

Legal Decision Technology

#### LAW-T680S-008, 3.0 credit hours

# Professor Information

* Professor Name: Michael Poulshock
* E-mail: [mp988@drexel.edu](mailto:mp988@drexel.edu) (please always copy [mpoulshock@gmail.com](mailto:mpoulshock@gmail.com))
* Phone: (609) 902-1110
* Office Hours and Location: Upon request, before or after class.
* Other (Skype, etc.): n/a

# Course Materials

## Required and Recommended Textbooks and Resources

There are no textbooks. This course provides hands-on technology instruction.

## Required and Supplemental Technologies

We'll be using software called Oracle Policy Modeling (OPM), which lets you build TurboTax-like applications. You can download OPM from this Oracle website: http://www.oracle.com/technetwork/apps-tech/policy-automation/downloads/index.html. It's free; you'll just need to get an Oracle account. The version you want to download is Oracle Policy Modeling 12.2.9 (Release 17D) (December 2017).

OPM also requires the Windows operating system, as well as Microsoft Word and Excel. If you have a Mac, it's possible to run Windows using a program called Boot Camp that comes with the Mac. I believe there's a way to get Microsoft Office from the law school, so let me know if you want more information about this option.

# Course Goals and Objectives

## Course Description

This course explores how legal decision technology can be used to expand public access to legal information. Students will learn about cutting edge legal decision technologies, hone their statutory interpretation skills, and build interactive apps that answer specific legal questions. This is a hands-on, lab-style class, but no prior programming experience is required.

We will use a software product call Oracle Policy Modeling (OPM), which is part of the Oracle Policy Automation product suite. OPM is a business rule engine that allows enterprises to express legal and policy rules in natural language, such as English, and then build them into information technology systems. OPM was designed to capture logical rules typically found in statutes, regulations, and policy manuals. It’s meant to be used by people without a technical background, and yet it has some very sophisticated features. As such, it’s an ideal tool for beginning to understand technology’s potential for making the law more efficient and accessible to average citizens.

Exploring OPM as a legal decision technology will give us a foundation for considering a range of connected topics. We’ll discuss: how technology is (and is not) changing the legal profession; the complexity of the law and whether anything can be done about it; the potential for legal decision technology to change the way people interact with the law; best practices for building rule-based systems; and the ethical implications and constraints facing these technologies.

## By the end of this course, students should be able to:

* Build legal rule projects using the Oracle Policy Modeling software.
* Understand how to create logical models of statutes and regulations.
* Appreciate the social and ethical issues related to legal decision technologies.

# Additional Course Information

I want to reiterate that absolutely no computer programming background is necessary. I’ve taught this course to hundreds of people and I guarantee that if you’re willing to put in the effort, I will make sure that you master the hands-on material.

Example projects and other course materials will be put in this Github repository: <https://github.com/mpoulshock/Drexel-Legal-Decision-Technology-Spring-2018>.

# Grading

## Graded Assignments and Learning Activities

Your final grade in this course (or credit in a credit/no credit course) will be based on the components and percentages identified below:

1. **Class participation** (20%) – Showing up, participating in discussions, completing the in-class exercises, asking questions, helping fellow students.
2. **Homework** (20%) – Small OPM project assignments.
3. **Mid-term essay** (20%) – 5-7 page (double-spaced) paper on the legal, social, economic, or ethical implications of legal decision technologies.
4. **Final project** (40%) – This will be an OPM project that demonstrates a mastery of the skills and best practices taught throughout the course. Students will select their own topic, which will be based on statutory, regulatory, or case law rules (or some combination thereof), based on the law of any jurisdiction. Students will present their projects during the final class, possibly to a panel of illustrious judges. A description of the project grading criteria will be provided in advance, so there will be no mystery about how grades are determined.

There will be no final exam in this course. Extra credit will be given for the solution of “puzzlers” that will be given out in a random and unpredictable manner.

Additional information on the grading policy for your program can be found in the most recent applicable [Student Handbook](http://drexel.edu/law/studentLife/studentAffairs/Student-Handbook/).

