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Challenges of law in the era of artificial intelligence and legal automation

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ABSTRACT

Objective. The research targeted the legal and ethical difficulties that generates the introduction of artificial intelligence (AI) into legal practice, starting from the study of algorithmic bias, opacity, and the dehumanization of the judicial process. **Methodology.** A qualitative exploratory and phenomenological strategy was adopted, supported by semi-structured interviews with judges, lawyers, academics, and AI experts, along with the study of legal and academic documents. For data processing inductive coding was applied in Atlas.ti and validated through triangulation. **Results.** The results identified three relevant problems: algorithmic bias, with the possibility to reproduce inequalities; a lack of transparency, which makes it difficult to understand and challenge automated decisions; and dehumanization, which reduces empathy in sensitive proceedings. Participants also emphasized the need to have a specific regulatory framework that ensures accountability, transparency, and the protection of rights in the use of AI in the legal field. **Conclusions.** The main conclusion holds that artificial intelligence should be viewed as an auxiliary tool rather than a replacement for legal activity, generating efficiency and accessibility, but without undermining the fundamental human values that underpin justice.

Keywords: artificial intelligence; law; algorithmic bias; transparency.

Desafíos del derecho en la era de la inteligencia artificial y la automatización jurídica

RESUMEN

Objetivo. La investigación abordó las dificultades legales y éticas que genera la introducción de la inteligencia artificial (IA) en la práctica legal, partiendo del estudio del sesgo algorítmico, la opacidad y la deshumanización del proceso judicial. **Metodología.** Se optó por una estrategia cualitativa con diseño exploratorio y fenomenológico, sustentada en las entrevistas semiestructuradas a jueces, abogados, académicos y expertos en IA, más el estudio de los documentos normativos y académicos. Para el trabajo de los datos, se aplicó la codificación inductiva en Atlas.ti y se validó mediante triangulación. **Resultados.** Los resultados identifican tres problemas relevantes: el sesgo algorítmico, con la posibilidad de reproducir desigualdades; el déficit de transparencia, que dificulta comprender y cuestionar decisiones automatizadas; y la deshumanización, que quita empatía en los procesos sensibles. Los participantes enfatizaron también la necesidad de tener un marco normativo específico que garantice que se cumplan la responsabilidad, la transparencia y la protección de los derechos en la utilización de la IA en el derecho. **Conclusiones.** La principal conclusión mantiene que la IA se debe ver como un instrumento auxiliar, no como un sustituto de la actividad jurídica, generando eficiencias y accesibilidad, pero sin menoscabar los valores humanos minados que asientan la justicia.

Palabras clave: inteligencia artificial; derecho; sesgo algorítmico; transparencia.

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INTRODUCTION

Recently, artificial intelligence (AI) has begun to generate changes in the different sectors in which it is applied, and the law sector has been no exception (Hernández Giménez, 2019). From the automation of processes such as contract drafting to the use of predictive systems for judicial decision-making, this new technology is transforming traditional law practices (Parra Sepúlveda & Concha Machuca, 2021). However, this technological advancement also entails a set of ethical, juridic, and operational challenges that tend to stimulate particularized attention in relation with the field of the equity, justice, and human rights of people.

At the same time, it is true that artificial intelligence poses significant legal and ethical challenges, but it also give place to opportunities to make the system efficient and achieve greater justice within the field of law (Crespo-Berti, 2023; Granero, 2020). Its capacity to analyze enormous quantities of data and even make predictions gives it a certain disruptive potential with regard to the judicial system, as it could facilitate the decision-making process or, even, support for it (Aguilar Cabrera, 2024). Finally, artificial intelligence has arrived to stay and to go incorporating little by little into our daily lives, which requires the law thing and reflect on the role that these technologies should play, as well as their potential regulation within the framework of current law (Santome-Sánchez, 2024).

The implementation of AI in the field of law, despite its evident benefits in terms of efficiency, poses a central juridic question: how to achieve that automated decisions are fair, transparent, and take into account the fundamental values or principles of law? In this research is analyzed this problem, the challenges that the law has posed by AI since a theoretical and practical perspective, due the AI is capable of making decisions that have historically been entrusted to judges, who are human beings.

