter text.

Which are the areas where you think IT tools will not be able to make a difference?

Click or tap here to enter text.

## Questions related to major non-legal specific IT tools currently used by small law firms

The questions below concern IT tools that are not specific to law firms, and are not dedicated to legal use only. This category includes both consumer tools used by law firms and also enterprise grade tools used by lawyers.

Hardware-related questions are asked below in order to have a better feel for what may be the more appropriate way of assisting with any IT tools that have been identified as missing for lawyers. For instance, should these future tools be based on mobile hardware that small law firms could use in court while a court session is in progress, or are desktop computers still the dominant hardware that should serve as the basis for future tools etc.? In your Member State, is it feasible that smartphones, tablets or wearables become a substitute for laptops in most situations? Although we have access to useful data on this subject from US surveys on law firms, it would be important to validate that data based on expert opinion from the Member States as well.

### Desktop vs. laptops as primary work devices

Do small law firms use desktop computers or laptops (notebooks etc.) as their primary work devices? Do you expect that to change in the following 5 years?

Click or tap here to enter text.

### Current use of mobile phones and tablets by small law firms for work activities

Except for voice calls and sending/receiving SMS, what are the main uses of mobile phones and tablet devices in the life of a small law firm?

Click or tap here to enter text.

### Expected future uses of mobile devices, and competition with current primary work devices

Do you see any new type use for mobile devices (that are not laptops) that might increase in the foreseeable future?

Click or tap here to enter text.

Do you think that in the longer run, mobile devices might replace current primary work devices in certain areas (which include desktops, but also laptops etc.)? If yes, in what areas? If no, why not?

Click or tap here to enter text.

### Server computers or appliances owned / dedicated for use by small law firms

In your opinion, what is the estimated ratio of small law firms having a dedicated physical server computer (either at its own premises or hosted in data centers) or appliances such as a NAS for file storage? (Please do not list public cloud services here, such as Microsoft 365 or G-Suite products etc.)

Click or tap here to enter text.

### Using data centers for offsite operations by law firms

Do you think small law firms would be willing to move offsite all the data they currently hold at their premises to a dedicated storage in a secure environment? (This excludes data still stored onsite for e.g. backup and business continuity purposes etc.)

Click or tap here to enter text.

What would be the major factors in considering such a decision? E.g. security of data, ownership of a data center, price, any guidance or deontology decisions made by bars etc.

Click or tap here to enter text.

### Non-legal specific internet and web services used by small law firms

The following types of services are shared with an unknown number of other users (that is, these services are non-dedicated in their use, and they include public cloud services).

Of the following types of services, which type do you think small law firms use for supporting their professional activities?

* email services (such as Exchange Online or Outlook, G Suite or Gmail etc.)
* electronic storage of client files without the client having access (such as Google Drive, iDrive, Dropbox, AWS Storage, TresorIT, OneDrive or Sharepoint for internal use, Azure Storage etc.)
* extranet: electronic storage of client files with the client also having access (same services as before, but used for sharing files with clients)
* electronic storage of records of employees and other internal office data
* storage of backup files or configuration files for local IT (images etc., including using services listed above and specific IT backup services, such as Acronis )
* password management (such as LastPass)
* collaboration tools (such as SharePoint, Zoho, for sharing of documents for negotiation or drafting purposes)

Click or tap here to enter text.

If any such use as listed above is prohibited or regulated in your country, please indicate this below.

Click or tap here to enter text.

### Document management solutions used

Do you know any document management solution that is used by law firms to store client files? What is the minimum size of a law firm where you think such tools are used?

Click or tap here to enter text.

Can you name some of the most popular document management solutions used by small law firms in your country?

Click or tap here to enter text.

If a small law firm is not using a specific document management software, what kind of substitutes do they use (e.g. SharePoint based solutions, file based storage etc.)?

Click or tap here to enter text.

### Remote access to the law office

Which of the following tools is frequently used by small law firms in your country for remote access to the law office?

* VPN connection services
* remote desktop with TeamViewer, LogMein or similar services

Click or tap here to enter text.

## Time and billing and accounting software used by small law firms

### Specific time recording software

How often do small law firms use specific time recording software for recording time worked for clients?

Click or tap here to enter text.

Are these tools specifically made for legal use or are they shared by other professions as well?

Click or tap here to enter text.

Could you name some of the most popular software or services used for time recording?

Click or tap here to enter text.

For those small law firms not using time recording software, could you please specify what kind of more generic IT tools lawyers use to record such information (e.g. Excel, text files, Access databases etc.).

Click or tap here to enter text.

