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**THE FUTURE OF LEGAL EDUCATION IN INDIA IN THE  
ERA OF AI**

~Professor (Dr.) V.K. Ahuja & Ms. Harshita Gupta\*

**ABSTRACT**

*The year 2022 was significant, not only because the world started returning to normal after the pandemic, but also because of the launch of Open AI. With AI becoming a part of our lives and deep learning helping us become more pro-efficient day-by-day, concerns about the diminishing difference between what is human creation and AI creation is growing. The legal profession and education are also facing the same concern. Academic integrity is central to any educational institution and AI seems to threaten the same. In the face of such a challenge, it is imperative to ponder over the present and the future of legal education in the era of AI. This paper tries to do the same by adopting an empirical approach to gauge the manner and degree of AI use in assessments by students. Thereafter, the paper looks at various developments in the Indian as well as the international legal industry to highlight that integrating AI into the current system and practices is the need of the hour. Lastly, the paper offers some suggestions on how Indian law schools can navigate through the era of AI.*

**Keywords:** *Artificial intelligence, legal education, academic integrity, plagiarism*

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## I. INTRODUCTION

The digital revolution has brought the world closer and played an instrumental role in increasing access to information. It has also helped us in making our daily tasks much easier and efficient. However, as technology grows, a number of concerns also erupt. Concerns such as certain jobs becoming obsolete loom large.

The digital disruption has left no walk of human life untouched. Law as a field of study and practice has also benefited from the same. However, it is facing its share of concerns as well. With Artificial Intelligence (“**AI**”) disrupting human perceptions of real and artificial, the legal field which is heavily dependent on academic writing faces pertinent challenges. As teachers and students engaged in learning the nuances of the law, we face the challenge of how to keep academic integrity intact while simultaneously drawing the due benefits from AI.<sup>1</sup>

The reason behind such anxiety about AI is that apart from merely summarizing or paraphrasing provided information – Generative Artificial Intelligence (“**Gen AI**”) can create something entirely new, drawing from the wealth of information easily available on the internet. This has naturally caused a significant alarm in the academic circle since the harm this creates can be many. The resultant material often does not attribute its original sources; this is because establishing reverse causation from output-to-input in Gen AI from heaps of training data is largely

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<sup>1</sup> Marjan Ajevski, et al., *ChatGPT and the future of legal education and practice*, 57(3) THE LAW TEACHER, 352-364 (2023).

technologically unfeasible. Moreover, Gen AI also produces false information, known as hallucinations which can perpetuate incorrect research.<sup>2</sup> Gen AI also perpetuates biases in its training data which will have an impact on the output as well.

Lastly, there is no way to ensure attribution is mandated right now to AI-produced work when used by researchers.<sup>3</sup> Even though limited success can be seen with its detection and comparability to human work, owing to the perpetually self-learning nature of AI – the underlying concern demands immediate scrutiny.

Another question is that since AI Tools (“**AIT**”) are capable of doing a number of tasks that a legal practitioner does (like drafting, making case briefs, and legal research) with the probability of reaching human-like efficiency what should be taught to students to make them stay relevant in the age of AI?

Additionally, the availability of AIT for public use along with the growth of startups offering specialized AITs to cater to the needs of students has created a precarious situation. It is noteworthy that such AITs are available in two versions. One version is the openly accessible version (this can be used without payment of a subscription fee). The other version is a paid version which offers more nuanced services in comparison to the openly available software. This brings before us the issue of the digital divide, wherein students who are financially equipped

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<sup>2</sup>Aras Bozkurt, *GenAI et al.: Cocreation, Authorship, Ownership, Academic Ethics and Integrity in a Time of Generative AI*, 16(1) OPEN PRAXIS 1 (2024).

<sup>3</sup> Elias Neocleous & Co LLC, *Utilising AI in legal education: A case study*, LEXOLOGY (Sep. 20, 2024), <https://www.lexology.com/library/detail.aspx?g=218459ac-1585-403a-a289-dead1bbf46af>.

can use these services for academic purposes (both assignments and assessments) but students who are not so financially secure and digitally aware lag behind as AIT is not taught or allowed by academic institutions.

These concerns and questions require an immediate enquiry. Such an enquiry cannot be, however, through a purely doctrinal perspective. Since the problem is of a practical nature, we need to use empirical evidence to study various scenarios and find some common linkages which in turn will help us in getting closer to the questions posed above.

The authors propose a threefold empirical study to fully understand the issues around academic integrity concerns raised by AI, especially in the context of assessment. The first study would involve the testing of various AI tools to generate legal content and asking teachers and students about the nature of its origin. This is important to gauge the effectiveness of AI detection software currently being used to assess student assignments. The second study would be based on a questionnaire circulated among students, soliciting their responses about the extent and kind of AI use in their academic assignments. In this paper, we shall also discuss some insights offered by faculty members to understand the use of AI in law schools. The results of these two studies along with the observations made by faculty at law schools would then be analysed to suggest suitable changes that are required to be made to the Indian legal education system and the incorporation of AI into legal education.

This article consists of three parts including the introduction. The second part of the article will discuss and analyse the responses gathered

from faculties and students, and the third part will draw insights from the second part and offer some suggestions and conclusions.

## II. LAW SCHOOLS AND AI

The recent news about a university failing a student citing the use of AI has culminated into a lawsuit challenging the allegation about the use of AI.<sup>4</sup> This suit though is a private civil lawsuit; it raises some pertinent questions about the veracity of AI checking tools currently used by Indian law schools and the vacuum of academic policies on AI use.

While several articles have pointed out that AI checking tools are insufficient, prominent companies working on AI, such as OpenAI have reportedly put the development of their AI detection software on the shelves.<sup>5</sup> This thus diminishes the hope of a technological solution to secure academic integrity in the near future.

