

ARTIFICIAL INTELLIGENCE IN GLOBAL LAW: REVOLUTIONIZING CROSS-BORDER DEALS, ENHANCING COMPLIANCE, AND NAVIGATING ETHICAL FRONTIERS

Elizabeth Jessica Manullang

I. INTRODUCTION

The advent of artificial intelligence within the legal domain presents a duality of promise and apprehension amongst its practitioners. While acknowledging potential advancements, a formal disquietude persists regarding the perceived intricacies of AI applications and their potential to induce occupational redundancy. Of particular concern is the prospect that the increasing reliance upon such technological innovations for fundamental legal processes, including discovery, legal research, contract review, and due diligence, may impede the acquisition of essential practical competencies by nascent legal professionals.¹

Notwithstanding these considerations, such dynamics ought not to be interpreted as diminishing the inherent value of legal professions or warranting their curtailment. While these concerns merit careful deliberation, the appropriate response lies in embracing artificial intelligence as a transformative force, given its demonstrable positive implications for legal practice. Indeed, empirical evidence suggests that the integration of AI has the potential to yield a time saving of four hours per week for legal professionals, concurrently generating an estimated \$100,000 in new billable time per lawyer on an annual basis.² The year 2025 necessitates a proactive adaptation and leveraging of emerging developments across diverse domains by legal professionals, moving away from a perception of threat. The application of AI holds the capacity to substantially enhance lawyer productivity, particularly in the

¹ Subawa, I. M. M. (2024). Challenges of Using Artificial Intelligence in Contract Drafting: How Should AI Legal Liability Be? *Kertha Patrika*, 48(2). <https://doi.org/10.24843/KP.2023.v46.i02.p03>, p. 10.

² *How AI is transforming the legal profession* | *Legal Blog*. (2023, September 19). Thomson Reuters Law Blog. <https://legal.thomsonreuters.com/blog/how-ai-is-transforming-the-legal-profession/>

execution of repetitive yet essential tasks that constitute a significant portion of a professional's workflow.

For example, artificial intelligence can automate routine legal tasks, effectively creating a "CoCounsel Drafting" capability through generative AI, thereby liberating time for more substantive client engagements and enabling real-time language translation to enhance global client communication.³ Nevertheless, given the concerns surrounding the compliance of AI tool outputs with professional ethical standards, the consideration of such risk management strategies is imperative.

II. AI IN CROSS-BORDER DEALS

A. Streamlining Contract Drafting and Negotiation

Artificial intelligence, through the implementation of Technology-Assisted Review (TAR), has revolutionized the process of legal document review. TAR, particularly predictive coding, enables computers to rapidly and accurately identify pertinent documents, surpassing the efficacy of keyword searches and augmenting efficiency fifty-fold relative to human review. This technology is currently widely accessible from numerous vendors.⁴

In addition to this, the application of AI to cross-border dealings encompasses the growing use of smart contracts. A smart contract is defined as a computer program code or protocol designed to automate the verification, execution, and enforcement of particular terms and conditions in a 'contractual' agreement.⁵ These smart contracts represent a type of digital agreement in which the stipulations of the contractual obligation are encoded directly into computer software. Operating on distributed ledger technology, notably blockchain, these self-executing contracts facilitate automated execution upon satisfaction of

³ Sharma, K. (2024, July 11). *End-to-end legal drafting AI tool: Introducing CoCounsel Drafting*. Thomson Reuters Law Blog. <https://legal.thomsonreuters.com/blog/legal-drafting-meets-generative-ai/>

⁴ Marchant, G. E. (2017). *ARTIFICIAL INTELLIGENCE AND THE FUTURE OF LEGAL PRACTICE*. https://www.iadclaw.org/assets/1/7/10.4- Marchant- ai_and_practice_of_law_SciTech_Lawyer.pdf

⁵ Fenwick, M., & Vermeulen, E. P. M. (2018). Technology and Corporate Governance: Blockchain, Crypto, and Artificial Intelligence. *Lex Research Topics in Corporate Law & Economics Working Paper No. 2018-7*, 16–18.

predetermined conditions, thus furnishing a secure and immutable record of the agreement.⁶ Blockchain consensus mechanisms ensure that all network computers achieve agreement on the validity of transactions and the state of smart contracts, thereby precluding fraudulent activities through protocols such as Proof of Work or Proof of Stake. Furthermore, smart contract results are permanently recorded on the blockchain, guaranteeing data integrity and enabling all participants to independently verify outcomes, a feature facilitated by immutability enforced through cryptography.

