

Ethics And Professional Responsibility in the Indian Legal Profession: Challenges in the Digital Age

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Abstract- The meteoric rise of the digital age has radically changed how law is practiced in India. Legal practice and the advocacy profession is gradually changing with the use of e-briefs, e-filing, virtual hearings, and lawyers' presence on social media. These developments require advocates to rethink professional ethics while continuing to maintain responsibility and integrity. These new technologies and digital advancement have made it easier for people to get help and they have made legal services work better. However, they are also causing problems. This is a concern about keeping client information secret and private also the same concern about how legal professionals behave. If they are responsible, for their actions. The technologies are raising ethical concerns regarding the confidentiality of client information the privacy of clients the conduct of legal professionals and the accountability of legal professionals. Ethics and professional duties governing the conduct of lawyers were, until recently, primarily prescribed by the Advocates Act, 1961, and regulated in India under rules of professional conduct by the Bar Council of India. Yet, the rise of digital platforms, Internet advertising, legal tech services, and virtual attorney-client interactions has not evolved to keep pace with our traditional notions of professional ethics, resulting in gaps in regulation. Problems such as data protection, unauthorized online solicitation, social media disinformation, and the integration of artificial intelligence into legal services necessitate a revaluation of existing ethical standards. This analysis assesses the frustrations of advancing ethical concerns by legal practitioners within the digital age and questions whether current regulations are sufficient to address these new challenges. This article examines the importance of updating existing guidelines and regulatory adjustments to enable professional integrity and accountability while upholding confidentiality in the age of technological advancement.

Keywords: Legal Ethics, Professional Responsibility, Digital Justice, Legal Technology, Indian Legal Profession.

I. INTRODUCTION

The legal profession is historically one of the most dignified and responsible professions in society. The manner in which an advocate is conducted directly impacts public confidence in the legal system. It can therefore be argued that ethical considerations and professional responsibility are the guiding principles for legal practitioners. Within India, professional conduct is mainly regulated by the Advocates Act, 1961, and professional standards issued by the Bar Council of India. These rules emphasized integrity, confidentiality, fairness, and dedication to the interests of the client, advocate, and the court.

Yet the evolution of digital technology has set out the rules governing how the solicitor profession works. The increasing use of electronic communication, online legal services, virtual hearings or mediations, and social media, as well as digital documentation, creates new possibilities but also raises significant new ethical issues. The changing context of legal practice has been accompanied by technological innovations that enhance access to justice and practice efficiency but also raise questions, such as about professional conduct, client confidentiality, data protection, and responsible communication today.

The move to legal practice really took off during and after the COVID-19 pandemic. This is when courts and legal professionals started using platforms a lot more for hearings and legal proceedings. Digital platforms have changed things so much that the old rules for legal professionals are not so clear anymore. This has created situations where the existing rules of what's right and wrong do not really cover what is happening now. For example, lawyers using media, advertising legal services online the risk of

cyberattacks and keeping client information safe are all big concerns now (Information Technology Act, 2000). The digital legal practice is facing these issues. They are very important.

Maintaining standards is a big problem for legal practitioners in India because of the internet and computers. The old rules for legal practitioners need to change with technology, but they still have to follow the basic principles of being a good lawyer. So, it is very important to look at whether the current rules are good enough to deal with the ethical problems that come with using computers and the internet.

The Indian legal profession is changing a lot because of the transformation. This study looks at how ethics and professional responsibilities are changing for lawyers in India. It looks at the problems lawyers face when they try to be honest and do things in a world where everything is done on computers. The study also checks if the current rules are good enough to handle these problems that have come up because of technology.

II. DATA AND SOURCE OF DATA

The study mainly uses existing data from sources. Information was gathered from laws, court decisions, academic writings, and trustworthy online legal sources. This was done to study the ethics and professional duties of lawyers in today's world.

- The study looks at laws under the Advocates Act of 1961.
- It also looks at conduct rules set by the Bar Council of India.

The study also looks at judgments from the Supreme Court of India and various High Courts. These judgments help understand what the courts think about ethics and accountability in the legal field.

The research also uses:

- Books
- Research articles
- Journals
- Policy reports
- Reliable databases

These discuss how technology is changing the practice of law. All these sources were carefully checked to ensure the information is accurate, relevant, and reliable. The study uses these to understand the role of technology in practice. It helps to ensure that the information about lawyers' ethics and duties is correct. The sources help to analyse the professional responsibilities of legal practitioners. The study is based on these sources to examine the provisions and professional conduct rules.

