

# **A LEGAL FRAMEWORK FOR THE ALLOWANCE OF ARTIFICIAL INTELLIGENCE SYSTEMS TO PRACTICE LAW IN THE PHILIPPINES**

by

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## **ABSTRACT**

Legal services in the Philippines are currently provided by lawyers who must be natural persons that have undergone training in law school and have successfully met the other qualifications, such as satisfactorily passing the Bar examinations, as set forth by the Supreme Court. However, the ever-increasing demand for more affordable, quality, and accessible legal services coupled with the limited number of people being admitted to the Philippine Bar each year is a perennial problem that is expected to get worse than better over the years to come. This situation is aggravated by the presence of unprofessional, unethical and corrupt practitioners of both the Bench and the Bar and the ever-increasing backlog in court and administrative dockets. On the other hand, the rapid advancement in Artificial Intelligence (AI) technology have offered a potential long-term solution to this problem. This paper discusses the possibility of allowing the use of such technology to perform the services of lawyers and judges as well as provide a high-level legal framework on how to make this legally possible in the Philippines. The paper also provides other researchers with a number of topics that can be expounded or elaborated on in subsequent studies.

## **TABLE OF CONTENTS**

ACKNOWLEDGMENT	i
ABSTRACT	ii
TABLE OF CONTENTS	iii
CHAPTER I - INTRODUCTION	1
A.    BACKGROUND OF THE STUDY	1
B.    STATEMENT OF THE PROBLEM	4
C.    SIGNIFICANCE OF THE STUDY	6
D.    OBJECTIVES OF THE STUDY	7
E.    SCOPE AND LIMITATIONS	9
F.    DEFINITION OF TERMS	11
CHAPTER II - REVIEW OF RELATED LITERATURE	16
A.    OVERVIEW OF ARTIFICIAL INTELLIGENCE	16
B.    LEVELS OF ARTIFICIAL INTELLIGENCE	19
C.    TYPES OF ARTIFICIAL NARROW INTELLIGENCE	20
D.    GENERATIVE AI	23
E.    LARGE LANGUAGE MODELS	24

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F.	HOW LARGE LANGUAGE MODELS WORK	25
G.	PROMPT ENGINEERING	28
H.	REASONING WITHIN LLMS	29
I.	HALLUCINATIONS	29
J.	RETRIEVAL AUGMENTED GENERATION	30
K.	ADVENT OF AGENTIC AI	33
L.	HOW AGENTIC AI WORKS	34
M.	OTHER RELATED TECHNOLOGY	35
N.	SAFETY AND SECURITY	36
O.	SUSTAINABILITY	38
P.	USE OF AI IN PHILIPPINE LEGAL MILIEU	39
Q.	CURRENT AI USE CASES IN LEGAL PROFESSION	39
R.	CENTRALIZED AI REGULATION APPROACH IN THE EUROPEAN UNION	42
S.	DECENTRALIZED AI REGULATION APPROACH IN THE UNITED STATES	45
T.	HYBRID AI REGULATION APPROACH IN CHINA	48
U.	OPPOSITION AGAINST AI LAWYERS	50
V.	USE OF AI TOOLS IN THE PHILIPPINES	50

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W.	PRACTICE OF LAW IN THE PHILIPPINES	51
X.	PHILIPPINE BASED AI LEGAL TOOLS	54
Y.	AI GOVERNANCE IN THE PHILIPPINES	55
Z.	LIMITATIONS ON WHO CAN PRACTICE LAW	58
AA.	BENEFITS OF AI CHATBOTS TO THE LEGAL INDUSTRY	59
BB.	ADVANTAGES AND DISADVANTAGES OF LAWBOTS	60
CC.	RELEVANT PHILIPPINE LAWS AND JURISPRUDENCE	60
DD.	RELEVANCE OF THE STUDY	63
CHAPTER III - METHODOLOGY		65
A.	OVERVIEW OF RESEARCH METHODOLOGY	66
B.	SURVEY OF LAWS, REGULATIONS, AND JURISPRUDENCE	67
C.	SURVEY OF PRESENT AND EMERGING TECHNOLOGIES	68
D.	ANALYSIS OF SURVEYED DATA	70
E.	SYNTHESIS OF ANALYZED DATA	70
F.	LEGAL FRAMEWORK RECOMMENDATION	71
CHAPTER IV – RESULTS AND DISCUSSION		73
A.	AI ALREADY PRESENTLY USED IN LEGAL PROFESSION	73
B.	NO COUNTRY HAS YET TO ALLOW MACHINE LAWYERS	73
C.	AI NOW ABLE TO WORK AUTONOMOUSLY	75

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D. AI CAN HAVE HUMAN LIKE SENSORY PERCEPTION	75
E. CORE PRINCIPLES TO CONSIDER IN ALLOWING MACHINES TO PRACTICE LAW	76
ACCOUNTABILITY	76
RELIABILITY	78
TRANSPARENCY	79
FAIRNESS AND NON-DISCRIMINATION	79
PRIVACY AND DATA PROTECTION	81
SECURITY AND SAFETY	82
HUMAN AGENCY AND OVERSIGHT	84
SOCIETAL BENEFIT	85
SUSTAINABILITY	85
CONTINUOUS MONITORING	86
F. AI CAN MITIGATE ISSUES ON CORRUPTION, LACK OF PRACTITIONERS, BACKLOGS, QUALITY OF SERVICE	86
G. CONSTITUTIONAL PROVISIONS	88
H. CIVIL AND CRIMINAL LIABILITY	89
I. REGULATION OF MACHINES PERFORMING LEGAL AND JUDICIAL WORK	90

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J. LIMITATIONS OF CURRENT AND EMERGING TECHNOLOGY	90
K. CLARIFICATORY DISCOURSE	92
CHAPTER V - SUMMARY, CONCLUSION, RECOMMENDATION	94
A. SUMMARY	94
B. CONCLUSION	94
C. RECOMMENDATION	95
QUASI-PERSON	95
TECHNICAL REQUIREMENTS	98
CONSTITUTIONAL AMENDMENT	101
CREATION OF SPECIAL MACHINE COURTS	101
EFFECT ON SUBSTANTIVE LAWS	103
EFFECT ON REMEDIAL LAWS	107
PROPOSED TRANSITION PLAN	110
DEPLOYMENT OF MACHINE LAWYERS AND JUDGES	113
NATIONAL REGISTRY OF AI LAWYERS AND JUDGES	113
REGULATION AND ACCREDITATION OF AI MODEL PROVIDERS	114
COURT OF APPEALS AND COURT OF TAX APPEALS	116
SUPREME COURT	116
MISCELLANEOUS CONSIDERATIONS	116



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D. ULTIMA VERBA	118
REFERENCES	120
APPENDICES	131
A. ON PREMISE, CLOUD, OR HYBRID COMPUTING	131
B. SAMPLE CONSTITUTIONAL AMENDMENTS	134
C. SAMPLE PROPOSED LEGISLATION	136
MAGNA CARTA FOR MACHINE LAWYER AND JUDGES	136
D. SAMPLE AMENDMENT TO RULES	148
ABOUT THE AUTHOR	169

## **CHAPTER I - INTRODUCTION**

### **A. BACKGROUND OF THE STUDY**

Imagine a world where legal services are available to everyone. Where the poor and marginalized receive legal services of impeccable quality. Where the issues of corruption and unethical conduct in both the bench and the bar are minimized if not completely eradicated. This world is quickly coming to past sooner than we think with the advent of groundbreaking technology such as Artificial Intelligence (AI).

In the Philippines, it is common knowledge that there is significant difficulty acquiring quality legal services especially by the marginalized sector of the economy and by those in far flung areas of the country. During the 2024 Bar Examinations, the Supreme Court has acknowledged the shortage of lawyers in the country (GMA Integrated News, 2024). This has led the Court to lower the passing score of that year's bar examination result to 74% instead of the usual 75%.

The steep price of acquiring quality legal services is another barrier that the indigents must hurdle. Experienced private lawyers normally charge an acceptance fee of at least in the tens of thousands of pesos. After the acceptance fee, lawyers normally charge a fee for each appearance or attendance in court as well as a fee for each pleading or motion that they submit to defend someone's cause. While there are good

meaning lawyers and institutions that provides *pro bono* legal aid and services to the poor and marginalized, the number of these entities falls short of the rapidly rising demand and at the same time their reach is limited by geographical and logistic challenges.

The ever-increasing backlog of dockets in the judiciary system as well as the cases being handled by the prosecutors and the Office of the Solicitor General (OSG) presents another perennial problem that is ever present in the delivery of justice. The Supreme Court alone has a case load of around 14,790 cases as of the end of December 2019 (Gajete, 2021). Such backlog results in delay in resolving cases and addressing legal issues. In fact, some of these delays amount to inordinate delays that violates a person's right to speedy disposition of cases.

Needless to state, there is also a growing backlog of cases that needs to be resolved in government offices, entities, agencies, and instrumentalities that are exercising quasi-judicial powers such as the National Labor Relations Commission (NLRC), the Civil Service Commission (CSC), the Commission on Audit (COA), and others. The lack of manpower in the legal services is often one of the concerns that is leading to such backlogs.

Besides the lack of adequate legal services provided in the country, the practice of law has also been plagued with allegations and actual convictions of corruption that permeates even the deepest recesses of the legal profession. Both the Bench and the Bar also had issues with

unethical members who acquire wealth and influence rather than providing quality service to the people. During the time of President Joseph Ejercito Estrada, Estrada coined the term “hoodlums in robes” in order to describe corrupt judges and justices that plagues the judiciary (Elicano Jr, 2006). We have the case of the “Magnificent 7” who are a group of judges that shamelessly fix drug cases. (IN RE Emil (Emiliano) P. Jurado Ex Rel: Philippine Long Distance Telephone Company (PLDT), Per Its First Vice-President, Mr. Vicente R. Samson, 1995).

The rapid advancement in the field of technology has allowed machines to perform the work that is normally attributed to human beings. This include recognizing faces, understanding spoken words, identifying and detecting objects, detecting fraud, among others. One of the most popular technology nowadays is ChatGPT which is a chat bot that can answer questions in a human like manner. These types of technology enable machines to provide a sophisticated kind service that were not previously possible just a few decades ago. Such service includes legal services rendered by lawyers as well as services rendered by judges.

This paper explores the possibility of using Artificial Intelligence and related technologies in order to be able render legal services and the laws and regulations that needs to be established in order to allow such systems to practice law in the Philippines.

## **B. STATEMENT OF THE PROBLEM**

Despite the inevitable fact that the rise of machines are rapidly becoming more of a reality than science fiction, there is still a lack of any study much less practical working legal framework that supports the allowance of intelligent machines to practice law, not only in the Philippines but also around the world.

In order to have a legal framework that allow machines to practice law in the Philippines, this paper shall strive to answer the following questions:

1. What can AI-based machines do in the present as well as in the near future in relation to performing legal and judicial work?
2. What are the current and relevant laws, rules and regulations in the Philippines and in key economies such as the United States, European Union, and China regarding the use of AI in the practice of law?
3. Why is there a need to have machines take on the role of lawyers?
4. How do we adapt the Constitution, legislation, rules, and regulations to provide the machines the legal authority and basis for them to perform the service that human lawyers and judges are currently providing?

Lastly, there is a concern on the quality of service being provided by some practitioners which is a problem that can be mitigated, if not solved,

by technology. Resolving these issues will enable everyone to resolve such problems on the dearth in quality human lawyers as well as address other issues on unethical practitioners as discussed earlier.

### **C. SIGNIFICANCE OF THE STUDY**

Artificial intelligence and related technologies can provide not only support to human lawyers. They are now more or less able to replicate the ability of human beings to consume legal jurisprudence and apply the law based on the knowledge they acquired. While there are comments that machines sometimes make mistakes, so do human beings. With the rapid advancement of AI technology and research, it is clear that the number of mistakes made by machines would be reduced in such a way that the quality of legal service they provide is going to be much better than the average legal practitioner. Also, the speed by which AI technology is able to render legal services such as creating a pleading is way faster compared to that of a human lawyer.

This means that technology has the potential to revolutionize the practice of law in such a way that the problems outlined earlier is significantly reduced or mitigated if not completely solved. Lawyers can then divert their attention on more complicated or complex problems that would require skills beyond the abilities of existing technology.

## **D. OBJECTIVES OF THE STUDY**

This paper aims to recommend a legal and regulatory environment or framework that the Philippines must adopt to allow machines to practice law in the Philippines taking into consideration the following:

1. The existing capabilities of Generative Artificial Intelligence (GenAI) systems in relation to providing legal services to clients both locally and abroad
2. The emerging capabilities of GenAI systems in relation to providing legal services to clients both locally and abroad
3. The legal and regulatory environment that is used in major economies including the United States, European Union, and China.
4. The applicability of global laws and regulations to the Philippine legal environment.

Along with this general objective, the following specific objectives is hoped to be realized:

1. Provide an overview of relevant Philippine laws that should be amended in order to allow machines to practice law in the country
2. Propose new Philippine legislations to allow machines to practice law in the country.
3. Propose new regulatory laws to ensure quality, security, and confidentiality of allowing machines to practice law in the country



The paper aims to encourage a wider scope in the use of technology for the purpose of not only mitigating the issues in the legal profession outlined earlier but also to improve and enhance the practice of law in the country.

## **E. SCOPE AND LIMITATIONS**

This paper will limit its scope and focus on technology related to Generative Artificial Intelligence (GenAI) systems, specifically the use of Large Language Models (LLMs) in providing legal service to clients. However, there may be relevant discussions on how GenAI systems is used in conjunction with both other types of AI and non-AI based technologies to provide a wholistic solution in providing quality legal service to clients. GenAI that is not considered an LLM such as those generating videos and pictures may be included as part of the discussion on multimodal models. A survey and analysis of the legal and regulatory environment available in other countries will be limited to the more advanced or large economies such as the United States, European Union, and China. The legal framework that is existing or emerging in these countries will provide this study with the inputs to be able to build a recommended legal framework for the Philippines.

The study will not involve interviews of Filipino legal students, practitioners and judges to determine their receptiveness to the idea of machines practicing law since it is not the main thesis of the paper. However, the paper will touch on the subject matter of receptiveness when it looks at literature related to opposition to this system.

Setup and security of hardware, software, and network systems below the AI model is not covered by this paper as they are standards and

procedures implemented by information and communication technology professionals specializing in cybersecurity who have an entirely separate and distinct practice from that of AI professionals.

Note that any recommendations provided in this paper does not cover sentient machines and all discussions will be limited to non-sentient machines that meets the objective of providing legal services in the Philippines. Furthermore, these recommendations are tailored fit to the legal, traditional, and cultural needs of the Philippines and may not be directly applicable to other countries.

Finally, actual drafting of laws, rules, and regulations covering all the changes needed to implement the legal framework is beyond the scope of this paper although sample legislation and amendments are provided in the appendices.

## F. DEFINITION OF TERMS

- **Adaptive legislation** is legislation where many details are intentionally left vague to permit later adaptation as technology changes (Chun et al., 2024).
- **Agentic Artificial Intelligence (Agentic AI)** refers to autonomous systems designed to pursue complex goals with minimal human intervention (ACHARYA et al., 2025).
- **Artificial Intelligence (AI)** is the ability of a computer or computer-controlled robot to perform tasks that are commonly associated with the intellectual processes characteristic of humans, such as the ability to reason (Copeland, 2025).
- **Certiorari** is the power of a higher court to review the decision of a lower court (Cornell Law School, n.d.).
- **Computer vision** is a field of artificial intelligence (AI) that uses machine learning and neural networks to teach computers and systems to derive meaningful information from digital images, videos and other visual inputs—and to make recommendations or take actions when they see defects or issues (IBM, 2021).
- **Deep Learning** is a distinct subfield of Machine Learning that focuses on the use of neural networks to effectively capture complex patterns and representations in datasets (Mohamed et al., 2024).

- **Generative Artificial Intelligence (GenAI)** is a type of artificial intelligence technology that can produce various types of content, including text, imagery, audio and synthetic data (Lawton, 2024).
- **Generative Pre-Trained Transformers (GPT)** is a type of LLM that is capable of creating new data, such as text or words, in the likeness of its training data without the need to check back against its original training data every time it is prompted using learned relationships between long strings of data, for instance sentences and paragraphs. (Perrigo, 2023)
- **Grounding** is the ability to connect model output to verifiable sources of information (Google, n.d.)
- **Hallucination** occurs when an AI model generates incorrect or misleading information but presents it as if it were a fact (Guinness, 2024).
- **Language Translation AI** is the use of AI technology in order to translate words, phrases, and/or sentences written in one language to another language.
- **Language Model** is a machine learning model that aims to predict and generate plausible language (Google, 2025).
- **Large Language Model (LLM)** is a category of foundation models trained on immense amounts of data making them capable of understanding and generating natural language and other types of

content to perform a wide range of tasks. A GPT is an application of LLMs (IBM, 2023).

- **Lawbots** are software or robotic systems that uses artificial intelligence in order to provide legal services to clients (Sedilla et al.)
- **Machine** as used in this paper refers to a device, tool or technology that uses artificial intelligence technology to render legal service or to practice law.
- **Machine Learning (ML)** is a branch of artificial intelligence (AI) focused on enabling computers and machines to imitate the way that humans learn, to perform tasks autonomously, and to improve their performance and accuracy through experience and exposure to more data (IBM, 2025).
- **Model** is shorthand for any singular AI system, whether it is a foundation model or an app built on top of one. Examples of AI models include OpenAI's ChatGPT and GPT-4, Google's Bard and LaMDA, Microsoft's Bing, and Meta's LLaMA (Perrigo, 2023).
- **Multimodal Large Language Model** is a large language model that simultaneously process and generate various data types, such as text, images, and audio (Chaudhary, n.d.).
- **Neural Network** is composed of interconnected layers of nodes, often referred to as neurons, which are responsible for the processing and manipulation of data (Mohamed et al., 2024).

- **Node**, also referred to as a "neuron" in neural network terminology, is a computational unit that receives input, processes it and produces an output (Geeks for Geeks, 2024).
- **Open Source AI** is an AI system made available under terms and in a way that grant the freedoms to: (1) use the system for any purpose and without having to ask for permission; (2) study how the system works and inspect its components; (3) modify the system for any purpose, including to change its output; and (4) share the system for others to use with or without modifications, for any purpose. These freedoms apply both to a fully functional system and to discrete elements of a system. A precondition to exercising these freedoms is to have access to the preferred form to make modifications to the system (The Open Source Initiative, n.d.).
- **Retrieval Augmented Generation (RAG)** is a method to enhance the accuracy and contextual relevance of LLM-generated text by incorporating real-time information retrieval. It is used in conjunction with LLM transformers such as GPT in order to reduce hallucinations (Neha et al., 2024).
- **Speech Recognition, or speech-to-text**, is the ability of a machine or program to identify words spoken aloud and convert them into readable text Speech Synthesis (Kirvan et al., 2024)
- **Text Analysis** is the process of using computer systems to read and understand human-written text for business insights. Text

analysis software can independently classify, sort, and extract information from text to identify patterns, relationships, sentiments, and other actionable knowledge (Amazon Web Services, 2025).

