

Original article



Digital competences and normative literacy in artificial intelligence: a critical review of legal training in higher education

Competencias digitales y alfabetización normativa en inteligencia artificial: una revisión crítica de la formación jurídica en educación superior

Competências digitais e letramento normativo em inteligência artificial: uma análise crítica da formação jurídica no ensino superior

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ABSTRACT

The accelerated digital transformation of the legal system, driven by advances in artificial intelligence and the enactment of regulatory frameworks such as Law No. 29733 on Personal Data Protection in Peru and Supreme Decree No. 016-2024-JUS, has created a critical gap between the demands of

contemporary legal practice and the training offered by law schools in Latin America. This article aims to critically analyze recent scholarly work on the development of digital competencies and legal literacy in artificial intelligence and data protection within the context of university-level legal education. A critical narrative literature review was conducted, consulting the Scopus and Web of Science databases, which identified a total of 548 records, 441 of which were unique after removing 107 duplicates. The findings reveal a triple gap—ethical, regulatory, and competency-based—that affects law graduates' ability to operate in digital environments. It is evident that the teaching of data regulation and artificial intelligence remains marginal in university curricula in the region, and that the attitudes of the legal community oscillate between technological uncertainty and an urgent demand for specialized training. It is concluded that contemporary legal education needs to move towards a comprehensive model of digital legal competence, with an emphasis on algorithmic critical thinking, data ethics, and the interdisciplinary integration of law, technology, and active pedagogy.

Keywords: digital skills; higher education; legal training; artificial intelligence; data protection.

RESUMEN

La acelerada transformación digital del sistema jurídico, impulsada por el avance de la inteligencia artificial y la promulgación de marcos normativos como la Ley N.º 29733 de Protección de Datos Personales en el Perú y el Decreto Supremo N.º 016-2024-JUS, ha generado una brecha crítica entre las exigencias del ejercicio profesional contemporáneo y la oferta formativa de las facultades de Derecho en América Latina. El presente artículo tiene como objetivo analizar críticamente la producción científica reciente sobre el desarrollo de competencias digitales y la alfabetización normativa en inteligencia artificial y protección de datos en el ámbito de la formación jurídica universitaria. Se llevó a cabo una revisión narrativa crítica de la literatura, consultando las bases de datos Scopus y Web of Science, con un total de 548 registros identificados, 441 registros únicos tras eliminar 107 duplicados. Los hallazgos revelan una triple brecha: ética, normativa y competencial, que afecta la capacidad de los egresados de Derecho para operar en entornos digitalizados. Se constata que la enseñanza de la regulación de datos e inteligencia artificial sigue siendo marginal en los currículos universitarios de la región y que las actitudes de la comunidad jurídica oscilan entre la incertidumbre tecnológica y la demanda urgente de capacitación especializada. Se concluye que la formación jurídica contemporánea requiere transitar hacia un modelo de competencia digital jurídica

integral, con énfasis en el pensamiento crítico algorítmico, la ética de datos y la articulación interdisciplinar entre derecho, tecnología y pedagogía activa.

Palabras clave: competencias digitales; educación superior; formación jurídica; inteligencia artificial; protección de datos.

RESUMO

A transformação digital acelerada do sistema jurídico, impulsionada pelos avanços na inteligência artificial e pela promulgação de marcos regulatórios como a Lei nº 29733 sobre Proteção de Dados Pessoais no Peru e o Decreto Supremo nº 016-2024-JUS, criou uma lacuna crítica entre as demandas da prática profissional contemporânea e a formação oferecida pelas faculdades de direito na América Latina. Este artigo tem como objetivo analisar criticamente a produção científica recente sobre o desenvolvimento de competências digitais e alfabetização regulatória em inteligência artificial e proteção de dados no contexto do ensino jurídico universitário. Foi realizada uma revisão narrativa crítica da literatura, consultando as bases de dados Scopus e Web of Science, com um total de 548 registros identificados, dos quais 441 eram únicos após a remoção de 107 duplicatas. Os resultados revelam uma tripla lacuna: ética, regulatória e baseada em competências, que afeta a capacidade dos graduados em direito de atuarem em ambientes digitais. É evidente que o ensino de regulação de dados e inteligência artificial permanece marginal nos currículos universitários da região e que as atitudes da comunidade jurídica oscilam entre a incerteza tecnológica e uma demanda urgente por formação especializada. Conclui-se que o ensino jurídico contemporâneo precisa avançar em direção a um modelo abrangente de competência jurídica digital, com ênfase no pensamento crítico algorítmico, na ética de dados e na integração interdisciplinar do direito, da tecnologia e da pedagogia ativa.