The main legal dilemma that poses is the growing reliance on automated systems in the administration of justice, which, in general terms, it is set to interdict the role of human beings in the own field of the administration of justice (Sánchez Acevedo, 2022). AI can automate and mechanize repetitive and highly complex tasks, such as, for example, the exploitation of large volumes of data (big data); but it can also give place to bias situations, to a lack of accountability and to the lack massive, essential characteristics in the practice of law (Chamoli Falcón and Patiño García, 2024). Furthermore, the issue of legal liability for decisions made by machines arises, as well as the potential impact this may have on everyone's rights, particularly access to impartial justice and the lack of explainability in algorithmic decision-making (European Union Agency for Fundamental Rights, 2021).

Various studies have begun to address the impact of AI on the legal field, highlighting both its benefits and its risks (Rincón Cárdenas and Martínez Molano, 2021). For example, research on predictive systems has identified concerns regarding the risk of replicating existing biases in the information used to train AI systems within the legal system, which could contribute to perpetuating inequalities in access to justice (Cabrera Peña and Pérez Arteta, 2024). Furthermore, it has been argued that the automation of law could call into question its integrity, insofar as automation would reduce human involvement in decision-making, which could undermine the impartiality and empathy required in many judicial cases (Susskind, 2023). Despite these studies, the literature remains at an early stage and does not yet address in depth how legal systems should adapt to incorporate AI without compromising the way law is administered or reasoned.

In turn, the use of artificial intelligence in the exercise of judicial functions provides additional value related to the realization of principles such as procedural efficiency and

legal certainty; however, it also entails risks when it comes to protecting fundamental rights, including privacy, equality, and the freedom of individuals (Segura, 2023). It also faces challenges related to the quality, nature, and degree of dependence associated with its use (Jalón Arias et al., 2021). AI itself has the potential to provide conclusions or solutions that, within certain interpretive limits, may reflect human intentions (Yaipén-Torres and Rojas-Luján, 2024).

The regulatory framework concerning the use of artificial intelligence (AI) in the legal field is still relatively recent, with a lack of specific regulations that expressly govern its use. In Europe, for example, the General Data Protection Regulation (GDPR) (European Parliament and Council of the European Union, 2016) establishes provisions concerning automated decision-making and the right to an explanation, thereby introducing certain safeguards regarding the use of AI in processes that may affect individuals' rights, such as the protection of personal data (Mendoza Enríquez, 2021). However, in many countries, regulations governing AI in the administration of justice are still under development, and in some cases, they do not yet exist (Suárez Manrique et al., 2023), thereby generating legal uncertainty (Suárez Manrique et al., 2023). The lack of specific regulations concerning AI in the legal field makes it difficult to establish clear guidelines regarding the liability, ethics, and transparency of automated justice systems, raising concerns about their effects on the law and the potential risks associated with their implementation (Triana Álvarez et al., 2024).

The main objective of this study is to comprehensively investigate the legal and ethical issues perceived in the field of law in the era of artificial intelligence, with particular emphasis on the potential problems of algorithmic bias, the dehumanization of the judicial process, and the lack of transparency in automated systems. Likewise, the study seeks to propose a framework for regulating AI within the legal field, ensuring fairness, respect for rights, and objectivity in the context of legal automation.

The integration of artificial intelligence (AI) into the legal field has the potential to increase the efficiency and accessibility of justice; however, this technological progress may also give rise to new forms of discrimination and inequality and challenge the fundamental pillars of the justice system. This research is highly important for addressing these challenges even before AI becomes permanently integrated into judicial systems, thereby ensuring that technological progress does not in any way compromise individuals' rights. The lack of a legal framework in many countries also highlights the need to research and propose regulations governing the use of AI in the legal field, which would help clarify and ensure accountability in automated justice processes.

METHODOLOGY

The research approach adopted in this study is qualitative, as it seeks to analytically explore the legal and ethical challenges posed by the incorporation of artificial intelligence into the field of law, focusing on the examination of the experiences, perceptions, and concerns of the stakeholders involved at the intersection of AI and law. This approach aims to understand the effects of this technology on the fundamental principles of justice and impartiality. Adopting this type of approach makes it possible to gain a detailed understanding of emerging phenomena and the dynamics underlying them through an interpretive and reflective analysis (Cházaro-Arellano, 2024).

