

Intelligent Legal Information Systems, Past and Present

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Abstract

Regarding legislation and legal information systems in a governmental sector of the Republic of Korea, the legislative procedure in the National Assembly is introduced at first. Considerations for legislation are also discussed. Second, a vision for making an intelligent legal information system is introduced under four categories which are an usher for vest legal information, analysis on relations between legal information, translation for foreign legal information, and self-learning. At each category, legal information systems, so called “Intelligent,” are also introduced.

I. Introduction

There are many legal information systems in the world. No one can do exactly tell to us how many those are in the world. The functions or aims of those are various according to needs for legal information or economic power at each country.

In my country, as far as I know, a legal information system started in order to archive legislative materials in the National Assembly Library about 30 years ago². And

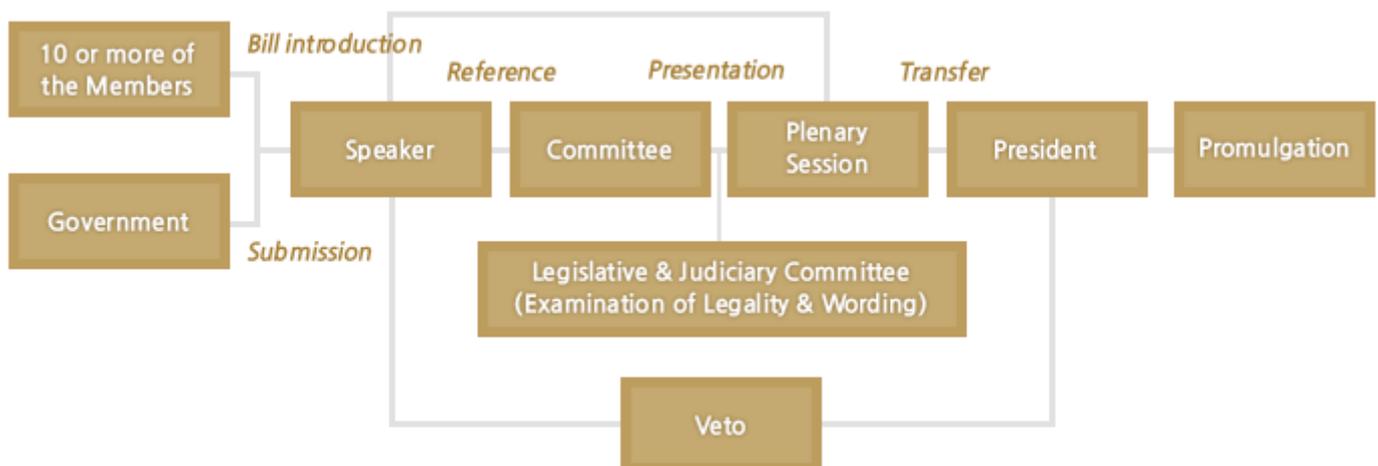
¹ Legal Specialist of the National Assembly Library of the Republic of Korea. This paper is not an official statement of the National Assembly Library but writer’s private opinion.

² March 1985. See General View of the library, NATIONAL ASSEMBLY LIBRARY, http://www.nanet.go.kr/06_introduce/02_history/01/nalopen_inf.jsp (last visited Nov. 18, 2014).

then the Supreme Court, the Ministry of Justice, and the Ministry of Government Legislation started its own intra-network legal information system in the late 1980's. Likewise, the leading group for a legal information system belongs to a governmental sector in early days and this tradition has lasted nowadays.

This article is regarding legislation in my country and legal information systems in a governmental sector. Especially, you will meet the legal information systems which can provide customer-oriented legal information services, so called "Intelligent."

II. Legislation in the National Assembly



<Diagram 1> Legislative Process for enacting and amending law in the National Assembly³

The legislative procedure starts from introducing or submitting a bill to the National Assembly. 10 or more of the members of the National Assembly shall introduce a bill to the National Assembly. The President of the Republic of Korea can also submit a bill to the National Assembly.

³ *On Legislation*, THE NATIONAL ASSEMBLY OF THE REPUBLIC OF KOREA, http://korea.assembly.go.kr/int/act_01.jsp (last visited Nov. 18, 2014).

The Speaker of the National Assembly distributes the bill to members in a printed text form. The speaker reports the bill to a plenary session of the National Assembly and refers the bill to the appropriate committee.

The most intense consideration is given to the bill by the committee during committee action. At the first step, the proposer of the bill explains the purpose of the bill in a committee session. In the next step, a committee staff director⁴ reports the review of the bill to a committee. During committee action, the committee also has the opportunity to be heard. Usually the first step in this process is a public hearing. The committee or a committee member sometimes holds a seminar on the issues related with the bill.

After a public hearing or a seminar is completed, the bill is considered in a subcommittee. Members of the subcommittee study the viewpoints presented in detail and determine what action to take on the bill. It can be reported, with or without amendment, or tabled. Amendments may be offered to the bill, and the committee vote to accept or reject these changes. If the committee has approved the bill or amendments, the Committee Report is written.