The authors, for the purposes of understanding the use of AI by law students, surveyed students and faculty members. In this survey, two Google forms were circulated. The first form consisted of two paragraphs that were to be read and assessed for the use of AI by both students and faculty. With each paragraph, the authors attached the respective Turnitin report. The Turnitin report for one paragraph showed 9% plagiarism, and

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<sup>4</sup> Muskaan Sharma, *Law student sues Jindal Global Law School for failing him over '88% AI-generated' exam answers*, HINDUSTAN TIMES (Nov. 4, 2024), <https://www.hindustantimes.com/trending/law-student-sues-jindal-global-law-school-for-failing-him-over-88-ai-generated-exam-answers-101730721011828.html>.

<sup>5</sup> Jason Nelson, *OpenAI Quietly Shuts Down Its AI Detection Tool*, EMERGE (Jul. 25, 2023), <https://decrypt.co/149826/openai-quietly-shutters-its-ai-detection-tool>.

for the other paragraph, it showed no plagiarism. No AI detection was made by the Turnitin report.

The responses received on this form show that both technological and human assessment to detect AI use are insufficient. A number of participants said that there was AI use, while others answered in negative. Many participants were unsure about whether AI was used or not. However, on the contrary, both paragraphs were generated with the help of AI. The first paragraph was generated by giving a prompt and the second paragraph was generated through three prompts which helped in modifying the resultant paragraphs.

The second survey conducted by the authors focused on understanding how law students are using AI in their academic lives. This questionnaire consisted of ten questions. The first question was on the use of AI. A large chunk answered in the affirmative (over 95%). The next question was on the kind of work they used it for. A majority of them use AI for projects, courtroom exercises (written submission), and making notes (66%), followed by only using it for project submission (30.2%) and lastly, making notes (3.8%). The third question asked about the effectiveness of the use of AI in various tasks. The response highlighted that the use of AI in projects was more effective when compared to the use of making memorials for courtroom exercises and notes. The fourth question pertained to how AI was used. The response suggests that the use of AI both for paraphrasing already available information to avoid plagiarism detection and the use of AI to generate new texts was more or less equal. As per the results of the survey, Turnitin is an insufficient tool

for AI detection. (71.4% of the responses said that the Turnitin report detected only some AI use, whereas a meagre share of 12.5% said Turnitin detected the use of AI totally while 16.1% of the responses said no detection of AI by Turnitin).

The succeeding questions asked students about the frequency of incidents of AI detection by faculty members. Surprisingly, the results of the survey show that multiple times the faculty members were unable to detect AI even with the help of the Turnitin Report (46.4%). However, it is also important to note that some students said that faculty members were able to detect AI use with the help of Turnitin Report (42.9%). A minuscule percentage (10.7%) of responses suggested the detection of AI without the use of the Turnitin Report.

The next set of questions asked students whether the use of AI be permitted in law schools and whether a course on the effective use of AI to enhance the quality of work be administered. For the first question, 64.3% of students answered positively. While 26.8% were uncertain about it, 8.9% said that it should not be allowed. In response to the second question, 87.5% of students agreed that they wanted a course in AI, 7.1% expressed uncertainty and 5.4% said it was not required.

These surveys lend weight to the anxiety prevailing over the overuse of AI and its ability to camouflage with human-created works. This also tells us about the pervasiveness of AI use in assignments by law students. Another important insight is that some forms of assessments are more prone to AI use, and such use might not be subsequently detected resulting in students getting an undue advantage. It is also noteworthy that

students wish to integrate learning the use of AI with the law school curriculum.

However, to fully comprehend the issue of AI use in academic assessment in law school, one needs to understand the perspective of the faculty as well. For this, the authors took opinions on this issue from some faculty members. Firstly, it was noticed that very few faculty members used AI in teaching. Some teachers did use AI for enhancing grammar; however, there was no AI used for making courtroom exercises or any other activity. When asked about the veracity of the Turnitin Report in the context of AI detection, teachers admitted that it lacks accuracy. They, however, pointed out that when AI is used (for example, in project submission), the content itself makes it evident that AI is used by the student. This is in stark contrast to our survey where both students and teachers erred in saying that the paragraphs were not AI-generated and the claim made by students that their use of AI remained undetected. This certainly reveals a gap in our current understanding of the potential of AI and its implications for academic assessment. Some teachers also pointed to the need to have concrete AI policies, assessing students through practical work et cetera. However, most teachers continue to remain sceptical about allowing the use of AI in assignments. Despite this scepticism, teachers agree that AI has taken deep roots in the legal education system and has the potential to change the administration of legal education as we know it.

All these observations, opinions, and insights direct us to delve deeper into the future of legal education in India. At the outset, it would

be beneficial to point out that AI has not only impacted the education sector, but has also impacted the professional world. In the legal arena, there are several AI chatbots available to answer legal queries, do paperwork, documentation, et cetera.<sup>6</sup> The Supreme Court of India too is using AI.<sup>7</sup> An Indian judge took the opinion of AI tools in real cases. (It should be noted that the opinion rendered by AI had no bearing on the outcome of the case).<sup>8</sup> Magic Circle firm, Allen & Overy Shearman has partnered with an AI startup and has recently launched an AI-powered negotiation tool.<sup>9</sup> In India, Cyril Amarchand Mangaldas is also using AI software to improve its efficiency across practice areas.<sup>10</sup> Soon other firms are bound to follow the same. Additionally, law schools across the globe are integrating AI education into their curriculum. In a survey conducted by the American Bar Association, many universities are teaching about how to leverage AI and are updating or considering updating academic integrity policies.<sup>11</sup> Yale Law School has started a course “*Artificial Intelligence, the legal profession and the legal procedure*” to equip its students with

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<sup>6</sup> LAW BOT PRO, <https://lawbotpro.com/>; NyayGuru: India's First Legal AI Chatbot, NYAYGURU, <https://nyayguru.com/>; LAWFYI'S Legal Aid: Your AI Legal Guide for Indian Laws, LAWFYI.IO, <https://lawfyi.io/introducing-lawfyi-chatbot-your-ai-legal-guide-for-indian-laws/>.

