The Role of Artificial Intelligence Technologies in Providing Legal Consultations

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Abstract

Artificial intelligence is a technology that has a superior ability to learn, develop, and the ability to make appropriate decisions. It has the ability to deal with situations and develop appropriate solutions to them, and the ability to sweep the field of providing legal services such as consultations that were traditionally provided through a lawyer or a legal consulting office. Today, because of these technologies, legal advice is provided by default by a smart legal consultant.

We have adopted a comparative analytical approach by defining the concept of this technology, indicating the position of legislation, as well as reviewing judicial developments in order to assess the final position of the smart legal consulting system.

One of the results of the study of smart legal advice is the difficulty of providing it without human intervention because the first is a mental product, so the traditional legal adviser is indispensable, especially in thorny legal matters that need explanation and explanation. As for liability within the scope of artificial intelligence technologies, everyone agrees on the existence of liability and compensation, but the dispute revolves around the basis of that liability and the extent to which those technologies have the legal personality to claim responsibility

Keywords: Smart Legal Consultation -Smart Legal Counselor -Artificial Intelligence -Technological Dependency -Virtual Legal Services.

دور تقنيات الذكاء الاصطناعي في تقديم الاستشارات القانونية

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الملخص

الذكاء الاصطناعي تقنية تتمتع بقدرة فائقة على التعلم والتطوير والقدرة على اتخاذ القرارات المناسبة. له مُكنة للتعامل مع المواقف ووضع الحلول المناسبة لها، والقدرة على اجتياح مجال تقديم الخدمات القانونية كالاستشارات التي كانت تقدم بطريقة تقليدية من خلال محامٍ أو مكتب استشارات قانونية. واليوم وبفضل تلك التقنيات فالاستشارات القانونية تقدم وبشكل افتراضي من مستشار قانوني ذكي.

وقد اعتمدنا المنهج التحليلي المقارن من خلال تحديد مفهوم تلك التقنية وبيان موقف التشريعات فضلاً عن استعراض التطورات القضائية بهدف تقييم الموقف النهائي لمنظومة الاستشارات القانونية الذكية.

ومن نتائج دراسة الاستشارات القانونية الذكية صعوبة تقديمها دون تدخل بشري لأن الاولى نتاجاً عقلياً، لذا لا غنى عن المستشار القانوني التقليدي لاسيما في الأمور القانونية الشائكة التي تحتاج إلى تفسير وتعليل. أما فيما يتعلق بالمسؤولية في نطاق تقنيات الذكاء الاصطناعي فالجميع متفقون على وجود المسؤولية والتعويض، ولكن الخلاف يدور حول أساس تلك المسؤولية ومدى تمتع تلك التقنيات بالشخصية القانونية للقول بمسؤوليتها.
الكلمات المفتاحية: الاستشارات القانونية الذكية ــ المستشار القانوني الذكي ــ الذكاء الاصطناعي ــ التبعية التكنولوجية ــ الخدمات القانونية الافتراضية.

Introduction

Artificial Intelligence is one of the most prominent technologies that have a superior ability to learn and develop and the ability to make appropriate decisions and ability to deal with situations and develop appropriate solutions to them and the ability to development the field of providing legal services. Legal consultations - before the emergence of this technology - were provided in a traditional way through a lawyer or a legal consulting office. Today, there is an ability to provide legal consultation through a person called the smart legal counselor.

As for the reasons for the invasion of this technology into the field of judiciary in general and the field of legal consultation in particular, it is due to the importance of the subject of legal consultation as it is a subject that emanates from the core of our daily lives and is related to the largest part of human activities. This importance increases in reality with the development of human relations and the activities of individuals. As for its importance in terms of the benefit of the process appears in saving time for the advisor in avoiding entering into useless actions, or in preventing him from falling into a legal dispute. The intelligent legal advisor, because of his intelligence, educates the advisor about the best legal situation and the optimal solution to his problem. There is no one in any society who does not need another opinion in the process of forming his conviction and crystallizing his position. Therefore, it is the giving of the legal opinion in an automated way, which may be through a program, robot, or other machine.