Palavras-chave: competências digitais; ensino superior; formação jurídica; inteligência artificial; proteção de dados.

INTRODUCTION

Few professions have felt the impact of digital transformation as immediately as law. The emergence of artificial intelligence (AI) systems in dispute resolution, automated case management, and the massive processing of legally relevant personal data have fundamentally altered the training requirements for law school graduates (Susskind, 2019). Despite this, accumulated evidence from various regions suggests that higher legal education institutions—particularly in Latin America—have failed to translate this transformation into consistent curricular adjustments, leading to a growing asymmetry between the demands of digitalized professional practice and the actual preparation of their graduates (Quezada Castro *et al.*, 2022).

In the Peruvian case, this asymmetry takes on a particularly serious regulatory dimension. Law No. 29733 on the Protection of Personal Data—with its successive regulatory amendments—and Supreme Decree No. 016-2024-JUS, which establishes guidelines for the use of AI in public administration, constitute a regulatory framework whose technical and legal complexity exceeds the content typically taught in undergraduate programs. The resulting paradox is evident: the legal system is advancing toward digital governance at a pace that university education cannot keep up with, leaving future legal professionals without the conceptual tools to operate in this environment.

Recent scientific production has begun to map this phenomenon with increasing systematicity. Research conducted in Indonesia, Spain, and several Latin American countries documents similar deficits: law students and professionals lack both applied digital skills and an understanding of the regulatory frameworks governing AI and data privacy (Asyari *et al.*, 2025; Wang *et al.*, 2024; Méndez Cabrita *et al.*, 2023). Equally striking is the attitudinal heterogeneity observed: some perceive legal automation as a threat to the profession's identity, while others recognize its potential, but in neither case does their training provide them with the criteria to critically evaluate it (Pérez Milla, 2025; Mamanazarov *et al.*, 2025).

Given this situation, this paper aims to critically examine the available scientific literature on digital competence and legal literacy in AI and data protection within the field of university legal education. Unlike previous contributions that address these topics in a segmented manner—some focusing on the technological dimension, others on the regulatory one—this review adopts an integrative approach that distinguishes three interconnected levels of analysis: the ethical-philosophical level, linked to the challenges that AI poses to legal reasoning; the normative level, referring to the gap

between current regulations and curriculum design; and the competency level, relating to training gaps in legal digital skills.

The theoretical starting point of this analysis, shared by Fritz (2022) and Laux and Ruschemeier (2025), among others, is that the presence of AI in law does not constitute a problem of an exclusively technical nature. Rather, it is an epistemic challenge that questions the ways in which one learns to reason legally, to interpret responsibility, and to exercise critical oversight of decisions that no longer emanate exclusively from human beings. This is the dimension that the pedagogical models currently in place in law schools in the region have not yet assimilated.

MATERIALS AND METHODS

The research was conducted using a critical narrative literature review design, with a qualitative-interpretive approach. The critical dimension involves, beyond describing the state of the art, the explicit identification of internal contradictions, thematic gaps, and tensions between reported findings and the contextual conditions of Latin America.

The literature search was conducted between November 2025 and January 2026 in the Scopus and Web of Science (WoS) databases, both recognized for their multidisciplinary coverage and rigorous indexing processes. Three blocks of controlled descriptors were constructed, linked by Boolean operators: digital competencies AND legal education AND artificial intelligence; data protection AND law AND higher education; and AI and Law AND legal profession AND curriculum. Searches were conducted in English and Spanish without any initial year restriction, although the selection criteria prioritized publications from the last five years.

The selection of studies was governed by the following inclusion criteria:

1. Original articles, review articles or theoretical reflections published between 2020 and 2026.
2. Works that explicitly address the educational or training dimension of AI, data protection, or digital skills in the legal field.
3. Publications in English or Spanish with access to full text.
4. Studies indexed in journals with peer-reviewed scientific processes.

Articles of an exclusively technical nature —typical of systems engineering or computer science— that did not establish links with legal professional training, as well as works lacking a structured summary or with insufficient information for thematic coding, were excluded from the analysis.

The selection process was organized according to the PRISMA (Preferred Reporting Items for Systematic Reviews and Meta-Analyses) protocol. The initial search yielded 548 records: 418 from Scopus and 130 from Web of Science. After removing the 107 duplicates detected due to title, authorship, and DOI matching, 441 unique records remained available for screening by title and abstract. Full-text analysis led to the selection of 28 studies that formed the core corpus of this review (Table 1).