<sup>7</sup> *Supreme Court confirms use of AI in legal research and translation*, THE HINDU (Aug. 12, 2024), <https://www.thehindu.com/sci-tech/technology/supreme-court-confirms-use-of-ai-in-legal-research-and-translation/article68515713.ece>.

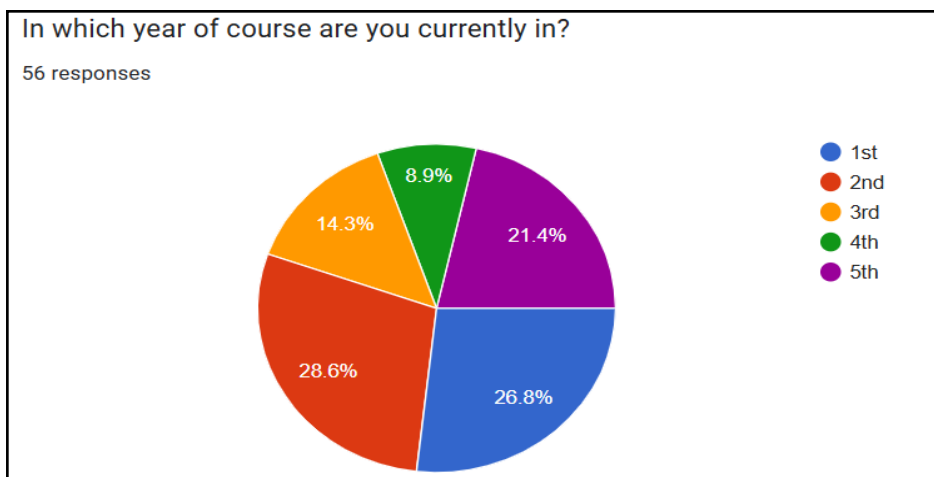
<sup>8</sup> Aman Gupta, *This Indian court has used ChatGPT on a criminal case*, LIVEMINT (Mar. 29, 2023), <https://www.livemint.com/news/india/this-indian-court-has-used-chatgpt-on-a-criminal-case-11679977632552.html>.

<sup>9</sup> *Allen & Overy rolls out AI contract negotiation tool in challenge to Legal Industry*, FINANCIAL TIMES, <https://www.ft.com/content/f1aff4d0-b2c5-4266-aa0a-604ef14894bb>.

<sup>10</sup> *Legal Technology & Alternative Legal Services*, CYRIL AMARCHAND MANGALDAS, <https://www.cyrilshroff.com/legaltech-als/>.

<sup>11</sup> Daniella Braff, *ABA's artificial intelligence task force releases law school survey*, ABA JOURNAL (Jun. 25, 2024), <https://www.abajournal.com/web/article/artificial-intelligence-is-taking-over-law-schools>.

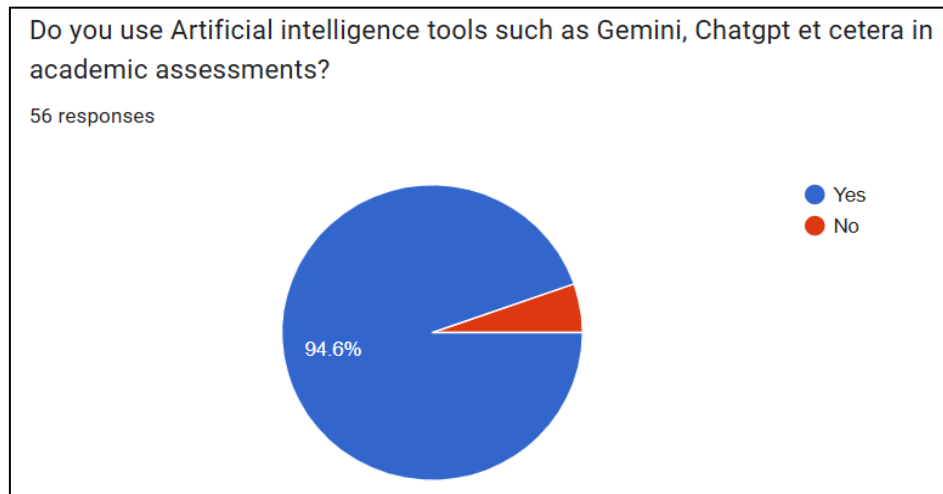
knowledge in the age of AI.<sup>12</sup> Similarly, King's College London has conducted activities to help its students learn more about effectively putting prompts to get better results, amongst other things.<sup>13</sup> In a highly globalized and competitive world, Indian law schools cannot isolate themselves from the benefits offered by AI. These developments point out the need for Indian law schools to tread the path of AI. This, however, needs to be done cautiously, taking into account various ethical issues and concerns concerning the biases of the AIT in an already culturally rich but sensitive society to not widen the existing fault lines.