It may be presented either with a contract, as a contract formula has emerged that dispenses with the old mechanisms used. These forms of contracts may be incapable of being achieved by traditional contracts, or without a contract, as is the case with the Sophia robot

in China, which wanders around the court and provides free legal advice.

For the time being, the issue in Iraq is unregulated, despite the insufficient general rules to address it.

Finally, Artificial Intelligence technology has greatly approved in the legal field, it become a reality that cannot be denied or ignored, and the legal field not too remote from the technological developments that spread in the world and it becomes possible to use technology in order to reach justice.

Research Importance

Although the recognition that Artificial Intelligence techniques have become an existing reality, there are no legal rules regulating it in many countries to present in Iraqi law, so we considered it necessary to urge the Iraqi legislator to establish a special legal rules for Artificial Intelligence without relying on general rules and applying an idea of a smart legal consultation in the Iraqi legal system.

Research Aims

The aims of studying are to urge the Iraqi legislator:

- To Regulating a legal Rules for Artificial Intelligence technologies.
- To development and strive to confront these technologies.
- To Take a positive steps and develop laws in accordance with the reality represented by the emergence of this robotic technology in the legal fields.
- To establish a legal system for the smart legal counselor.

Research Problem

The issue of using Artificial Intelligence technology in the field of providing a smart legal consultation raises many legal problems, first there is no special legal regulation the subject ,therefor; we need to develop a special legal regulation for the fault and damage resulting from Artificial Intelligence, also we need rules for insurance to cover the risks resulting from its applications, so the legislator has become necessary to re-adapt its legal rules to deal with an intangible virtual reality by Artificial Intelligence technologies.

Research Methodology

The current study "The role of Artificial Intelligence technologies in providing legal consultations" the comparative analytical approach will be adopted by determine the idea in concept and origin, reviewing judicial developments in this field, and evaluating the final position of legislation on adopting the topic of smart legal consultations.

Research Structure

First Requirement: The concept of providing legal consultation by artificial intelligence

Second Requirement: Evaluating of providing of legal consultation by artificial intelligence

Third Requirement: Civil liability of providing legal consultation by artificial intelligence

First Requirement
The concept of providing legal consultation by artificial intelligence

Before the discovery of artificial intelligence and sweeping the field of judicial services, legal advice was traditionally provided in law offices, and the mechanism was for lawyers and clients to communicate face to face. However, artificial intelligence makes this method difficult, especially after the increase in business volume. Add to this the restrictions imposed on lawyers, and the limited time for providing legal advice, which does not happen at all times, but there is time for the lawyer to rest, and it is impossible to provide legal advice at all times. With the development of artificial intelligence technology, it has become possible to provide legal advice continuously at all times and in all circumstances, as legal services in general are provided to users by a robot, and its place in the courts is to walk around and provide services to clients, sometimes for free, and at other times for a fee depending on the circumstances, including the Sophia robot in Beijing[1].

On the other hand, find a lawyer is become an anxiety for public law persons like business organization and private law persons like ordinary people. Sometimes people have many difficulties to find proper lawyer according to their requirements because of poor information for lawyer. In addition, it is also difficult to find experienced lawyer. Usually in order to hire a lawyer people need to meet him which is time consuming and expensive. The delivery of legal services remains largely fragmented, outdated, and inefficient[2].

The Clients come in different types. All of them have major disputes and they need to resolve or they have a large deal to conclude. There are managers within small or medium-sized businesses have properties to rent, employees to engage, and all

manner of regulations with which to comply. And there are individual citizens, who may need legal help him to moving house, coping with debt, or pursuing some personal injury claim. Although diverse in nature, these clients currently share a big challenge, they cannot afford a legal services when presented by traditional way[3].