Despite structural differences, smart contracts aim for the same legal enforceability as traditional contracts. However, the legitimacy of smart contracts within the blockchain framework remains an open question.⁷ Smart contracts bring advantages to insurance, such as cost-saving automation of claims and automatic compensation for flight delays. They also enhance policyholder flexibility by enabling tokenization and trading on blockchain marketplaces. Nevertheless, the functionality and security of these contracts are critically dependent on the accuracy of their code and the robustness of the underlying blockchain. As demonstrated by the DAO Hack,⁸ even small coding vulnerabilities can lead to serious consequences like unauthorized access and financial losses. Consequently, a multi-layered approach to security is vital for the dependable operation of smart contracts.

In addition to AI's role in smart contracts, today's legal practice sees AI-powered clause libraries functioning as central repositories for contract clauses, templates, and related data, aiding in both drafting new and managing existing agreements.⁹ Natural Language Processing (NLP) contained in clause libraries enables computers to comprehend, generate,

⁶ Tripathi, S. (2024, April 2). *Smart Contracts Explained: Understanding Their Functionality on the Blockchain*. Spydra.app.

<https://www.spydra.app/blog/smart-contracts-explained-understanding-their-functionality-on-the-blockchain>

⁷ Subawa, I. M. M. (2024). Challenges of Using Artificial Intelligence in Contract Drafting: How Should AI Legal Liability Be? *Kertha Patrika*, 48(2). <https://doi.org/10.24843/KP.2023.v46.i02.p03>, p. 8

⁸ Morrison, R., Mazey, N. C. H. L., & Wingreen, S. C. (2020). The DAO Controversy: The Case for a New Species of Corporate Governance? *Frontiers in Blockchain*, 3. <https://doi.org/10.3389/fbloc.2020.00025>

⁹ Shah, K. (2024, April 4). *AI-Powered Clause Library: Faster & Efficient Drafting*. Volody Resource Hub. <https://www.volody.com/resource/ai-powered-clause-library-faster-drafting/>

and manipulate human language through machine learning.¹⁰ With the capacity to manage a high volume of routine tasks and analyze/organize large document collections via document clustering and topic modeling (often used in legal discovery), this AI branch offers significant advantages. NLP technology further streamlines legal discovery by automating the review of extensive document sets, thereby saving time and minimizing human errors.

B. Due Diligence and Risk Assessment

Generative AI presents a significant opportunity for legal professionals in information assimilation and predictive analysis. By automating the retrieval of relevant clauses from extensive contracts, AI removes the burden of manual searching, empowering lawyers to dedicate their efforts to the strategic elements of contract drafting, negotiation, and analysis, resulting in greater efficiency, accuracy, and time savings.¹¹

By reviewing contracts, flagging key clauses, and identifying potential risks, virtual assistants specializing in contract analysis significantly speed up due diligence processes for transactions and negotiations.¹² AI automates document review to streamline due diligence, thereby revealing key risks and improving accuracy. In valuation, AI employs machine learning to analyze large datasets, generating reliable financial projections and providing deeper market insights to support informed decision-making for M&A teams.¹³

With its capacity to systematically search extensive structured and unstructured information, AI offers strategic benefits in target identification and deal sourcing by locating

¹⁰ Eppright, C. (2022). *What is a managed database?* Oracle.com.

<https://www.oracle.com/id/artificial-intelligence/what-is-natural-language-processing/>

¹¹ Shah, K. (2024, April 4). *AI-Powered Clause Library: Faster & Efficient Drafting*. Volody Resource Hub.

<https://www.volody.com/resource/ai-powered-clause-library-faster-drafting/>

¹² Pietropauli, I. (2023). *Use of Artificial Intelligence in Legal Practice Mission Statement*. British Institute of International and Comparative Law.

https://www.biicl.org/documents/170_use_of_artificial_intelligence_in_legal_practice_final.pdf, p. 5

¹³ Sarkar, A., Sinha, A., & Chowdhury, R. (2025). *Impact Of AI In Cross-border Mergers And Acquisitions Transactions*. Mondaq.com.

<https://www.mondaq.com/india/maprivate-equity/1591196/impact-of-ai-in-cross-border-mergers-and-acquisitions-transactions>

acquisition targets that match an acquirer's strategic aims. AI tools analyze financial health, competitive positioning, and industry trends to identify promising targets. Moreover, AI can predict companies in distress, uncover emerging high-growth startups, and spot undervalued assets, leading to a significant improvement in the effectiveness and accuracy of deal sourcing.

