

Law in the Digital Age

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Abstract: Technology is redefining industries worldwide, and the legal sector is no exception. It has already transformed access to legislation and legal practice. The digital age has transformed the way we interact with each other. In the digital age, law is a rapidly evolving field, reflecting the fast-paced advancements of digital technology. All enacted legislation is now available to anyone with Internet access. This paper introduces the fundamental aspects of law in the digital age.

Key points: law, digital age, law in the digital age.

INTRODUCTION

Technology has changed virtually all aspects of our life. The rapid advancement of digital technology has ushered in the digital age, revolutionizing the way we create, consume, and distribute content. Digital technologies have come a long way in the last thirty years. They are the backbone of e-governance and have revolutionized commerce. They have changed the landscape of law practice and the profession. The digital era has brought people from all around the world together like never before. However, digital technologies present an intricate challenge: adapting our legal structures to adequately accommodate and regulate these novel environments [1]. They raise concerns about privacy and cybersecurity breaches.

Law has made significant changes in the modern culture. Law today has entered the digital age. The practice of law increasingly depends on what appears on electronic screens in courtrooms, law offices, government agencies, and elsewhere. Digitalization and new technologies have caused legal science to enter a period of transformation that we have perhaps never seen before in legal history. Digital technologies allow the pictures and words from which meanings are composed in any fashion whatsoever, while the Internet allows practically anyone, anywhere, to disseminate meanings just about everywhere. Our major task is to make sense of the practice of law in this visual digital era [2].

LAW IN THE DIGITAL AGE

The practice of law is a career that consists of applying legal principles to specific cases. Technology has completely revolutionized the practice of law with how lawyers seek information and how they disseminate it too. Technology impacting law practices. Legal scholars are using technology to improve their curriculum and teaching methods. Today law has entered the digital age. The way law is practiced is increasingly dependent on technology. Technologies that are being introduced into law include 3D printing, electronic discovery software, artificial intelligence,

robots, blockchain/cryptocurrency, and big data. More and more practicing lawyers are taking advantage of these new technologies and are rapidly adapting to the new era of digital visual rhetoric.

Technology has improved accessibility and a law firm's ability to provide legal services. New digital innovations automate daily life and enhance social and commercial relationships. But there is a price: privacy, security, and civility are more difficult to maintain. Misinformation is easy to create, and spreads quickly and widely. It is daunting for the civil justice system to keep pace with these technological advancements [3].

The National Civil Justice Institute is a national legal think tank created by pioneering members of the trial bar and dedicated to ensuring access to justice for ordinary citizens.

APPLICATIONS

The most affected issues by digital technological development include data protection, intellectual property rights, cybersecurity and online crimes, e-commerce and contract law, artificial intelligence, blockchain, and cryptocurrency. Thus, law in the digital age is applicable to the following areas [4-8]:

- *Communications Law*: The world of law is a world of information. Rules, judgments, decisions, interpretations, and agreements all involve using and communicating information. Digital and traditional media and communications lawyers must respond to new challenges arising from rapidly developing areas in First Amendment, privacy, intellectual property, newsgathering, reporter's privilege, access, international media, cyber law, and AI law. Those in the media business are well aware that digital technology is poised to unleash an amazing world of possibility, in which entertainment video content will be available to consumers around the globe anytime, anyplace, and on any one of numerous platforms or devices.
- *Artificial Intelligence (AI)*: AI is changing everything, and tech companies are racing for *dominance*. It is playing increasingly larger roles in e-governance. It is taking over the drafting of contracts, conducting legal research and even drafting laws and administrative acts in some cases. With AI increasingly prevalent, related technologies will give rise to new regulations for the evolving field and create ongoing ethical and legal issues for lawyers.
- *Copyright*: The challenge of protecting intellectual property belongs to the broad sweep of US industries and export businesses. Today, all data and information is reducible to zeroes and ones, is easily replicable, and is able to be distributed at the speed of light around the world. It is impossible to argue that digital theft poses no harm to the market. The scale of copyright piracy has changed, allowing creative works to be distributed globally with a click of a mouse. People's attitudes towards infringing on someone else's protected work have changed as well due to the simplicity and speed of the digital infringing process. Copyright law faces a wide range of complex problems due to the ease of copying and distribution. The digital age has also witnessed the emergence of user-generated content. Copyright law aims to protect creative works and incentivize innovation. One of the most significant challenges presented by the digital age is the ease of reproduction and distribution of copyrighted content. Copyright legislation must be updated to reflect these changing business models. The digital era undermines copyright laws, but it also gives creative access to unheard-of opportunities. The landscape of copyright law has undergone tremendous change in the digital age.
- *Privacy*: This is a key issue with advanced media and technology, including digital advertising, online payment technology and e-commerce. The American Bar Association recognizes a specialty in privacy and data security law. Privacy law has its roots in the common law, establishing the principle that individuals have a right to be free from unreasonable searches and seizures. A key challenge issue is applying traditional privacy principles, such as the Fourth Amendment's protection, to new technologies. In order to address this and other challenges posed by the digital age, a comprehensive approach to privacy law is needed. This is needed to balance privacy and security in the digital age.