The concept of the Provide of Legal consultancy is "easily accessible face-to-face services from early counsel to legal representation to address the combinations of problems people experience"[4].

It is known that providing traditional legal consultation is considered an intellectual action, a priori, there are hardly any contracts where the obligation to provide counsel does not appear as an additional service. Beyond the graft mechanism, there are many cases where counsel become the contract object. It may be defined as agreements by which consulting professionals undertake, in return for remuneration, to independently provide a service of an intellectual nature to their clients. In the form of a company contract, they effectively guide their decisions.

Providing of legal consultation is one of the most important principles on which the legal profession is based, whether it is provided through a legal counselor, lawyer, and professor in law schools or in consulting offices. In all cases, it represents an opinion of an influential nature in the decision of the person seeking consultation. Because it comes from someone who has a degree of scientific competence and experience[5]

In Reality, the subject of providing consultation only applies to work in which the nature of the performance is a mental performance that depends primarily on the mind. There is no positive work without the mind having a role in it, even if the role of the mind seems small in it. Some work, but this role is growing and

expanding in the contracts concluded by lawyers, engineers, and doctors, in other words, the contracts of the self-employed.

There is no doubt that achieving this within the framework of Artificial Intelligence (AI) requires the presence of a competent and experienced legal programmer in order to provide the program with data that makes it qualified to provide smart legal consultation. Practical reality has proven that the use of Artificial Intelligence technology in the field of legal consultation is a truly successful experience, as the robot used for this purpose works and speaks in natural language with humans, as we find (Sophia Robot) in the Intermediate People's Court in China, providing legal consultation and helping clients understand the terminology legal matters. While the United Arab Emirates introduced in 2017 (the electronic marriage robot) through a robot that connects the judge and the couple to conclude the marriage remotely.

"The notion AI is made up of two words: Artificial which implies a good made by people, often as a copy of something natural, and Intelligence which may refer to: the ability to learn and understand or to deal with new or trying situations, or the skilled use of reason, or the ability to apply knowledge to manipulate one's environment or to think abstractly as measured by objective criteria"[6] .

John McCarthy [7] defines Artificial Intelligence as "the study and design of intelligent systems in an independent way that understands their environment while taking all necessary measures in order to achieve those goals"[8]

Jean Lassegue defines Artificial Intelligence as a "set of scientific theories and modern techniques used to create machines that are capable of carrying out the tasks and actions that they require previously done by humans"[9] .

Therefore; "When it comes to the use and application of AI in the legal profession, AI has been in use within the meaning attributed to it by computer science since the 1960s ، AI can be defined as a non-biological autonomous entity. However, the term autonomous in this definition should be taken as the ability of AI to process data by itself and by no means prohibits any situation in which human and AI experts are working alongside one another (co-robotics)"[10]

In other words, it is an intelligent system that works independently to carry out certain tasks based on data previously entered into that program. That is, the providing of Smart legal consultation is only possible in the presence of a machine or computer that has cognitive capabilities that would allow it to make decisions independently without being subject to the control of the person who designed it, or who uses. [11]

Artificial intelligence technique imitates the cognitive functions associated with the human mind and can learn, solve problems, think, or act by imitating human behavior (the cognitive approach), or rationally by means of the "cognitive approach."[12]

The Artificial Intelligence is a science that investigates how to make computers perform the same tasks or things that humans do, and it researches through the theories and techniques used to simulate human intelligence،[13] In other words, it is a science that aims to give computers the quality of intelligence to enable them to simulate the thinking capabilities of humans.

The mechanism of Artificial Intelligence done through software systems and perhaps devices designed by humans with a specific and complex purpose and operating in the real or virtual world. Information obtained by interpreting the data provided, or by using symbolic rules or learning a model Digital and through its

capabilities, it uses cognitive processes similar to the processes and tasks performed by humans[14].