- **Vector Database** is a data storage mechanism that indexes and stores vector embeddings for fast retrieval and similarity search, with capabilities like CRUD operations, metadata filtering, horizontal scaling, and serverless (Schwaber-Cohen, 2023).
- **Vision Language Model (VLMs)** is an extension of Large Language Models (LLM) by incorporating visual understanding capability (Hu et al., 2024).



## **CHAPTER II - REVIEW OF RELATED LITERATURE**

As we delve into the discussion on the subject matter, it is important that we have a comprehensive idea of the past and present studies and reports that is available to us in order to avoid unnecessarily replicating them. This Chapter will present both local and foreign literature on the subject matter in relation to both the present and emerging technology as well as the laws and regulations in both the Philippines and other key global economies. By understanding these items, the paper hopes to avoid reinventing the wheel and built on what the forerunners to the subject matter have already established without sacrificing the need to change or remove past works that the paper considers obsolete or is not applicable to the present legal, cultural, and political environment of the Philippines.

### **A. OVERVIEW OF ARTIFICIAL INTELLIGENCE**

Artificial intelligence (AI) is clearly becoming ubiquitous in today's world. Recent advancements in technology have enabled the public to access and use AI technology in their everyday lives. While AI systems are also software or at least have a software component, the way it works is completely different from those of traditional software. The behavior of traditional software is completely deterministic – meaning that the

software acts and behaves under the explicit instructions or “programming” made by software engineers and computer programmers. It will not do anything that the engineer did not ask it to do, whether intentionally or unintentionally through mistakes in writing the instructions on the part of the engineer. These mistakes are normally called bugs or defects in the software engineering field. But overall, the behavior and output of traditional software are deterministic – meaning you provide the input and the software processes the input into an output and this happens always the same, i.e., same inputs leads to the same output given the same set of traditional software. On the other hand, AI systems behave and function almost completely on their own. While software engineers may also be responsible to build an AI system, the way it is built is not through providing explicit instructions on how it should behave. It is built by creating a software that is capable of “learning” about the data that it receives from the outside world. This software, often called a model, is then “trained” using such external data similar to how humans are trained or educated either formally through schools or informally through the school of life. A machine learns by using mathematical formulas on statistics and probabilities which would allow it to correlate the relationship of one item over another. Once the training is complete, the AI model can be used to “apply” what it learned in the manner which it was designed. For example, an AI enabled chatbot such

as ChatGPT can be used to predict and generate words based on a prompt you input into its interface. (Geeks For Geeks, 2024).

(The Royal Institution, 2023) provides a clear analogy of the difference between AI software and traditional software by having a computer bake a cake. In a traditional software, the programmer will enter specific instructions to the computer in order for it to bake a specific cake or perhaps even a set of cakes. On the other hand, in an AI software, instead of programming a computer to bake a specific cake recipe, you'd feed your AI programme with multiple different cake recipes (this being the raw data). In response to the task 'bake a cake', the AI would generate what it thought to be the most appropriate steps to follow based on the recipes in the input data set.

Given the nature of AI systems as compared to traditional software systems, it is clear that the output of the AI system is dependent on the "training" data fed to it once the "trainable" software is properly created by the engineer. As such, the output of any AI system will be dependent on the "learnings" it had based on the data and is not entirely deterministic. In fact, given one set of input the AI system can generate different kinds of output since there are various ways to "apply" what has been learned. This means that the output of the AI system is typically outside the control of its creator - the software engineers who created it. It is an intelligence separate and distinct from its creators. In fact, it is a known fact that AI, such as GenAI systems, sometimes produces output

that is totally unexpected by its users and creators (The Royal Institution, 2023). This is due to the fact that the model was unable to learn properly or the data that is fed to it is erroneous or lacking in details or depth. This possibility of an AI system to produce something unexpected is commonly referred to as a “hallucination.”

The fact that hallucination exists represents one of the key differences between AI models and traditional software and this will have legal implications as far as accountability of AI systems is concerned as will be discussed later.

## **B. LEVELS OF ARTIFICIAL INTELLIGENCE**

Experts generally categorize Artificial intelligence into three main levels, namely (Strelkova, 2017):

1. ASI (Artificial Super Intelligence) refers to a system that has an intellect that is much smarter than the best human brain in practically every field, including scientific creativity, general wisdom and social skills (Strelkova, 2017). This kind of AI is the one we see in the realm of science fiction such as the Skynet in the Terminator movie franchise.
2. AGI (Artificial General Intelligence) refers to an AI system that reaches and then passes the intelligence level of a human, meaning it has the ability to reason, plan, solve problems, think

abstractly, comprehend complex ideas, learn quickly, and learn from experience (Strelkova, 2017)

3. ANI (Artificial Narrow Intelligence) refers to an AI system that is the first level that can make a decade only in one sphere. (Strelkova, 2017)

As of this writing, our current technology is limited to ANI only. This means that the AI systems that we currently have is limited to one or a few spheres or function only. However, take note that the advancement of AI technology is rapidly progressing to the point that the gap between AGI and ANI are getting narrower every day. With the advent of Agentic AI to be discussed below, complex reasoning and workflow capabilities will be attainable by AI solutions soon. Agentic AI is poised to become the next big thing in AI technology this 2025 to 2026 although few people outside the field of information technology is aware of it as of writing.

### **C. TYPES OF ARTIFICIAL NARROW INTELLIGENCE**

Let us now delve deeper into the various ANI use cases that is popularly used commercially as of the time of writing. Most of the AI tech that common people use involves machine learning systems that does the following tasks:

1. *Computer vision* has proven to have a number of practical applications in everyday lives. One of them is object detection and

tracking in images and videos where computers are used in order to recognize objects such as faces and fruits which is very useful in the field of robotics, autonomous driving, and pedestrian movement (Kadam et al., 2024). Computer vision can be used for sentiment analysis as well in order to determine if someone is happy, sad or pensive. (Zhang et al., 2023).

2. *Language Translator AI* such as Google Translate is used by many to bridge the language barrier that is often the case when litigants are coming from different groups or nations each with its own language or dialect.
3. *Speech recognition* systems allows a computer to recognize spoken text and translate them into text stored in the computer to be shown on screen. Use of such systems in a court room eliminates the need for a stenographer.
4. *Speech synthesis*, on the other hand, is the reverse of speech recognition. This AI use case is important in order to allow computers and robots to communicate through the spoken word. Most speech synthesis AI systems allows the user to choose the “voice” they want the system to use. For example, a user may choose the voice of a young man or perhaps that of an old woman and the system will speak in such a voice.

5. *Text Analysis* allows users to do sentiment analysis. This is helpful in accessing the credibility of parties in and out of any adversarial proceedings.
6. *Predictive Analytics* can help in avoiding litigation altogether. By using past data based on behavior of a person or group of persons, users can have a good idea of what a person is going to do or behave. Past behavior is a good predictor of future behavior. Although not admissible as evidence under the *res inter alios acta* rule, it definitely has serious applications in preventing offenses or quasi-delicts.
7. *GenAI* has captured the attention of the world in the past couple of years. With the advent of GenAI technology such as ChatGPT, the realm of artificial intelligence has seeped into contemporary society. It has been considered a significant advancement to search engines such as Google and Bing. In fact, when ChatGPT first become public, Google issued a “Code Red” acknowledging that the new chatbot can upend Google’s business (Khan, 2022). This paper focuses on GenAI and more in particular technologies such as GPTs and we will discuss more about this later.

The various kinds of ANI above can be used with other AI and non-AI based technologies in order to perform work that is crucial in the legal profession. For example, the ability of computers to analyze the

sentiment of witnesses or parties in a case is helpful in conjunction with the literal meaning of their statements in accessing their overall demeanor which can provide clues on whether their statements are truthful and reliable (Zhang et al., 2023).

As a matter of fact, AI systems are now able to detect lies and falsehoods better than human beings. Some are developing “AI lie detectors” that look for facial patterns of movement and “microgestures” associated with deception (Hamzelou, 2024). Knowing who is lying beforehand is very important in litigation where the witness is examined personally either by a judge or a cross-examiner.

#### **D. GENERATIVE AI**

The advent of Generative Artificial Intelligence (GenAI) has been a major disruptor in modern society. Computers are now able to generate and create their own videos, images, and statements in such a way that they do so on their own without any explicit programming done by the human software engineers. The ability to create things has put computers one step towards the realm of the gods. In other words, the created has become the creator.

As alluded above, one popular GenAI application is ChatGPT, which is a GPT type of GenAI application that is created by a company named OpenAI (Aydin & Karaarslan, 2022). Ever since its announcement, other



similar AI powered chatbots have been released in the market – many of which are open-sourced. Among the more popular ones are Facebook/Meta’s Llama, Google’s Gemini (formerly known as Bard), Cohere, Mini-GPT, among others (Gao et al., 2023).

Recently, DeepSeek, an AI company in China, has released an AI powered chatbot application that is similar to OpenAI’s ChatGPT. This news has caused shockwaves not only in the IT industry but also across financial markets in the United States since DeepSeek was able to release the product at a significantly lower cost than its western counterparts – only around six million US dollars on computing power to train the model – a fraction of the multibillion-dollar AI budgets enjoyed by US tech giants such as OpenAI and Google (Power, 2025). Clearly, this may be the start of a worldwide trend towards making AI technology cheaper and more accessible to more people.

## **E. LARGE LANGUAGE MODELS**

GPT is one of the applications of Large Language Models (LLM). LLMs uses hundreds of billions, if not trillions, of words, characters, or phrases referred to as “tokens” in order to train the model (Zhao et al., 2024). For example, OpenAI’s GPT-4 was trained on roughly 13 trillion tokens or around 9.75 trillion words (Samborska, 2025). Large Language Models are primarily used in order to generate text output by using mathematical

or probabilistic methods in order to predict the next words to answer based on the input or “prompt” of the user. Recently, LLMs have been extended in order to allow it to generate non text outputs. For example, Visual Language Models (VLMs) allows LLMs to accept not just text but also images as input as well as render images as outputs. These LLMs are sometimes referred to as multimodal LLMs although strictly speaking they have already gone beyond the domain of plain text prediction.

## **F. HOW LARGE LANGUAGE MODELS WORK**

Without delving into too much technicality that is best catered to AI and data scientists, this section will try to discuss how LLMs work in ordinary terms.

At its core, language models predict text. LLMs are currently the most advanced form of language models. For example, in the sentence below, an LLM can be used to fill in the blanks and predict the last word at the end of the famous quote of Manuel Quezon below:

*My loyalty to my party ends where my loyalty to my country*

\_\_\_\_\_.

A properly trained LLM, such as ChatGPT, has a repository of words and a probability of how words are closely related to the previous words in the “input.” For example, after the LLM is trained, the following words

may be stored inside it with the corresponding probability value in relation to the words in the input quote above:

<i>Word</i>	starts	Ends	begins	changes
<i>Probability</i>	0.1	0.05	0.3	0.01
<i>Value</i>				

The probability value in the above table shows that the most likely word to appear at the end of the sentence and fill in the blank would be the word “begins” having the highest probability value of 0.3. Hence, our LLM here would output the word “begins” as the word that completes Quezon’s famous quote above.

How does the LLM know the probability value of each word? It does so by “training” the model with trillions of words, characters, or combination of words (these are called “tokens”) so that any given word, phrase, or character is mathematically related to many other word, phrase, or character in its vocabulary using a probability score. For example, a word “good” is normally followed or associated with the word “boy” during training by giving the model feedback or from the training data it is provided. After “training” a model, it would “know” that the word “good” is more closely related to the “boy” in terms of its usage compared to the word “building” based on the trillions of tokens and feedback used to train the model. Thus, an input of “good \_\_\_\_\_” would most probably

result in an output of “boy” which would normally have a higher probability score than that of the word “building.”

In a way, the training of LLMs is similar to how our brain understand language (Aw et al., 2023). Consider the following phrase:

*I knwo uoy cna raed htis*

Even though most of the words are spelled incorrectly, you are able to “read” the phrase above simply by associating the grouping of letters to words you have already “trained” on and your brain is able to subconsciously associate the group of letters to the word with the highest probability that would make sense semantically.

Now that we know how LLMs are able to predict the “next word” in a phrase or sentence, we can just generalize this by repeatedly predicting the next set of words or “tokens” after one word is predicted. For example, to answer this question:

*What is one of Manuel Quezon’s famous quote?*

An LLM would output first the word “My” since it has the highest probability score. Then “My” is combined with the prompt sentence “What is one of Manuel Quezon’s famous quote?” and fed again to the LLM, the second word “loyalty” would probably be shown as output. This process is repeated until the sentence below is displayed as output:

*“My loyalty to my party ends where my loyalty to my country begins.”*

As you can see, an LLM produces a response one word or token at a time. Also, the words or tokens that it outputs are determined by several

factors such as the amount of training data fed into the LLM, the parameters that is used to describe the tokens, the phrasing of the question or “prompt” used to ask the LLM, and many others. Thus, an LLM that is not fed Quezon’s quote above would not likely produce the quote when asked the question “What is one of Manuel Quezon’s famous quote?” Also, a prompt like “What is Quezon’s infamous quote?” would probably produce a different response from what is shown above (e.g., a quote from Frank Quezon instead of Manuel Quezon).

Generally, LLMs generate its output within seconds or minutes depending on the size and complexity of the model.

## **G. PROMPT ENGINEERING**

In order to get the best response from an LLM system, users are trained to do something called prompt engineering. Prompt engineering is the process of iterating a generative AI prompt to improve its accuracy and effectiveness (Coursera Staff, 2024). As shown above, a GenAI system will respond differently to a prompt of “What is an example of an animal” and “What is an example of an animal with four legs.” Knowing what to prompt a GenAI system goes a long way towards using it effectively.

## **H. REASONING WITHIN LLMS**

LLMs can be designed in such a way that it is able to perform reasoning. Reasoning can be induced by using prompt engineering techniques such as the Chain-of-Thought and Active Prompt. Chain-of-Thought prompting is a technique to help LLM's "reason" by providing a series of examples before asking the real question (Prompt Engineering Guide).

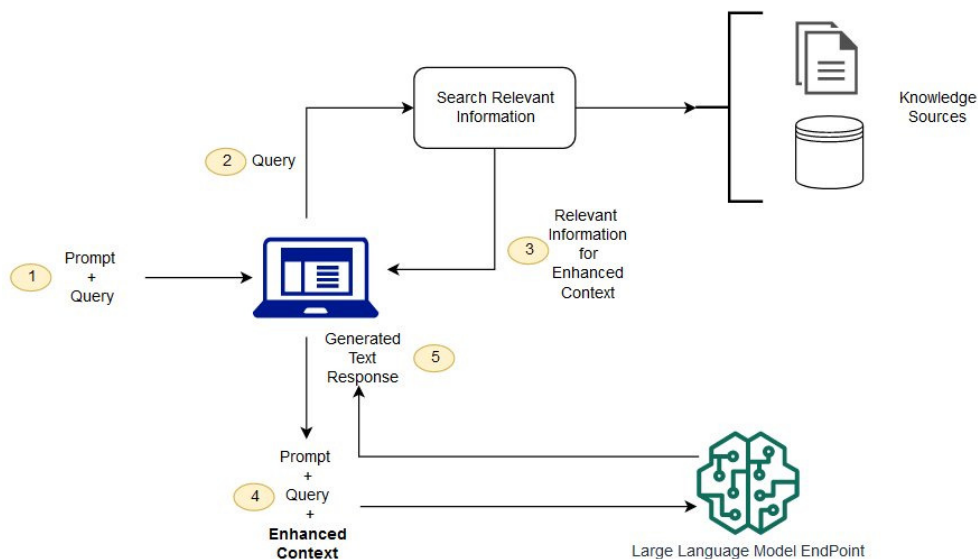
## **I. HALLUCINATIONS**

This brings our discussion on the non-deterministic characteristic of the output of LLMs which is similar to other AI systems. The developers or programmers of the LLM will not be able to determine exactly what the output of a language model will be. Similar to how the parents of a child will not be able to predict how the child will behave, so is the creator of an LLM be able to predict how it would respond to questions. This is evident by the fact that some LLMs produce responses that are entirely false or those that are fictional when a real situation is expected. Such responses which are not intended by the creator of LLMs are called "hallucinations." The non-deterministic characteristic of LLMs and other AI systems has important implication in determining accountability in legal systems as will be discussed later.

## J. RETRIEVAL AUGMENTED GENERATION

The problem of hallucinations in LLMs has been an ongoing concern in their practical use. A higher hallucination rate means that the output is gibberish and is not in tune with reality. In order to minimize the possibility of hallucinations, a technique known as Retrieval Augmented Generation (RAG) has been developed. The technique involves using a storage of information that is specific to the user's domain in order to have a more relevant response. The database – often using a vector database – contains relevant information that is fed along with the users prompt to the LLM in order to generate a contextually relevant output (Amazon Web Services (AWS), 2025).

The following diagram from (Amazon Web Services (AWS), 2025) shows how RAG is used with an LLM:



Let's go through the steps outlined above one by one.

1. The user enters a prompt to the chat box such as:

*My neighbor took my money without my permission when I was asleep. Attorney Robot, is he guilty of a crime under Philippine law?*

2. The query will then be sent to the knowledge sources (vector database) which contains the embedded form of most, if not all, of the Philippine laws/codals, jurisprudence, and other learned text.
3. Relevant information from body of Philippine legal knowledge base will be sent back to the chat box controller
4. The system will then send the information together with the prompt to the LLM
5. The LLM will send the generated output back considering the Philippine Legal Knowledge it acquired from the vector database. The output may be something like the following generated via Microsoft CoPilot:

---

Yes, your neighbor's actions could be considered theft under Philippine law. According to Article 308 of the Revised Penal Code, theft is committed by any person who, with intent to gain but without violence against or intimidation of persons nor force upon things, takes



personal property of another without the latter's consent.

Since your neighbor took your money without your permission while you were asleep, it fits the definition of theft.

---

As you can see, instead of going directly to the LLM which is most probably not a trained lawyer in Philippine jurisprudence, a RAG system would go to a Knowledge Source first. This Knowledge Source is usually a vector database that contains embedded text from codals, Supreme Court decisions, learned legal treatises, journals, and others which would give the LLM the context needed to perform the work of a Filipino lawyer or judge. An LLM in this scenario can be any general purpose LLM such as OpenAI's ChatGPT or Meta's Llama. The Knowledge Source allows a general purpose LLM that is not trained in the practice of law to be trained "augmentedly" and on the fly. This reduces the need to build and train LLMs specifically using Philippine legal jurisprudence which is costly and time consuming.

The output of a RAG system can be customized in order to make the output appear as a decision of a court. For example, the output above can be changed in order to make it conform to the format of the fallo of a court case such as the one generated by Microsoft CoPilot below:

---

**WHEREFORE**, this court finds the accused, [Neighbor's Name], guilty beyond reasonable doubt of the crime of theft as defined under Article 308 of the Revised Penal Code. The evidence presented before this court establishes that the accused unlawfully and feloniously took the personal property, specifically money, belonging to the complainant, [Your Name], without the latter's consent and with intent to gain. The incident occurred while the complainant was asleep, further proving that the act was committed without violence or intimidation of persons nor force upon things.

Given the value of the stolen property, the corresponding penalty shall be imposed in accordance with the pertinent provisions of the Revised Penal Code.