- *Cybersecurity*: Closely linked with privacy is cybersecurity, and the main issue now is increased ransomware attacks, which encrypt data and prevent a computer system from operating.
- *Blockchain and Cryptocurrency*: Cryptocurrency's growing popularity has implications for all areas of law. The US Securities and Exchange Commission and other government entities have attempted to examine cryptocurrency. As cryptocurrency evolves, some nations and regulated banks are examining how to utilize components of blockchain-based cryptocurrencies within the structure of law. Some countries are exploring nationally backed cryptocurrencies to enable not only efficient transacting, but efficient enforcement mechanisms.

BENEFITS AND CHALLENGES

With new technologies often driven by consumer interest, the technologies significantly impact lawyering. Legal employers are using online platforms to find talent. That gives students access to more employers around the US and saves the student the expense and time of traveling for interviews.

The digital age has brought with it a host of new challenges for the practice law. Although digital technologies can improve everyday life and be tools to achieve equality, they can still reinforce injustice and give false hopes. The widespread use of digital tools eventually deepens the digital divide and the use of digital technologies deepens general inequality and injustice. New waves or levels of digital divide are being considered today: (1) to access, (2) to use, and (3) to benefit from digital technologies [9].

CONCLUSION

There is no doubt that technology is impacting everyday life in profound ways. It is affecting the way lawyers do their work. As with most modern professions, the impacts of the digital age on lawyering will be ongoing as new technologies are developed. Technology can be used to explain legislation to the public [10]. Lawyers in all areas of practice should stay abreast of advancements. As technology propels us forward, let us ensure that our legal systems are thoughtfully shaping the digital future. Today, constitutional protection is under enormous pressure and requires our vigilant attention.

The law school must prepare students to be leaders in responding to emerging digital technologies. Although lawyers still need to abide by the same legal standards that have driven their profession for decades, law in the digital age is much different than law before technology. More information about law in the digital era can be found in the books in [11-23] and the following related journals:

- *Modern Lawyer*
- *Legal Issues in the Digital Age*

REFERENCES

1. "Introduction to law in the digital age: Navigating the e-governance landscape," <https://www.linkedin.com/pulse/introduction-law-digital-age-navigating-e-governance-landscape>
2. R. K. Sherwin, N. Feingerson, and S. Christina, "Law in the digital age: How visual communication technologies are transforming the practice, theory, and teaching of law," August 2005, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=804424
3. "The Internet and the law: Legal challenges in the new digital age," Unknown Source.
4. B. Wright, "Technology and the rule of law in the digital age," 2005 <https://scholarship.law.nd.edu/ndjlepp/vol19/iss2/16/>

5. Sheldon W. Halpern, "Copyright law in the digital age: Malum in Se and Malum Prohibitum," [HTTPS://SCHOLARSHIP.LAW.MARQUETTE.EDU/IPLR/VOL4/ISS1/1/](https://scholarship.law.marquette.edu/iplr/vol4/iss1/1/)
6. Z. Vig (ed.), "Law in the digital age," December 2023, https://www.researchgate.net/publication/377014089_Law_in_the_digital_age
7. J. Clarke, "Lawyering in the digital age," <https://magazine.law.unc.edu/january-2022/digital-lawyering/>
8. "The impact of the digital age on copyright law," <https://gspattorneys.com/impact-digital-age-copyright-law/>
9. N. Satokhina and Y. Razmetaeva, "'The loss of experience' in digital age: Legal implications," <https://journals.openedition.org/phenomenology/456>
10. "Making laws in a digital age," https://www.parliament.uk/globalassets/documents/speaker/digital-democracy/Digi013_Chris_Reed.pdf
11. P. Caddy, D. Jackson, and T. Randle, *Legal Practice in the Digital Age*, ??, 2023.
12. K. D. Ashley, *Artificial Intelligence and Legal Analytics: New Tools for Law Practice in the Digital Age*. Cambridge University Press, 2017.
13. N. Elkin-Koren and E. Salzberger, *The Law and Economics of Intellectual Property In The Digital Age: The Limits of Analysis*. Routledge, 2012.
14. R. Smith, *Crime in the digital age: Controlling Telecommunications and Cyberspace Illegality*. Routledge, 2018.
15. R. K. Sherwin, *Visualizing Law n the Age of the Digital Baroque: Arabesques & Entanglements*. Routledge, 2012.
16. M. E. Katsh, *Law in a Digital World*. Oxford University Press, 1995.
17. R. J. May, *Communications Law and Policy in the Digital Age: The Next Five Years*. Carolina Academic Press, 2012.
18. A. M. L. Rodriguez, M. D. Green, and M. L. Kubica (eds.), *Legal Challenges in the New Digital Age*. Brill, 2021.
19. L. A. DiMatteo et al. (eds.), *The Cambridge Handbook of Lawyering in the Digital Age: Top of Form*. Cambridge University Press, 2021.
20. A. Bargfrede and C. Mak, *Music Law in the Digital Age*. Berklee Press Publications, 2009.
21. R. Caso and F. Giovanella (eds.), *Balancing Copyright Law in The Digital Age: Comparative Perspectives*. Springer, 2016.
22. T. Aplin, *Copyright Law in the Digital Society: The Challenges of Multimedia*. Hart Publishing, 2005.
23. *Privacy Rights in the Digital Age*. Grey House Publishing, 2nd edition, 2019.

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