Second Requirement
Evaluating of providing legal consultation by artificial intelligence

With the invasion of technology into the world of judicial services, especially artificial intelligence, and the extent of its impact on providing legal services in a way that achieves justice and discovers it in a more developed and faster manner, it is necessary to strive to accept the idea of the transition of legal advice from the traditional to the advanced field [15].

Although the applications and tools of Artificial Intelligence have invaded the entire world, it has not met the same degree of acceptance and interest among countries around the world, so its influence vary from one country to another. And the evidence that many countries organized and developed it and the reluctance of other countries to do so. Because many countries look to Artificial Intelligence as a great advantage, while others look it as a disaster. However, Artificial Intelligence in its goals and visions is synonymous with human intelligence, we should Evaluating it in order to show advantages and disadvantages.

A- Advantages of providing legal consultation by artificial intelligence

The legal field is related to and regulates all different areas of life, and this law does not stop at a certain limit. It changes and develops with the passage of time, so new legal rules arise that regulate new developments in life, such as artificial intelligence, where legal rules should be established to regulate it, and therefore the legal authority does not stop at a certain limit, and therefore the legal person must follow these developments to update his ownership so that it has an added value for him that he can benefit from and benefit his society[16].

The development of legal consultation Service by an artificial Intelligence have a great significance. Because of its flexible and convenient features and broad prospects for development [17].

The technological innovation -artificial intelligence -has prompted more institutionalized answers for the conveyance of lawful procedures and the capacity to products numerous lawful administrations. Various legitimate tech organizations, colleges and law offices are presently investigating the degree to which the subjective area of legal counsels can likewise be computerized. As indicated by Riverview, 'the essential target of Technological innovation is to mechanize a portion for subjective capacities of information specialists to furnish associations with wise choice help apparatuses[18].

1- One of the characterized of Artificial Intelligence is simulation, i.e. it is a logarithmic intelligence that simulates the human capabilities of intelligence without matching them. It deals with the ability of a machine in its traditional sense to simulate human intelligence. Although it came for many reasons, including understanding and simulating human intelligence, it is a cumulative, collective quantitative intelligence. It exceeding the knowledge possessed by the human mind, but it is still unable to possess the components of human analysis of philosophical and social concepts, including those related to philosophical simulation, legal argumentation, and providing justifications and reasoning.Under the concept of the simulation advantage is the ability of Artificial Intelligence to provide analytical legal consultation to the eneficiary [19]

(Client). In other words, the smart legal consultant it is obligated towards the beneficiary (Client) to inform everything related to the consultation in all honesty and to provide consultation, guidance and warning. And Although the smart legal consultant approaches with traditional legal consultant in this field, there is a crossroad between

them, which is the complete absence of emotions, so smart legal consultations are consultations devoid of emotion, which makes their provision through Artificial Intelligence more effective.

2-   "An AI system, as explained by the OECD's AI Experts Group (AIGO), is a system based on algorithms and self learning guided by machine learning and deep learning, which can perform certain human cognitive capabilities by interacting with the environment through sensors, processing information, and adopting decisions and taking actions, with a certain degree of autonomy".[20] And The System of Artificial Intelligence is a self-contained system and it have ability to work too remote from any human intervention[21]. So the will of the smart legal consultant is maker of the content of legal consultation[22]. But it is describe as an irrational, "aware" and incomplete intelligence [23] that is raised many legal reservations in the context of protecting this intelligence. [24] Nowadays, the smart legal consultant can operate independently by simulating the human element, and have their own creative abilities. This requires a special law to regulate its work.[25]Here we must ask, what is the fate of the traditional legal consultant in the presence of the intelligent consultant?