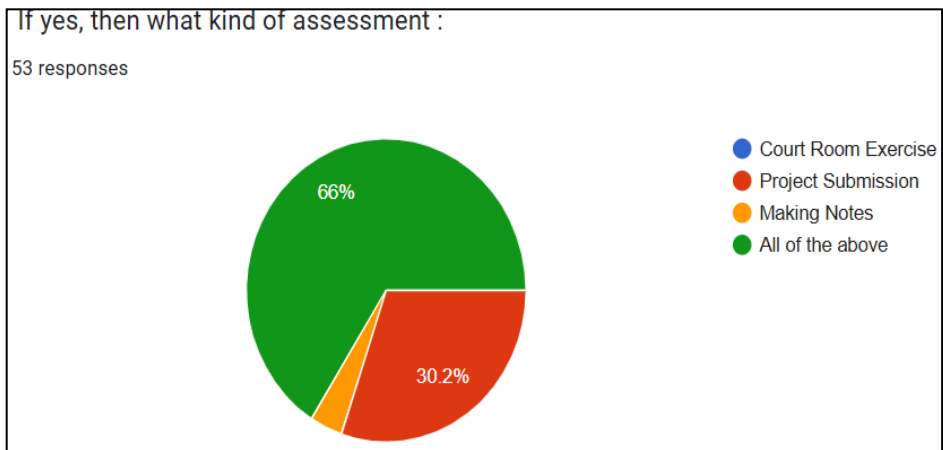
*Figure 1: Responses to Survey*

<sup>12</sup> *AI and the Possibilities for the Legal Profession – and Legal Education*, YALE LAW SCHOOL (May 3, 2023), <https://law.yale.edu/yls-today/news/ai-and-possibilities-legal-profession-and-legal-education>

<sup>13</sup> Dr Anat Keller & Cari Hyde-Vaamonde, *Testing the Frontier – Generative AI in Legal Education and beyond*, KING'S COLLEGE LONDON, <https://www.kcl.ac.uk/research/testing-the-frontier-generative-ai-in-legal-education-and-beyond>



