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"DILIGITE JUSTITIAM QUI JUDICATIS TERRAM." "Ye who judge the earth, give diligent love to justice"



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ChatGBT and its legal implications.

By Karla Bastón.

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The advancement of technology and AI has unquestionably changed the way that people work. Most recently, the popularization of OpenAI's ChatGPT has reinforced this statement. While ChatGPt can be used in a variety of ways, it can explain advanced theorems in physics or mathematics and perhaps one of its more interesting features is that if wrong, it can admit and learn from its mistakes. With its self-learning capabilities and vast language pool it is an attractive tool for university students who wish to get out of writing a paper, this latter example brings forward questions on whether ChatGPT could replace human drafting in legal cases. The following article will therefore provide examples of ChatGPT use within the legal field, its potential consequences, and the national legislation that could be applicable.

"...information based on what it has learnt or been fed, thus, some of the information might be outdated, which would have huge ramifications in the legal sphere."

The legal industry has without a doubt already seen the effects of technology throughout the last couple of decades, with research being facilitated and simplified through online search engines, hearings and trails broadcasted or pled through zoom, there is no doubt that technology has enabled more effective practices in the legal sphere. However, Chat GPT, could have a different effect on the legal industry.

Lawyers bill their clients on their ability to write memos, pleadings, and contracts, among others. ChatGPT's ability to generate documents through the user providing key words and responding to prompts it would be unsurprising that these documents could be generated by AI. Nevertheless, ChatGPT's full capabilities have already been questioned in the legal sphere, Harvard Law School published an article on ChatGPTs use and noticed that while the application was able to respond to multiple choice, and written exams operating on an average of a B/B+ student, it would at times provide incomplete answers due to its inability of nuanced thought or critical thinking skills[1]. This latter point was also brought up by a law professor who emphasized that while AI is able to mimic language and text, it is simply not able to *humanize* the language.

While this skill might be learnt by the AI, it also brings up another element, which is the learning itself, ChatGPT will provide information based on what it has learnt or been fed, thus, some of the information might be outdated, which would have huge ramifications in the legal sphere. While this might be a lesser issue within the legal system, as the AI is very fast-learning, it does bring up the question of the legality of using documents made by ChatGBT and the ethics associated by it.

Currently, in Mexico, there are a variety of laws that can be applicable to the use of AI, for instance in in data protection, broadcasting, and IP[2]. The federal government is, since 2019, working on a consultation

1.- Andrew Perlman, The implications of ChatGPT for Legal Services and Society. Harvard Law School. The Practice, March/April 2023
2.- Ley Federal de Protección de Datos Personales en Posesión de los Particulares (Federal Law on Protection of Personal Data Held by Individuals; LFPDPPP; Ley Federal de Telecomunicaciones y Radiodifusión (Federal Telecommunications and Broadcasting Law); Ley Federal de la Protección de la Propiedad Industrail (Mexican Industrial Property Law)

process with AI stakeholders and developers to ensure a national AI policy. Thus, considering this legal *blackhole*, for now, users of AI must rely on other existing legislation and applying it to these situations.

For instance, there are certain skills that can only be attributable to lawyers such as the drafting of legal documents and giving legal advice. Thus, the question arises, could an individual who uses ChatGBT to draft legal documents be considered as someone who is impersonating a lawyer. If so, in Mexico, this would have civil and criminal repercussions. Impersonating a lawyer is punishable by article 258 of the Mexican Federal Criminal Code and can result in up to two years of imprisonment and a fine. Further, the individual could also be pursed in a civil suit. It will be interesting to see how legislators are able to differentiate this nuance with an individual using ChatGPT as a *tool* rather than an *replacement* to legal advice and assistance.

"It is unquestionable that ChatGBT does allow for an effectiveness and optimization in many fields..."