We mentioned that the smart legal consultant is distinguished by its ability to analyze the data and legal documents that were provided to it, and to conduct research very quickly, which leads to guiding legal professionals and enabling them to develop legal strategies characterized by accuracy and comprehensiveness, as well as the ability to reach a comprehensive perception of the potential results of legal consultation and lawsuits and the solutions of that technology in the legal milieu called for the possibility of reducing the role of consultants and lawyers as the speed and effectiveness of Artificial Intelligence in managing the repetitive and routine legal tasks performed by the consultant and the lawyer such as reviewing

contracts and documents, conducting legal research, and its ability to guide lawyers and legal consultants and provide the best solutions accurately and quickly and in less time than the traditional, it has a significant impact on increasing productivity in the law field.

Here the time to ask about the role of legal counsel:

I-An original role in which he replaces the traditional counsel in providing legal consultation that affects the decision of the client, thus, we have a smart consultant that is self-sufficient on Artificial Intelligence in simple matters that are based on conclusive evidence. While the traditional legal consultant will continue to have an active role in thorny matters [26] , those that require justification and reasoning, or those that are based in part on the concept of discretionary authority and in the other hand require personal intervention from traditional legal consultant.

II-Auxiliary and supportive of human intelligence i.e (traditional legal consultant), and it constitutes a reliable frame of reference in clarifying modern judicial trends. However, the use of Artificial Intelligence in judicial systems represents a very important means of improving the efficiency of judges, lawyers, counsels, auditors, and litigants. "AI is soon expected to be able to draft legal briefs and memoranda by collaborating up with legal research programs and will be able to conduct predictive analytics to predict case outcomes by relying on data patterns [27] , Besides, machine intelligence is continuing to revolutionize the use of legal forms by tailoring various forms to meet individual situations"[28] However, the use of Artificial Intelligence in the judicial environment, on the other hand, raises many legal problems that we will study in the following part :

B- Disadvantages of providing legal consultation by artificial intelligence

The legal consultation business has made a great progress. The legal consultation system by artificial intelligence has become the main development direction and application mode of the main legal consultation business at present. Because it provides to the client a legal consultation service, greatly facilitates clients and makes use of online booking and other functions. It can effectively utilize idle time, make reasonable arrangements and make good allocation of human resources. The legal consultation has made a wider source of clients to various law firms and increased economic income. At the same time, for the society -legal consultation can greatly increase the legal consciousness of the people[29]. And piece of information tells us that wealthy country provide grossly inadequate businesses, large and small , but it is bear a significant costs in the field of legal consultancy.[30]

On the other hand, there are legal, security, economic and social threats that are represented in the following:

1- Machine Addiction: With the increase of human dependence on machines, it may be difficult to work without them in the future and dependence on them will increase little by little which leads to a decrease in mental capabilities and human thinking on the one hand and an increase in unemployment on the other hand.

2- Possibility of a lake of transparency: The system of Artificial Intelligence limited to sciences rather than others. Although it succeeded in some sciences based on a precise cognitive sequence, such as mathematics, physics, and engineering, it still fell short of human intelligence in the social and human sciences, as it is not always based on the clarity and in many cases based on the ambiguity, and depends on the cognitive skills and capabilities that a person possesses from reading, analyzing, and providing

justifications and reasons [31], it is necessary to explain and justify the reasons for legal consultation, and the most prominent challenges facing the principle of transparency in the application of Artificial Intelligence systems, that System designers may not be able to explain the evolution of procedure algorithms, so it becomes irrational to understand their inner workings even though intelligent systems may be much better at decision-making than humans .

3- In general, the Artificial Intelligence algorithms are coded to be neutral, but the programmers who code them may not follow that way, or they are likely to work with some assumptions that may lead to bias. In a study conducted by an American institution on a risk assessment tool called (an assessment system Criminal Risk Profiling for Alternative Sentencing Correctional Offender Management, developed by North point, uses algorithms at the trial and parole stage across the United States, and found that the machine was biased against (black) defendants who were incorrectly judged as they pose a high risk compared to (white) defendants who were marked as low risk.