*Figure 2: Responses to Survey*



*Figure 3: Responses to Survey*

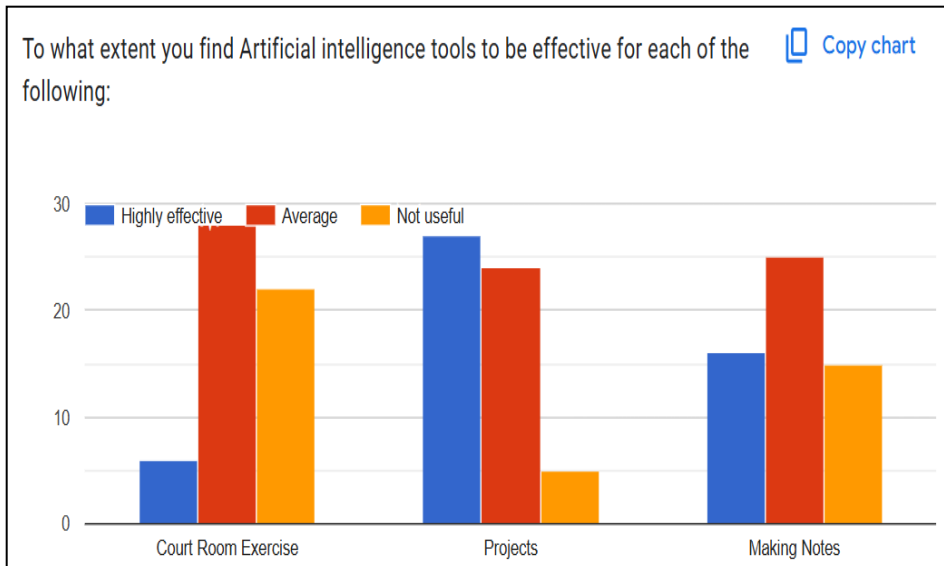


Figure 4: Responses to Survey

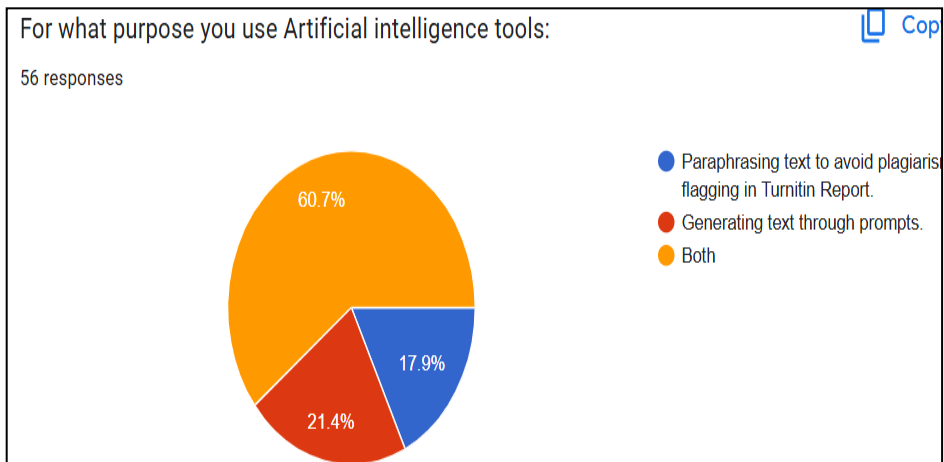
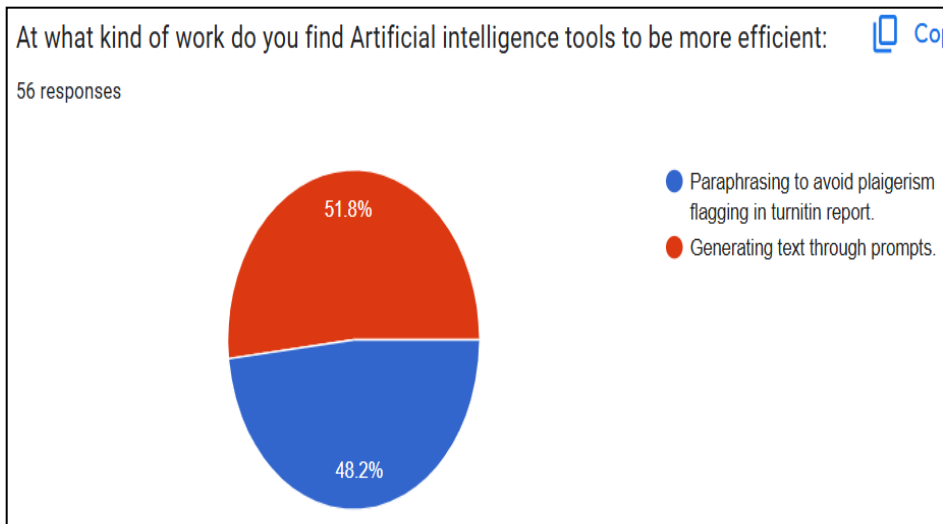
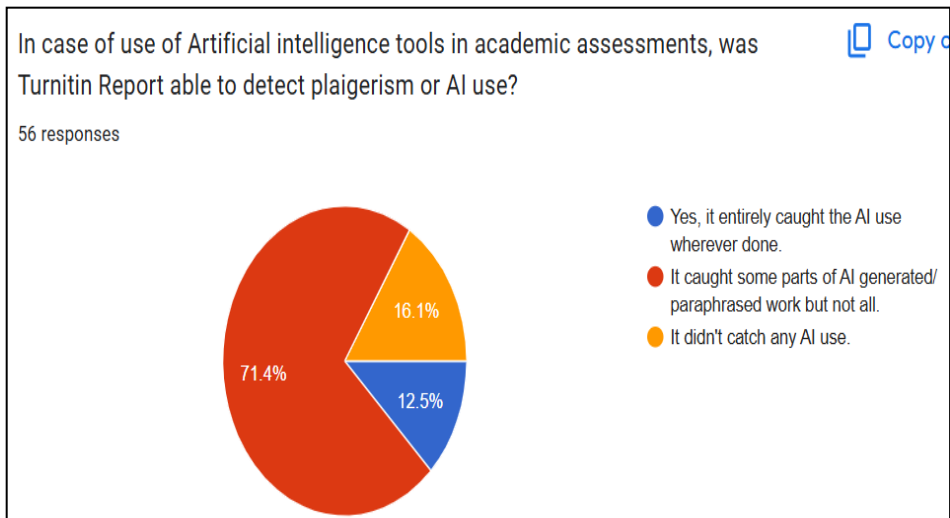