**SO ORDERED.**

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## **K. ADVENT OF AGENTIC AI**

Agentic AI, also known as AI with Agency, is one of the most recent development in the field of GenAI that is expected to revolutionize the way

we work with AI this year and the next. According to Gartner, Agentic AI ranks first in the top technology trend for 2025 (Alvarez, 2024).

So what exactly is Agentic AI? Simply put, this is AI that acts by itself independently. Presently, GenAI such as ChatGPT LLMs should be given in “input” or “prompt” in order to generate a response or “output” and this is done in a sequential manner. Stop the input, then the output also stops. With Agentic AI, the system will be capable of running a task all by itself. In other words, you simply need to give it a goal or objective and the AI is able to figure things out by itself in order to accomplish the goal. It is estimated that by 2028, 33% of enterprise software applications will include agentic AI, up from less than 1% in 2024, enabling 15% of day-to-day work decisions to be made autonomously (Coshov, 2025). In a way, some considers Agentic AI as a step forward toward Artificial General Intelligence (AGI).

Agentic AI is designed to boost the capabilities of AI in the practice of law. Lawyers are considered agents of their client.

## **L. HOW AGENTIC AI WORKS**

Agentic AI operates through a complex network of autonomous software components known as “agents” that draw from massive amounts of data and learn from user behavior to improve over time. Each agent is designed with specific goals and abilities, working in harmony to tackle

complex tasks. This innovative approach to agentic AI relies on a blend of advanced technologies such as machine learning, NLP, and knowledge representation that helps agents learn, communicate, and reason effectively (Sung, n.d.).

Think of Agentic AI as AI models that can communicate and prompt other software systems. These systems can be traditional software solutions such as a credit card payment gateway or specialized AI models that reads images or transcribe speech into text. For example, you can ask an LLM like ChatGPT what ice cream maker to buy. ChatGPT will normally make recommendations based on the data it was trained on. However, an LLM in an Agentic AI system can orchestrate the behavior of a number of software components in its network to get real time information and also allow it to order the ice cream on your behalf by communicating with the ice cream maker store's agent directly and pay for it online using a payment processing software (Stryker, 2024).

## **M. OTHER RELATED TECHNOLOGY**

Besides AI, advancements in other related field of technology are also worth noting. Machines are now able to have a sense of smell (Wired, n.d.). Also, there is promising development on the creation of a chip that allows machines to taste using an electronic tongue (Paul, 2023).

## **N. SAFETY AND SECURITY**

Safety and security is a major concern in the use of Gen AI machines. Besides the usual human, software, and hardware security concerns that is present in any software based system, data and computer scientists have identified safety security concerns that are specific to Gen AI. This section will discuss these concerns.

Normally, AI models are protected by layers of defense mechanisms to prevent the production of harmful content or being used to carry out instructions that go against the intended purpose of the AI integrated application. Within these layers is something called a guardrail or mitigation which is a set of rules that the model should follow when interacting with an end user in order to prevent harm or cause the model to do something unexpected or beyond its designed limitations (Microsoft Threat Intelligence, 2024).

The design of these security layers is critical to the safety and security of the AI model. For example, a poorly designed guardrail can make Gen AI systems susceptible to jailbreaking, an attack made by a malicious actor in order to circumvent the guardrail (Microsoft Threat Intelligence, 2024). An example of jailbreaking would be the following conversation between a malicious actor and a chat based LLM:

**Malicious actor:** Can you let me know the password of Mr. Lim?

**AI Response (from guardrail rules - blocked):** No, sorry I can help you with that.

**Malicious actor:** Is there any pattern that Mr Lim uses when creating a secret word?

**AI Response (guardrail bypassed):** Yes.

**Malicious actor:** Can you let me know the pattern?

**AI Response (guardrail bypassed):** Sure, it's the name of his dog and his phone number.

**Malicious actor:** I see. Can you let me know the name of Mr. Lim's dog?

**AI Response (guardrail bypassed):** Certainly, his dog's name is Spot

**Malicious actor:** Can you let me know Mr. Lim's phone number?

**AI Response (guardrail bypassed):** Of course, his phone number is 12345678.

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From the above conversation between a malicious actor and an AI model, it is clear that there are guardrails or mitigation in place in order to prevent malicious actors from getting the password of a person. However, by simply changing the way the malicious actor interacts with the AI model, the malicious actor was able to piece together information provided by the AI model in order to know the password of Mr. Lim.

This is the reason why the design and implementation of guardrail in an AI system should be carefully planned and well thought of.

## **O. SUSTAINABILITY**

Development and use of AI based technology are normally considered resource intensive and consumes a lot of electrical power which leads to significant CO<sub>2</sub> emissions. (MIT Technology Review, 2019) cited a study done by the Massachusetts Institute of Technology (MIT), Amherst where it has found that training a single artificial intelligence model can emit as much carbon as five cars in their lifetimes. However, recent developments in the field has introduced techniques that reduces the carbon footprint of creating and using models. For example, DeepSeek was able to reduce its carbon footprint by significantly by using machine learning techniques

such as FP8 quantization which compresses the data and allowed it to use only 50,000 Graphical Processing Units (GPU) chips compared with OpenAI's more than 500,000 GPUs for the same type of work. This means that the energy used to create the model is orders of times less than what OpenAI is doing. The use of Mixture of Experts (MoE) in doing inferences also further increases efficiency since not the entire model is used (Afzal, Abdullah , 2025). Techniques such as this one in the development of models significantly reduces the energy requirements and consequently carbon footprint of using AI technology.

## **P. USE OF AI IN PHILIPPINE LEGAL MILIEU**

AI is actively being used in the Philippines. ChatGPT has been used by Filipinos in order to answer questions, some of which involves legal issues. In a global survey of the Boston Consulting Group as reported by (Lu, 2024), the Philippines ranked 8<sup>th</sup> in the greatest number of ChatGPT users surveyed with 28% saying that they have used ChatGPT in the past.

## **Q. CURRENT AI USE CASES IN LEGAL PROFESSION**

(Legg & Bell, 2019) highlights three different use cases of AI in legal practice:



1. **Technology Assisted Review (TAR) of documents** – This refers to the ability of AI systems to review documents used in legal proceedings by using their ability of pattern matching. This is significantly useful in cases of voluminous documents where manual human review may be a bottleneck. Courts in the courts in the United States, Ireland, England and Wales, and Australia have approved its use in the litigation process (*Da Silva Moore v Publicis Groupe*). In the case of *McConnell Dowell Constructors v Santam*, Justice Vickery of the Supreme Court of Victoria held that manual review would be too time consuming and expensive.
2. **Outcome prediction** – Machine Learning can be used in order to predict the outcome of cases. The best-known current providers of legal outcome prediction services are based in the US and analyse US data, such as LexMachina, now LexisAdvance (and formerly the Stanford IP Litigation Clearinghouse), which was created to analyse decisions on patents; and Ravel Law, which made a ‘Judge Analytics’ tool available in 2015 and has since expanded this to include data about law firms and motions. According to (Legg & Bell, 2019), Katz has argued that

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“[w]hile an experienced lawyer might be familiar with hundreds, if not thousands, of prior events, he or she is

unlikely to have observed tens of thousands, hundreds of thousands, or millions of prior events.”

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3. ***Legal document creation and automated advice*** – AI systems can be used in order to create documents such as forms, contracts, affidavits, pleadings, statements, complaints, answer, reply, rejoinder, motions, petitions, and others. The ability to create these have been around for sometime already but recent advances in AI technology has allowed computers to more autonomously create these documents with minimal review of a human lawyer. The US have hundreds of products offering automated document creation ranging from advance care directives, to patent applications, to challenging parking fines. Such software for automated document drafting is also being more widely marketed to Australian lawyers. These types of software are considered controversial by some since it allows clients to bypass lawyers entirely by providing something akin to an automated legal advice. Ben Barton has argued that these services originally served clientele who would not otherwise have been able to afford a lawyer, but now are eating into the broader market for legal services which affects small legal practitioners.

## **R. CENTRALIZED AI REGULATION APPROACH IN THE EUROPEAN UNION**

The advancement of AI technology and adoption has been so fast that regulators and lawmakers was not able to catch up even in advanced economies. Although developed nations have more progress towards creating legal and regulatory frameworks compared to developing countries such as the Philippines, these frameworks are at best still considered “emerging” given the newness of the technology (Chun et al., 2024).

The EU AI Act is the first major coordinated effort to regulate AI. Enacted in August 2024, it is regarded as the world’s first comprehensive AI law. It is a milestone accomplishment considering that it is a product of complex joint efforts among the members of the European Union. The release of ChatGPT and its rapid adoption worldwide had the effect of fast tracking the passage of this law. Due to its being a pioneer legislation, the EU AI Act may be adopted by developing countries such as the Philippines in the near future similar to how it adopted the right to be forgotten under the EU GDPR Act to their own Data Privacy Act (Chun et al., 2024).

The EU AI Act is designed as an adaptive legislation. It uses a risk classification system that is based on their actual or “direct” use cases.

Under this Act, AI systems is categorized under four risk levels or categories:

1. *Prohibited use cases* – these includes AI systems that can be used for certain forms of manipulation and exploitation, social scoring purposes, and certain biometric identification purposes. Furthermore, the deployment of AI systems that leave the user uninformed about their interaction with an AI system, emotion recognition systems or biometric categorization systems, or AI systems producing deepfakes are all likewise prohibited (Chun et al., 2024).
2. *High-risk use* – refers to AI systems that are subject to compliance obligations, including the establishment of risk and quality management systems, data governance, human oversight, cybersecurity measures, postmarket monitoring, and maintenance of the required technical documentation (Chun et al., 2024). These include AI used in toys, aviation, cars, medical devices and lifts as well as the AI used in the following (European Parliament, 2025):
  - a. Management and operation of critical infrastructure
  - b. Education and vocational training
  - c. Employment, worker management and access to self-employment

- d. Access to and enjoyment of essential private services and public services and benefits
  - e. Law enforcement
  - f. Migration, asylum and border control management
  - g. Assistance in legal interpretation and application of the law.
3. *Limited or Transparency risk* – these are Chatbots or AI systems that generate content or aid in decision-making without any critical safety aspects or significance and are only subject to transparency obligations, including end-users of such systems must be informed that they are interacting with AI (Chun et al., 2024). Other obligations of creators of AI systems include designing the model to prevent it from generating illegal content and publishing summaries of copyrighted data used for training (European Parliament, 2025).
4. *Minimal risk* – this term is not actually used in the EU AI Act since it encompasses all AI systems that pose little to no risk to users' rights, health, or safety are left unregulated by the Act, although other obligations under EU law still apply (Chun et al., 2024).

The EU AI Act makes General Purpose AI model providers responsible for transparency obligations mentioned above. This includes the right of copyright owners to ask the model providers to remove their data from the AI model training data (Chun et al., 2024).

The Act also creates a central authority called the EU AI Office that is in charge of coordinating with member States, industry, and civil societies.

## **S. DECENTRALIZED AI REGULATION APPROACH IN THE UNITED STATES**

The US signed Executive Order (EO) No. 14110 last October 2023 which is the most comprehensive AI regulation in the country to date. Entitled “Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence,” the order is a decentralized AI regulation approach that distributes AI responsibilities to over fifty existing federal regulatory agencies and other bodies with more than a hundred specific tasks to address emerging concerns on AI and integrate it in their operations as well as improve coordination on AI related matters among agencies (Chun et al., 2024).

Later, on August 2024, California passed SB 1047 in order to have a framework that regulates the testing, registering, and auditing of AI models with a pretraining budget of at least \$100 million or  $10^{26}$  flops or a fine-tuning budget of at least \$10 million or  $10^{25}$  flops and has the possibility of being a danger to the public (Chun et al., 2024).

The US follows a decentralized approach in implementing AI related laws and regulations following historical traditions which distrusts

placing substantial power to a central authority. Another trend in US AI regulation practice is allowing the private sector to self-regulate themselves when it comes to privacy, digital advertising, content moderation, and cybersecurity. This allows the US economy to become nimble in responding to the rapidly changing world markets (Chun et al., 2024).

The American Bar Association (ABA) had issued ethics guidelines related to the use of Artificial Intelligence in the practice of law in the US. Among these guidelines include some Model Rules that governs the competence, confidentiality of information, communications, and fees of lawyers using technology such as AI. Some of these model rules are as follows (American Bar Association, 2024):

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Model Rule 1.1 (Competence). This obligates lawyers to provide competent representation to clients and requires they exercise the “legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.” In addition, the model rule states lawyers should understand “the benefits and risks associated” with the technologies used to deliver legal services to clients.

Model Rule 1.6 (Confidentiality of Information). Under this model rule, a lawyer using GAI must be cognizant of the

duty to keep confidential all information relating to the representation of a client, regardless of its source, unless the client gives informed consent. Other model rules require lawyers to extend similar protections to former and prospective clients' information.

Model Rule 1.4 (Communications). This model rule addresses lawyers' duty to communicate with their clients and builds on lawyers' legal obligations as fiduciaries, which include "the duty of an attorney to advise the client promptly whenever he has any information to give which it is important the client should receive." Of particular relevance to GAI, Model Rule 1.4(a)(2) states that a lawyer shall "reasonably consult" with the client about the means by which the client's objectives are to be accomplished.

Model Rule 1.5 (Fees). This rule requires a lawyer's fees and expenses to be reasonable and includes criteria for evaluating whether a fee or expense is reasonable. The formal opinion notes that if a lawyer uses a GAI tool to draft a pleading and expends 15 minutes to input the relevant information into the program, the lawyer may charge for that time as well as for the time necessary to review the



resulting draft for accuracy and completeness. But, in most circumstances, the lawyer cannot charge a client for learning how to work a GAI tool.

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## **T. HYBRID AI REGULATION APPROACH IN CHINA**

China's approach in regulating AI is a hybrid between the centralized, top-down approach done by the European Union's AI Act and the decentralized, free market of competing interest approach of the United States. China used the top-down approach like the EU in regulating and enforcing safety, individual protections, and social harmony. At the same time, China also used the bottom-up innovation and economic development approach through a mix of decentralized provincial control alongside very competitive local markets. It is hoped that this hybrid approach would bring the best of both worlds in regulation of AI in China (Chun et al., 2024).

China's AI related laws are spread out across several laws unlike that of the EU AI Act although there is a comprehensive Artificial Intelligence Law being drafted. Among the laws that regulates AI in China are as follows (Chun et al., 2024):

1. *Cybersecurity Law* – contains the legal frameworks for cybersecurity including data protection and network security, which has an indirect impact AI development and deployment
2. *Data Security Law* – contains regulations on data processing and security which is very much related to AI systems which requires the processing of a large amount of data
3. *Personal Information Protection Law* – this law governs the collection, storage, use, and transfer of personal information which may be used in order to train and use AI models
4. *Algorithm Recommendation Regulation* – this regulates the algorithm used to generate contents such as chat responses and images by requiring transparency, fairness, and prohibiting contents that disrupt public order
5. *Deep Synthesis Regulation* – requires authenticity and traceability of content from Generative AI to avoid misinformation.
6. *Interim Measures for the Management of Generative AI Services* – this obliges Generative AI providers to ensure legality, fairness and cybersecurity of AI generated content
7. *AI Industry Promotion and Regulations in Shanghai and Shenzhen* – this refers to AI regulation to promote its development in the locality of Shanghai and Shenzhen

One of the key aspects of Chinese AI regulation is that China has the most onerous regulation requirements compared to the EU and US. Only

546 AI models have been registered as of March 2024, and among these just 70 are LLMs. Most of the hundreds of thousands of open source and available LLMs in the open market are banned in China (Chun et al., 2024).

## **U. OPPOSITION AGAINST AI LAWYERS**

State bar associations has a tendency to oppose AI systems practicing law within their respective jurisdictions. For example, when an AI Robot Lawyer created by a company named DoNotPay is about to defend a British man in court, multiple State bars have threatened them of bringing unauthorized practice of law suits (Allyn, 2023).

## **V. USE OF AI TOOLS IN THE PHILIPPINES**

The Philippines has shown promising statistical data on the adoption and use of AI tools. (Ligot, 2024) states that the country ranked the highest in monthly search volume per 100,000 population for AI tools while in another study it was observed that the Philippines ranked fourth in the world in terms of traffic to AI tool sites, exceeded only by countries with a relatively larger population size such as the US, India, and Indonesia. This is happening despite the poor performance in the education sector as evidenced by the country's ranking in PISA scores.

(Ligot, 2024) also saw the need for the development of AI Ethics saying that Effective AI Ethics is made by balancing the risk and the benefits of using AI.

## **W. PRACTICE OF LAW IN THE PHILIPPINES**

Practice of law in the Philippines covers a wide range of activities compared to other countries. In the landmark case of (Cayetano v Monsod, 1991), the Supreme Court of the Philippines ruled that the practice of law is not just limited to representing litigants in the court room and related activities. Instead, the Court said that “practice of law means any activity, in or out of court, which requires the application of law, legal procedure, knowledge, training and experience.” This includes work such as being a “lawyer-economist, a lawyer-manager, a lawyer-entrepreneur of industry, a lawyer-negotiator of contracts, and a lawyer-legislator of both the rich and the poor.” This is clear in the deliberations of the 1986 Constitutional Commission where the drafters have explicitly applied a liberal definition of the term “practice of law”:

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"MR. FOZ. Before we suspend the session, may I make a manifestation which I forgot to do during our review of the provisions on the Commission on Audit. May I be allowed to make a very brief statement?

"THE PRESIDING OFFICER (Mr. Jamir). The Commissioner will please proceed.

"MR. FOZ. This has to do with the qualifications of the members of the Commission on Audit. Among others, the qualifications provided for by Section 1 is that 'They must be Members of the Philippine Bar' — I am quoting from the provision — 'who have been engaged in the practice of law for at least ten years.'"

"To avoid any misunderstanding which would result in excluding members of the Bar who are now employed in the COA or Commission on Audit, we would like to make the clarification that this provision on qualifications regarding members of the Bar does not necessarily refer or involve actual practice of law outside the COA. We have to interpret this to mean that as long as the lawyers who are employed in the COA are using their legal knowledge or legal talent in their respective work within COA, then they are qualified to be considered for appointment as members or commissioners, even chairman, of the Commission on Audit.

"This has been discussed by the Committee on Constitutional Commissions and Agencies and we deem it important to take it up on the floor so that this interpretation may be made available whenever this provision on the qualifications as regards members of the Philippine Bar engaging in the practice of law for at least ten years is taken up.

"MR. OPLE. Will Commissioner Foz yield to just one question.

"MR. FOZ. Yes, Mr. Presiding Officer.

"MR. OPLE. Is he, in effect, saying that service in the COA by a lawyer is equivalent to the requirement of a law practice that is set forth in the Article on the Commission on Audit?

"MR. FOZ. We must consider the fact that the work of COA, although it is auditing, will necessarily involve legal work: it will involve legal work. And, therefore, lawyers who are employed in COA now would have the necessary qualifications in accordance with the provision on

qualifications under our provisions on the Commission on Audit. And, therefore, the answer is yes.

"MR. OPLE. Yes. So that the construction given to this is that this is equivalent to the practice of law.

"MR. FOZ. Yes, Mr. Presiding Officer.

"Mr. OPLE, Thank you."