The research is exploratory-descriptive type, as it seeks to understand and describe the phenomenon under study (Moromi Nakata et al., 2022). It also adopts a phenomenological

design, as it examines lived experiences (Ruiz-Velazco Sandoval, 2023) to determine how legal professionals and artificial intelligence experts understand the ethical, legal, and social challenges involved in the introduction of AI into judicial and legal proceedings, as well as their understanding of the implications of legal automation from various perspectives, including oversight, transparency, fairness, and accountability. This design makes it possible to explore the issues under study in greater depth through semi-structured interviews and the analysis of regulatory documents (Altamira-Camacho and de la Cruz Alvarado, 2022). Likewise, phenomenology makes it possible to understand and identify the meanings that individuals attribute to their lived experiences with AI in the legal field, which is fundamental for gaining insight into both the challenges and opportunities associated with this phenomenon.

Los participantes que formaron parte de la investigación son profesionales del derecho y expertos en inteligencia artificial, es decir, jueces, abogados, académicos y desarrolladores de la IA, de tal forma que se consultó sobre diferentes posiciones y saberes en relación con el contenido, tal y como señala Espinoza Freire (2020). Entre los criterios de inclusión de los participantes, se fijó que deben tener experiencia en la aplicación de la IA en sus prácticas jurídicas, también en inteligencia artificial, con saberes sobre su ejercicio en el ámbito del derecho, y contar con un tiempo de experiencia profesional de al menos tres años en el ámbito vinculado. Por otro lado, se excluyó a los participantes sin experiencia directa o sin saber en relación con el ejercicio de la IA en la aplicación del derecho y también a los profesionales que no asumen un rol activo en el ámbito del derecho o de la IA.

Through the use of semi-structured interviews with the participants, detailed information was obtained regarding their perceptions, experiences, and concerns about the use of artificial intelligence within the legal field (Mendieta Izquierdo et al., 2023). These interviews were conducted using a flexible interview guide that explored the topics of interest in depth while allowing participants to express their views freely (Díaz-Bravo et al., 2013). Regulatory and academic documents related to the use of AI in the legal field were also reviewed, with the aim of understanding both the legislative framework and the principles that should guide the use of AI within judicial systems. Data protection regulations, as well as relevant academic studies, were included in the review.

The data analysis process was carried out using the Atlas.ti 25 software, which specializes in qualitative research. The analytical process included the following stages: transcription and initial coding of interviews and documents; identification of patterns and recurring themes concerning the challenges posed by AI in the legal context based on inductive codes; grouping of codes into categories, focusing on aspects such as algorithmic bias, transparency, and dehumanization; and interpretation based on these categories, in which the findings were compared with legal and regulatory theory in order to derive regulatory implications and recommendations. Finally, through a triangulation process, the findings were compared with documents and previous studies to corroborate the consistency and robustness of the conclusions.

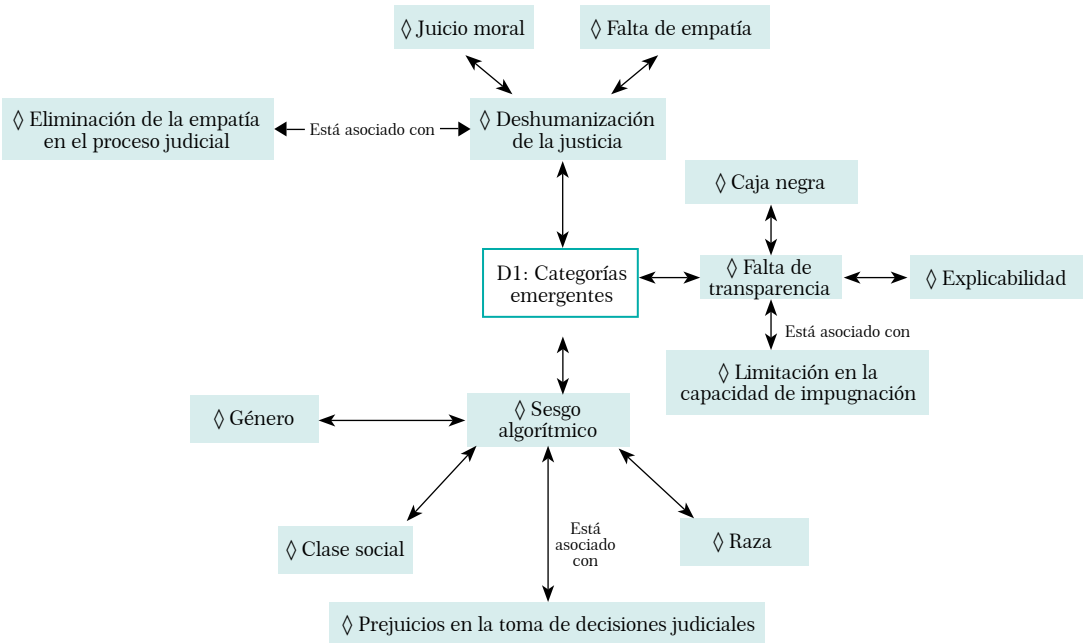
The ethical considerations that guided the development of the study focused on ensuring voluntary participation and safeguarding the fundamental rights of the individuals involved in the research. Before participating, all participants were informed of the purpose and scope of the study and provided written informed consent, including authorization for the interviews to be recorded. Likewise, confidentiality was ensured through the use of codes to protect the participants' identities and maintain the anonymity of their personal information. Finally, transparency and reproducibility were ensured by providing detailed documentation of all procedures, tools, and methodological decisions, which will be made available to individuals wishing to replicate the study or further examine the analysis and findings.