Figure 5: Responses to Survey



*Figure 6: Responses to Survey*



*Figure 7: Responses to Survey*

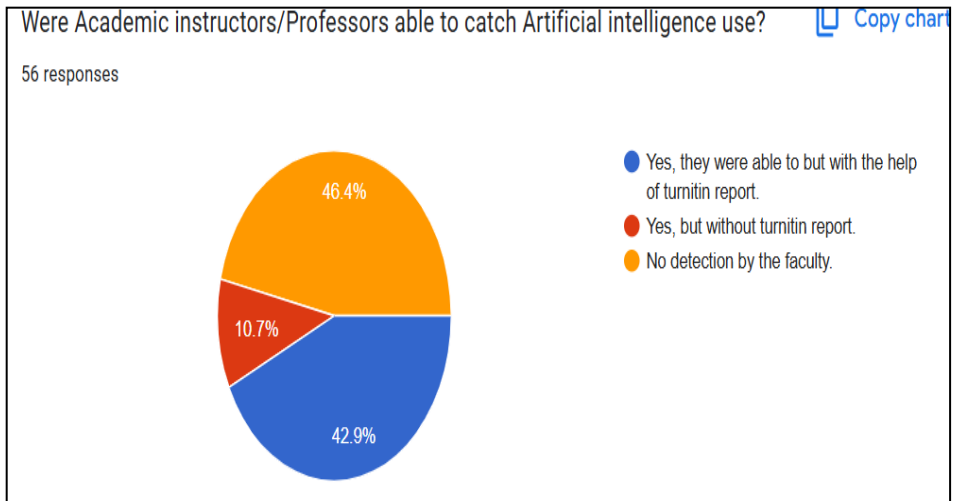


Figure 8: Responses to Survey

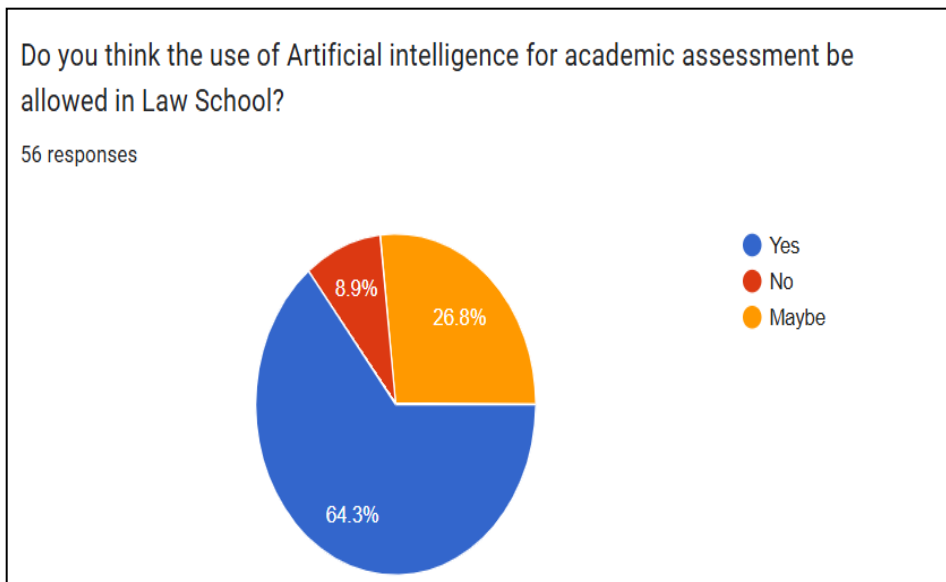
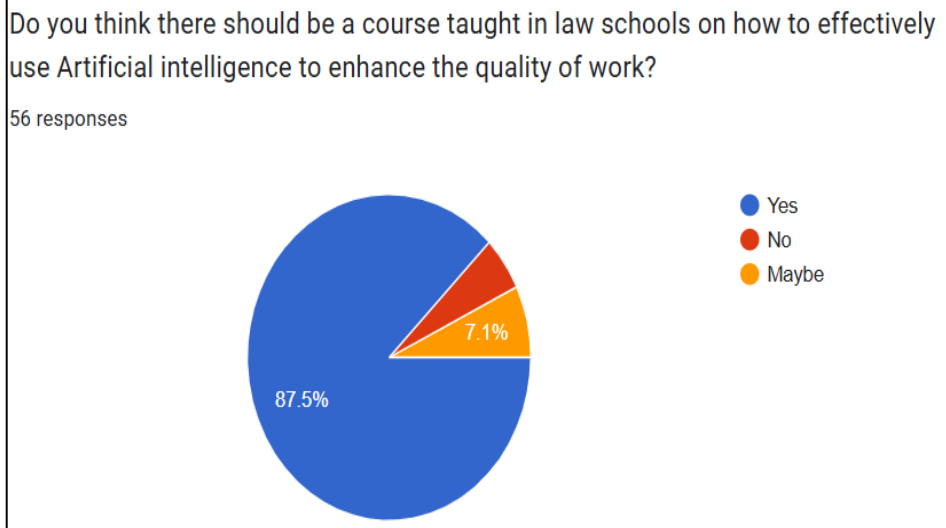


Figure 9: Responses to Survey



*Figure 10: Responses to Survey*

## Sample I

[The Digital Personal Data Protection Act, 2023 (DPDPA), a landmark legislation in India, aims to protect the privacy of individuals in the digital age. A significant aspect of this Act is its focus on safeguarding children's data. The Act mandates that data fiduciaries, entities that process personal data, must obtain verifiable consent from a child's parent or guardian before processing their data. Additionally, the Act prohibits data processing that could be detrimental to a child's well-being.

However, the term "well-being" remains undefined within the Act, leading to significant ambiguity. This lack of clarity could result in varying interpretations by data fiduciaries, potentially hindering the effective implementation of the provision. For instance, while it's clear that data processing that could lead to physical harm or cyberbullying would be detrimental to a child's well-being, it becomes less clear when considering more subtle impacts, such as the psychological effects of targeted advertising or the long-term consequences of excessive screen time.

To ensure robust child data protection, it is crucial to establish a clear and comprehensive definition of "wellbeing" within the DPDPA or through accompanying regulations. This would provide data fiduciaries with a standardized framework to assess the potential impact of data processing on a child's development, safety, and overall well-being.

*Figure 11: Sample I Survey*

Sample I - Turnitin Report

**1** The Digital Personal Data Protection Act, 2023 (DPDPA), a landmark legislation in India, aims to protect the privacy of individuals in the digital age. A significant aspect of this Act is its focus on safeguarding children's data. The Act mandates that data fiduciaries, entities that process personal data, must obtain verifiable consent from a child's parent or guardian before processing their data. Additionally, the Act prohibits data processing that could be detrimental to a child's well-being.

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*Figure 12: Sample I Survey – Turnitin Report*

Turnitin Report (Percentage detected)

SAMPLE 1.docx

ORIGINALITY REPORT

9%	9%	0%	9%
SIMILARITY INDEX	INTERNET SOURCES	PUBLICATIONS	STUDENT PAPERS

PRIMARY SOURCES

1	www.rgics.com Internet Source	9%
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Exclude quotes On      Exclude matches Off  
Exclude bibliography On

*Figure 13: Sample I Turnitin Report – Percentage*

## Sample II

The accused, a victim of prolonged domestic abuse, acted under the influence of Battered Woman Syndrome (BWS), significantly impacting her mental state and capacity to act rationally. This condition, coupled with the legal doctrine of grave and sudden provocation, provides a compelling defence to the charges against her. The accused's actions were not premeditated but rather a desperate response to a situation that had escalated over time. The cumulative effect of the abuse, characterised by physical violence, emotional manipulation, and threats, created a state of constant fear and anxiety. This heightened emotional state, as recognised in cases like Sudhakaran v. State of Kerala, significantly impaired the accused's ability to reason and act with deliberation.

Furthermore, the history of abuse, as highlighted in Budhi Singh v. State of Himachal Pradesh, can be considered a form of continuous provocation. The repeated exposure to violence and threats eroded the accused's sense of safety and security, culminating in a moment of extreme desperation established in Manju Lakra v. State of Assam, individuals suffering from BWS often experience a heightened sense of fear and a diminished capacity for self-preservation. In the present case, the accused's actions were a direct response to the abusive behaviour of her partner.