### Accounting and billing software

How often do small law firms use software for issuing VAT invoices? Besides invoicing, how often do small law firms use software internally that covers other activities of accounting and billing?

Click or tap here to enter text.

When small law firms use such billing software besides invoicing, what kind of activities does the software cover?

Click or tap here to enter text.

Are these billing solutions used also by other professions or are these mainly lawyer specific?

Click or tap here to enter text.

## Case (and practice) management of small law firms

### Popularity of integrated, law firm specific software (including case management and practice management, ERP and CRM software)

What proportion of small law firms use integrated case or practice management software (including ERP, CRM software)?

Click or tap here to enter text.

Can you name the most popular software titles or services in this field in your country as used by small law firms?

Click or tap here to enter text.

Are these products web-based products? Does such software used by law firms cover other categories of software listed above (e.g. time recording software, billing, document management etc.)?

Click or tap here to enter text.

### Administrative burdens of law firms in relation to court cases

Are small law firms required to keep an up to date registry of the court cases in which they participate?

If yes, is this requirement based on generic due care of the law firm or are there specific legal requirements or rules of professional conduct that make this mandatory?

Click or tap here to enter text.

If yes, what kind of information are law firms required to record? What are the most burdensome administrative activities in recording this information?

Click or tap here to enter text.

Is current case management software able to assist the law firm in decreasing such administrative burdens?

Click or tap here to enter text.

### Integration of case management with e-court solutions

Does the case management software used by small law firms integrate with electronic court solutions that lawyers have to use in your country? If yes or partly yes, in what areas do they integrate? In what important areas are such integration capabilities still missing?

Click or tap here to enter text.

### Integration of case and practice management software with external software

Among small law firms using case and practice management software (including ERP and CRM software), what are the major types of external software (not supplied by the supplier of the case and practice management software) that law firms also integrate with their case and practice management software e.g. invoicing, time recording, Sharepoint etc.?

Click or tap here to enter text.

## Legal research tools used by small law firms and legal data accessible for lawyers

(See also under section 1.12 for AI related legal research topics.)

### Freely accessible legal information used by small law firms

Which of the following types of information is usually accessed by small law firms in your country from a freely accessible source (e.g. made freely accessible by courts or state bodies)?

[ ]  national or regional legislation (normative acts of public bodies) in force

[ ]  local legislation in force

[ ]  individual decisions of courts or other public bodies

[ ]  legislation and decisions with historical relevance

[ ]  legal textbooks, digests, commentaries

[ ]  articles from law reviews, legal journals

### Legal information accessible from paid legal databases as used by law firms

Which of the following types of information is usually accessed by small law firms from paid legal databases in your country? This means that paid legal databases covering the following subjects already exist in your country *and* are frequently used by small law firms too.

[ ]  national or regional legislation (normative acts of public bodies) in force

[ ]  local legislation in force

[ ]  individual decisions of courts or other public bodies

[ ]  legislation and decisions with historical relevance

[ ]  legal textbooks, digests, commentaries

[ ]  articles from law reviews, legal journals

### Barriers to access to legal information for small law firms

What are the major barriers to access to legal information in your country that you think impede the quality of work carried out by small law firms?

What kind of information is missing from legal databases that would be useful (e.g. lower level court decisions are not available, decisions of certain public bodies are not available)?

Are there any types of information that are usually not accessible to most small law firms due to the high prices of legal databases?

Click or tap here to enter text.

## Court specific tools used by small law firms (interfacing with national e-justice tools)

### Short overview of electronic court procedures

Can you please provide us with a brief, high level overview of the electronic court procedures available (i.e. optional) or mandatory for small law firms in your country?

In practice, is it mandatory for most of the small law firms to use electronic court procedures in the majority of cases for exchange of court documents? What are the most important exceptions from mandatory electronic court procedures?

Is it up to the law firms (or its client) to decide whether they want to use electronic tools in court procedures? What kind of major exceptions are there where law firms cannot use electronic tools in the exchange of court documents?

Are small law firms able to access all the files electronically (including metadata) that they are able to access at the premises of the court as well? Are there important exceptions?

Click or tap here to enter text.

### Sharing of responsibilities for IT tools in the use of electronic court procedures

Considering a court case that starts with the lawyer submitting a document to initiate a proceeding, until a decision is brought and communicated to the lawyer, who is expected to do what in relation to IT tools used in the electronic court procedures? Who is responsible for developing IT tools for such activities? Does the state provide an API for e.g. submitting documents and publish documentation on this, or otherwise expect that bars or professional IT developers financed by lawyers develop the actual tools that lawyers will use? Or does the state (courts) provide web interfaces for lawyers that lawyer end-users can also use directly?