A variety of AI applications contribute to seamless post-merger integration. These include identifying operational inefficiencies and redundancies, mitigating cultural conflicts, and aligning employee expectations through workforce sentiment analysis. Machine learning optimizes supply chains and IT infrastructure for improved efficiency. AI-powered customer analytics aids in retaining market share and enhancing the brand. In cross-border M&A, AI simplifies complex international transactions by monitoring foreign regulations, translating legal documents, and assessing geopolitical risks. Additionally, AI analyzes market conditions to enable confident international expansions and performs pre-deal sentiment analysis to gauge public opinion and regulatory hurdles.

The European Union's Artificial Intelligence Act (EU AI Act), which mandates ethical, safe, and rights-respecting use of AI systems in the EU market, serves as an example of a regulation underscoring the due diligence process. For U.S. companies looking to acquire AI-focused targets, assessing compliance with the EU AI Act is increasingly becoming a standard component of their due diligence. Given the Act's broad reach to any entity offering AI products or services to EU consumers, regardless of their location, acquirers will likely investigate the risk categorization of the target's AI systems under the Act and their plans for compliance when it takes effect in 2025. Furthermore, the acquiring company may insist on a contractual guarantee of the target's adherence to the EU AI Act within the acquisition agreement.¹⁴ By undertaking pre-sale due diligence, companies can appear more attractive to

¹⁴ *Artificial Intelligence (AI) Regulatory Considerations in Cross-Border M&A*. (2025). Bloomberglaw.com. <https://www.bloomberglaw.com/external/document/X5FQ9FP8000000/m-a-overview-artificial-intelligence-ai-regulatory-consideration>

a wider range of prospective acquirers, thereby gaining leverage in negotiations regarding their valuation and the ultimate purchase price.

Under proposed US rules and/or Executive Orders, parties aiming to acquire equity in AI businesses in China or other countries of concern may encounter notification requirements or outright prohibitions during their initial transaction planning. Specifically regarding cross-border AI acquisitions, regulations stipulate that acquiring equity in entities developing AI systems for military, intelligence, or mass surveillance purposes, as well as those involved in cybersecurity, robotics, or utilizing substantial computing power, may necessitate notification to the U.S. Treasury Department. Furthermore, the acquisition of equity in entities *exclusively* focused on developing AI for military, government intelligence, or mass surveillance may be entirely forbidden.¹⁵

III. ETHICAL AND LEGAL CHALLENGES OF AI IN GLOBAL LAW

A. Uncertain Application of LLMs

Research pertaining to scaling laws has provided consistent evidence that an increase in the size of AI models typically leads to enhanced accuracy.¹⁶ Nevertheless, AI remains susceptible to generating incorrect information by inventing fictional scenarios, a problem commonly termed "AI hallucination."¹⁷

Studies indicate that large language models (LLMs) are not yet proficient at handling complex tasks within the legal domain.¹⁸ For example, when tasked with assessing the precedential relationship between legal cases, large language models (LLMs) performed with an accuracy rate no better than random chance. Moreover, these models fabricated core

¹⁵ *Ibid.*

¹⁶ Zhou, L., Schellaert, W., Martínez-Plumed, F., Moros-Daval, Y., Ferri, C., & Hernández-Orallo, J. (2024). Larger and more instructable language models become less reliable. *Nature*. <https://doi.org/10.1038/s41586-024-07930-y>

¹⁷ IBM. (2023, September 1). *AI hallucinations*. *Ibm.com*. <https://www.ibm.com/think/topics/ai-hallucinations>

¹⁸ Dahl, M., Magesh, V., Suzgun, M., & Ho, D. (2024, January 11). *Hallucinating Law: Legal Mistakes with Large Language Models are Pervasive*. *Hai.stanford.edu*. <https://hai.stanford.edu/news/hallucinating-law-legal-mistakes-large-language-models-are-pervasive>

rulings in at least 75% of their responses. These findings underscore a considerable disparity between the legal reasoning capabilities of LLMs and the analytical skills employed by attorneys in evaluating case precedence, a fundamental aspect of legal research. LLMs, which can include generative AI chatbots or computer vision tools, may misinterpret patterns, leading to outputs that are either nonsensical or entirely inaccurate.