The committee refers the bill with the Committee Report to the legislation and judiciary committee. The legislation and judiciary committee examines each article of the bill to check a logical array and a legal paradox. After the examination is completed, the committee presents the bill with 2 Committee Reports to a plenary session of the National Assembly.

⁴ He/She is not a member of the National Assembly but a public servant of the National Assembly.

If the National Assembly has approved the bill, the bill is transferred to the President of the Republic of Korea. The President shall promulgate the bill in 15 days. Finally, after 20 days from the promulgation, the bill comes into an Act.

III. Considerations in Legislative Process⁵

'Rule of Law' can be understood in different meanings according to a place where it is and then it is not easy to define what the good law should be. Nevertheless, nobody could not disagree that the law based on justice and equality should rule us and our life. Therefore, a legislator⁶ tried to make a law which had a balance between justice and equality in the past.

In contemporary legislation, there are much more things that should be considered in legislation. For example, my country has been dramatically developed from the lowest income country to the OECD member in a short time. Simultaneously, law has ruled more and more deeply and widely on various social sectors. So, a contemporary legislator should understand the specific aspects of various social sectors in addition to the traditional ideology. Thus, the information related with legislation has been rapidly growing up and more complicated than the past. In order to make a good law, the information should be thoroughly analyzed. As you know, it would take a long time. Sometimes, it might overwhelm a man's mental capacity because it could be too immense to analyze it.

⁵ Dong Kwan Jo, Hanmin Jung, Do-Heon Jeong, *Why we should make an intelligent legal information system?*, WILIS Workshop, INTERNATIONAL CONFERENCE ON BIG DATA AND SMART COMPUTING 2014(Jan. 17, 2014).

⁶ In my country, the Member of the National Assembly or the President of the Republic of Korea (a Minister of each governmental part) can be a legislator. Of course, many counselors or public servants may be in the same position to support a legislator.

Hence, we come to need an intelligent legal information system which can help a legislator analyze immense information in order to make a good law in adequate time. Now, it is time to think which kind of an intelligent legal information system should be. Let me introduce my thought for an intelligent legal information system hereafter.

IV. Vision for an Intelligent Legal Information System⁷

A. An Objective and Intelligent ‘Usher’ for Legal Information

On behalf of a legislator, it has been efficient to consult with a relevant lawyer or scholar on the specific legal information. However, even the best well-known lawyer or scholar is not able to know about all the legal information on their area nowadays. Furthermore, it is possible to bias or distort the specific legal information by the ideology of consultants. The bias or distortion of the information in legislation could cause a serious problem in enforcement of a law because a human or an entity has been seriously damaged by the ‘unreasonable’ law. Furthermore, a human or an entity could file a lawsuit against the Government.

Of course, as we know, it is impossible to do the perfect legislation. Nevertheless, if there is an intelligent legal information system, a legislator can reach the more objective legal information in compensations against the bias or distortion of the legal professionals and make a bill more appropriate and reasonable in a short time. Thus, the vision for an intelligent legal information system means not that legal professionals

⁷ Jo, *supra* note 5.

are substituted for the system but that the system supports them or a legislator. It would do like so called “Usher.”

[information map service] (www.ilaw.go.kr)

“ilaw”, which is developed and managed by the Ministry of Justice, provides ‘information map service.’ The service is for giving a general notion to a user who is looking for comparative legislative information on the specific theme or word. A user who uses the service can grab an idea for which nation the user refers to at the first step (or the last) from objectively analysis on legal information of 6 countries.

[related term service] (www.ilaw.go.kr)

The ilaw also provides ‘related term service.’ The service is for giving a related notion to a user who does not know which information to find on the specific theme or word. The service consists of about a million words which can be changed in every search⁸ and its user interface has a type of a spider web. A user who uses the service can follow a word which the user is familiar with at first and, finally, grab an idea which the user wants to get from objectively analysis on legal information of law, cases, precedent, research papers, terms translated.

B. Analyzing the Relation of Legal Information

Legal information is mainly consists of law, cases, precedent, research papers. On behalf of a legislator, it is the most difficult work to search the relation of legal

⁸ It is so called “Dynamic Related Term.”

information's factors such as law, cases, precedent etc. Moreover, it takes a long time and it may not be found by the mental power of a man. How about thinking not just like a human but an intelligent system helps a user who needs the legal information? If it is possible, a legislator can save the time and, sometimes, may gain the 'new' legal information that is not considered because of the limit of the mental power.

[Supreme Court Total Legal Information System] (glaw.scourt.go.kr)

The Supreme Court Total Legal Information System has a power to analyze laws, cases, papers which are concerned with the specific case. In case that a user selects a case among cases including the user's keywords, the system, of course, provides the contents of the case. Furthermore, the system provides related laws and cases which the user's case refers to. In this service, it is the most important thing that the relation between the user's case and other laws and cases is very accurate. The system also provides papers which are related with the user's case but it only provides titles of those.

