Scott Reents from Cravath: Lawyers Have No Choice But to Get On Board with AI

By Dan Donegan
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There's no doubt about it: exploding data volumes, sources, and complexity are complicating the legal sector and making old ways of working not just unpalatable, but insufficient. AI Visionary Scott Reents, lead attorney in data analytics and e-discovery at Cravath, Swaine & Moore LLP, wants fellow lawyers to know that modern legal challenges can't be solved without technology.

The legal sector has a reputation for being slow to embrace new technologies, but Cravath stands out as an early adopter of AI. What are some of the structural barriers that keep firms from adopting new technologies? How did you and your team take an interest in AI?

Lawyers and their clients are understandably cautious about any technology that purports to replace lawyer judgment. But to us, AI is about *improving* lawyer judgment and decision making, not replacing it. AI does this by providing lawyers with better information faster, and by applying a lawyer's judgment consistently across a large body of data.

Take the example of AI and chess. AI can now beat a grandmaster at chess, but a grandmaster paired with AI can beat both any other grandmaster as well as any standalone AI. What makes us excited about AI is the opportunity to pair great technology with great lawyers, and therefore achieve better outcomes for our clients.

How can the legal sector acclimatize to rapidly changing technology? In that context, can you share any anecdotes or lessons on how you drove the adoption of new technologies such as AI?

The legal sector has a "data" problem, meaning that data volume and complexity are growing exponentially even as the demand for speed is unrelenting. The legal sector really has no choice

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about whether to acclimatize to changing technology. AI will be adopted because our data problem cannot realistically be solved without it.

We recently had a judge tell us that a task needed to be done "at the speed of electrons." That statement reflects that technology, and AI in particular, is changing expectations for how quickly our work can be done. A statement like that also drives firms and clients to look to solve problems in new and better ways. Because of rising expectations—from judges, clients, and opposing parties—the legal sector really has no choice but to get on board with AI.

For legal professionals who are passionate about technologies such as AI, is there an opportunity to further one's career by working more closely with it and evangelizing its use?

Definitely. Clients right now are very interested in how AI can help them achieve better outcomes. Lawyers who understand AI are at an advantage both to winning business and winning cases.

Still, understanding the technology alone is not enough. A legal innovator needs to understand what is technologically feasible, what is legally defensible, and what is strategically advisable. You need a complete legal technology understanding to put AI to work and advise clients in the most competent and thoughtful way possible.

What have you learned from your experience at Cravath so far? What wins are you most proud of?

Technology changes quickly, but technology leadership is a long-term investment. Cravath made a commitment to investing in analytics four years ago, when I was hired, and funding a number of proofs of concepts and technology investments. Not all of those bore immediate fruit, but collectively, they have more than justified the investment.

Indeed, we received the *New York Law Journal*'s 2020 Innovation Award based on our work deploying Text IQ in several high-stakes matters. This award reflected our ability to dramatically increase the speed with which we can meet our discovery obligations, while improving accuracy and saving money for our clients.

In one case on a "rocket docket," we achieved substantial completion of document production for more than a million collected documents in less than two months. In another litigation, we identified nearly 2.5 million documents as not privileged without attorney review, with nearly 100 percent accuracy. In a regulatory proceeding, we deployed an advanced privilege risk assessment to quickly identify privileged documents missed during first-level contract attorney review.

We also regularly use sentiment analysis and other AI-based searching techniques to quickly surface key documents in litigations and investigations. Those are just a handful of wins we have had for clients using AI.

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What were your interests early on and what drew you to the practice of law?

I spent eight years in the technology industry before going to law school. I became interested in the intersection between law and technology—the way that law impacts technology and that technology impacts law. When I started my litigation practice after law school, electronic discovery and then AI were obvious draws.

What do you do when you are not working? How do you decompress?

I like to garden. I am a novice, but fiddling with my houseplants or in my small garden is a meditation, and seeing my plants (sometimes) thrive feels like a miracle.

Which person (living or deceased) do you most admire?

Alan Turing. He provided the theoretical foundations for modern computing and AI in addition to being a war hero for his work breaking German military ciphers. Little known facts: he also was co-inventor of the world's first computer chess player and was a world-class marathoner. The scope of his accomplishments and impact on the modern world are breathtaking.

Which historical figure do you most identify with?

I don't know if I identify with him as a person or not, but Voltaire's pronouncement that the "perfect is the enemy of the good" is an innovator's mantra. Innovation requires tolerance for the imperfect, because if you wait to use something until it is perfect, you miss the chance to do something truly new and groundbreaking.

What do you consider the most underrated quality or skill?

Questioning conventional wisdom. There is a lot of opportunity in going against the grain.

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