4- Not guaranteeing the confidentiality of data**,** Clients provide a set of information, data, documents, and all the tools that help the smart legal consultant carry out their tasks.[32] i.e. providing legal consultation, the data is often confidential and there is a fear in most countries that Artificial Intelligence will be exploited for purposes that conflict with morals [33], and this comes as a result of Artificial Intelligence algorithms are not controlled it may be uses for defamation instead of providing consultation ."There are also other major noticed constraints to integrate AI into the legal profession such as technical constraints, the problem of the complexity of legal reasoning, the lack of adequate market for legal AI (economic constraints), and the significantly slow culture of legal practice (cultural constraints) to integrate with AI"[34].

5-   difficulties of investing an artificial intelligence in the field of judicial: there is a big problem for artificial intelligence researchers and solution developers because of the lack of a culture of quality, standard metrics, methods for evaluating legal services and legal systems is a significant obstacle to serious progress, it is extremely difficult to evaluate the impact of introducing technology into legal services and systems. Additionally, artificial intelligence need high-quality input and outcome data. If our services and systems lack in quality, our data will be no better. Worse yet, we lack the fundamental building blocks to evaluate the quality of data.[35].

Third Requirements
Civil liability of providing legal consultation by artificial intelligence

The subject of liability still thorny due to the conflict of opinions regarding whether or not to recognize the legal personality of a smart -Legal consultant-, opinions have differed as to whether or not to give it —legal personality. many countries given it legal personality, because of the —capabilities of smart legal consultant to do not limit them to following the orders of their programmers or only its users, but it extends to being able to make a decision based on the various inferential processes that feed it in order to be able to simulate human behavior[36] . These technologies are then responsible for the damage as every program has the characteristics represented by self-awareness and independent will make it responsible.[37]

This necessitates dealing with him as a legal person, and there is no legal justification for excluding legal personality from him, He is given legal personality in comparison with the condition of a person in the coma stage. This person has rights and obligations regardless of his brain activity. The criterion of brain death can be relied upon for recognition, otherwise that the law fall into a state of contradiction by recognizing a person who lacks personality, while it does not recognize it for smart consultant ,At the last-, any entity that has certain qualifications and degree from self-awareness has a legal personality[38].

One of the results of the legal personality is the existence of the financial liability of the smart consultant and this liability is independent of the liability of the programmer or who provided it with information and data, and the providing consultation is not free so the revenue obtained from consultation will be a compensation for any damage.

It should be noted that the legislator has tried to develop the concept of defect by adopting the idea of breach of benefit instead from the idea of missing the correct purpose[39] .

On the other hand the legal personality of robots will have serious consequences. Because it will lead to the lack of responsibility of potential people who could be held responsible. Such as: the product or the user[40] .

Accordingly, the smart consultant does not have legal personality and has no financial liability as long as it is managed by a programmer or user, it is merely an intelligent electronic agent. The relationship between it and the programmer user is an agency relationship and it only expresses the will of the User.[41]

As a result, there is no responsibility for the smart consultant rather the responsible person here may be the programmer, operator, or owner of the robot, it is agreed that the smart consultant will provide legal consultation and the programmer will feed it with Information ، that converted into encrypted formats that are included in the digital platform [42] , these information or data becomes In the form of an encryption code then the consultant performed the specified act by the programmer automatically [43].

As for civil liability for providing legal consultation by smart legal consultant, its type is determined according to the nature of the relationship between it and the client.

In the field of intelligence consultancy, There are two types of civil liability **contractual liability** based on the availability of a contractual fault, which occurs if The intelligent consultant breach its obligation and The beneficiary has been harmed [44] because of The programmer or user is unable to supply smart consultant With the necessary data or delays in submitting, and both of them are worthy of compensation [45] because the performance not as agreed upon in contract even if no damage or injury occurs [46].