This study is about the profession, and it is based on the idea that ethical values and professional responsibility are the foundation of the legal profession. Traditionally, advocates are expected to follow principles such as honesty and integrity, confidentiality, and respect toward the court and their clients. The legal profession is guided by these principles. They are mainly guided by the provisions of the Advocates Act, 1961 and the professional conduct rules framed by the Bar Council of India.

The legal profession is changing with the growing use of technology in legal practice, such as online communication, virtual hearings, and social media, and new ethical questions have started to emerge for the legal profession. The legal profession needs a framework to understand how traditional professional values of the profession interact with modern technological changes and to examine whether the existing ethical standards of the legal profession are sufficient to address the challenges faced by legal professionals, in the digital age for the legal profession. This study looks at how being a lawyer and ethics for Advocates are changing for lawyers in India because of the internet and technology. It uses an approach. Looks at things that already exist, like laws, court decisions, rules for legal practitioners and what experts have written about lawyers. The study examines the rules that govern lawyers under the Advocates Act of 1961 and the rules of conduct made by the Bar Council of India for legal practitioners.

The study also checks out court decisions from the Supreme Court of India and other high courts to see how they understand what it means to be ethical and responsible as a lawyer. It also looks at books, articles, legal magazines and online legal resources to

see how the internet, online communication and social media are changing the way lawyers work as lawyers. By looking at all these things the study decides if the current rules about ethics for lawyers are good enough to deal with the problems that have come up because of the internet and technology and it shows that lawyers need to be more accountable in the changing legal world of law. The Indian legal profession and ethics for legal practitioners are. The study wants to know if the existing rules are working for the legal profession and its ethics for all the legal practitioners.

III. RESEARCH PROBLEM:

The Indian legal system is changing fast because of Digital technology. This is changing the way lawyers work as lawyers. New technology Such as the e-Courts system, virtual hearings and online legal databases is now a part of being a lawyer. Lawyers can also file cases online as lawyers. Use communication as lawyers. Many lawyers are using the media too as lawyers. These new ways of doing things have made the legal system more efficient and transparent. It is also easier for people to get justice now. There are some problems with these technologies for lawyers. The Indian legal system and lawyers have to think about keeping client information secret and keeping data safe as lawyers. They have to be careful about what they say and behave properly on platforms as lawyers. The rules for Advocates were made a time ago when things were done in a traditional way for advocates. So, people are wondering if these rules are still good enough for the age and the Indian legal system for lawyers. The Indian legal system and its lawyers need to think about this for legal Practitioners.

IV. OBJECTIVE OF THE STUDY:

1. The Indian legal profession is seeing a lot of changes because of technology for legal practitioners. An attempt is made to see how this is affecting ethics and professional responsibilities of being a lawyer.
2. Guidance is needed on to look at the rules that govern lawyers like the Advocates Act of 1961 and the code of conduct made by the Bar Council of India for Advocates.

3. This study seeks to understand how new development Such as E-courts, virtual meetings filing things online doing research on the internet and talking to people online are changing the way lawyers work as lawyers.
4. There are some concerns about keeping things secret behaving like a lawyer and using digital tools in a responsible way for legal practitioners.
5. An attempt is made to find ways to make sure lawyers are following the rules and being responsible in this world of law, for lawyers.

V. ANALYSIS:

The Indian legal system has a set of rules that tell lawyers how they should behave. These rules are mostly governed by the Advocates Act of 1961. This act made the Bar Council of India and State Bar Councils to make sure lawyers follow the rules. The main goal is to keep the standards of the profession high and make sure lawyers behave well. If a lawyer does something the State Bar Councils can take action against them. They can give warnings stop them from practicing law for some time or even remove their name from the list of lawyers. This shows that being a lawyer is not about making money but it is a respected job with a lot of responsibility.

The Bar Council of India has rules that tell lawyers how they should behave with judges, clients and other lawyers. These rules say lawyers should respect the court keep client secrets not take cases where they have a conflict of interest and always behave in a way that makes the profession look good.

However, many of these rules were made a time ago when technology was not so advanced. Now with the internet and social media it is not always clear how these rules should be applied.

The Indian court system has changed a lot in the ten years. One of the changes is the e-Courts Mission Mode Project. This project uses technology to make the court system more efficient. Now people can file cases online see the schedule of cases and even attend hearings through video calls. When the COVID-19 pandemic started courts could not function normally. Because of the technology courts could still hold

hearings online. This helped keep the system working even during a difficult time. These changes have made it easier for people to get access to the system and have made the courts work more efficiently. They have also changed the way lawyers work. Lawyers now have to learn how to use technology to file cases manage documents and even attend court hearings online.