RESULTS

This section presents the study’s key findings, which were obtained through the analysis of the data collected from the participants in the semi-structured interviews and the documentary review. The findings are also organized according to the emerging themes identified through the analysis, which reflect the concerns and opportunities associated with the implementation of artificial intelligence interfaces in the legal field.

In Figure 1, a graphical representation of the three main categories relevant to the interview findings is presented, illustrating the distribution of concerns expressed by all participants.

Figure 1
Network map of emerging categories regarding the use of AI in the legal context



Note. Developed using Atlas.ti 25.

The map shows the network of emerging categories derived from the analysis in Atlas.ti, providing a more detailed examination of the relationships among the main challenges identified in the study. Algorithmic bias is linked to historical inequalities related to gender, socioeconomic class, and race, highlighting the possibility that biased patterns may be reproduced in automated judicial models. The lack of transparency is associated with algorithmic opacity, with algorithms sometimes being described as “black boxes,” and is occasionally related to the limited ability to challenge decisions generated through automated AI systems.

Finally, the uncontrolled dehumanization of justice is associated with a lack of empathy and moral judgment in sensitive cases, which, if implemented, could undermine the legitimacy of judicial processes. Overall, this map illustrates the need to implement regulatory and ethical mechanisms that safeguard justification, accountability, transparency, and the central role of the human element in the administration of justice.

Main Challenges Identified

Participants repeatedly expressed concern about the possibility that artificial intelligence systems may reproduce biases present in the data used to train them. In their view, this could lead to judicial decisions that perpetuate forms of discrimination associated with socioeconomic class, gender, or race and, consequently, undermine equality and justice. Algorithmic bias emerged as one of the main ethical challenges identified by the participants, with its complexity further compounded by the.

Ambiguity in automated decision-making processes was also a recurring concern. When referring to artificial intelligence systems, participants described them as a “black box” because they found it difficult to understand the criteria and underlying logic used to generate results or recommendations. This situation highlights concerns regarding the ability to challenge automated decisions, particularly when such decisions affect individuals’ rights and interests. Notably, interviewees emphasized that explainability is a fundamental component of ensuring transparency and trust in artificial intelligence systems and of preventing errors in judicial decision-making processes.

The dehumanization of the justice administration process emerged as a significant concern in the responses of several participants, who highlighted the potential effects of excessive automation on judicial decision-making. Based on their experiences and perceptions, they argued that the lack of direct human interaction could limit the consideration of factors such as empathy, sensitivity, and contextual judgment, particularly in cases involving human rights, child protection, and other matters in which a comprehensive assessment of emotional and subjective circumstances is necessary.

Table 1
Main Challenges Identified in the Use of AI in Law

Challenge	Saturation Level	Descriptin
Algorithmic bias	Very high saturation	Risk that AI systems may perpetuate historical biases in judicial decision-making.
Lack of transparency	High saturation	Difficulty understanding how AI systems make decisions, which limits the ability to challenge such decisions.
Dehumanization of justice	Moderate saturation	Concern about the reduction of empathy and human involvement in judicial processes.

Perspectives on Regulation and Legal Frameworks

The establishment of legislation or regulations emerged as one of the most common concerns among the interview participants. Their responses reflected a broad consensus on the need to establish rules governing the use of artificial intelligence in the legal field, addressing issues such as algorithmic accountability, the protection of fundamental rights, transparency in decisions based on automated processing, and the oversight or control of these systems.