On the other hand, the program will not be responsible if the fault results from the beneficiary deliberately concealing necessary information and not classifying it within the contractual terms, or providing the smart program with inaccurate data and information.

The second type is tort, when the smart consultant, programmer or his subordinates, or or one of the things under his guard performs an illegal act. This requires determining whether technologies are considered a thing and we apply to them the rules of responsibility for things. and the person responsible for it is either the –owner of robot according to the theory of guardianship, or the operator, as he transmits orders and instructions to the robot as he has the authority to monitor control and pressure its own function. It is the basic element that is taken into consideration –when determining the person who bears civil liability in the event of material or moral damage resulting from the smart consultations[47].

It is also possible to apply the rules of producer liability for the acts of its defective products given that the robot which providing consultation is a product and it is required that there is real damage, and that the defective robot is the source of this damage so the robot's producer or supplier is responsible for the damage [48] Some also argue that the rules of tort liability can be applied On the basis of Negligence "Under the principle of Negligence, the person or entity responsible for deploying the AI system can be held liable for damages caused by the system if they were negligent in their development of the system. Negligence can be established if the defendant breached a duty of care owed to the victim, and this breach of duty caused the harm"[49]

Whenever a causal relationship is established between the fault –and the damage, the responsible party is obligated to pay compensation that is proportionate to the seriousness of the damage[50].

that the compensation includes the elements of subsequent loss and lost profit.

The plaintiff -here is beneficiary (Client)- he is suffered damage as a result of his use of Artificial Intelligence techniques[51], while the defendant (programmer, operator, manufacturer, or owner of the robot) will be responsible for the damage either personal action or the action of others or things in his custody.

Conclusion

Traditional legal studies are no longer useful and effective in light of technological development in general and applications of Artificial Intelligence in particular especially in legal fields. Artificial Intelligence has become an important source that brings many great benefits to our daily lives and has become relied upon in various fields, whether legal or not. One of the most prominent of these areas is investing in robots in the field of legal consultations by controlling and programming them to perform tasks that are difficult for a human to perform with the precision and sensitivity of a machine. Thus, they have become an alternative to humans, perhaps what raises controversy in this context is that the uses of this technology may cause harm to others in holding one party responsible and most likely holding the robot responsible. In this regard no one in the legal field disagree that placing responsibility on a legal person is considered one of the most difficult topics and whatever, Artificial Intelligence technologies, including robots cannot in any way be independent on their own but rather be supportive of the tasks carried out by humans In different fields.

The Results of Studying are:

First: Providing legal consultations by smart legal consultant can only be done through human intervention as they represent a mental product, intellectual work and the juice of human experiences, who may be the owner or the programmer if the consultation is obtained via a robot, that mean the robot is pre-programmed or under the control of the programmer.

Second: Even in the availability of smart legal consultant, the traditional legal counselor is indispensable. We must have a smart counselor in simple matters, while we need the traditional legal counselor in thorny legal matters that need interpretation and causing.

Third: With regard to responsibility within the scope of Artificial Intelligence techniques, everyone agrees on the existence of responsibility and the existence of compensation, but the disagreement is about the basis of that responsibility and the personality of the person responsible. We concluded through the study that the damage resulting from the smart consultant fault is borne by the programmer, since he is the one who fed it the wrong information or the damage to the user was the result of the defective consultation, and the latter deserves compensation for the damage.

Recommendations

First: We suggest that the Iraqi legislator expedite the establishment of a legal regulation for Artificial intelligence in a manner that is consistent with countries advanced legislation.

Second: Given that the Iraqi legislator has never applied the provisions of strict liability in any field and because most of these technologies may deviate in their course and interfere with their tasks in a way that causes harm to users, we suggest that the loss of smart legal consultation –are the most appropriate field for applying the provisions of these liability.

Third: In the field of compensation for smart consultation damage, we propose establishing a fund to insure against damage to electronic machines in general and to the material and moral damages of Artificial Intelligence -in particular.

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