Predictive bias in algorithmic intelligence presents another legal challenge for AI in global law, raising questions about its supposed impartiality, as it inherently reflects the biases of its creators.¹⁹ Clients typically expect legal service providers to conduct a comprehensive evaluation specific to their presented dispute or risk, not relying on past group data or subjective impressions. Using such generalized information can result in inappropriate advice and negative outcomes, potentially due to the filtering out of details crucial to distinguishing an individual case.²⁰

One of the primary challenges in utilizing AI for legal purposes is teaching large language models (LLMs) to correctly distinguish between the nuanced use of foreign law as persuasive authority and the erroneous application of it as the primary law of a community, which would lead to a misrepresentation of its legal perspectives. This level of subtlety is presently beyond the comprehension of LLMs.²¹ This phenomenon may also present a risk of large language models contributing to the development of legal monoculture.²² It's concerning that algorithms, used to guide societal choices, might lead to a monoculture characterized by uniformly similar preferences and choices.²³ Despite potentially higher accuracy in isolated

¹⁹ Lau, J. (2020). Artificial Intelligence, Machine Learning, Technology and the Legal Profession-Perspective of an Asian Chief Legal Officer. *International In-House Counsel Journal*, 12(48), p. 12.

²⁰ Wang, W. (2023). An Analysis of the Feasibility of Artificial Intelligence to Replace Lawyers. *Advances in Politics and Economics*, 6(2). <https://doi.org/10.22158/ape.v6n2p161>, p. 166.

²¹ Draper, C., & Gillibrand, N. (2023). *The Potential for Jurisdictional Challenges to AI or LLM Training Datasets*. <https://ceur-ws.org/Vol-3435/paper2.pdf>

²² Dahl, M., Magesh, V., Suzgun, M., & Ho, D. (2024, January 11). *Hallucinating Law: Legal Mistakes with Large Language Models are Pervasive*. Hai.stanford.edu. <https://hai.stanford.edu/news/hallucinating-law-legal-mistakes-large-language-models-are-pervasive>

²³ Kleinberg, J., & Raghavan, M. (2021). Algorithmic monoculture and social welfare. *Proceedings of the National Academy of Sciences of the United States of America*, 118(22). <https://doi.org/10.1073/pnas.2018340118>

scenarios, the uniform application of a single algorithm can introduce systemic vulnerabilities, leading to correlated failures when confronted with challenging circumstances. This risk mirrors that of agricultural monocultures,²⁴ which are highly susceptible to single-pathogen attacks—an analogy frequently used in computer security and increasingly relevant to concerns about algorithmic screening. Furthermore, the tendency of LLMs to present a limited judicial perspective can cause users to overlook the broader nuances and diverse legal interpretations that exist.

B. Liability and Accountability

Moreover, significant concerns exist regarding privacy, data protection, and the duty of confidentiality. Lawyers are legally bound to protect the confidentiality of information from all clients. Without adequate supervision, the use of AI presents a risk of personal data leaks. The collection and processing of case information by AI without prior notification and consent may significantly increase the risk of violating privacy rights and data protection regulations. A fundamental ethical duty for lawyers is to ensure that the implementation of AI solutions does not jeopardize their obligation to maintain client confidentiality and the attorney-client privilege. Lawyers utilizing AI must disclose this to their clients, explain its potential impact on their case, and obtain their informed consent. Clients must also be made aware of AI's limitations and implications for their legal matters.²⁵

Despite the aim of AI to decrease human error, the question of who would be liable in case of malfunction remains. Potential errors, including data leaks or other misconduct resulting from inconsistent machine processing, are still a possibility.²⁶ For instance, the

²⁴ *Ibid.*

²⁵ Pietropauli, I. (2023). *Use of Artificial Intelligence in Legal Practice Mission Statement*. British Institute of International and Comparative Law. https://www.biicl.org/documents/170_use_of_artificial_intelligence_in_legal_practice_final.pdf, p. 11.

²⁶ Subawa, I. M. M. (2024). Challenges of Using Artificial Intelligence in Contract Drafting: How Should AI Legal Liability Be? *Kertha Patrika*, 48(2). <https://doi.org/10.24843/KP.2023.v46.i02.p03>, p. 11.

Inference Engine's ability to process commands perfectly can be limited by incompatible data input, and errors can also stem from human negligence in programming.²⁷

Consequently, legal liability is vital to ensure protection for those harmed by AI. Accountability for AI violations is crucial, especially considering the potential for significant damage. While legal liability typically attaches to legal subjects with defined rights and obligations, AI does not meet this criterion due to its lack of an independent and explicit purpose. In such cases, recognizing the essential role of human control in AI programming and the inherent fallibility of computer systems, the concept of substitutive liability may be employed to address the resulting harm.²⁸

A significant regulatory obstacle in the UK concerning artificial intelligence is the lack of a clear legal definition. While the National AI Strategy (2021) and bodies such as the Centre for Data Ethics and Innovation (CDEI) establish frameworks for ethical AI practices, and the Information Commissioner's Office (ICO) offers guidance on data protection within AI operations, UK law does not codify a comprehensive legal definition of AI. Consequently, regulatory efforts must rely on guidelines and interpretations in the absence of explicit legal text.²⁹ Within the UK, the processing of personal data by AI systems is governed by the Data Protection Act 2018 (DPA) and the UK General Data Protection Regulation (UK GDPR). These regulations are crucial in preventing AI-related data breaches by imposing significant obligations on data controllers and processors to protect personal data and ensure its lawful treatment.