It is unquestionable that ChatGBT does allow for an effectiveness and optimization in many fields. In the legal field, as mentioned, it could not only assist in the drafting of legal documents, but it would also facilitate legal research and expedite certain procedures, that could, especially in the Mexican legal system perhaps expediate the whole process

Tesla arrives in Mexico: the country's advantages for being the largest electric car manufacturer in Latin America (and what a big obstacle it faces).

Tesla's arrival in Mexico will be followed by the expansion of production at existing plants. The investment is expected to be US$5 billion, with the expectation of generating up to 6,000 jobs. It is expected that this investment will attract more electric vehicle factories and, consequently, greater economic growth in the country. Mexico's advantages are its proximity to the United States, which is the second largest automotive market in the world. *www.bbc.com/mundo/noticias-america-latina-64819256* March 01, 2023.

Good news: Unemployment falls to a record low of 2.92% in January.

The unemployment rate in Mexico has decreased, reaching a minimum in 18 years, not without highlighting that the most recurrent activities are in the informal sector, as mentioned by the National Institute of Statistics and Geography (INEGI), the unemployment rate was 2.92% in January. Therefore, 58.36 million people were reported to be working, 2.82 million more than a year earlier, of which 1.52 million are in the informal sector and 1.30 million in the formal sector. *www.elfinanciero.com.mx/economia/2023/03/02/buenas-noticias-desempleo-cae-a-minimo-historico-de-292-en-enero/* March 02, 2023.

Mexican Army increases its military power: climbs 11 positions in the world ranking of Armed Forces.

The Mexican Army has become much more powerful in a single year. From 2022 to 2023 it climbed 11 positions in the annual ranking of the most powerful armies, carried out by the U.S. Global Firepower index. In this year's ranking, Mexico's Armed Forces are in 31st place out of 145 countries studied. The strengthening of the Mexican Army is related to the reforms made in September 2022 so that the National Guard, the corporation created by the Government of President Andrés Manuel López Obrador to be in charge of public security, was transferred to the Secretariat of National Defense (Sedena). As well as with a 52% increase in the government budget allocated to the military in the five years of López Obrador's administration with respect to the previous administration. Firepower analyzes the public information of the armies based on the capacity that each one has to wage war; indicators related to the number of elements, equipment, financial resources and natural resources at their disposal are studied. *www.elpais.com/mexico/2023-03-15/el-ejercito-mexicano-incrementa-su-poderio-militar-escala-11-posiciones-en-el-ranking-mundial-de-fuerzas-armadas.html* March 15, 2023.

AMLO challenges "little department" of U.S. State Department to present evidence on massacres in Mexico.

President Lopez Obrador described as a "piece of junk" the report prepared by the "little department" of the U.S. State Department on Human Rights in the world, which warns that impunity and low prosecution rates in Mexico are a growing concern. He challenged the Department to present evidence that there is impunity in his government and that low prosecution rates in Mexico are a growing concern. He also accused it of having remained silent in cases of repression in past administrations, such as the case of Genaro García Luna, former Secretary of Public Security, who was found guilty of several crimes by a jury in the U.S. *www.eluniversal.com.mx/nacion/amlo-reta-a-departamentito-de-estado-de-eu-a-presentar-pruebas-sobre-masacres-en-mexico/* March 22, 2023.

López Obrador on the suspension of the electoral reform: "There is a 'plan C'. Not a vote for the conservatives".

A few months before the 2024 electoral process begins, where a new president of the Republic will be voted for and the federal Congress will be renewed, President Andrés Manuel López Obrador has asked the public not to vote for the electoral options of what he calls the conservative bloc. This is his "Plan C", after the Supreme Court of Justice issued a suspension of the application of the electoral reform, known as "Plan B" (a set of modifications to secondary laws to, among other things, cut financing to the National Electoral Institute). The president's statements border on the limits established in the current electoral law, which penalizes public servants for making calls to vote for or against any political option during the election period. *www.elpais.com/mexico/2023-03-27/lopez-obrador-sobre-la-suspension-de-la-reforma-electoral-hay-un-plan-c-ni-un-voto-a-los-conservadores.html* March 27, 2023.

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