The participants highlighted the importance of ensuring that any regulation adopted in the field of artificial intelligence in relation to the legal sector should be grounded in fundamental principles such as transparency, fairness, justice, and accountability. Their responses also reflected the view that existing regulatory frameworks remain insufficient to address the challenges posed by the introduction of these technologies into the

administration of justice. In this regard, they noted that the lack of clear and well-defined provisions in many jurisdictions creates uncertainty when establishing limits, identifying responsibilities, and determining oversight mechanisms for artificial intelligence systems.

As a counterpoint, the findings indicate that, although most interviewees agreed that AI could enhance productivity in the judicial context, they also expressed significant concerns regarding its ethical and social implications. Algorithmic bias and the lack of transparency were perceived as the most urgent issues to be addressed before technological solutions are widely implemented in courts. Particularly noteworthy was the participants' emphasis on the urgent need to maintain a balance in the operation of automated systems while preserving core human values in the legal field, such as empathy and justice.

Along the same lines, the dehumanization of justice resulting from the use of AI represents a significant concern, but also a practical issue, as it highlights the difficulty of eliminating human involvement from judicial decision-making, particularly in cases involving fundamental rights, complex circumstances, or situations that require a thorough assessment of the specific facts of a case. This position reinforces the idea that artificial intelligence systems should be regarded as tools that support judicial action rather than as systems capable of replacing human judgment.

Finally, the results revealed a lack of regulation, which could pose difficulties for the responsible, ethical, and safe implementation of artificial intelligence in justice systems. Consequently, the participants emphasized the need to develop regulatory frameworks that allow for the adoption of technological innovation while respecting the principles and guarantees established by the rule of law.

DISCUSSION

The findings indicate that the introduction of artificial intelligence into the legal context involves numerous challenges that go beyond purely technological considerations and extend to the fundamental principles of the rule of law. The concerns identified relate to ensuring equality, providing adequate reasoning for judicial decisions, safeguarding due process, and effectively protecting fundamental rights. However, the debate should not focus solely on the efficiency of using these tools, but rather on the conditions necessary to ensure that their use is compatible with the requirements of a legitimate administration of justice.

Within this framework, algorithmic bias is of particular concern because of its potential negative impact on the principles of equality and impartiality. As noted by Cabrera Peña and Pérez Arteta (2024) and Bustelo Gracia (2024), artificial intelligence can reproduce discriminatory patterns when trained on historical data that inherently reflect structural inequalities. This possibility is particularly concerning in the judicial context, where a decision influenced by automated mechanisms could affect the objectivity of adjudication and produce consequences that are incompatible with the equal protection of individuals before the law.

From a rights-based perspective, the risk associated with algorithmic bias must also be examined in light of due process. The implementation of systems capable of influencing the direction of judicial decisions requires the parties to be able to understand and challenge the criteria underlying a particular conclusion. When automated reasoning incorporates hidden or difficult-to-identify biases, the ability to exercise an adequate defense is restricted, negatively affecting fundamental procedural safeguards and, consequently, weakening the legitimacy of judicial decisions.

On the other hand, the issue of so-called “black boxes” is particularly relevant because it is closely linked to the principle requiring judicial decisions to be reasoned. Every judicial decision must clearly set out the factual and legal justification supporting it so that it can be understood, verified, and even challenged. However, when algorithms operating through non-transparent processes are used, it becomes difficult to reconstruct the reasoning that led to a particular outcome, making it challenging to assess the rationality and legality of the decision reached.

These observations are consistent with those reported by Álvarez Merelo and Cepeda Morante (2024), who argue that the lack of explainability in systems implemented through state automation may undermine trust in automated systems within the judicial sphere. In this context, transparency is not merely a technical requirement but an essential condition for oversight and public trust in the administration of justice. Thus, the inability to understand how recommendations or decisions are generated may weaken perceptions of impartiality and compromise the institutional legitimacy of the judicial system.

Along the same argumentative line, the approaches proposed by Páez Moreno et al. (2023) and Mayol (2024) support the view that transparency and accountability are fundamental prerequisites for the proper use of artificial intelligence. Their importance is even greater in the legal field, insofar as decisions made through these technologies may directly affect fundamental rights. Finally, the incorporation of these technologies must be accompanied by oversight, auditing, and monitoring mechanisms that make it possible to verify compliance with ethical and legal standards.