The Clearview AI case of 2020 serves as a prime example of the legal complexities involved in regulating facial recognition technology. The company's practice of collecting

²⁷ Soner Yıldırım. (2020, April 29). *Data Leakage in Machine Learning | Towards Data Science*. Towards Data Science. <https://towardsdatascience.com/data-leakage-in-machine-learning-6161c167e8ba/>

²⁸ Subawa, I. M. M. (2024). Challenges of Using Artificial Intelligence in Contract Drafting: How Should AI Legal Liability Be? *Kertha Patrika*, 48(2). <https://doi.org/10.24843/KP.2023.v46.i02.p03>, p. 11.

²⁹ Khan, T. (2024, October 29). *Data Breaches and Liability in the Age of AI: Who's responsible?* Thebarristergroup.co.uk; The Barrister Group. <https://thebarristergroup.co.uk/blog/ai-data-breaches-and-liability-whos-responsible>

billions of social media images without user consent, coupled with its use by law enforcement agencies, raised significant issues concerning GDPR and broader data protection laws. Investigations conducted by the ICO and other European regulatory bodies underscored the fundamental lack of consent and the inherent difficulties in enforcing data protection regulations against AI companies with a global operational scope.³⁰

The crucial question then becomes: who bears the responsibility? Several stakeholders could be held liable, including the AI developers themselves if a data breach results from security vulnerabilities within the AI system. Furthermore, data controllers, as the entities determining the purposes and means of processing personal data, hold significant responsibility under the UK GDPR, along with data processors. Even third-party vendors could be implicated in the question of liability, given that many systems are developed or hosted by them.

IV. THE WAY FORWARD FOR AI

Generative AI is increasingly being used in global legal deal-making, with adoption rapidly growing. A survey by Bain & Company has depicted that over 300 M&A professionals showed this trend, with usage increasing from 16% in 2023 to 21% in 2025.³¹ The continued advancement of AI will have a growing impact on global deal-making, with a particularly significant role in cross-border transactions, where AI analytics are already redefining the way companies identify and assess potential international acquisitions.

The integration of AI is significantly transforming cross-border M&A, resulting in increased efficiency, greater precision, and enhanced strategic planning capabilities. Through platforms such as GrowthPal, AI-driven deal sourcing and due diligence are expediting transactions and enabling businesses to undertake more frequent, lower-risk acquisitions.³²

³⁰ *Ibid.*

³¹ Haxer, J., Omanovic, M., Siegal, B., & Houston, B. (2025, February 4). *Generative AI in M&A: You're Not Behind—Yet*. Bain. <https://www.bain.com/insights/generative-ai-m-and-a-report-2025/>

³² Sarkar, A., Sinha, A., & Chowdhury, R. (2025). *Impact Of AI In Cross-border Mergers And Acquisitions Transactions*. Mondaq.com.

While the expanding adoption of generative AI in M&A presents increasing potential for automating negotiations, compliance, and post-merger integration, its inherent limitations—including the risk of fabricated information, algorithmic biases, and data privacy concerns—underscore the critical need for robust human oversight and the evolution of regulatory frameworks, even as it offers new opportunities and reduces transaction costs.

The full realization of artificial intelligence's potential within the global deal-making landscape, coupled with the imperative to ensure transparency, fair competition, and investor confidence, will necessitate the establishment of a proactive and adaptive regulatory framework. While technical advancements are being pursued to mitigate the phenomenon of hallucinations in large language models (LLMs), the issue of legal hallucinations presents a more intricate challenge, requiring LLMs to reconcile fidelity to training data, prompt accuracy, and adherence to real-world legal facts through the application of normative judgments and transparent decision-making processes. Notwithstanding the potential of LLMs in legal practice, the limitations we have identified mandate scrupulous consideration. The responsible integration of artificial intelligence into the legal domain will necessitate ongoing development, diligent supervision, and a comprehensive understanding of both the strengths and weaknesses inherent in these technologies.

<https://www.mondaq.com/india/maprivate-equity/1591196/impact-of-ai-in-cross-border-mergers-and-acquisitions-transactions>

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