*Figure 14: Sample II Survey*

**Sample II - Turnitin Report**

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1. Please Read the turnitin report of Sample II (No Artificial intelligence was detected)

*Figure 15: Sample II Survey – Turnitin Report*

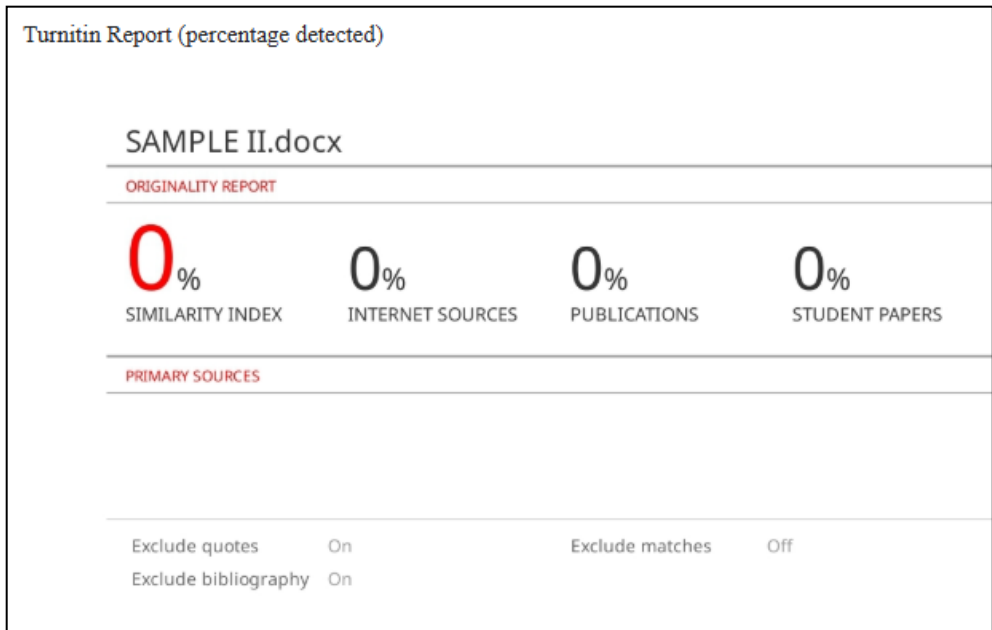


Figure 16: Sample II Survey Turnitin Report – Percentage

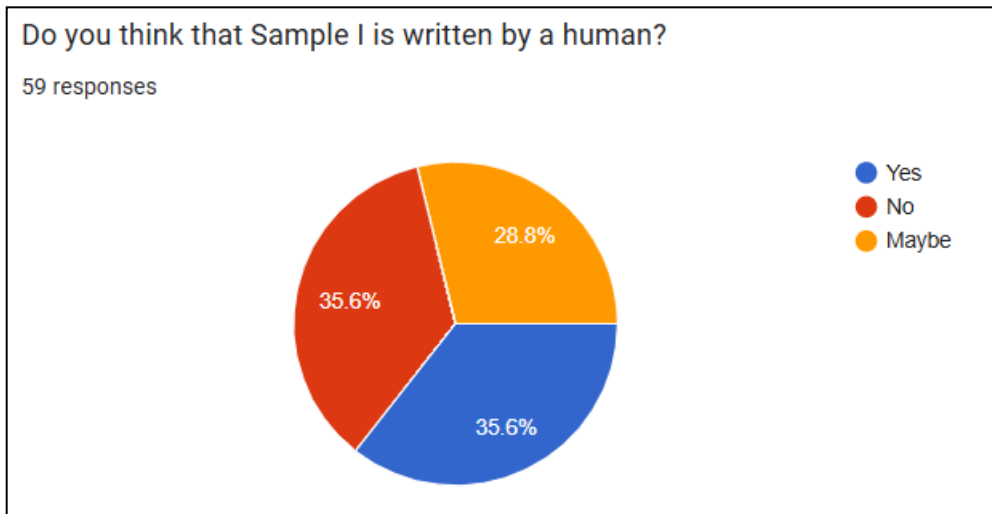
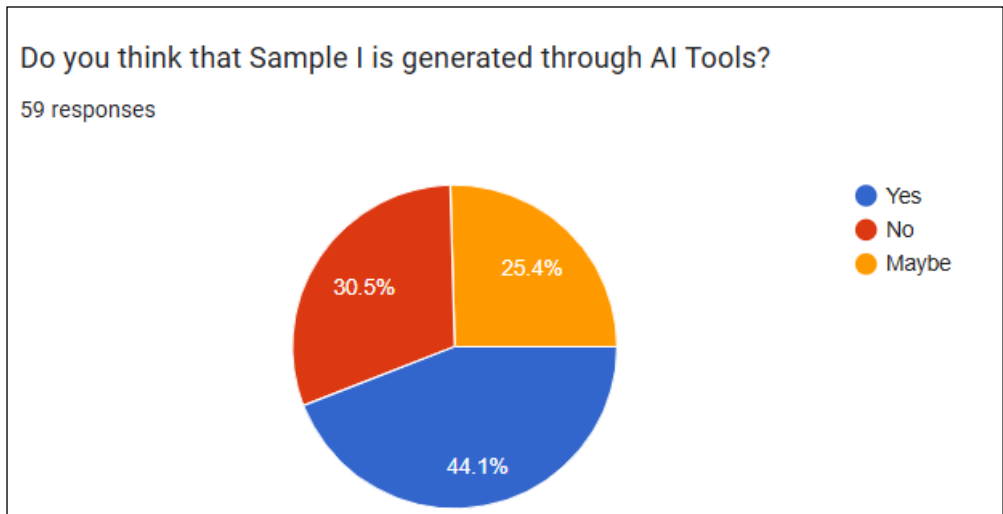
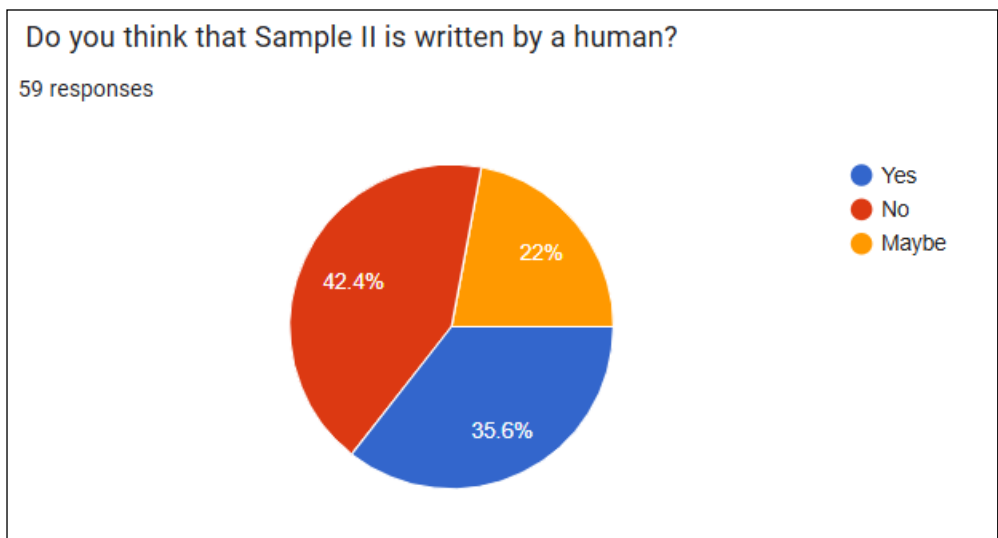