With the increase in the use of technology lawyers are facing challenges. One of the challenges is keeping client information safe online. Most of the lawyers use email, messaging apps and cloud storage to communicate with clients and store documents. These tools can be hacked and sensitive information can be stolen. Lawyers have to make sure they use methods to communicate with clients and store documents. This is a responsibility and requires a lot of care. Another challenge is what lawyers can and cannot do on media. Many lawyers use media to talk about legal issues and share their knowledge. Advocates have to be careful not to cross the line between sharing information and advertising their services. The thing about lawyers advertising is a deal in today's digital world. The Bar Council of India has a rule, Rule 36 that says lawyers cannot advertise or ask for work in an indirect way. This rule was made to stop the profession from becoming too much about money and to keep it respectable. The Bar Council of India made this rule to maintain the dignity of the profession. Lawyers and the Bar Council of India are still talking about this issue. The legal profession and the Bar Council of India are very important in this discussion, about Rule 36 and lawyers advertising.

There are rules about how lawyers can promote themselves. The Bar Council of India has rules that say lawyers cannot advertise their services directly or indirectly. This rule was made to keep the dignity of the profession and prevent commercialization. With the internet it is not always clear what is allowed and what is not. Lawyers can have websites write blogs and make videos about issues. They have to be careful not to promote their services directly.

The Bar Councils have warned lawyers not to use media to attract clients. In one case a law firm was warned for publishing advertisements. This shows

that the rules are still being applied, in the digital age. In one reported instance, the Bar Council of India issued a notice to a law firm for allegedly publishing promotional advertisements online, emphasising that the legal profession must maintain ethical discipline even in digital environments. Indian courts have always said that being a lawyer is based on doing the thing and being responsible to the public. The courts have made it clear that lawyers do not just work for their clients. They also work for the court and play a big role in making sure justice is served.

In the case of Bar Council of Maharashtra v. M.V. Dabholkar in 1976 the Supreme Court said that the legal profession needs to be controlled to make sure people trust the system. In the said case the Court knew that if lawyers do not behave it can hurt and damage the reputation of the courts and so they need to be watched. The Supreme Court also said something in the case of V.C. Rangadurai v. D. Gopalan in 1979. They said that lawyers have to be honest and have integrity because what they do affects how justice is served. There is another case, Ex-Captain Harish Uppal v. Union of India in 2003, where the Supreme Court said that lawyers cannot just stop working or refuse to go to court. The Court said that this disrupts the system of justice and goes against the duties that lawyers have to their clients and the courts.

Even though these cases happened before the courts started using computers and the internet the ideas that the Court came up with apply, to how lawyers work today even when they are working online. The Indian courts and the legal profession still need to follow these principles, including when they're doing virtual court proceedings. The legal profession and Indian courts have to make sure that justice is served in the way. Digital courts are changing the way lawyers work. Lawyers have to be professional even when they are attending hearings online. They have to dress be respectful to the judges and follow the court procedures. The courts have also said that lawyers need to have the technology to attend virtual hearings. In one case the Delhi High Court said that the authorities have to improve the internet connectivity in court buildings. This shows that technology is important for the legal system to work

efficiently. That is Delhi High Court once directed authorities to improve internet connectivity in court complexes after lawyers complained that poor connectivity disrupted virtual hearings.

Lawyers now have to be skilled not in law but also in technology. They have to know how to use tools attend virtual hearings and manage electronic documents. Institutions are responding to the challenges of the age. The judicial system is reforming to adapt to the ways of working. The courts are using technology to improve access to justice and reduce delays. With these changes there is a need to update the rules that govern the behaviour of lawyers. The Bar Councils are emphasizing the importance of discipline in the digital age. The Bar Councils are warning lawyers against using media to promote their services. They are also reminding lawyers to behave online. There have been incidents that highlight the challenges of being a lawyer in the digital age. In one case a lawyer was removed from the list of lawyers for getting enrolled with a fake law degree. This also raises concerns about the integrity of the system. In another case lawyers were warned against posting content on social media. This shows that the rules are being applied, in the digital age.

For example, reports indicated that the Bar Council of India removed an advocate from the rolls after discovering that he had obtained enrolment using a fake law degree. The case raised concerns about verification procedures and professional integrity within the legal system.