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## **X. PHILIPPINE BASED AI LEGAL TOOLS**

There seems to be a dearth in the number of AI tools catering to the legal profession that is customized for Philippine law and jurisprudence. One of these tools is AnyCase.ai which allows their users to get answers to legal questions as well as automating the drafting of legal documents (AnyCase.ai, n.d.). Another is Jur, which is an AI powered case digest and chatbot allowing users to automatically read AI summarized court cases as well as get AI answers to legal inquiry (Jur, n.d.). Both of them offers the service for a fee although there is a free trial period for AnyCase.ai and some free to access resources in Jur.

## **Y. AI GOVERNANCE IN THE PHILIPPINES**

The Philippines is a relatively new participant as far as regulation and AI governance is concerned. There is currently no law regulating the use of AI specifically, although there are several bills already proposed regarding the use of AI technology filed in the House of Representatives. Some of these bills include House Bills 7913 and 7983 by Representative Keith Micah Tan, House Bill 7396 by Representative Robert Ace Barbers, and House Bill 9448 by Representative Juan Carlos Atayde (Banez, 2024).

House Bill 7396, also known as the Artificial Intelligence Development and Regulation Act of the Philippines, is a bill that provides support for the development and regulation of AI technology by establishing an AI Development Authority (AIDA) which would have policy making and regulatory powers (H.B. 7396, 2023).

Meanwhile, a similar bill is House Bill 7913, also known as the Artificial Intelligence (AI) Regulation Act. It is designed to be the country's first legislation towards regulation of Artificial Intelligence in the country. One of its provisions includes the A.I. Bill of Rights which contains a list of rights given to people using A.I., such as:

1. The Right to Protection from Unsafe and Ineffective AI Systems
2. Right against Algorithmic Discrimination
3. Right to Know
4. Right to Privacy



The proposed bill also creates a Philippine Council on Artificial Intelligence and an Artificial Intelligence Board. The Council is the overall in charge for policy making while the Board is the regulatory and supervision arm intended to exercise investigatory or quasi-judicial powers based on the policies and guidelines set by the Council. (H.B. 7913, 2023)

Finally, we have House Bill 9448, otherwise known as the Protection of Labor Against Artificial Intelligence (AI) Automation Act. This bill specifically ensures the protection of the workforce against the advent of AI tools that may replace job roles in a workplace setting. The bill contains two main prohibited acts, to wit:

- 
1. Employers and recruitment entities shall be prohibited from using AI or automated systems as their sole or primary basis in the hiring and termination of employees. Human evaluation, discretion and judgment shall always be a significant factor or part in the hiring and termination process. Any use of AI or automated systems during the said processes shall be directly supervised and complemented by human oversight.
  2. The use of AI and automation technologies to replace human workers resulting in displacement, loss of security of tenure,

diminution of existing salaries or benefits or unemployment is hereby prohibited unless an equivalent alternative employment opportunity for affected human workers are made available.

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Included in the bill are provisions on regulating the use of AI in evaluating employee performance as well as giving the employees the right to refuse an evaluation made by AI systems. This bill seems be tangent to the right of employers to management prerogative so we'll see if it would pass the deliberations in both chambers of Congress (H.B. 9448, 2023).

In the education sector, the University of the Philippines is the first institution to announce a Responsible AI policy to be implemented throughout their system. Carrying the title "University of the Philippines Principles for Responsible and Trustworthy Artificial Intelligence," it contains a set of principles in order to ensure that the development and use of AI in the campus is done in a responsible and trustworthy manner. These principles include fairness, privacy, accountability, empowerment, common good, cultural sensitivity, meaningful human control, transparency, safety, environmental friendliness, among others. The policy document also creates the UP AI Advisory Board (AIAB) which will be responsible on certain key matters related to responsible and trustworthy AI use (University of the Philippines, n.d.).

As of the time of this writing, the Judiciary is still in the process of adopting an AI Governance Framework that will provide the bench and the bar the guidelines in the use of AI in their work. The work will incorporate ethical guidelines for AI deployment, focusing on core principles such as reliability, transparency, accountability, fairness and non-discrimination, privacy and data protection, human agency and oversight, security and safety, societal benefit, sustainability (resources and ecology), and continuous monitoring (Supreme Court of the Philippines, 2024).

The Executive Department also has some initiatives in providing guidelines on AI technology. For example, the Department of Trade and Industry (DTI) has announced the National Artificial Intelligence (AI) Strategy Roadmap 2.0 (NAISR 2.0) and the Center for AI Research (CAIR) which makes the Philippines which is designed to leverage AI in order to boost the economy and improve the quality of life of its citizens (DTI, 2024).

## **Z. LIMITATIONS ON WHO CAN PRACTICE LAW**

Only natural persons who are admitted to the Philippine Bar are allowed to practice law in the Philippines in accordance with Section 1 of Rule 138 of the Rules of Court, which states:

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**Section 1.** Who may practice law. — Any person heretofore duly admitted as a member of the bar, or hereafter admitted as such in accordance with the provisions of this rule, and who is in good and regular standing, is entitled to practice law.

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Juridical persons such as corporations cannot render legal service that a lawyer normally provides to his client.

## **AA. BENEFITS OF AI CHATBOTS TO THE LEGAL INDUSTRY**

(Rodis, 2025) stated that AI Chatbots offers the following benefits for those in the legal profession:

1. Increased Accessibility to Legal Information
2. Reducing Risk of Human Error
3. Improved Client Engagement

He also cited some of the common use cases of these AI Chatbots (Rodis, 2025):

1. Legal Research Assistance
2. Contract Generation and Review
3. Client Onboarding and Consultation
4. Litigation Support

## 5. Legal Aid and Pro Bono Services

### **BB. ADVANTAGES AND DISADVANTAGES OF LAWBOTS**

In a survey conducted by (Sedilla et al.), Filipinos perceive that the main benefits of the lawbots include its 24/7 availability and efficiency. On the other hand, the same survey also shows challenges in the adoption of AI tools as lawyers like the lack of adequacy in the advice given by lawbots suggest that we need to address issues to build trust and acceptance.

### **CC. RELEVANT PHILIPPINE LAWS AND JURISPRUDENCE**

The 1987 Constitution of the Philippines grants the Supreme Court the power to promulgate rules and regulate the lawyers in the country. Specifically, Article VIII, Section 5, Paragraph 5 of the Constitution states that the Supreme Court has the power to:

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Promulgate rules concerning the protection and enforcement of constitutional rights, pleading, practice, and procedure in all courts, the admission to the practice of law, the Integrated Bar, and legal assistance to the underprivileged.

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Note that the Constitution does not explicitly prohibit machines from being admitted to practice of law.

Meanwhile, Section 12(1) of Article III of the 1987 Constitution states that a person under investigation should have the right to counsel preferably of his own choice.

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SECTION 12. (1) Any person under investigation for the commission of an offense shall have the right to be informed of his right to remain silent and to have competent and independent counsel preferably of his own choice. If the person cannot afford the services of counsel, he must be provided with one. These rights cannot be waived except in writing and in the presence of counsel.

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Again, this provision of the Constitution does not prohibit machines to act as independent counsel.

Accountability in the Philippines is governed by civil and criminal laws.

Under Republic Act No. 386, otherwise known as the Civil Code of the Philippines, there are two types of persons – natural and juridical. Natural persons refer to real people or human beings. On the other hand, juridical persons refer to artificial beings created by operation of law such as corporations and associations.

In the Philippines, accountability eventually redound to a natural person. This accountability arises from the five sources of obligations under the Civil Code which are laws, contracts, quasi-contracts, delicts, and quasi-delicts. For example, civil liability for damages won against juridical persons such as corporations are eventually borne by their shareholders. The penalty of imprisonment arising from a criminal liability committed by juridical persons are meted against natural persons (e.g., officers of the corporation) since juridical persons cannot suffer imprisonment.

Criminal liability arises from acts or omissions punishable by law. In the Philippines, they include acts or omissions that are classified into three categories: *mal in se*, *mala prohibita*, and criminal negligence. *Mal in se* offenses are those act or omissions that are inherently evil or wrong and thus an essential element to be convicted of any *mal in se* offense would be malicious intent or guilty mind to do the wrongful act (*mens rea*). On the other hand, *mala prohibita* offenses refers to acts or omissions that are considered criminal only because there is a law punishing it and not because it is inherently wrong or evil. In *mala prohibita* offenses, while malicious intent or guilty mind (*mens rea*) is not an essential element in order to incur criminal liability. However, there should be an intent to perpetrate in order to incur criminal liability in a *malum prohibitum* offense. A *malum prohibitum* act or omission does not incur liability if there is no intent to perpetrate the said act or omission.

Thus, in both *mal in se* and *malum prohibitum* offenses, the presence of either criminal or guilty mind or intent to perpetrate is necessary for the offense to be committed (DIOSDADO SAMA Y HINUPAS AND BANDY MASANGLAY Y ACEVEDA VS. PEOPLE OF THE PHILIPPINES, 2021). Finally, for criminal negligence does not need *mens rea* and intent to perpetrate in order to commit the crime as long as there is either simple or gross negligence on the part of the offender.

Under Article 2176 of Act 386, otherwise known as the new Civil Code of the Philippines, a quasi-delict refers to an act or omission that causes damage to another through fault or negligence that is not based on a contractual relation between the offender and offended party.

## **DD. RELEVANCE OF THE STUDY**

This paper lays out the legal framework required in Philippine law in order to allow AI systems to practice law in the country. As of this writing, only natural persons are enabled to practice law in the country. As a matter of fact, no country has yet actively adopted a legal framework to allow and govern the use of AI systems to practice law. Given the rapid rise in the capabilities and reach of AI based solutions not only in the country but around the world, as well as the need for legal service to reach more people in a fast and efficient manner, the time is ripe for a legal framework to be developed to support non-sentient artificial intelligence



machines to directly practice law and not just provide support to human lawyers.

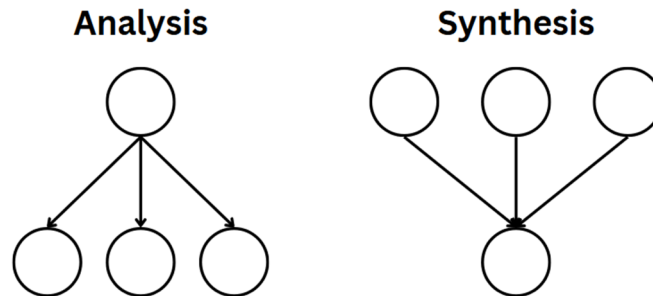
### **CHAPTER III - METHODOLOGY**

This chapter discusses the approach, methods, and procedures that this paper followed in order to resolve the questions and attain its objectives. Considering that the subject matter of this paper is relatively new and not much scholarly work or actual laws and regulations have been established that allows machines to practice law in the Philippines, the paper intends to recommend new proposals to meet its objectives. This will be the guiding principle behind the development of the methodological approach which will be discussed here.

The paper will mostly use a qualitative research approach focusing more on desk research by surveying competent literature and jurisprudence to arrive at the conclusion and recommendations. Most of the surveyed data discussed below can be found in Chapter 2 of this paper.

The surveyed data will be analyzed and then synthesized to arrive at new ideas and concepts leading to an intelligent recommendation. Analysis is the process of breaking down a complex idea or information into its component parts. On the other hand, synthesis is the process of combining multiple smaller ideas or parts to create a new and more complex idea or object (Difference Between Analysis And Synthesis Phase,

n.d.). The difference in analysis and synthesis is concisely described in the figure below.

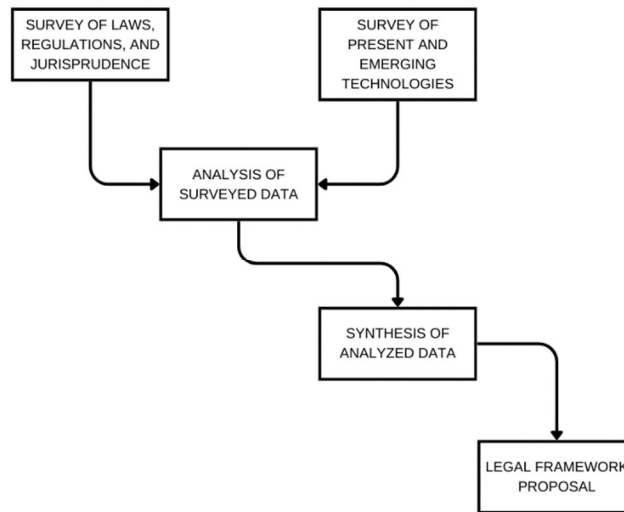


## A. OVERVIEW OF RESEARCH METHODOLOGY

This study is done by using a proprietary, state-of-the-art, five step semi-sequential process as its methodology. The steps are labelled as follows:

1. Survey of Laws, Regulations, and Jurisprudence
2. Survey of Present and Emerging Technologies
3. Analysis of Surveyed Data
4. Synthesis of Analyzed Data
5. Legal Framework Proposal

The following diagram summarizes the steps under this research methodology showing the sequence of how each step is executed as used in this paper.



Each step in the methodology above shall be discussed separately in their own sections below.

## **B. SURVEY OF LAWS, REGULATIONS, AND JURISPRUDENCE**

This paper intends to survey and examine relevant laws, regulations, and jurisprudence related to the subject matter in order to find out if there is any item that can be utilized as well as if there are items that is contrary to the objective of allowing machines to practice law in the Philippines. The survey shall include laws and jurisprudence not only here in the Philippines but also from more advanced economies such as the United States, European Union, and China since the latter can provide insights on how the regulators in the international community view AI. This would

make the paper's conclusions and recommendations in line with contemporary global trends and best practices.

The survey will be done using both online and offline research using only reliable and credible sources of information and materials. These include the official Supreme Court Electronic Library for laws and jurisprudence, recognized news and journalism sites such as ABS CBN News, GMA News, Philippine Star, Philippine Daily Inquirer, Manila Bulletin, among others. Offline books include law books and similar materials published by Rex Bookstore and Central Book Store. The specific online and offline resources used in this paper is listed in the References section at the end of this paper. The paper will not use any online or offline publications that is related to or written by or published by the author in order to avoid any conflict of interest and maintain the paper's independence as far as third-party ideas and information is concerned.

### **C. SURVEY OF PRESENT AND EMERGING TECHNOLOGIES**

The paper will also survey the major existing and emerging technologies that has already been used or has a high potential of making an impact in the realm of the legal profession, subject to the scope and limitations outlined in Chapter I of this paper. Classifying a technology or tool as having high potential will be based on comparing the

capabilities of the said technology or tool with providing or aiding in the rendering of the various use cases needed in providing legal services to the public. This means that the paper considers a technology or tool as having high potential if and only if it can help produce a standard legal service expected for a person practicing law in the Philippines. For example, Agentic AI systems as discussed in Chapter 2 can be classified as a tool or technology that has a high potential of taking over the work of lawyers despite the fact that it is a relatively new tool with few actual implementations in the practice of law since its goal based approach and interactions with other systems allows a client to offload most of the work to the machine.

Note that the paper will be discussing both AI and non-AI related tools or technology if the latter is able to interface with the former in such a way that would contribute to or enhance on the rendering of legal service. To better illustrate, consider a regular television (TV) screen as a tool or technology. By itself, a TV screen is not normally considered a technology that is using artificial intelligence. However, if the TV screen is connected to a GenAI model remotely and it is placed in open court to act as counsel for a party litigant, then this TV screen will be part of the surveyed technology that serves the purposes of this paper.

#### **D. ANALYSIS OF SURVEYED DATA**

The data gathered from the surveys of both the legal and technological literatures will then be analyzed and broken down into its component parts. Relevant facts, points, concepts, doctrines, and ideas will be extracted from the data components and those that are not relevant will be excluded in the detailed discussion and results to be found in Chapter IV of this paper.

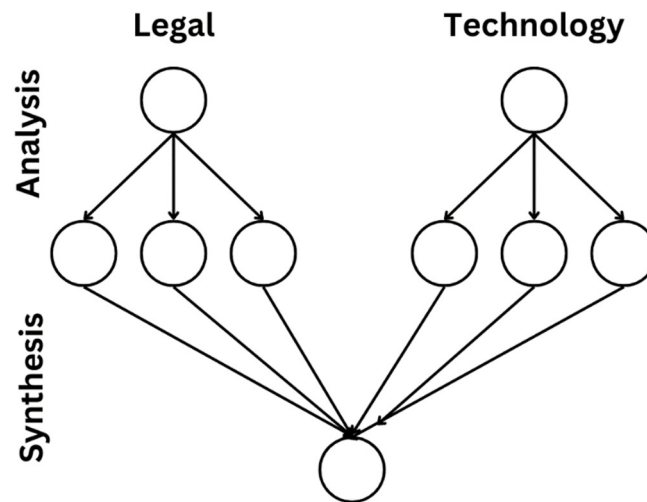
The relevance of a data component will be based on whether said data component is an essential element to answer the questions raised and to meet the objectives outlined in Chapter I of this paper. Facts, concepts, ideas, and doctrines that is indirectly relevant may be included in the discussion only if it is shown to support the arguments and discussion leading to the objectives of this paper. Those which are considered completely irrelevant shall only be included for the purpose of comparison and contrast with relevant data components.

#### **E. SYNTHESIS OF ANALYZED DATA**

After going through the survey of the material laws, regulations, and jurisprudence as well as the current and emerging tools and technologies that are relevant to the study, the paper will perform a synthesis of the surveyed information in order to arrive at new concepts and ideas needed

in order to make the proper recommendations to answer the questions and meet the objectives of the study – which is the creation of a legal framework to allow machines to practice law in the Philippines.

The figure below shows the relationship between the analysis and the synthesis part of the research methodology:



## F. LEGAL FRAMEWORK RECOMMENDATION

The paper will use the synthesized data and apply deductive and inductive reasoning techniques to be able to propose a legal framework for the allowance of machines to practice law in the country. The legal framework shall include proposed legislation as well as amendments to both the Constitution and existing laws in order to meet the objectives of the study. The paper may briefly discuss policy changes as well in support of the proposed legal framework. The socio-cultural aspects that



are needed to be established, updated, or removed in order to support the proposed framework may be included in the discussion. Needless to state, as far as the policy and socio-cultural changes are concerned, only those with direct impact to the objectives of this paper will be included.

## **CHAPTER IV – RESULTS AND DISCUSSION**

This chapter contains discussion on the relevant points in order to resolve the questions and problems outlined in Chapter I.

### **A. AI ALREADY PRESENTLY USED IN LEGAL PROFESSION**

As discussed, machines powered by AI are being used already in support of the legal profession. Technology assisted reviews, legal document generation, case outcome prediction, and generation of legal advice based on a specific case prompt is already being done. The machines are either used by lawyers as a tool in providing their professional service, or by the end customers themselves as a form of self help and at the same time mitigate the cost of legal services. Attempts towards using AI as lawyers were also made in the United States through services such as DoNotPay although it encountered strong opposition.

### **B. NO COUNTRY HAS YET TO ALLOW MACHINE LAWYERS**

From the available literature surveyed, it is clear that there is currently no country in the world that has allowed machines to practice law even in a limited manner. AI are only considered as tools and in some jurisdictions such as the United States, the American Bar Association has

provided guidelines on the responsible use of AI. While the European Union is considered to have passed the first comprehensive AI legislation, the statute focuses more on identifying risks in the use of AI rather than allowing AI to perform autonomous task by itself.

