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THE IN PERSONAM EXCEPTION TO TORRENS INDEFEASIBILITY

Hon William Gummow AC

The adoption by the Privy Council and the High Court of “immediate indefeasibility” respecting the Torrens system also involved the qualification respecting in personam claims against the registered proprietor. This has given rise to extensive litigation which settles many questions but leaves others outstanding. This article addresses first that course of decisions in Australia and New Zealand and secondly the doctrinal basis upon which equity interacts in this way with the statutory regime of title by registration. 549

ARTIFICIAL INTELLIGENCE IN THE COURTS, LEGAL ACADEMIA AND LEGAL PRACTICE

Lyria Bennett Moses

Advances in technology, in particular in artificial intelligence, will continue to have a significant impact on the discipline of law in academia, the practicing profession and the courts. While technological forecasting is a dangerous game, current trends suggest that over the next 10 years there will likely be greater reliance on data analytic tools in assessing students, predicting judicial outcomes and making decisions about criminal defendants both pre- and post-conviction. There is also likely to be greater diffusion of expert systems offering standardised legal advice and legal documents, although it is less likely that there will be significant technological innovation in that field. This article explores the limitations of artificial intelligence technologies by considering the ways in which what they produce (for clients, law students and society) differs from what they replace. 561

TAKING ADVANTAGE OF ADVANCES IN TECHNOLOGY TO ENHANCE THE RULE OF LAW

Robert Size

This article explains the effect that advances in technology are having upon the discipline of law in academia, the practising profession and the courts. It gives examples of the changes that are occurring and argues that advances in technology should be used to enhance the rule of law. It makes several proposals: that universities adopt a hybrid of online and in-person learning; that the raw materials of the law be made available online for free; that publishers transform journal articles into interconnected online resources; that firms take advantage new technologies and compete vigorously to drive down the cost of legal services; that lawyers be open minded and motivated about using new technologies; and that courts adopt electronic litigation platforms but resist receding into cyberspace. 575

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