Regarding the dehumanization of justice, the findings show that technological efficiency cannot completely replace the human assessment inherent to the judicial function. This has been pointed out by Aguilera Durán (2019), Mir Puigpelat (2023), and Susskind (2023), who warn that excessive reliance on automated systems may weaken essential aspects such as empathy, prudence, and moral judgment. These aspects are particularly important in disputes involving fundamental rights or situations that require a contextual assessment of the facts.

Nevertheless, the findings reveal a more balanced view of the role of artificial intelligence within the judicial system. Although AI may be regarded as an alternative to certain aspects of judicial work, it should primarily serve as an auxiliary tool that can facilitate specific tasks while preserving the predominance of human judgment in judicial activity. This is consistent with the emphasis placed by Aguilar Cabrera (2024) and Estrada Carrera et al. (2022) on the role of artificial intelligence in supporting decision-making processes and improving institutional management, while maintaining human involvement in areas where legal interpretation is essential.

From a theoretical perspective, this research reinforces the need to establish regulatory and conceptual frameworks that allow artificial intelligence to be integrated into the justice system without compromising the principles of impartiality, judicial reasoning, transparency, and the protection of fundamental rights. This concern has also been highlighted by Barroso Camiade and Pérez Castrejón (2025) and González-Arencia and Martínez-Cardero (2020), who likewise emphasize the importance of establishing ethical and legal criteria to guide the responsible development of these technologies and prevent potential violations of rights.

Finally, from a practical perspective, the findings suggest that the use of artificial intelligence systems in the administration of justice should be accompanied by oversight,

monitoring, and accountability mechanisms to ensure that automated decisions are understandable. Only from this perspective will it be possible to realize the benefits of technological innovation without undermining due process, the reasoning of judicial decisions, and the effective protection of fundamental rights that underpin the legitimacy of the justice system.

CONCLUSIONS

The integration of artificial intelligence into the legal environment represents an opportunity to enhance the efficiency of justice systems. However, its implementation faces challenges that are closely related to the protection of the fundamental principles of the rule of law. The findings show that the use of automated tools and AI systems requires preventive measures to ensure impartiality and transparency while safeguarding respect for fundamental rights, thereby preventing technological innovation from becoming a source of risk to the legitimacy of judicial decisions.

Algorithmic bias is one of the main challenges arising from the application of artificial intelligence in law due to its capacity to reproduce inequalities present in the data used to train these systems. This could affect the principle of equality before the law and the objectivity of judicial decisions. Therefore, it is essential to implement evaluation, auditing, and corrective measures to prevent discriminatory practices and strengthen trust in these technologies.

The opacity of artificial intelligence systems raises significant concerns regarding the principles of reasoned judicial decisions and due process. The inability to understand and control the criteria underlying algorithmic functions results in a loss of control, challenge, and oversight over automated decisions. Therefore, the explainability and traceability of intelligent systems are essential characteristics that must be considered and required when assessing their responsible implementation in the administration of justice.

Although automation can be a means of improving judicial management, certain areas of judicial functions require contextual assessment, ethical judgment, and human sensitivity. The study concludes that artificial intelligence should be regarded as an instrumental tool to support judicial work rather than as a means of replacing human judgment, particularly in cases involving fundamental rights or situations requiring a comprehensive assessment of the specific circumstances.

The lack of specific regulatory frameworks is a significant limiting factor in implementing artificial intelligence in the legal field in an ethical and secure manner. Therefore, it is necessary to promote the development of regulations and public policies addressing issues such as algorithmic accountability, transparency, oversight of automated systems, and the protection of fundamental rights, thereby enabling a balance between technological advancement and the safeguards inherent to a democratic justice system.

Finally, this research contributes to the academic discussion surrounding the intersection of artificial intelligence and law by highlighting the need to develop models of technological integration based on ethical, legal, and rights-based criteria. In this regard, the main challenge is not to replace human intervention with automated systems, but rather to establish mechanisms of complementarity that make it possible to harness the benefits of AI without undermining the principles underpinning the administration of justice.

Authorship contribution

IUO: compilation, analysis, and interpretation of data for the development and design of the study; writing of the manuscript and critical revision for important intellectual content; final approval of the version to be published.

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Conflict of interest

The author declares no conflict of interest.

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