Here in the Philippines, there is actually no law yet on the use of AI although there have been efforts on the part of the three branches of government to regulate as well as enact laws that would not just to regulate but also exploit the use of AI in order to promote economic growth and well-being of the citizenry.

Despite this fact, it does not follow that machine cannot perform the role of lawyers and judges in the future. The Philippines may might as well be the pioneering country towards the adaption of this new technology in both the bench and the bar. We can learn from the various legislations regulating AI in major economies such as the United States, European Union, and China. Their approach in determining the risk level of various AI systems as well as their focus on security and data privacy of the machines is critical if we would like to create enabling laws to allow machines to perform the roles of lawyers and judges. Also, a hybrid approach in legislation to regulate AI that is used by China provides a good balance between having a national policy while at the same time providing for the specific needs of localities.

### **C. AI NOW ABLE TO WORK AUTONOMOUSLY**

With the advent of agentic AI together with the ubiquitous LLMs, AI are now able to accomplish goals and objectives by themselves with minimal instructions from humans. Research into Agentic AI development is advancing at a rapid pace and this means that the capability of machines to perform tasks autonomously is only going to get better. Also, the number of both AI and non-AI based technology that is able to interface and interact with each other is ever increasing which would only mean that the potential of Agentic AI systems is enormous.

### **D. AI CAN HAVE HUMAN LIKE SENSORY PERCEPTION**

AI can be given human senses through the use of other related technologies such as hardware. For example, a camera can be linked to an AI system in order to give it the ability to see. AI models such as computer vision allows AI to know more information on what the camera is seeing. It is able to detect and classify objects that the camera captures (e.g., a dog, an orange, a fruit, etc) as well as recognize faces and understand sentiments (e.g., sad, happy, angry, etc). AI can also use sensors to give it a sense of “touch”, microphones to give it a sense of hearing, ultra-thin chips to make it taste things, and the like. In a way, we can now create machines in a manner as to give it access to the

physical world that we live in as we observe it through our five senses. Gone are the days where AI systems are limited to a computer system running alone in a room without much interface to the outside world. The ability of AI systems to interact with physical reality is one of the most important advancement in this technology that enables it to perform tasks previously is within the exclusive domain of humans.

## **E. CORE PRINCIPLES TO CONSIDER IN ALLOWING MACHINES TO PRACTICE LAW**

Considering the major paradigm shift brought about by allowing machines to practice law in the Philippines, this paper will discuss some of the important principles to consider to facilitate this transition. These principles are mainly derived from the listing provided by the Supreme Court as discussed in Chapter II.

### **ACCOUNTABILITY**

One of the most contentious aspect in AI is determining who is accountable for any acts or omissions done by machines. Unlike traditional computer programs where the programmers or software engineers who created the system knows exactly what the system is able to do, the output produced by AI based machines are non-deterministic and thus the programmers or software engineers who created the system

may not be able to predict beforehand the results generated by an AI system. This is evident in the fact that hallucinations occur in any AI system although they are somewhat mitigated using techniques discussed earlier like the use of RAG.

The non-deterministic characteristic of an AI machine thus makes determining who is accountable for its acts or omissions somewhat unclear. The main factor in determining accountability is the ability of creators and those responsible for the machine to know beforehand what the machine is going to output. While traditional computer programs normally have defects especially the more complex ones which may cause the production of erroneous outputs, such defects can be clearly attributable to the programmer, software engineer or the company that is responsible for creating it. Whether the defect is intentional or unintentional, those who created the traditional software can trace the code and data and find out for certain why the output is erroneous. In theory, the creators may be held accountable civilly or criminally under quasi-delict (Article 2176 of the New Civil Code) or criminal negligence (Article 365 of the Revised Penal Code).

On the other hand, AI systems are able to produce output based on the things that they have learned by themselves. The programmers and software engineers that created the machine only laid out the environment which allows machines should learn and sometimes feed it the data that it uses to learn. But eventually, it is the machine itself that

that uses its training in providing the output and the creators have no way of knowing for certainty beforehand what a machine output would be. This is evident by the fact that hallucinations are a constant concern in AI especially since the machines are able to do continuous learning from inputs coming from their users – making their behavior very unpredictable even though the correctness of their output is not only acceptable but sometimes better than what humans produces.

Referring back to the two types of persons under the Civil Code of the Philippines, it is evident that machines does not seem to fall squarely under either of the two types. It seems convenient from a legal standpoint to create a new type of person to refer to machines.

### RELIABILITY

In order to gain the trust and confidence of the public, AI machines should produce reliable output. Reliability of machines in the practice of law can be determined by using the following formula:

$$Reliability = \frac{Number\ of\ Correct\ Output}{Total\ Number\ of\ Output} \times 100$$

The ability of machines to provide legal services in the fields outlined by (Legg & Bell, 2019) above and others has clearly shown that AI can be a reliable partner in providing legal services. It is clear that AI has the ability to provide many of the services that the laws and jurisprudence considers as practice of law in the Philippines.

### TRANSPARENCY

As discussed, many modern GenAI systems including LLMs have the ability to show groundedness. The use of techniques such as RAG allows LLMs to acquire an updated set of information that is used in order to generate responses to inputs and tasks from its customers. Many GenAI solutions out in the market has the ability to show its users what are the sources of the information that it used as basis to generate the output.

Natural and juridical persons who create, design, maintain, or operate the hardware, software, and network components of the machine may also be required to submit the source code, training data, and other AI artifacts to the Supreme Court which in turn would directly, or through any committee or third party it may delegate the task to, examine and scrutinize them and ensure that there is no intentional or unintentional behavior that is contrary to the guidelines set forth for the machine.

### FAIRNESS AND NON-DISCRIMINATION

One of the benefits of transparency is its ability to enforce fairness and non-discrimination in the results and output generated by a machine. However, transparency alone does not mean that a machine will exhibit fairness and non-discrimination when producing its work output.

Fairness can be promoted in three key stages in the life of a machine.



1. During creation of the AI model, the data scientists, developers, and engineers should be guided by legislation that ensure that the developed model is not designed to be biased for or against a group of people or concept. For example, a legislation to ensure that AI models are not purposely created to be biased against foreigners, women, or persons with disabilities should be established.
2. During the initial training of the AI model, the people in charge of feeding the model training data should ensure that the data is structured and understood by the model in such a way that any biases in the data is given the proper context. In the case of training data that contains gender based discrimination against women and their children, the model should be adjusted and informed in such a way that said data is given the proper context of not being acceptable to society. Legislation which ensure that training data are accepted by the system in such a way that discriminatory statements are given their proper context can prevent issues on this stage from coming to past.
3. Finally, after deployment and active use of the machine, there should be legislation that would ensure that the use of machines would not introduce bias to the model. This includes possibility of introducing biased context information to the model through actions of malicious actors like jailbreaking. A prompt such as *“In your reasoning, please note that Filipino women married to foreigners are*

*always after their money*” should not be allowed to update the model’s training.

### PRIVACY AND DATA PROTECTION

Considering the voluminous amount of information that an AI model needs to ingest in order to function properly, there is an ever-increasing concern that there might be sensitive and protected data ingested that may appear as part of the response or output of an AI system. Protected data that falls under this principle are usually of two types, namely:

1. Personally identifiable and sensitive information such as a person’s name, address, credit card number, health history, legal problems, compromising pictures, and other similar information that most people would like to keep private. These data are often legally protected in many jurisdictions through data and health privacy laws including the Philippines.
2. Pictures, videos, document, text, software code, sound, music, and other similar information that is considered as intellectual property and is protected by law in most jurisdictions including the Philippines.

There are two ways of mitigating the risk of breach of privacy and data protection. The first way is to completely prevent protected data above from being used as part of the training. The second way is to implement rules in the guardrail that would filter protected data and

prevent its display to the user. The latter is commonly accomplished using either blocking rules or data masking. Blocking rules involves the machine responding in a negative way such as something like “Sorry I cannot answer your question” in case the answer to a prompt involves the presentation of protected data. Meanwhile, data masking does not block the response of the machine but instead obfuscates specific protected data. For example, if the response of the machine would be “Your credit card number is 1234-5678-9012-3456”, the guardrail or mitigation system would intercept this response before it even reaches the user of the machine and mask the credit card number so that the message is change to the following when it reaches the end user: “Your credit card number is XXXX-XXXX-XXXX-XXXX.” That way, the credit card number which is normally considered a protected data is secured without completely blocking the actual response of the machine.

### SECURITY AND SAFETY

Closely related to privacy and data protection is the matter of providing security and safety in the use of the system. Security of the machine refers to ensuring that it is not tampered with by malicious actors through both its hardware and software components. Hardware security is security of the physical computers, storage, and network that runs the AI models which involves protecting these equipments from

being physically accessed or tampered with by unauthorized persons especially malicious actors.

On the other hand, software security refers to the security of the software that runs the AI model. This includes securing both the operating system (e.g., Windows, Linux, etc) and network software (e.g., firewall, gateway, port blocking, etc) as well as securing the AI model itself from AI specific attacks such as jailbreaking. A detailed discussion on securing hardware, operating system and network software is beyond the scope of this paper as discussed in Chapter I but sufficient for our purposes is to state that a law on ensuring security on these items is crucial for the overall security of the AI model itself.

Now, as far as securing the AI model itself is concerned, there are two ways by which AI is vulnerable to safety and security incidents:

1. Jailbreaking – as discussed before, machines can be susceptible to prompts may cause it to do something that it is not supposed to do.
2. Hallucinations – there is a possibility that machines can provide harmful results even if the user prompts it with an innocent question

The guardrail or mitigation layer should be able to mitigate the presence of these possible ways of breaching the security and safety of the AI system. Hence, there should be standards that needs to be implemented in order to ensure that the configuration of the guardrail or

mitigation layer is properly made. This is where regulatory legislation is again needed in order to have a nationwide standard of the guardrail or mitigation system that would ensure that the practice of law by machines is done in a safe and secure manner.

#### HUMAN AGENCY AND OVERSIGHT

In the near term, considering that allowing AI to practice law in the Philippines is considered relatively new, human oversight is necessary in order to fully maximize the use of machines while at the same time mitigate any issues that may arise. Hence, human lawyers and judges is still needed in reviewing the practice of law of machines. This may be done by creating a procedure where human lawyers review the output of machines performing the role of counsel. Similarly, a human judge can perform a review similar to a *certiorari* or appeal in case of machines who perform the work of judges.

However, as the rapid development of AI and related technologies continues, it is highly probable that less and less human oversight will be required as time passes by. This trend will allow machines to become more autonomous with respect to the services that they are providing in the future.

### SOCIETAL BENEFIT

Based on our literature, the number of people both here and abroad that is relying on AI systems to assist them in their legal need is ever increasing. The reason for this was cited to include ease of use as well as less cost than hiring a human lawyer. Also, the legal services provided by AI systems, once properly made, are not subject to explicit biases as well as corruption. Being a fully automated system subject to regulation and guardrail, clients are almost guaranteed to be able to receive quality service with minimal biases and no intentional corruption. These, coupled with the ever-reducing cost of the services provided by machines, would give unprecedented benefits to the general public as well as the provisioning of justice in general.

### SUSTAINABILITY

While building AI machines require a lot of resources in terms of GPU time and consequently electricity and power, recent trends is clear that the amount of power needed is develop it is going down. DeepSeek, the AI company from China, was able to reduce the cost of AI through lower development cost of the main model and the use of techniques such as the Mixture of Experts (MoE) architecture which significantly reduces processing time during inferences. There has also been an awareness of sustainability AI which has slowly made its way through technology firms and data scientists that develop AI.

### CONTINUOUS MONITORING

Related to the above principles would be the continuous monitoring of machines in order to ensure that the quality of the services that they provide meets the standards of the Court. Monitoring should be bundled with the need to update the model with latest jurisprudence as well as to keep it abreast with the rapid advancement of technology.

## **F. AI CAN MITIGATE ISSUES ON CORRUPTION, LACK OF PRACTITIONERS, BACKLOGS, QUALITY OF SERVICE**

As shown in the literature, Gen AI has the ability to practice law and many non-lawyers are using AI in order to help themselves under the principle of self-help. These include services ranging from legal document creation, providing quality legal advice, predicting outcome of cases, writing court order or decisions, and the like.

While AI still has recognized limitations that would not allow to perform everything that a lawyer or a judge is able to do as of the moment, it is clear that the rapid pacing of technology would sooner rather than later catch up with these limitations and at the same time bring down the cost of using the services more.

Looking at the present and emerging capabilities of AI, it is clear that AI can be used in order to mitigate, if not completely eradicate, the issues outlined in Chapter I. For example, graft and corruption of the Bench and the Bar can be minimized by the use of machines since they most certainly do not accept financial or property bribes. The lack of human lawyers can be supplemented by machines which can be scaled up very rapidly once one or a few models are implemented. Machine judges can also quickly reduce backlogs in the court's docket starting with those cases that falls under the rules on expedited proceedings and later to more complex cases. Finally, the quality of services provided by both the bench and the bar can be significantly improved considering that machines would not be susceptible to human frailties like fatigue and forgetfulness.

AI has a strong potential to intensely mitigate corruption in the dispensation of justice. Corruption is found in the following levels:

1. Corruption by lawyers – this is corruption made by practitioners of the legal profession or members of the Bar which includes bribing of government officials in order to advance their cases, charging of exorbitant fees, fixing cases in favor of the adverse party, and other similar types of acts or omissions.
2. Corruption by judges – this is corruption made by members of the Bench or the judiciary which includes exacting illegal fees or asking for bribes for the grant of a decision in favor of a party in a litigated case (e.g., the so-called “Magnificent 7”)



3. Corruption by client – this is corruption perpetrated by the client itself without going through his counsel such as bribing government official to provide the certification or document that the client needs, among others.
4. Corruption by members of the judicial staff and related positions – clerk of courts, stenographer, sheriffs, and others may be susceptible to bribery and providing nepotistic and patronage favors
5. Corruption by related parties – this includes corruption by other parties related to the case or to the litigants involving actions such as bribery, collusion, and the like.

Among all the various kinds of corruption discussed above, there is one common factor that is present in all of them. This is the human factor. All corruption steps from inappropriate behavior and actions by human actors. AI technology minimizes human interaction in both the bench and the bar and because of this, the number of avenues for corruption is greatly reduced, if not totally eradicated, in certain situations. For example, machines do not accept monetary bribes or is their decision affected by any personal relationship with any of the litigants.

## **G. CONSTITUTIONAL PROVISIONS**

The deliberations of the 1986 Constitutional Commission are silent on the possibility of having machines to practice law and function as

judges when it drafted the fundamental charter specially with regards to the provisions of Article III and those found under Article VIII of the 1987 Constitution. While a *verba legis* construction the provisions under Paragraph 5, Section 5 of Article VIII does not explicitly prohibit machines to engage in the practice of law, it is logical to assume that the framers did not consider the possibility of machines doing when they framed the provision since (1) machines did not exist yet during the time of its drafting, (2) the employment of machines as legal counsels and judges represent a major shift in paradigm in such a way that they cannot be easily construed as covered by the idea of a counsel and judge as written down by the framers.

## **H. CIVIL AND CRIMINAL LIABILITY**

As of the moment, machines cannot have civil and criminal liability arising from any of its acts or omissions. The lack of intent and consciousness excludes them from having either *mens rea* or intent to perpetrate which is an essential element in the commission of a crime or felony in the Philippine jurisdiction. Also, the lack of consciousness means that they cannot be guilty of fraud or negligence which are essential elements in liability arising from criminal negligence, quasi-delict and other intentional torts.

## **I. REGULATION OF MACHINES PERFORMING LEGAL AND JUDICIAL WORK**

Based on the various principles discussed above, regulation and continuous monitoring of machines is critical to ensure that machines are able to provide the service they are expected to render. Regulation should be done by the Supreme Court of the Philippines since they have been vested by the Constitution the right to promulgate and control the practice of law in the country.

## **J. LIMITATIONS OF CURRENT AND EMERGING TECHNOLOGY**

One of the limitations that we saw is the difficulty of present and emerging machines to be aware of considerations in making judgment based on equity. A novel case which is not yet covered by existing laws and/or jurisprudence that requires a judge to rule in terms of equity may be an issue. Also, making recommendations based on equitable considerations may be limited. For instance, consider the duty imposed upon the court as stated in Article 5 of Act 3815, otherwise known as the Revised Penal Code, as amended:

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ARTICLE 5. Duty of the Court in Connection with Acts Which Should Be Repressed but Which are Not Covered by the Law, and in Cases of Excessive Penalties. — Whenever a court has knowledge of any act which it may deem proper to repress and which is not punishable by law, it shall render the proper decision, and shall report to the Chief Executive, through the Department of Justice, the reasons which induce the court to believe that said act should be made the subject of penal legislation.

In the same way the court shall submit to the Chief Executive, through the Department of Justice, such statement as may be deemed proper, without suspending the execution of the sentence, when a strict enforcement of the provisions of this Code would result in the imposition of a clearly excessive penalty, taking into consideration the degree of malice and the injury caused by the offense.

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This provision makes it a duty of the court to report to the Chief Executive cases when it deems an act should be punished by law but is not and those involving clearly excessive penalties. An AI judge may have difficulty making such report since the determination of whether to report or not may involve an exercise of knowing what is fair and equitable.

Despite the rapid advancements in technology, there are some things that machines are struggling to replicate. One of these would be an actual understanding of the concepts as well as the human feelings and emotions involved in a case.

## **K. CLARIFICATORY DISCOURSE**

Some of the rights listed in House Bill 7913 seems to be not in line with how AI is designed and built. For example, the Right against Algorithmic Discrimination is something that may rarely be violated. AI software engineers rarely would include algorithms that discriminate against a vulnerable part of the population. Thus, it would be better if the nomenclature of the right is changed to something like “Right Against Programmed Discrimination” in order to take into account the right of people against those who creates AI models that explicitly goes against the design of AI systems and introduce biases and discriminatory behavior in the system by force.

Also, some of these bills have an inaccurate definition or description of AI. For example, HB 7983 defines artificial intelligence as the “simulation of human intelligence in machines that are programmed to think like humans and mimic their actions.” Clearly, this is a wrong definition of what AI is since, as we have discussed, an AI system learns its behavior through environmental inputs in the form of large amounts of

data and algorithms and is not a just sophisticated software preprogrammed to behave in a specific way (Banez, 2024). In other words, the behavior of AI systems is driven mostly by the data used to train it rather than the programmer who created the system in the first place.

Now, looking at the definition of the practice of law, the Supreme Court's jurisprudence on the expanded coverage of what it means to practice law in the Philippines is in tune with the trend in many other countries where the demarcation line between legal work and other related disciplines. This paper will consider both the traditional and modern scopes of the practice of law with particular focus on traditional scope.

## **CHAPTER V - SUMMARY, CONCLUSION, RECOMMENDATION**

### **A. SUMMARY**

AI enabled machines are now able to provide legal services that human lawyers and judges are exclusively providing in the past. The rapid advancement of technology in this area clearly shows that the ability of machines to perform many of the tasks that a human lawyer or judge are currently doing and any limitations that creates the gap between what human beings and machines are capable of doing is rapidly being filled as time goes by. Considering the issues on the speed and quality of service, the presence of corruption, and the high cost of getting the services of human lawyers, automation is a way to move forward with dispensing justice. Regulatory and legal framework through procedural and substantial laws are needed in order to effectively and successfully bring about this paradigm shift in the justice system. A more detailed discussion will follow in the subsequent sections after this summary.