There have also been cases where lawyers have faced harassment on media. The courts have intervened to direct the authorities to investigate these incidents and ensure the safety of lawyers. These incidents show that the digital age has created challenges, for lawyers and the legal system. The worry about lawyers using computers and the internet is keeping client secrets safe. When you hire a lawyer, you trust them with information. Lawyers have to keep this information secret. They use email store files have meetings over video and do legal research on the internet. These tools help lawyers work better. They also make it easier for bad people to get to private information. Lawyers have to follow rules about

keeping secrets. The Bar Council of India says lawyers have to protect their clients and keep their conversations private. The Bar Council of India Rules are very clear about this. However, since lawyers are using the internet more and more, they need to be better at keeping their computers and information safe. There are not rules about how to keep digital information secret so clear guidelines are required on new rules to help lawyers deal with these new risks. The Bar Council of India Rules and Digital Legal Practice need to have guidelines for confidentiality and Data Protection, in Digital Legal Practice.

The use of Artificial Intelligence and online legal databases has changed how lawyers do research and prepare cases. Lawyers can now access case law, statutes and expert opinions quickly using platforms. This makes legal research much faster and efficient. However, these technologies also raise concerns about responsibility and reliability. Lawyers must ensure that they use research tools in a responsible way. They must verify information from automated systems before using it in court. If they rely much on automated tools without checking they might make mistakes. This could lead to citations or wrong arguments in court. Therefore, lawyers have a duty to make their own judgments even when using technology. The growing use of Artificial Intelligence and tools shows that being competent in law now means knowing how to use technology properly. It requires not knowledge of law but also the ability to use technological resources in a responsible way. The use of Artificial Intelligence, in law is becoming more common. Lawyers must use Artificial Intelligence and online research tools wisely.

The way advocates behave online is something that needs to be talked about. Advocates and the legal professionals are using media and the internet more and more to talk to people and share thoughts on what is happening in the law. This can be a thing because it helps people understand the law better. When advocates talk about court cases online without thinking it through it can hurt how people see the legal system and the people who work in it. So, advocates have to be careful about what they do not

just, in court. The fact that everything is moving online fast means Guidance is needed on to update the rules that advocates follow. Clear guidelines are required on to make sure these rules are good enough to deal with the problems that come with using the internet to practice law and talk to people about legal things. The Advocates Act and the Bar Council of India Rules need to be updated so that advocates know what they can and cannot do online.

VI. CONCLUSION:

The way advocates behave online is something that needs to be talked about. Advocates are using media and the internet more and more to talk to people and share thoughts on what is happening in the law. This can be a thing because it helps people understand the law better. When advocates talk about court cases online without thinking it through it can hurt how people see the legal system and the people who work in it. Therefore, advocates have to be careful about what they do not just, in court. The fact that everything is moving online fast means Guidance is needed on to update the rules that advocates follow. A clear Guidance is need of the age to make sure these rules are good enough to deal with the problems that come with using the internet to practice law and talk to people about legal things. The Advocates Act and the Bar Council of India Rules need to be updated so that advocates know what they can and cannot do online.

VII. RECOMMENDATION:

1. The way legal professionals do their jobs is changing because of courts and online legal work. This change means Guidance is needed on to think about how the rules that legal professionals follow work in real life. The rules in the Advocates Act, 1961 and the Bar Council of India Rules are still what guide advocates. Clear guidelines required on to clearly explain how these rules work when legal professionals use digital platforms so they can follow the rules with clarity and confidence.
2. The Bar Council of India should give advocates simple and easy to understand guidance on using platforms. Lawyers use emails and social media a

lot for work now. So, guidance is needed on what is better for legal professionals while dealing online.

3. The rules for being a professional should be the same when court is online. Virtual hearings should be taken seriously as hearings in person. Advocates must be prepared and respectful so that the court process is respected.
4. Keeping client information secret is more important now because of the internet. Advocates need to be careful when they share documents and talk to clients online. Using platforms can help keep client information secret.
5. Many advocates are still getting used to the technology in law. There is a need to provide training for them. This can include workshops and classes to help the advocates get comfortable with tools.
6. Law schools should also teach about technology and digital ethics. This way new lawyers will know about the bad things about digital law.
7. It is also necessary to ensure that the technology in courts is good. If it is then advocates from over the country can use it without any problems.
8. The Bar Council of India and other groups can help by telling advocates about the bad things about technology. They can have talks and classes to help advocates understand how to use technology in a way.
9. In the end technology should help the law profession not change what it is, about. Even though law is becoming digital advocates must still be honest and respect the system. If they do then the law profession will still be Respected.

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