Click or tap here to enter text.

What kind of tools are lawyers expected to have in order to use electronic court procedures (besides hardware and internet connection)?

Click or tap here to enter text.

### Role of bars and law societies in electronic court procedures and in providing IT tools for lawyers

Do bars or law societies have any role in providing IT tools for lawyers? Are bars and law societies consulted by the state when deploying or changing electronic court procedures? At what stages of development (e.g. before starting the design, after the development is finished etc.)?

Click or tap here to enter text.

### Electronic administrative procedures outside electronic court procedures

Are there any specific electronic administrative procedures that are important for small law firms in your country, but where the situation is very different compared to electronic court procedures?

Click or tap here to enter text.

### Issues when submitting documents or cases to courts or other administrative procedures electronically

What are the major barriers that small law firms face in relation to electronic court and other generic administrative procedures when submitting a case or a document to the courts or other authorities?

Click or tap here to enter text.

### Issues in receipt or responding to summonses in electronic court or similar procedures?

What are the major barriers that small law firms or their clients face in relation to being summoned in electronic court or similar administrative procedures?

Click or tap here to enter text.

### Issues in online monitoring of electronic court or similar procedures?

What are the major barriers in the online monitoring of stages of an electronic court proceedings or generic administrative proceedings?

Click or tap here to enter text.

## Tools used for specific lawyer activities (outside representation of a client at ordinary courts)

If a given activity below is important for the small law firms in your country, please describe what kind of IT tools the small law firms use for the given activity outside generic drafting by word processors, emailing, printing and scanning.

If the given activity is carried out at least in part electronically, please also describe what parts are undertaken electronically by the lawyer (e.g. filling out electronic forms, submitting only unstructured attachments electronically), and what steps are still manual for the lawyers.

Do you see any opportunities in decreasing the administrative burden or increasing the involvement of a law firm in the given area?

### Registration of land or real estate and related activities by small law firms

(IT tools used, electronic and manual parts, opportunities)

Click or tap here to enter text.

### Company law related administrative activities by small law firms

(IT tools used, electronic and manual parts, opportunities)

Click or tap here to enter text.

### Registration of ships or other vessels and related activities by small law firms

(IT tools used, electronic and manual parts, opportunities)

Click or tap here to enter text.

### Registration of IP rights by small law firms

(IT tools used, electronic and manual parts, opportunities)

Click or tap here to enter text.

## Refining the results of the February 2020 Survey on AI use by the European Commission

See the results in section 4.2.2.

### (Except for DE, NL, ES) With regard to the responses provided to the Commission for your country, do you wish to provide any reservations as to the accuracy of the responses, explanations for the results for your country or any further information you think would help in obtaining a better picture of the categories of AI tools used in your country?

Click or tap here to enter text.

### For DE, NL, ES only – what do you think the rate of AI use by lawyers would be for your country?

Click or tap here to enter text.

### For DE, NL, ES only – Based on categories of AI tools as used in the 2020 February EC Survey on AI use, how do you think the AI tool categories would rank in your country (1st: mostly used category etc.)?

Click or tap here to enter text.

### For DE, NL, ES only – Any further comments, explanations with regard to the AI tools used in your country?

Click or tap here to enter text.

## Barriers and opportunity in the use of certain categories of AI tools

With regard to the following categories of IT tools as used in the 2020 February EC Survey on AI, could you please provide us with examples of what kind of AI tools are used and how by small law firms in your country for that given category?

If you think that the given category of AI tool is not used much by small law firms or you do not know of any such tools as used among small law firms, please indicate that in your response.

If you think that the category does not really use any AI capabilities as understood within the CCBE, please also indicate that in your response.

If you know the name of any products that are popular among small law firms, please include the name of the product as well.

### Legal analysis (e.g. extracts/trends from past judgements)

Click or tap here to enter text.

### Document automation (e.g. assembling first draft of contracts, forms or other submissions)

Click or tap here to enter text.

### Advanced search (e.g. question-answering systems, semantic search engines)

Click or tap here to enter text.

### Compliance and due diligence (such as finding missing or non-standard clauses in a large volume of documents)

Click or tap here to enter text.

### Assisted e-discovery: reviewing a large body of electronic evidence

Click or tap here to enter text.

### Automated filing of documents in internal systems of lawyer and case management (other than e-discovery)

Click or tap here to enter text.

### AI assisted overview of the financial situation of a law firm and analysis of its business results (e.g. dashboard, key performance indicators such as amount of work in progress not invoiced yet etc.)

Click or tap here to enter text.

### Other

Click or tap here to enter text.