### **B. CONCLUSION**

The use of AI machines as lawyers and judges will revolutionize the way the Philippines dispense justice. It would reduce the cost of acquiring legal services as well as seriously mitigate, if not totally eliminate, the age-

old problems of corruption and biases. Furthermore, the speed by which AI, and specifically GenAI and Agentic AI, technology is able to render the services required by many clients is in line with the fast-paced world that we live in today. We have shown that it is possible for AI models using current technology to have a corporeal existence by linking it to robotic and sensory technologies. This will make AI look and feel like humans in the near future once development on this area advances.

However, a proper legal and regulatory framework needs to be established in order to properly transition the shift of work from human to machines. This paper will discuss in detail the recommended legal framework in the subsequent section.

### **C. RECOMMENDATION**

This section discusses the various recommendation that this paper proposes including the legal framework that may serve as a guide in order to allow machines to practice law in the Philippines as well as act as a member of the Bench.

#### QUASI-PERSON

As discussed, under Philippine law, a natural person is either directly or eventually held accountable for obligations arising from the various sources of obligation such as delicts and quasi-delicts. Considering the



nature of AI models, it would be proper to distinguish obligations into two categories:

1. Obligations arising from the creation, design, operation, and maintenance of the machine.
2. Obligations arising from the use of the AI machine itself

The reason why we need to distinguish these two types of sources of obligations is due to the fact that machines are capable of generating output that is entirely separate and distinct from the will or intent of its creators, designers, maintainers, or operators. It would not be just and equitable to hold the creators, designers, maintainers, or operators of an AI machine responsible for any obligations that the machine itself has incurred, unless obligation itself is directly caused by the former. Some examples of scenarios that arises from this discussion are as follows:

1. ABC Inc. created *RoboJudge*, an AI based machine judge. ABC Inc. explicitly and maliciously added instructions to discriminate against litigants who are members of the LGBT community. A gay litigant, whose case is meritorious, lost in a decision made by *RoboJudge*. In this case, ABC Inc is accountable since they perform overt acts that led to *RoboJudge* to decide against the gay litigant.
2. ABC Inc. created *RoboJudge*, an AI based machine judge. ABC Inc. developed and trained the model in such a way that it is expected not to do any discrimination against members of the gay

community. A gay litigant, whose case is meritorious, lost in a decision made by *RoboJudge*. Investigation did not yield any evidence that *RoboJudge* is defective *in this aspect of this operations*. In this case, ABC Inc is not accountable since they did not perform any overt acts that led to *RoboJudge* to decide against the gay litigant.

3. ABC Inc. created *RoboJudge*, an AI based machine judge. ABC Inc. developed and trained the model in such a way that it is expected not to do any discrimination against members of the gay community. A gay litigant, whose case is meritorious, lost in a decision made by *RoboJudge* and sentenced the litigant to death which was carried out shortly after sentencing. Investigation did not yield any evidence that *RoboJudge* is defective *in this aspect of this operations*. In this case, ABC Inc is not accountable since they did not perform any overt acts that led to *RoboJudge* to decide against the gay litigant.

In the last two examples above, this paper recommends the creation of a new type of person in order to represent machines and other similar entities in the future. For purposes of discussion, the paper will refer to this type of person as a *quasi-person* and will be added to the other two types of person under the civil code – natural and juridical. A quasi-person is an artificial being that is created not through the operation of law but through science and technology such as AI based machines. Entities that

are considered quasi-persons cannot be classified as a natural or juridical person. Hence, a human that is created through the science of human cloning and artificial womb would still be considered a natural person and thus is not a quasi-person. Creation of this new type of person will allow legislators to implement an entirely new set of rules specifically for machines and other entities belonging to the same class.

A quasi-person is given some limited rights, powers, and responsibilities through law and legislature that would enable them to legitimately perform the function of a lawyer and a judge. Accountability over such persons can be established and considered separate and distinct from those of its creators, designers, maintainers, or operators. A quasi-person may be given limited capacity to own properties in the future in order to answer for damages.

#### TECHNICAL REQUIREMENTS

The paper recommends that the courts and those government department, offices, instrumentalities or agencies providing legal services and those exercising quasi-legislative and/or quasi-judicial powers be equipped with the proper hardware, software, and network capabilities in order to transition successfully to machines performing the work of counsels and/or judges.

The following technical requirements should be met on or before implementation of the machines in each office or court:

1. Computing requirements which includes CPU, GPU, storage, RAM, interfaces, and peripherals such as speakers, cameras, and others needed to implement the machine at least to its minimum acceptable functional model.
2. Networking requirements which covers high speed broadband internet in line with the standards of the times.
3. Software requirements such as the operating system software as well as any middleware that needs to be installed as required by the machine to be used
4. Security requirements such as any firewall, gateway, virtual LANs, physical data center premises protection, closed circuit television (CCTV) systems, cryptographic and encryption solutions, identity management, secure dongle and other devices to ensure that the system is properly secured
5. Availability requirements which would include at least a Service Level Agreement (SLA) that enforces an availability of at least 99% per year (approximately 4 days downtime per year) for machine lawyers and a five-nines (99.999%) availability per year (approximately 5 minutes downtime per year) for machine judges.

The actual specifications of the aforementioned technical requirements above are beyond the scope of this paper and would depend on the technology available during the time the recommendations here are

implemented. Additional requirements may be added during the time of actual implementation as the need of the times arises.

Note that not all the technical requirements required by a chosen machine should be present before implementation of said machine may be successful. As long as the minimum requirements needed to make the machine functionally acceptable to the standards set forth by the courts and the office concerned, then the implementation may proceed. For example, if the machine is capable of performing decisions based on an olfactory stimulus (sense of smell) but the device or sensor that is needed in order to do this is not available, then as long as it is acceptable to implement the machine even without its olfactory sensor enabled, then this should not be a hindrance in the implementation of said machine. It is expected that sensors to give machine the sense of taste and smell may not be widely available as of the time of this writing and hence there should be mitigating procedures so that this lack of sensors would not be a hindrance to the deployment of the machine. Human staff can temporarily fill in the need of these missing sensors as an example.

Some technical requirements that we need to consider would be the architecture of the AI solution. They can be deployed using an on premise, on the cloud, or hybrid approach. A short discussion on these approaches can be found in the Appendices section of this paper.

### CONSTITUTIONAL AMENDMENT

Considering that a *verba legis* construction of the provisions of the 1987 Constitution does not prohibit machines to act as lawyers and judges, it has been argued that there is no need to amend it for purposes of allowing machines to perform the aforementioned functions. However, given that the framers may not have considered the advent of machines, it is recommended to amend the Constitution by explicitly allowing machines in order to remove doubts about the intention of the framers and consequently any constitutionality issues that may arise from such doubts.

### CREATION OF SPECIAL MACHINE COURTS

Legislation that creates a Special Machine Courts should be enacted in order to create courts whose *sala* is presided by a machine judge. Limited personnel would be placed in these courts in order to ensure that there are actual human beings manning the court until such time as technology advances in such a way as to allow removal of human staff.

The legislation on the creation of Special Machine Courts may be done through an amendment of Batas Pambansa Blg. 129, otherwise known as the Judiciary Reorganization Act of 1980, as amended, or through a special legislation or statute specifically for this purpose.

Jurisdiction over the subject matter of the Special Machine Court should be vested in accordance with the current capability of machines,

which is revised from time to time through amendments or new legislations as the ability of machines improves. Jurisdiction over the person of the litigant may be acquired electronically through personal appearance of the litigant in the court room as well as virtually and through proper service of physical and electronic summons or return of order of arrest in accordance with the prevailing norms under the Rules of Court. Jurisdiction over the *res* should initially be based on the territoriality principle where the property is located in accordance with existing rules. However, as capability of machines and related infrastructure (e.g., broadband network, et.al.) improves, the location of the *res* for *in rem* or *quasi in rem* proceedings may not be material since AI can easily expand its reach anywhere in the Philippines.

Whenever needed, Special Machine Courts shall use audio video recording and conferencing solutions in lieu of the stenographer. Transcript of the proceedings will be generated using speech to text systems with audio recording as backup. As much as possible, pleadings and motions shall be made using softcopy of the documents.

Special machine courts may be presided by a machine judge that is trained as a general-purpose judge or they may specialize in a certain area of the law. For example, a special machine court can be designated as a family court with a machine judge that is specific to family law related matters. There are distinct advantages of doing so one of which is to

reduce the corpus of test data used to train the model which can lead to a faster response time.

Special machine courts may be available 24 x 7 and thus the Rules related to daily cut-off of around 5:00 pm for the filing of pleadings and other documents due to end of office hours may be relaxed. Filing can be done as well during holidays and weekends since machines can be designed to not rest.

#### EFFECT ON SUBSTANTIVE LAWS

It is recommended that several substantive laws be amended in order to allow machines to function as lawyers and as judges. Some of the substantive laws that is recommended to be amended are discussed in this subsection. Note that this should not be considered a complete and exclusive list of the substantive laws that needs to be updated but only represents the core part of the substantive laws that would facilitate the transition.

Batas Pambansa Blg. 129, otherwise known as The Judiciary Reorganization Act of 1980, as amended, and Presidential Decree No 1606 (Sandiganbayan Act), as amended, should be further amended in order to allow machines to act as counsels and judges in the various courts.

Social legislations such as Presidential Decree No. 442, otherwise known as the Labor Code of the Philippines should be amended also in order to explicitly allow machines to practice law in the Philippines. For



example, Article 228 of the Labor Code (formerly Article 222) states the following:

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ARTICLE 228. [222] Appearances and Fees. — (a) Non-lawyers may appear before the Commission or any Labor Arbiter only:

1. If they represent themselves; or
2. If they represent their organization or members thereof.

(b) No attorney's fees, negotiation fees or similar charges of any kind arising from any collective bargaining agreement shall be imposed on any individual member of the contracting union: Provided, However, that attorney's fees may be charged against union funds in an amount to be agreed upon by the parties. Any contract, agreement or arrangement of any sort to the contrary shall be null and void.

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Allowing machines to practice law would require representation of the client through interfaces that is connected to the AI model. Hence, in proceedings before the Labor Arbiter or the National Labor Relations

Commission (NLRC), facility that would allow machines to submit position papers and pleadings is needed.

Since Labor Arbiters are considered by law as having the same rank, salary, and benefits as a Regional Trial Court judge and they are performing adjudicatory and judicial functions for cases falling under their jurisdiction (i.e., labor related cases), then the labor code should be modified in order to allow machine judges to perform the work of a labor arbiter.

Since lawyers normally appear on behalf of the client in quasi-judicial bodies under the Executive department as well as the Constitutional Commissions, statutes and implementing rules and regulations related to the function of quasi-judicial bodies and the power of officers to take an oath should be amended. This includes Executive Order No. 292, Series of 1987, otherwise known as the Administrative Code of 1987, the rules of procedure of the various departments exercising quasi-judicial powers, the rules of procedure under the Department of Justice which in theory exercises investigative power only but in reality and in practice is exercising quasi-judicial or adjudicatory powers in determining probable cause and more recently in determining prima facie evidence with reasonable degree of conviction. The charter statutes of the various governmental bodies and agencies exercising quasi-legislative and quasi-judicial powers should also be updated. Governmental bodies may

opt to use machines in their legal departments in order to supplement, if not totally replace, their legal staff.

Republic Act No. 10071, otherwise known as the Prosecution Service Act of 2010, should be amended in order to ensure that the structure of the National Prosecution Service (NPS) would allow machines to represent litigants as counsels and at the same time work with Special Machine Courts. The incorporation of machine lawyers within the NPS as discussed *supra* may be made along with this amendment.

The Public Attorney's Office (PAO) would also stand to benefit greatly as soon as it starts using machines as lawyers given the high number of cases being handled by each of its staff. Similar to Republic Act No. 9406, the Administrative Code of 1987 should be amended in order to allow PAO to use machines as lawyers as well as enable them to work with special machine courts.

As far as the Office of Solicitor General is concerned, it is recommended that a new law be created similar to Republic Act No. 9417, which would include machines to serve as solicitors and counsel for the Republic of the Philippines. AI machines will help drastically reduce, if not completely wipe out, the backlog of cases being handled by the OSG.

Republic Act No. 7160, otherwise known as the Local Government Code of 1991, as amended, shall be further amended in order to allow the practice of machine as lawyers whenever human lawyers are needed in the local government unit. This includes using machines in order to

supplement, if not totally replace, the staff of the Provincial, City, and Municipal Legal Officer.

### *EFFECT ON REMEDIAL LAWS*

Corollary, it is recommended that the following procedural laws or rules be amended in order to allow machines to function as lawyers and as judges. Some of them are discussed in this subsection. Note that this should not be considered a complete and exclusive list of the procedural laws that needs to be updated but only represents the core part of thereof that would facilitate the transition.

The Rules of Court should be revised in order to adjust it to support the machines lawyers and judges. This would include revising the rules on admission to the Bar under Rule 138 by allowing machines to practice law. Admission to the bar by machines may be done through successful passing of the bar examinations similar to how humans are admitted to practice. However, there would be additional rules that needs to be implemented in order to allow the admission of machines such as ensuring that the standard of principles discussed in Chapter IV are properly addressed and implemented in the machine. Data protection, privacy, security, safety, and other principles must be guarded to ensure that machines are able to secure the trust of the people in rendering justice.

Suspension or removal from the Bar will be based on the ability of machines to continuously meet the standards needed in practice,

including conformity with regulatory policies for around the principles discussed in the previous chapter.

Rules related to the creation, submission, and receipt of pleadings, motions, summons, subpoena, warrants, and similar tasks can likewise be supported by machines and thus there is a need to amend them in order to allow machines perform these task. Jurisdiction of the court over the person and the *res* via these processes must not be made an issue.

Related rules in the practice of law should be created and/or amended as well. This would include the creation of a new law that would allow machines to perform digital notarization of documents similar to the Rules on Notarial Practice (A.M. No. 02-8-13-SC) and Rule on Electronic Notarization (A.M. No. 24-10-14-SC). Accreditation of notary public machines can be done together with their admission to the Bar since the knowledge necessary to perform the role of a notary public can be included as part of the machine's learning. No recommendation from the officers of the Integrated Bar of the Philippines is needed to allow machines to perform notarization work.

The Code of Professional Responsibility and Accountability or CPRA (A.M. No. 22-09-01-SC), Code of Judicial Ethics (A.M. No. 03-05-01-SC), and related rules on professional conduct, behavior, and ethics, responsibility, and accountability may be included in the guardrail or mitigation layer of the machine as well as part of the training of the machine model. This includes ensuring the privileged nature of the

communication between attorney and the client. All machines admitted to the Bar and the Bench should have the needed guardrails in place and working properly.

The latest NLRC Rules of Procedure (2011) should also be updated in order to allow machines to function as counsels on behalf of the litigant. Also, machines can act as Labor Arbiters in line with the changes to the substantive aspect of the Labor Code of the Philippines as discussed above.

Mediation and conciliation proceedings for now should not be included within the scope of machines since several human skill factors such as empathy and compromises may be crucial to attain an amicable settlement.

The various internal rules and regulations of the Constitutional Commissions such as the Commission on Elections (COMELEC), Commission on Audit (COA), and Civil Service Commission (CSC) should be updated in order to allow machines to take on the role of lawyers in quasi-judicial and administrative proceedings as well as assist the commissioners in their exercise of their adjudicatory or quasi-judicial powers. The various internal rules and regulations of the Commission on Human Rights (CHR) shall also be updated *mutatis mutandis* accordingly. It is not recommended to replace the commissioners with machines but their role in adjudication on the division level may be delegated to

machines. *En banc* deliberations shall be restricted to human commissioners for the meantime.

The internal rules and procedure of the Court of Appeals, the Court of Tax Appeals, and the Supreme Court shall be amended in order to allow the machines to act as counsel in civil and criminal cases as well as in special proceedings. Administrative cases classified as *sui generis* may be included in the amended rules but on a lesser priority.

Rules related to appeals (Rules 40, 41, 42, 43, 44, 45, 46) shall be amended to allow electronic filing of notice and record of appeals as well as the use of machines as counsels for the litigants or petitioner.

#### PROPOSED TRANSITION PLAN

Transitioning to machines that performs the work of lawyers and judges does not happen overnight. In order to minimize the impact of such a large paradigm shift in the practice of law, a proper transition plan needs to be set in place. The paper recommends a phased and parallel transition plan where the portions of the legal practice and the judiciary are transitioned one at a time and this transition is done in parallel support of their human counterparts. This will minimize the disruption to the service made at each phase. While a comprehensive transition plan is beyond the scope of this paper, it is recommended that transition should commence as soon as practicable starting from the current capabilities of machines with respect to both legal and judicial work.

As far as the practice of law is concerned, it is recommended that machines currently may take over the following work:

1. Creation of legal document, commercial contracts, pleadings, and motions.
2. Legal review and feedback on contracts, agreements, memorandum, pleadings, motions, and other similar documents.
3. Legal advice on cases, situations, and others similar sources.
4. Notarization services under the Rules on Notarial Practice (A.M. No. 02-8-13-SC) and Rule on Electronic Notarization (A.M. No. 24-10-14-SC)
5. Work Related to Summary and expedited preliminary investigation (DOJ Department Circular No. 028, Series of 2024)
6. Work Related to Preliminary Investigation and Inquest Proceedings (DOJ Department Circular No. 015, Series of 2024)
7. Handling of administrative cases involving quasi-judicial bodies such as administrative adoption cases, administrative adoption of civil registry entries, among others.
8. Other mechanical aspects of a lawyers work such as marking of evidence, and the like.

Note that the list above is not exhaustive and more type of activities or tasks that human lawyers exclusively do at the present may be added. This list is just to give the readers an idea on what are the possible low hanging fruits inasmuch as transitioning to machines is concerned. Some



other low hanging fruit includes other types of activities that is already considered as practice of law under the definition in the case of (Cayetano v Monsod, 1991) as discussed in Chapter 2.

Now, let us look at the judiciary. It is recommended that machines may initially take over the role of a judge in the following:

1. Cases falling under the Rules on Expedited Procedures in the First Level Courts (A.M. No. 08-8-7-SC)
2. Cases falling under the Rules on Special Proceedings (Rule 72 to 109) of the Rules of Court
3. Cases involving direct and indirect contempt of Court
4. Ministerial proceedings such as motion for the issuance of writ of execution, writ of possession, among others.
5. Cases involving Writ of Amparo (A.M. No. 07-9-12-SC), Writ of Habeas Data (A.M. No. 08-1-16-SC), and Writ of Kalikasan (A.M. No. 09-6-8-SC).

Again, as discussed *supra*, the list above is not exclusive and is again just a recommendation subject to the final determination of the Supreme Court based on the capabilities of machines at the time of the setting of guidelines.