## Grading Guidance

OPM projects will be graded in light of the following goals:

1. Appropriate selection of topic
   1. Should answer one or more legal questions
   2. Based on legal source material (of any jurisdiction)
   3. Legal source material is appropriately challenging
2. Use of full range of techniques learned in class
   1. All attribute types
   2. All rule types: Boolean, calculation, conditional (rule tables)
   3. Entities
   4. Time-based reasoning
   5. Interviews
   6. Unit tests illustrating common scenarios
3. Use of rulebase “best practices”
   1. Appropriately worded attributes and entities
   2. Readable rules
   3. Traceability to source material
   4. Cleanly rulebase design
   5. User-friendly interview experience

## Submission Information

Assignments are due at the beginning of class. They can be sent to me via email.

## Professor Feedback

Feedback will be given as appropriate for the assignment in a timely manner.

# Attendance

Regular and prompt attendance is required in all courses. In accordance with ABA standards, a student may not be absent for more than 20% of the regularly scheduled class sessions in any course. Any student who fails to comply with the law school attendance policies in a given course may be withdrawn from the course with no credit awarded.

# Course Schedule and Policies

## Course Calendar and Assignment Schedule

This course calendar is tentative and may be updated. I will notify you when that happens.

|  |  |  |  |
| --- | --- | --- | --- |
| **#** | **Date** | **Readings to be discussed / assignments due** | **Lab topics** |
| 1 | Jan. 8 | Install OPM on your laptop. | Course introduction, demo project |
|  | Jan. 15 | No class – MLK Day | |
| 2 | Jan. 22 | Marc Andreeseen, [Why Software is Eating the World](https://a16z.com/2016/08/20/why-software-is-eating-the-world/) (2011); Richard Susskind, [The Future of Artificial Intelligence and Law (video)](http://vimeo.com/89806445) (2014); Oracle Corp., [Is OPA a Good Fit for My Business?](http://www.oracle.com/technetwork/apps-tech/policy-automation/learnmore/isopaagoodfitformybusiness-1653261.pdf) (2017) | Writing Boolean rules |
| 3 | Jan. 29 | Peter Schuck, [Legal Complexity: Some Causes, Consequences, and Cures](http://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=3196&context=dlj&sei-redir=1) (1992) | Performing calculations |
| 4 | Feb. 5 | OPM assignment #1 due.  Andrew Stumpff Morrison, [The Law is a Fractal: The Attempt to Anticipate Everything](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2157804) (2013) | Using date and text variables |
| 5 | Feb. 12 | United Kingdom, [UK Domestic Violence, Crime and Victims (Amendment) Act](http://www.legislation.gov.uk/ukpga/2012/4/pdfs/ukpga_20120004_en.pdf) (2012); Joanne Irene Gabrynowicz, [Positive Law Codification of Space Programs](http://www.spacelaw.olemiss.edu/jsl/pdfs/back-issues/jsl-37-1.pdf) (2011) | Defining tabular rules |
| 6 | Feb. 19 | OPM assignment #2 due.  Webster v. LegalZoom, [Class Action Settlement Agreement](http://www.webcitation.org/6EkZ3lXdB) (2010); [Section 81.101 of the Texas Government Code](http://www.txuplc.org/Home/applaw); [MRPC](https://www.americanbar.org/groups/professional_responsibility/publications/model_rules_of_professional_conduct/model_rules_of_professional_conduct_table_of_contents.html), Rules 5.4 and 5.5 (2016) | Modeling data with entities |
| 7 | Feb. 26 | Jacoby & Meyers v. Supreme Court of New Jersey, [Complaint for Declaratory and Injunctive Relief](http://www.legalethicsforum.com/files/jacoby-meyers-v-supreme-court.pdf-23.pdf) (2011) | Modeling data with entities |
| 8 | Mar. 5 | Mid-term essay due | Time-based reasoning |
|  | Mar. 12 | No class – Spring Break | |
| 9 | Mar. 19 | Danielle Keats Citron, [Technological Due Process](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1012360) (2008) | Time-based reasoning |
| 10 | Mar. 26 | OPM assignment #3 due.  Chrissy Burns, Online Legal Services: A Revolution that Failed?, ch. 6 & 13 (2007) | Unit testing and creating web-based interviews |
| 11 | Apr. 2 | Bench-Capon & Coenen, [Isomorphism and Legal Knowledge Based Systems](http://fstp-expert-system.typepad.com/files/isomorphismlegalknowledgebases.pdf) (1991) | Modeling complex regulations |
| 12 | Apr. 9 | Jasmine Lee, [OPA Best Practice Guide for Rule Developers](http://www.oracle.com/technetwork/apps-tech/policy-automation/learnmore/opabestpracticeguidev12-3697709.pdf) (2017); Jasmine Lee, [Tips for Polishing Your OPA Rulebase](http://www.oracle.com/technetwork/apps-tech/policy-automation/learnmore/polishing-opa-rulebases-10-4-1900579.pdf) (2014) | Preparing final projects |
| 13 | Apr. 16 | Lisa Shay, et al, [Do Robots Dream of Electric Laws?](http://www.rumint.org/gregconti/publications/201303_AlgoLaw.pdf) (2013) | Preparing final projects |
| 14 | Friday, Apr. 20 | Presentation and discussion of final projects | |

