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February 17, 2020

Dear Oxford Workshop Participants:

I am very much looking forward to visiting Oxford next week and presenting the attached draft on legal tech, civil procedure, and the future of adversarialism.

Some of the paper, you'll find, focuses on uniquely American procedural debates—for instance, the “plausibility” pleading standard. But plenty else in the paper is generalizable and applicable to the UK system, including Part I.B’s account of the possibilities and limits of natural language processing in performing higher order legal cognitions, Part II.A’s analysis of the effect of predictive coding on the distribution of litigation costs, Part II.B’s skepticism about legal tech tools that perform outcome prediction, and Part II.C’s treatment of legal tech’s challenge to the work product doctrine and litigation privilege.

In any event, I hope that the paper provides rich fodder for a transatlantic discussion of the future of litigation.

Sincerely,



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Dear Oxford Workshop Participants:

I am very much looking forward to visiting Oxford next week and presenting a report my colleagues and I recently submitted to the United States government on AI use by federal agencies. It's a long report, and I hope that some brave souls might be interested enough to read most or all of it. For those of you who are not so inclined, the following provides a more manageable reading load and will focus you on the parts of the report that will be the focus of my presentation:

- pp. 6-20 (Executive Summary, Introduction, Survey of Federal Agency Use of AI)
- pp. 22-29 (Regulatory Enforcement at the Securities and Exchange Commission)
- pp. 37-52 (Formal Adjudication at the Social Security Administration, Informal Adjudication at the U.S. Patent and Trademark Office)
- pp. 71-78 (Building Internal Capacity, Transparency and Accountability)
- pp. 82-87 (Hearing Rights and Algorithmic Governance, Gaming and Adversarial Learning)

I look forward to our conversation and, in particular, learning more about the UK perspective on public sector use of AI.

Sincerely,



David Freeman Engstrom