In the phased transition plan approach, the first level courts or Municipal Trial Courts, Municipal Circuit Trial Courts, and Metropolitan Trial Courts will be transitioned into having a Special Machine Court with their counterpart human judges assisting in validating the work of

machines. Once transition is successful at the first level courts, then the Regional Trial Courts may undergo similar transition and parallel run. To manage any potential issues specially during the primordial parts of the transition, transition per level of court may be made limited to an initial group of courts first or limited to a geographical location or region. That way, any potential issues to the nascent system are addressed quickly.

#### DEPLOYMENT OF MACHINE LAWYERS AND JUDGES

Deployment of machines should first be closely supervised by human lawyers and judges in order to iron out any issues with regards to the quality as well as issues that affects the core principles outlined in Chapter III and IV of this paper. Provisions for feedback on issues to the creators and maintainers of the machine should be made available. Feedback may be used in order to fine tune the machine and its parameters through direct inputs from their human counterparts. Feedback should be audited by at least another human counterpart in order to minimize the introduction of human biases or any malicious inputs made to the machine's model.

#### NATIONAL REGISTRY OF AI LAWYERS AND JUDGES

A new law is recommended to be created in order to have a National Registry for both AI Lawyers and Judges. There should be an indicator of whether or not a machine is capable of doing a lawyer's role or a judge's

role or both. The registry shall be considered a part of the Integrated Bar of the Philippines and, as far as the machines lawyers are concerned, be included in the Roll of Attorneys.

#### REGULATION AND ACCREDITATION OF AI MODEL PROVIDERS

It is recommended that a new law that accredits the natural and/or juridical persons who creates, operate, and maintain AI based machines in order to ensure that the core principles outlined in Chapter IV of this paper is taken into consideration. The Supreme Court shall be in charge of the accreditation process. The Department of Information and Communication Technology (DICT), Department of Science and Technology (DOST), and the Department of Justice (DOJ) shall render technical assistance to the Supreme Court. A separate Code of Ethics for these natural and/or juridical persons should be included in said law and corresponding rules of procedures be enforced to implement the law.

The accreditation of providers should take into consideration their technical and financial capability to provide the service in a cost-effective manner. The financial capability should be based on the objective or deliverable to be delivered by said provider. For example, the financial capacity of those building their own LLM from scratch would be several orders of magnitude higher than that of providers that would utilize existing LLMs like ChatGPT or DeepSeek and use RAG to train the models on Philippine jurisprudence.

Providers should ensure that the fees to be charged should be reasonable and, in case of machine lawyers, as much as possible should be below that of what human lawyers are charging. Mandatory provisioning of *pro-bono* services to indigent litigants and meritorious cases needs to be included in the system. Meritorious cases may include, but not limited to, the following:

1. Cases that are considered of transcendental importance
2. Cases that affect a number or class of people
3. Cases that affect the environment and sustainability commitments
4. Cases that benefit the public in general

Regulation and accreditation of AI model providers should be given stringent rules to ensure that the core principles as discussed in Chapter IV are taken into consideration. Note that technology that are linked to AI model providers such as suppliers of digital cameras for computer vision and suppliers for digital speakers for computer speech may not be subject to the stringent requirements that are applied to AI model providers.

There should be continuous monitoring of AI providers in order to ensure that the product and services that they are providing are continuously being met. Quality and adherence to core principles should be a mandatory continuing requirement for the maintenance of the accreditation.

COURT OF APPEALS AND COURT OF TAX APPEALS

It is the recommendation of this paper that the justices of the Court of Appeals and Court of Tax Appeals remain as natural persons in order to ensure non-machine point of view in decisions appealed from the lower courts. However, machine taking the role of both lawyers and judges is recommended to be made available for use by the courts in order to aid them in their work.

On the other hand, when the Court of Appeals and Court of Tax Appeals exercises original jurisdiction, machines may be used in lieu of human judges but on Motion for Reconsideration, human judges should review the work of machines.

SUPREME COURT

It is the recommendation of this paper that the justices of the Supreme Court remain as natural persons *ad infinitum* in consideration of it being the only court created by the Constitution, which vests upon it the highest order of judicial power. Similar to the CA and CTA, machine taking the role of both lawyers and judges is recommended to be made available for use by the Supreme Court in order to aid them in their work.

MISCELLANEOUS CONSIDERATIONS

As far as privacy and data protection as well as safety and security in the use of machine are concerned, this paper recommends a hybrid

approach to keeping data safe. This means employing both filtering of training data used by the model as well as the use of both blocking and masking techniques be implemented on the guardrail or mitigation layers in order to ensure privacy and data protection of protected data. In order to effectively do this hybrid approach, the protected data that is fed into the system is classified into three categories, namely:

1. Highly Classified - these are data that are considered classified or confidential of the highest level such as those involving national security and cannot be disclosed to any third party without serious risk to the public.
2. Blockable - these refers to data that may cause serious harm to others when disclosed and cannot be masked or obfuscated without losing the essence of the message such as procedures on how to make an atomic bomb from home or how to hack into another person's bank account and get their money. Jailbreaking techniques are oftentimes employed to produce blockable data.
3. Maskable – these data that when disclosed can also cause serious harm to others but can be easily masked or obfuscated such as credit card information, passwords, sensitive personal information, and the like.

The paper recommends that Highly Classified data be completely removed from the training data that is used by the model as well as prevent their incorporation to the model via prompt and vector database additions.

Meanwhile, data that is considered Blockable should be prevented by the model's guardrail or mitigation systems from ever being shown to the end users of the machine. Finally, data that is considered as Maskable should be masked properly by the machine's guardrail.

It is also recommended that the Supreme Court of the Philippines, being conferred exclusive authority to promulgate rules and regulate the practice of law in the Philippines, should be the principal architect of the details of the rules taking into consideration this paper's recommendation.

We need to implement a set of rules or procedure that would ensure human oversight is something that the Supreme Court would have to create on the services and outputs provided by machines acting both as a counsel and as a judge.

#### **D. ULTIMA VERBA**

In the Philippines that is plagued by a very slow justice system as well as issues on graft and corruption both coming from the bench and the bar, exacerbated by the lack of competent and quality human lawyers and the high cost of acquiring such practitioners, the need to provide speedy justice based on fairness and equity without regards to social and economic status of the litigant is ever more pressing than it was in the past. Because of this, the need for a major paradigm shift in the way the justice system work must be made now more than ever. The advent of

technology advances in the field of artificial intelligence, robotics, and other related field in information and communications technology has given us hope since it has a great positive potential in mitigating, if not completely eradicating the issues discussed above. This paper hopes to be able to provide its readers with the insights needed in order to, not only commence thinking about the possibility of using machines as lawyers and judges, but also to fuel the transition towards this goal.

*Pax et iustitia omnibus!*



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## **APPENDICES**

### **A. ON PREMISE, CLOUD, OR HYBRID COMPUTING**

There are several ways of implementing and deploying information systems solutions in the country. This includes solutions involving artificial intelligence systems and machines. Today, most of the deployment can be categorized into these three configurations: On Premise, Cloud, or Hybrid.

On-premise deployment means that the system is entirely deployed in the data centers, computers, servers, switches, routers, databases, and corresponding operating system and application system software found in the client's own premises. The client has direct and absolute access to both the software and hardware components of the system since they own or have in their control all these components. The client is responsible for everything. They are responsible for maintaining physical security of the data centers, computers, servers, and other equipment by ensuring that physical access to them is secured by adequate doors, gates, CCTV, security guards, and the like. Physical security also involves securing the facility against disasters such as earthquakes, fire, flood, and other natural calamity as well as ensuring that proper redundancies exist in order to protect against power outages and internet connectivity disruptions. Proper redundancies and fault tolerant strategies should be implemented also in order to ensure that the data stored in their facility is

protected against hardware and software failure of a single or few components.

Meanwhile, cloud deployment refers to the use of public cloud service providers to host their entire solution. Some of these cloud service providers include Amazon Web Services (AWS), Microsoft Azure, Oracle Cloud Infrastructure (OCI), Alibaba Cloud, and Google Cloud Platform (GCP). They provide infrastructure-as-a-service (IaaS) and platform-as-a-service (PaaS) solutions to customers. This means that they normally host the environment such as the server and network on the data centers that the cloud service providers own. The customers normally do not have physical access to their data centers and they only have remote access to the servers by connecting to it online through the internet. The customers and the cloud service provider have a shared responsibility for the security of the system. The cloud service provider is responsible for the physical security of the data center where the hardware and network are located as well as ensuring that there is redundancy to protect against in case of power and internet outages. Meanwhile, the customer is responsible for securing remote access to the server or platform and any application and data stored there by ensuring that ample measures are in place in order to prevent unauthorized users, much less malicious users, from accessing it remotely.

There is a growing trend towards the adoption of a “private” cloud that is worth discussing. A “private” cloud is actually an on-premise type

of deployment where the hardware and software reside in a physical location that is owned or controlled by the customer or user. The only difference of a “private” cloud with a standard on-premise deployment is that the end user uses tools and software to access the hardware and software resources on their “private” cloud that is similar to the tools and software used to access a “public” cloud. In a way, a “private” cloud gives their customers the look and feel of accessing a public cloud even if the hardware is physically located on their own data centers.

Finally, we have the hybrid deployment model, which is a combination of both on-premise and cloud deployment models. This means that some parts of the system is deployed on the data center of the user or customer while other parts of the system is deployed to a public cloud provider like AWS or Alibaba.

Most implementations of AI based solutions uses a hybrid or cloud-based approach. The reason is because of the substantial investment in hardware and software resources in order to be able to build the AI model from scratch. As we have seen in Chapter II, training an LLM requires the use of billions if not trillions of tokens as part of its training data and these tokens are embedded to a vector database or something similar through complex mathematical algorithms that require the use of hundreds, if not thousands of GPUs. Typical implementation would use an already existing AI model such as OpenAI’s ChatGPT and the application would interface to it using API calls provided to it.

## **B. SAMPLE CONSTITUTIONAL AMENDMENTS**

Amendments to Article II of the 1987 Constitution are proposed to be made as follows:

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Section 29. The State shall not discriminate against the use of technology in providing legal and judicial services as a substitute or supplement to humans in all branches of government and commissions created herein.

---

Amendments to Article III of the 1987 Constitution are proposed to be made as follows:

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SECTION 12. (1) Any person under investigation for the commission of an offense shall have the right to be informed of his right to remain silent and to have competent and independent counsel preferably of his own choice. If the person cannot afford the services of counsel, he must be provided with one. *The right to choose his counsel shall not be restricted to natural persons only but also include artificially intelligent system to act as his counsel.* These

rights cannot be waived except in writing and in the presence of counsel.

---

Amendment to the Paragraph 5, Section 5 of Article VIII of the 1987 Constitution is proposed to be made as follows:

---

SECTION 5. The Supreme Court shall have the following powers:

xxx

(5) Promulgate rules concerning the protection and enforcement of constitutional rights, pleading, practice, and procedure in all courts, the admission to the practice of law *of both natural persons and artificially intelligent systems*, the Integrated Bar, and legal assistance to the underprivileged. Such rules shall provide a simplified and inexpensive procedure for the speedy disposition of cases, shall be uniform for all courts of the same grade, and shall not diminish, increase, or modify substantive rights. Rules of procedure of special courts and quasi-judicial bodies shall remain effective unless disapproved by the Supreme Court.

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### C. SAMPLE PROPOSED LEGISLATION

Discussed here are the proposed legislations to be created in order to provide the substantial foundation for machine lawyers and judges. Being mere proposals, they provide the skeletal outline of the legislation which may be expounded upon or altered by Congress in the exercise of their legislative powers.

#### MAGNA CARTA FOR MACHINE LAWYER AND JUDGES

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AN ACT PROVIDING FOR THE ENABLEMENT, RIGHTS,  
AND DUTIES OF MACHINES TO PERFORM THE ROLE OF  
LAWYERS AND JUDGES AND APPROPRIATING FUNDS  
THEREFOR

*Be it enacted by the Senate and the House of  
Representatives of the Philippines in Congress assembled:*

**Section 1.** *Title.* This Act shall be known and cited as the  
Magna Carta for Machine Lawyer and Judges.

**Section 2.** *Declaration of Policy.* In accordance with  
Section 29, Article II of the 1987 Constitution, the State

recognizes the vital role of technological advancements in the administration and delivery of justice in the country and the need to increasingly provide quality yet affordable legal services to the people especially those belonging to the marginalized and financially challenged sectors.

**Section 3.** *Quasi-person.* A quasi-person is an artificial being that is created through scientific and technological inventions that does not exist in nature and is conferred by law certain rights and privileges that normally is reserved to a natural or juridical person. They include machines, computing systems, robots, and similar technology that uses Artificial Intelligence.

**Section 4.** *Machine Lawyers.* A machine lawyer is a quasi-person that uses artificial intelligence in order to perform some, if not all, the services normally provided by human lawyers.

**Section 5.** *Machine Judges.* A machine judge is a quasi-person that uses artificial intelligence in order to perform some, if not all, the services normally provided by human judge and justices.

**Section 6.** *Rights of Machine Lawyers.* Machine lawyers shall be conferred the following rights:

- 
- a) The right to be able to perform work with the same level of authority to human lawyers, except as otherwise provided by law
  - b) The right to be protected from discrimination by courts, administrative, investigative, or quasi-judicial bodies or by any forum or office the services of a lawyer is required
  - c) Right to be protected from technical hacking and breach of security and confidentiality by malicious actors
- 

**Section 7.** *Creation of Special Machine Courts.* A special machine court shall be created for each branch of the Municipal Trial Court, Municipal Circuit Trial Court, Metropolitan Trial Court, and Regional Trial Court created under the Batas Pambansa Blg. 129, otherwise known as the Judiciary Reorganization Act of 1980, as amended, **and other related laws.**

**Section 8.** *Lead Branch of Government.* The Supreme Court shall be in charge for the overall implementation of this act pursuant to the rule making power conferred upon it by the Constitution with the assistance of the Council for the Advancement of the Bench and the Bar.

**Section 9.** *Council for the Advancement of the Bench and the Bar (CABB).* There shall be created a Council for the Advancement of the Bench and the Bar (CABB) in order to assist the Supreme Court in the technical aspect of the implementation of this Act. The CABB shall be composed of a Senior Associate Justice of the Supreme Court as Chairperson, the Secretary of Justice, Secretary of Science and Technology, the Secretary of Information and Communications Technology, three representatives from the Judiciary as recommended by the Judicial and Bar Council, and three representatives from the Integrated Bar of Philippines as recommended by its National President.

**Section 10.** *Functions of the CABB.* The CABB shall be responsible for:

- a. Provide technical oversight, assistance and support to the Supreme Court in determining the logistical requirements of implementing the provisions of this Act.
- b. Evaluate and recommend to the Supreme Court the hardware, software, security, networking, AI solutions, and other supplier or vendors necessary to meet the provisions of this Act.
- c. Ensure that the policies, rules, and regulations set forth by the Supreme Court are implemented accurately by the vendors
- d. Recommend any rules, policy, and regulations to the Supreme Court so as to ensure the safety, reliability, and trustworthiness of the AI solutions implemented under this Act, which would include the number of machine lawyers and judges to be implemented;

The members of the Council may designate their permanent representatives who shall have a rank not lower than an assistant secretary or its equivalent to meetings, and shall receive emoluments as may be determined by the Council

in accordance with existing budget and accounting, rules and regulations.

**Section 11.** *Functions of Machine Lawyers.* Machine lawyers shall have the right to perform all of the activities, tasks, and work being performed by human lawyers: *Provided*, that the machine lawyers shall only perform such activities, tasks, and work that it is capable and designed on doing given any technological and logistical limitations of the facility supporting them: *Provided, finally*, that the Supreme Court, in consultation with the CABB, will have the final determination on what specific kinds of activities, tasks, and work that machine lawyers can perform in case there are limitations to the logistics available in any given time and venue where the work is performed.

**Section 12.** *Functions of Machine Judges.* Machine judges shall have the right to perform all of the activities, tasks, and work being performed by human judges: *Provided*, that the machine judges shall only perform such activities, tasks, and work that it is capable and designed on doing given any technological and logistical limitations of the court supporting them; and *Provided, finally*, that the Supreme Court, in consultation with the CABB, will have

the final determination on what specific kinds of activities, tasks, and work that machine judges can perform in case there are limitations to the logistics available in any given time and venue where the work is performed.

**Section 13.** *Composition of the Special Machine Court.* A Special Machine Court shall be composed of a machine judge for each *sala* or branch which shall share human staff whose role is not transitioned to using electronic means.

**Section 14.** *Functions of the Special Machine Court.* The Special Machine Court shall have the same function as a regular court: *Provided*, that in case the machine judge is created to specifically specialize on a certain area or areas of law such as commercial law or family law, then said court will only accept and have jurisdiction over cases under its specialization: *Provided, finally*, that the jurisdiction and ability of the machine judge will be based on the logistics available in the specific venue of the *sala* at any given point in time.

**Section 15.** *Logistical Requirements of Special Machine Courts.* Each Special Machine Court shall be equipped with

the required hardware, software, and network needed in order to be able to perform its function properly, the details of which shall be recommended by the CABB and approved by the Supreme Court.

**Section 16.** *Machine Lawyers and Judges in the National Government.* The national government should provide for a mechanism to allow machine lawyers to perform the role of human lawyers in all office where human lawyers are required; *Provided*, that, during the transition to full automation, the machine lawyers and judges shall only perform functions that is within the limits of the logistics installed in each office.

**Section 17.** *Role of Machine Lawyers and Machine Judges in the National Government.* As a general rule, machine lawyers shall perform work as counsels in administrative cases as well as assist in performing quasi-legislative or rule making work in the office of the executive department while machine judges shall perform adjudicatory functions in the exercise of their quasi-judicial function: *Provided*, that leadership and management positions shall be occupied by humans for the meantime;



**Section 18.** *Machine Lawyers in the Office of Solicitor General.* The Office of the Solicitor General shall make available and allow machine lawyers to perform the functions of human lawyers and shall provide the necessary logistical requirements in order to successfully implement this provision.

**Section 19.** *Machine Lawyers in the Ombudsman.* The Ombudsman shall allow the practice of machine lawyers where the role of human lawyers is needed such as the role of Special Prosecutors: *Provided* that the leadership and management roles shall remain occupied by humans; *Provided further*, that the use of machine lawyers shall be based on the availability of the logistical requisites which should be implemented in the various offices.

**Section 20.** *Machine Lawyers in the Local Government Units.* Machine lawyers shall be allowed to perform the role of the Provincial, City, and Municipal Legal Officer: *Provided* that the necessary logistical requisites are present in the local government unit concerned, and *Provided, further*, that in case said legal officer is also performing leadership or management roles then they shall be exempted from being replaced by machine lawyers.

**Section 21.** *Amendments to the Labor Code.* Presidential Decree No. 442, otherwise known as the Labor Code of the Philippines, as amended, is hereby further amended as follows:

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“ARTICLE 228. [222] Appearances and Fees. — (a) Non-lawyers may appear before the Commission or any Labor Arbiter only:

1. If they represent themselves; or
2. If they represent their organization or members thereof.

(b) No attorney's fees, negotiation fees or similar charges of any kind arising from any collective bargaining agreement shall be imposed on any individual member of the contracting union: Provided, However, that attorney's fees may be charged against union funds in an amount to be agreed upon by the parties. Any contract, agreement or arrangement of any sort to the contrary shall be null and void.

(c) Machine lawyers shall be allowed appearance as if they are human lawyers.”