## Course Change Policy

The professor reserves the right to change the course at his or her discretion. Changes will be announced to students.

## Academic Policies

### Academic Integrity, Plagiarism, and Cheating Policy:

Please refer to your program’s [Student Handbook](http://drexel.edu/law/studentLife/studentAffairs/Student-Handbook/) for the applicable academic integrity policy, including policies on plagiarism, cheating and other matters.

For online content of online, hybrid or live courses, you may not show, distribute or share any of the files or student-generated content used in the course, including posts, text, audio, or video files, to or with anyone not enrolled in the course, including the general public (so you may not copy any part of the course to social networking sites or to Youtube, for example).

# Copyright and Fair Use:

You are individually and solely responsible for violations of copyright and fair use laws. The University will neither protect nor defend you for violations, which could subject you to federal and state civil penalties and criminal liability or disciplinary action. To help familiarize yourself with copyright and fair use policies, please visit the University webpage on copyright at <http://www.library.drexel.edu/gethelp/tutorials/copyright>.

# Students with Disabilities Statement

Students with disabilities requesting ***classroom accommodations and services*** at Drexel University need to present a current accommodation verification letter (AVL) to their instructors. Students with disabilities requesting ***exam accommodations and services*** need present a current AVL to Theresa Gallo, Director of Academic Services, in the Office of Student Affairs Room 452. AVLs are issued by the Disability Resources Team (DR). For additional information, contact DR at <http://drexel.edu/oed/disabilityResources>, 3225 Arch St., Suite 011, Philadelphia, PA 19104, (215) 895-1401 (V), or (215) 895-2299 (TTY). Individual professors do not have the discretion to accommodate disabilities absent an AVL letter from DR. The university does not grant retroactive disability accommodations.

The OPM software uses red and green colors to distinguish different types of data. If you are colorblind, please let me know I will help you find a way to make this differentiation on some basis other than color.

# Course Add/Drop Policy and Withdrawal

Students are permitted to add or drop classes through the second week in the semester. Dropping a course following the second week of the semester is considered a “Withdrawal” and a grade of “W” will be recorded on the transcript unless exceptional circumstances are found by the Senior Associate Dean of Students (JD/LLM students) or the Associate Dean of Graduate Studies and Online Education (MLS and certificate students).

Students who request to withdraw from individual courses should be aware that if their credit load for the semester drops below 4.5 credits, they will no longer be eligible for federal financial aid. Students should also be aware that withdrawals may cause other financial aid implications and should arrange a meeting with a Financial Aid representative before finalizing their withdrawal.