[National Legal Information Center] (www.law.go.kr)

The National Legal Information Center System, which is developed and managed by the Ministry of Government Legislation, provides contents of statutes in force basically. Furthermore, the system has a power to analyze the upper level and the lower level of the statute which is selected by a user, and shows the relation between the upper level and the lower level in a screen.

The system also has a special power to analyze sentences of the Gwanbo⁹ which includes Acts amending old statutes by the National Assembly, and to amend the statutes in the system up to date. The 'intelligent action' like that is possible because the National Assembly and the Government have tried to make a standard for the sentences which amends old statutes for a long time.

[NEXT system] (The National Assembly, Intranet)

The NEXT system, which is developed and managed by the National Assembly Library, provides up-to-date conferences or seminars in the National Assembly which is related with a keyword which a user inputs. As outlined above, a committee or a committee member sometimes holds a seminar on the issues related with a bill in legislative process. Commonly, there are several seminars in the National Assembly almost every day. The system collects seminar schedules at the first step. Second, the system collects reports or presentations from those seminars in an electric file form. Third, the system collects professional's papers or reviews on those seminars and links professional's name or a keyword with reports or papers on those seminars. Fifth, the system makes the special domain data which includes original source files according to professional's name or a keyword, and transfers it to the National Assembly Digital Library. Owing to the NEXT system, a user can get not only seminar's information or reports but also professional's name or papers about that through the National Assembly Digital Library. This helps a legislator not missing legislative information related with a bill.

⁹ The Public Announcement of Government of the Republic of Korea which is published by the Ministry of Government Administration and Home Affairs in a printed form and a electric file form.

[Legal Issue System] (The National Assembly, Intranet)

A lawyer, especially such a judge, usually interprets applicable laws by the meaning of the texts in statutes. However, there are many laws which are not interpreted by its own texts. In that case, a lawyer wants to know the purpose of enacting a law but legislative information for enacting the law is generally spread out over the country. Hence, the Legal Issue system, which is developed and managed by the National Assembly Library, collects up-to-date legislative information such as parliamentary records, committee staff director's reports, drafts of a bill, amendments of a bill, and etc. The system also makes the special domain data which includes original source files according to a law's title or a theme, and transfers it to the National Assembly Digital Library.

C. Translation of Foreign Legal Information

A legislator usually refers to foreign legal information that includes similar cases. It helps a legislator making a bill easier and more accurate and reduces the side-effect of enforcing a law.

[GLIN system]¹⁰ (www.glinf.org)

The Global Legal Information Network (GLIN) was formerly a network of Member States and designated International Organizations committed to enhancing the legislative processes of individual countries, and to making their laws and legal decisions

¹⁰ In this part, I use sentences as exactly as it is on *What was GLIN?*, About Us, WWW.GLINF.ORG, <http://www.glinf.org/> (last visited Nov. 21, 2014).

accessible to their citizens, legislators, government and private sector officials and others who relate to the country through international trade, and to participants in the global community generally. The US Library of Congress created GLIN in 1996 and the United States supported it financially until 2012. Pursuant to budgetary constraints in the US, the GLIN operating system environment was shut down in 2012. Each Member of GLIN operated its own GLIN “Station”. Usually located at the source of national law, i.e. parliaments or parliamentary libraries, these Stations were responsible for entering authenticated law and legal decisions into the GLIN database, which was searchable and accessible on-line, and for preparing searchable précis of the law and legal decisions, also for inclusion in the database. Stations varied in size from country to country. The database was searchable in English, those who were drafting new laws could readily view the work of others in Member States with similar traditions. The result was an enhancement to both regional development and particularly to South-South cooperation.

[Foreign Law Translation Service] (The National Assembly, Intranet)

The Foreign Law Translation System collects materials on foreign laws which includes translations in Korean, and the Library also translates foreign laws into Korean at every year. The system makes the special domain data which includes original source files according to each nation, and transfers it to the National Assembly Digital Library. Foreign Law Translations are searchable in Korean, those who were drafting new laws could readily view the work of others in the National Assembly Digital Library.

D. Self-Learning on Legal Information

If the system could analyze legal information, it could ‘for itself’ learn the relations of legal information and where legal information is. Before a user input a search word, the system will be designed to select a search word by scanning newspapers, research papers, keywords in portal websites etc. Then the system would accumulate the knowledge of the legal information concerning the search word. In this way, the system could for itself expand its knowledge and DB. As far as I know, there is no legal information system in my country until now.

V. Conclusion

A legislator or a legal information user may want to have an usher in front of vast and immense legal information. In the past and the present, we have no other choice nothing but a human. In the future, we may have another option. The usher may be a human or a system. As we know, making an intelligent legal information system is not easy. In fact, it is not difficult in technology but a tired job in finding the cross point where IT technologies meet legal minds. Today IT technologies can render almost everything in human’s mind. The problem is that there is no answer what the legal mind or the legal information is. In spite of the problem, we should meet together and share our thoughts. Provided we are going to keep the efforts for sharing our thoughts, an intelligent legal information system will show up in soon.

KEYWORD: legislation, legal information system, intelligent, usher, analysis