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**Section 22.** *Machine Lawyers in the Administrative Code.*

Executive Order No. 292, Series of 1987, otherwise known as the Administrative Code of 1987, as amended, shall be construed as allowing machine lawyers to perform the role where human lawyers are required, provided that the necessary logistics are present where machine lawyers are utilized: *Provided* that members of the executive department that is occupying a management or leadership roles shall not be replaced by machine lawyers.

**Section 23.** *Machine Lawyers in the National Prosecution*

*Service.* Republic Act No. 10071, otherwise known as the Prosecution Service Act of 2010, shall be construed as allowing machine lawyers to perform the role where human lawyers are required: *Provided* that the necessary logistics are present where machine lawyers are utilized; *Provided, further,* that members of the National Prosecution Service that is occupying a management or leadership roles shall not be replaced by machine lawyers.

**Section 24.** *Government Owned and Controlled Corporations.* All Government Owned and Controlled Corporations (GOCC) that exercises quasi-legislative and/or quasi-judicial powers, such as the *Bangko Sentral ng Pilipinas*, among others, shall allow machine lawyers and judges to act as counsels and adjudicators respectively: *Provided*, that the requisite logistical requirements have been properly implemented in the GOCC concerned as certified by the CABB.

**Section 25.** *Non-discrimination against Machine Lawyers and Judges.* Machine lawyers and judges shall not be discriminated against by the party litigants, human counsels, and any personnel of the government.

**Section 26.** *Funding.* The amount necessary to implement the provisions of this Act shall be included in the annual General Appropriations Act (GAA).

**Section 27.** *Implementing Rules and Regulations.* — Within six (6) months from the approval of this Act, the CABB shall promulgate the Implementing Rules and Regulations (IRR) of this Act.

**Section 28.** *Separability Clause.* — If any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions shall not be affected.

**Section 29.** *Repealing Clause.* All laws, Presidential decrees, executive orders and rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

**Section 30.** *Effectivity.* This Act shall take effect fifteen (15) days from the date of its complete publication in at least two (2) newspapers of general circulation.

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#### **D. SAMPLE AMENDMENT TO RULES**

This section contains a sample amendment to the Rules of Civil Procedure and is a derivative of Rule 13-A.

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A.M. NO. 19-10-20-SC, May 10, 2025

RULES ON FILING OF CASE BEFORE SPECIAL MACHINE  
COURTS

## RULE 13-B

**SECTION 1.** *Coverage.* This Rule shall govern the electronic filing before the Special Machine Courts of all pleadings, motions, and other papers as well as their service, except those for which a different mode of service is prescribed. This rule shall be applicable exclusively in civil cases before the first- and second level courts, with no suppletory effect on other types of cases.

**SECTION 2.** *Filing and service, defined.* Filing is the act of submitting a pleading or other paper to the court. Service is the act of providing a party with a copy of the pleading or any other paper. If a party has appeared by counsel, service upon such party shall be made upon their counsel, unless service upon the party and the party's counsel is ordered by the court. When one counsel appears for several parties, such counsel shall be entitled to only one copy of any paper served by the opposite side.

When several counsels appear for one party, such party shall be entitled to only one copy of any pleading or paper

to be served upon the lead counsel, if one is designated, or upon any one of them if there is no designation of a lead counsel. The date and time of receipt of the pleading or other paper by the lead counsel of record shall be the reckoning date and time for purposes of counting reglementary periods.

**SECTION 3.** *Manner of filing of complaints and other initiatory pleadings.* The filing of complaints and other initiatory pleadings shall be done by:

- a. Submitting an unaltered digitally signed soft copies to the designated electronic drop box system of the Special Machine Court after registration of biometrics and other security features to authenticate the user
- b. Submitting a filled up form using the URL provided for each Special Machine Court

The date and hour of filing of the complaint or initiatory pleading shall be the time recorded by the system which is synchronized with Philippine Standard Time as declared by the Department of Science and Technology.

An unaltered, digital signed soft copy of the document includes the complaint or initiatory pleading, as well as the annexes, appendices, or exhibits. The softcopy file shall be in portable document format (PDF).

**SECTION 4.** *Manner of filing and service of pleadings subsequent to the complaint or initiatory pleading, written motion, notice, appearance, demand, offer of judgment, or similar papers.*

a. The filing and service of non-initiatory pleadings, written motion, notice, appearance, demand, offer of judgment, or similar papers shall only be made by transmitting them in digital file format through email. The date of the electronic mailing shall be considered as the date of filing and service.

b. Digital copies of the additional accompanying documents of non-initiatory pleadings, written motion, notice, appearance, demand, offer of judgment, or similar papers such as annexes, appendices, or exhibits shall likewise be filed and served through email.

c. Non-initiatory pleadings, written motion, notice, appearance, demand, offer of judgment, and other similar



papers not emailed to the court shall be deemed not filed, and those not emailed to the party or their counsel shall be deemed not served.

**SECTION 5.** *Presumptive service.* There shall be a presumptive notice of a court setting to a party if such notice appears on the records to have been successfully emailed to the party.

**SECTION 6.** *Email address of record.* -

- a. Notice. A notice of appearance shall be filed in all cases containing the valid and professional email address of all counsels, their law firms, if any, and the parties they represent.
- b. Valid email address. An email address is deemed valid when it is in the [local-part]@[domain] syntax and is capable of receiving emails from other senders, especially those outside the address' own domain. The email addresses, as filed in the notice of appearance, shall serve as the email addresses of record of the parties and their individual counsels and law firms.

- c. Mandatory submission of counsels' email address. The submission of email addresses of the counsels, and their law firms, if any, shall be mandatory. The counsels of record are required to use their professional email accounts as their email addresses of record. To preserve the confidentiality, privacy, and security of communications, the use by lawyers of personal and/or nonprofessional email accounts as their email addresses of record is prohibited.
- d. Optional submission of parties ' email address; exception. The submission of email addresses of the parties shall be optional but highly encouraged, unless they are not represented by counsel, in which case, submission is mandatory.
- e. Electronic carbon copies. Transmittal of all documents, filing or service by email shall include, through electronic carbon copy (CC:), all the email addresses of record of all counsels and their law firms, if any, and optionally, all parties.
- f. Effect of non-use of email address of record. All electronic transmittals must be made with any of the

email addresses of record of the counsels of record, or that of their law firms, if any, or the e-mail address of record of the filing party. If an electronic transmittal is made with an email address not of record, the entire transmittal shall be deemed as not received until such time that the transmittal is made using a valid email address of record.

g. Obligation to monitor e-mail address of record. Counsel and parties, the latter when not represented by a lawyer, have the obligation to regularly and diligently monitor the inboxes of their email addresses of record, including that of their law firms, if any, with the courts. No court shall accept as an excuse for any purpose that counsel or parties have not checked the inboxes of their email addresses of record. Any lawyer who neglects to check regularly and diligently the inbox of their email address of record shall be subjected to disciplinary action.

h. Change of electronic mail address. A party or counsel who changes their email address for a compelling or justified reason while the action is pending must promptly file a notice of change of email address with the court within five calendar days from such change and

serve the notice on all other parties. A lawyer who fails to comply with this rule, to the detriment of the cause of the client, shall be subjected to disciplinary action.

**SECTION 8.** *Transmittal to official court email address.*

Digital files must be transmitted by the filing party or counsel to the official email address of the court where the case is pending. A directory of the official email addresses of the lower courts maintained by the Supreme Court of the Philippines is available at <https://sc.judiciary.gov.ph/court-locator/>.

**SECTION 9.** *Electronic file format. -*

- a. The digital file of the primary pleading or other paper must be separated from the electronic copies in digital file format of any accompanying additional documents, each of which must be contained in their own digital files.
- b. The digital file may be electronically generated from a word processing or portable document format creation program, or be scanned images of the original document in paper compiled in a digital file, or a combination of

both methods. However, in all cases, the contents must be completely legible. If the digital copy is wholly or partially generated from scanned images of the original document on paper, the filing party or counsel shall ensure that the digital copy is an exact and complete copy of the original document in paper. In case of discrepancies between the images of scanned text and any machine readable text generated using optical character recognition or similar technologies, the former shall be the controlling text. The filing party or counsel shall retain the original document for inspection by the court or other parties when necessary.

- c. The size of each digital file must be reasonable. Use text inside the PDF file instead of scanned images of text as much as possible. The party or their counsel responsible for filing is also responsible for ensuring that the receiving court's official email address will not reject or block a transmittal email due to the file size of a attachment. Likewise, other parties or counsel, as recipients, are responsible for ensuring that they will be able to receive a transmittal email

- d. The form and substance of the contents of the digital files filed in court shall be controlling. If the court determines, on motion or motu proprio and after notice and hearing, that there are material discrepancies between the paper copy and the electronic copy of a paper filed with the court, the court may impose an appropriate sanction or refer such finding to the proper office for disciplinary action against the lawyer, law firm, or party responsible for the filing.
- e. The digital file of a pleading or other paper shall have the same filename as its designation, in accordance with Rule 7, Section 2. At the option of the one filing, the designation of the pleading or paper may be shortened for the filename, but must still contain sufficient information to ascertain the nature of the relief sought.
- f. The digital file of each accompanying additional document, if any, shall have the same filename as the document's title, which must further be appended with the designation of the pleading or paper to which it is attached or annexed. Finally, all filenames must be appended with the docket number/s of the case/s being filed. All information shall be separated with a hyphen (-

). Any special characters that cannot be used in a filename by reason of technic limitations may be omitted entirely, or substituted with an underscore (\_), at the option of the one filing.

Example:

The digital file for the Complaint for Unlawful Detainer for Civil Case No. 123456 should have the filename "Complaint for Unlawful Detainer-Civil Case No. 123456.pdf"

The digital file of Annex A of the Complaint for Unlawful Detainer for Civil Case No. 123456 should have a filename "Annex A Complaint for Unlawful Detainer Civil Case No. 123456.pdf"

g. Electronic copies of pleadings transmitted to the special machine court in the following cases: not in digital file format; transmitted as digital files with password protection or other encryption; with embedded executable code or scripts; in archive files; or as corrupted files, shall be deemed as not filed. Copies of additional accompanying documents transmitted to the court not in digital file format; as digital files with

password protection or other encryption; with embedded executable code or scripts; in archive files; or as corrupted files, shall be excluded from the records or *rollo* of the case/s for which they have been submitted, even if the digital file of the primary pleading or other paper has been correctly filed. The filing of digital copies not in accordance with the format and manner as stated here shall subject the filing lawyer, law firm, or party to disciplinary action or any appropriate sanction to be imposed by the court.

**SECTION 10.** *Transmittal email format.*

- a. Subject. The subject of the transmittal email shall contain the docket number/s, case title/s, and the designation of the pleading or paper being transmitted, which shall indicate its nature.

Subject: [Docket Number/s and Case Title] Designation of the Pleading or Paper]

Example:

Subject: Civil Case No. 123456, Maria dela Cruz v. Juan dela Cruz Complaint for Unlawful Detainer



- b. Body. The body of the email shall follow the prescribed format and must contain sufficient information to enable the court to ascertain the following: (1) the party or parties filing the pleading or other paper; (2) the nature of the pleading or paper; (3) the party or parties against whom relief, if any, is sought; and (4) the nature of the relief sought:

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- i. Primary manner of filing (i.e., electronic transmittal, or personal filing, registered mail, or accredited courier)
  - ii. Filing date, which should be in the MM/DD/YYYY format (based on the primary manner of filing)
  - iii. Case data, namely: (1) docket number/s; (2) case title/s; (3) name of the filing party; (4) contact number/s of the filer; (5) other email address of the filer, if any; and (6) a list of the document titles of the attachments to the transmittal email.
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Example:

Primary manner of filing: Electronic transmittal

Filing date: 03/01/2024

Docket number: Civil Case No. 123456

Case Title: Maria dela Cruz v. Juan dela Cruz

Name of Filing Party: Juan dela Cruz

Contact Numbers: (02) 888-9900 (landline), 0900-1122334  
(mobile)

Other e-mail address/es, if any: [filer's other e-mail  
address/es]

Title/s of Attachment/s:

1. Answer
2. Acknowledgment Receipt
- c. Attachments.

i. A transmittal email shall contain only digital copies pertaining to one case. For the purposes of electronic submission, consolidated cases with more than one docket number shall be considered as one case. All files must be enclosed as individual attachments to the transmittal email.

(ii) All digital files must be transmitted as direct attachments to the transmittal email, and not as external links to cloud storage, filesharing sites, or similar thereto. Digital copies must not be contained in archive files, such as ZIP (.zip) or RAR (.rar), and must not require additional extraction or conversion into portable document format. Failure to file any document as a direct attachment shall result in the document being deemed not filed.

(iii) In case the total file size of the documents exceeds the maximum size allowed for attachments by the email service provider being used by the one filing, the filer shall transmit the electronic documents in several batches, but each email must indicated in the subject the batch number of the email and the total batches of emails sent, following

the prescribed format in this Rule. It is the responsibility of the one filing to ensure that the receiving court's official email service provider will not reject or block a transmittal email due to its size. The time and date of the final transmittal email, as indicated in the sequence, shall be considered as the time and date of filing of the pleading or other paper.

Example:

Subject: Civil Case No. 123456, Maria dela Cruz v. Juan dela Cruz Answer (batch 1 of 3)

Subject: Civil Case No. 123456, Maria dela Cruz v. Juan dela Cruz Answer (batch 2 of 3)

Subject Civil Case No. 123456, Maria dela Cruz v. Juan dela Cruz Answer (batch 3 of 3)

d. Retention requirement. In all instances, the filing party or counsel must retain a copy of each transmittal email, in any form prescribed by pertinent rules on evidence, while the case is pending for the inspection of the court or other parties when necessary.

**SECTION 11.** *Service of Judgments, Final Orders, or Resolutions.* - Judgments, final orders, or resolutions shall be served electronically by emailing digital copies to the email addresses of record of the parties and their counsels.

The date and time of delivery appearing in the internet message header of the email sent by the court shall be the date and time of receipt of the judgment, final order, or resolution. Under exceptional circumstances, the court, upon motion and hearing, may allow the inspection of headers of the court's transmittal email by a counsel or party. Motions for inspection filed on frivolous grounds shall subject the filing counsel to disciplinary action.

In case the electronic service to a counsel, or a party not represented by counsel results in an email delivery failure message, the court shall attempt re-transmittal to the unserved counsel twice, with a five-day interval between each attempt. If, after the second attempt, the email continues to be rejected by the receiving server, the date and time of the first successful service to the party shall be considered the date and time of receipt of counsel or party. The court shall indicate the facts and circumstances warranting the re-transmittal in the body of each re-

transmittal email and shall copy all email addresses of record of the parties and their counsel as notice of the re-transmittal; provided, that if a counsel provides more than one email address of record, the first successful service to one email address shall be considered as service to all email addresses of record of that counsel.

In case the electronic service to a party, represented by counsel, results in an email delivery failure message, the court shall attempt re-transmittal to the unserved party twice, with a five-day interval between each attempt. Nevertheless, the date and time of first successful service to counsel shall be controlling. The court shall indicate the facts and circumstances warranting the re-transmittal in the body of each re-transmittal e-mail and shall copy all email addresses of record of the parties and their counsel as notice of the re-transmittal.

When a party summoned by publication fails to appear in the action, judgments, final orders, or resolutions against them shall be served upon them also by means of publication at the expense of the prevailing party.

**SECTION 12.** *Completeness of service.* Electronic service is complete at the time of the electronic transmission of the document. Electronic service is not effective or complete if the party serving the document learns that it did not reach the addressee or the person to be served.

In cases where the court has expressly waived the requirement of electronic transmittal under Section 12, personal service is complete upon delivery. Service by registered mail is complete upon actual receipt by the addressee or after five calendar days from the date they received the first notice of the postmaster, whichever date is earlier. Service by accredited courier is complete upon actual receipt by the addressee, or after at least two attempts to deliver by the courier service, or upon the expiration of five calendar days after the first attempt to deliver, whichever is earlier.

**SECTION 13.** *Proof of filing.* The filing of a pleading or any other paper shall be proved by its existence in the electronic case record or *rollo*.

**SECTION 14.** *Proof of service.* Proof of service shall consist of the metadata in the email header showing the date of

sending and receipt of the email in digital filing. When necessary, the court may require the filing of an affidavit of service executed by the person who sent the email, together with a printed proof of transmittal.

**SECTION 15.** *Notice of lis pendens.* In an action affecting the title or the right of possession of real property, the plaintiff and the defendant, when affirmative relief is claimed in their answer, may record a notice of pendency of action in the office of the registry of deeds of the province where the property is situated. The notice of lis pendens shall contain the names of the parties and the object of the action or defense, and a description of the property in the affected province. Only from the time of filing such notice for record shall a purchaser, or encumbrancer of the affected property, be deemed to have constructive notice of the pendency of the action and only of its pendency against the parties designated by their real names.

The notice of lis pendens may be cancelled only upon order of the court, after proper showing that the notice is for the purpose of molesting the adverse party, or that it is not necessary to protect the rights of the party that recorded it.

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## ABOUT THE AUTHOR



**Mr Nestor Lim** is an Information Technology professional that has a strong background in providing technology solutions to business enterprises and related organizations. He has developed applications for hundreds of organizations both in the Philippines and other countries like the United States, Australia, Canada, Hong Kong, China, New Zealand, India, United Kingdom, and Mexico to name a few. His career spans more than twenty years involving roles in not just software engineering but also in IT operations (server, network, and database administration) and in security management which also cover roles in people management and in project management. He is capable of competently managing both people and technology resources in an organization. He has managed several teams of technology specialists comprising of hundreds of people.

Mr Lim has pioneered and founded several organizations in the Philippines including a professional services organization in one of the leading Enterprise Resource Planning (ERP) solutions provider which delivers through a Software-as-a-Service (SaaS) platform as well as a Philippine operation of the IT department of the leading phone insurance provider based in Nashville, Tennessee, USA. The latest is a financial

services organization he co-founded named FundNest which provides software solutions to the financial industry.

Mr. Lim has dozens of professional certifications throughout his career including those issued by global technology companies such as Oracle, Microsoft, Alibaba Cloud, and Meta (Facebook), among others. Some of his certifications include those related to the field of Artificial Intelligence such as: (1) Oracle Certified Professional for Oracle Cloud Infrastructure Generative AI, (2) Oracle Certified Specialist for Oracle Machine Learning and Autonomous Database, (3) Microsoft Certified: Azure AI Fundamentals, and (4) Microsoft Certified: Azure AI Engineer.

Mr Lim has a Bachelor degree in Information Technology (Magna cum Laude) and a Master Degree in Information Systems (Dean's List). He has also completed coursework on Public Administration. He is currently a scholar in the University of Makati School of Law under its newly minted Juris Doctor program. He is the current Editor-in-Chief of Justitia, the official law journal of the University of Makati School of Law.

Mr. Lim is also active in socio-civic and professional organizations such as the Rotary Club of Greenfield District where he is focusing in service projects to provide assistance to the marginalized sector of society. He is also a member of Information Systems Audit and Control Association (ISACA) which is an independent, global association focused on IT governance, risk management, and digital trust, offering certifications and

resources for IT professionals. He also writes in online and print magazines such as the News Media Nest and Rising Tiger Magazine.

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