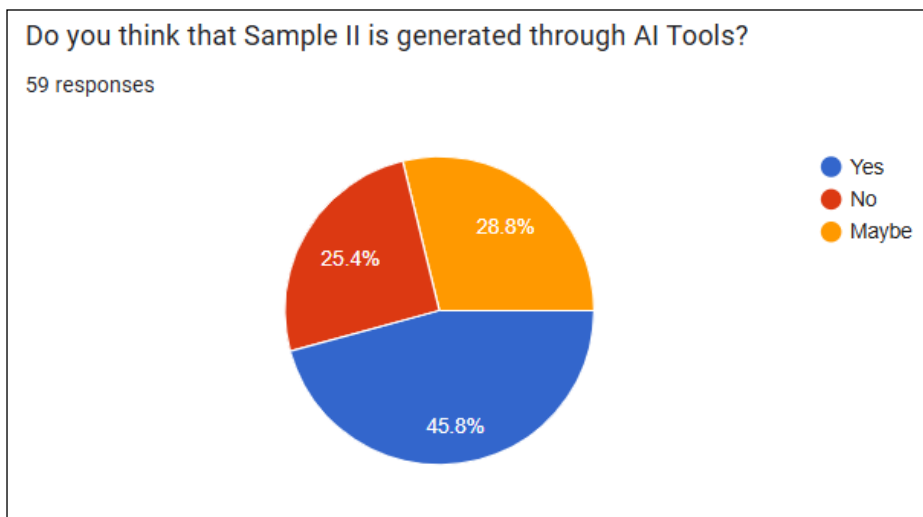
Figure 17: Responses to Survey Sample I



*Figure 18: Responses to Survey Sample I*



*Figure 19: Responses to Survey Sample II*



*Figure 20: Responses to Survey Sample II*

### **III. SUGGESTIONS AND CONCLUSION**

Presently, the Bar Council of India (“**BCI**”) regulates legal education across the country. It has made a recommendation to law schools in India to integrate emerging areas of law, including AI, into their curriculum.<sup>14</sup> However, the recommendation seems to be more tilted towards teaching about the intersection of AI with various aspects of the law such as intellectual property rights, data privacy, health law and so forth. Therefore, the current requirement is to constitute a committee comprising experts from both the legal and technological sectors and legal professionals to deliberate on the issue of the use of AI in legal education and give recommendations on how Indian law universities can adapt to this change. Additionally, this committee must be tasked with drafting a

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<sup>14</sup> BCID-0468-2024 (LE Circular-06/2024)-Comprehensive Implementation of Legal Education Reforms, Mandatory Guidelines, Norms & Rules of Legal Education, BCI (May 20, 2024), <https://www.barcouncilofindia.org/info/comprehens-ku2hwr>.

Model AI Policy on Academic Integrity, which can be tweaked and adopted by law schools in India as per their needs. A fixed time period should be given to the universities to comply with the recommendations and adopt a policy. Timely audits should also be made to ensure that universities update their curriculum and policies in accordance with the latest technological advancements.

Furthermore, law schools must constitute an internal committee comprising both students and teachers to discuss new developments in AI and change their assessment policies accordingly. Besides this, collaboration between law schools, AI startups and institutions administering computer science engineering courses should be encouraged. This will ensure that teachers and students participate in the development of responsible and ethical AITs. Such participation would also enhance the quality of outcomes because of the synergy between legal and technical knowledge. Law schools should also encourage courses in intersectionality and its impact on justice delivery in the age of AI. This will help in addressing issues of bias in AIT and prevent the perpetuation of existing inequalities.

In order to compete at a global level, Indian law universities should consistently engage with premier international legal education institutions on issues related to AI. This will ensure that our pace is equal if not more in terms of technological advancement.

India stands at a crucial juncture of the AI Revolution wherein the steps taken now will decide its future. It is imperative that we adapt to the change and nurture legal minds in the best possible manner.