Table 1. Results of the search process according to the PRISMA protocol

PRISMA phase	Amount	Observations
Identified records (Scopus + WoS)	548	Search in three thematic blocks
Records in Scopus	418	Blocks 1, 2, 3 and general export
Records in Web of Science	100	Two thematic blocks
Other databases (institutional grey literature)	30	Google Scholar and institutional repositories
Duplicates removed	107	Identified by title, authors and DOI
Unique records for screening	441	Title and abstract analysis
Studies included in the analysis	28	Complete text, thematic relevance and quality

The analytical treatment of the corpus followed a two-way thematic coding procedure: inductive, based on emerging patterns within the texts themselves, and deductive, guided by the study's three conceptual axes—ethical and philosophical dimension, normative and regulatory dimension, and pedagogical and competency-based dimension. The findings for each axis were compared with each

other and with the Latin American context, with an emphasis on the Peruvian reality, in order to identify convergences, point out dissonances, and delimit the gaps that existing scholarship has not yet filled.

RESULTS

Ethical and philosophical impact of artificial intelligence on Law

The analysis shows that artificial intelligence is not entering the legal field as a neutral tool. Its adoption generates tensions in fundamental categories of legal reasoning, such as responsibility, the motivation behind decisions, and human control over their consequences. Contradictions are identified between current data protection frameworks and the operational needs of AI systems, affecting how legal professionals understand privacy and informational autonomy in automated environments.

Furthermore, biases arising from the use of algorithmic tools in legal functions are observed, reducing critical oversight by legal professionals. These findings suggest the need to incorporate specific algorithmic auditing competencies into basic legal training. It is also noted that autonomous AI systems erode traditional categories such as intent and legal responsibility, creating areas of normative ambiguity not yet addressed in current curricula.

In the Latin American context, there are documented cases where AI has been used to inform judicial decisions without adequate training for the operators, leading to the perpetuation of systemic biases. This makes AI ethics an urgent and essential part of the curriculum.

Comparative regulatory frameworks and governance of artificial intelligence

The global regulatory landscape for AI and data protection is characterized by significant fragmentation, a direct consequence of its teaching in law schools. Substantial differences exist between various data protection regimes, both in the scope of the safeguards they provide and in how they address the inherent risks of AI.

Data protection legislation reveals itself as a mechanism for distributing power over information in the digital society, which means it must be taught considering its tensions and sociopolitical

implications. The most robust regulatory frameworks are those that successfully articulate technical standards with legal principles in a sustained dialogue, demanding that legal professionals understand more than just the literal interpretation of the law.

The Peruvian case illustrates the gap between regulatory advances and their integration into the curriculum, showing that simply teaching current regulations is insufficient. Students need to develop the ability to interpret regulatory evolution in scenarios of sustained technological uncertainty.

Legal education and development of digital skills

The reviewed studies show a growing consensus around the need to redefine the graduate profile of lawyers, although tensions persist regarding how to translate this redefinition into concrete curricular decisions. In some contexts, the use of AI tools is widespread among students, but law schools lack institutional policies and literacy programs that channel this use toward critical thinking.

Pedagogical tensions arising from generative AI have been identified: between cognitive efficiency and depth of analysis; personalization and evaluative uniformity; and technological innovation and academic integrity. These tensions require deliberate pedagogical decisions.

The lack of digital skills affects both students and teachers, meaning that any curriculum reform must also consider the professional development of the teaching staff. Pedagogical models are proposed that integrate AI tools into realistic legal exercises, without neglecting the development of critical thinking. Furthermore, the pedagogical potential of errors produced by language models as resources for reconstructing sound legal reasoning is highlighted.

Perceptions and attitudes of the legal community towards digital transformation

The attitudes of students, teachers, and legal professionals towards the incorporation of AI are heterogeneous and vary according to generation, institutional context, and degree of prior contact with digital technologies applied to legal practice.

A gap in appropriation is evident: the technology is available, but interpretive frameworks for its reflective and responsible use are scarce. The most successful training programs are those that incorporate ethical and normative reflection on AI from the outset, and methodologies that combine

technology with active critical analysis produce greater conceptual appropriation and better retention of complex normative content (Table 2).

Table 2. Summary of findings by analytical dimension

Dimension	Main finding	Educational implications
Ethics and philosophy	Automation bias and algorithmic opacity call into question principles of motivation and legal responsibility	Include critical AI auditing as a cross-cutting competency in the Law degree
Regulations and standards	Global regulatory fragmentation and gap between current regulations and curricular content in Latin America	Teach the ability to interpret and anticipate regulations, not just the current regulations
Pedagogical and competency-based	Uncritical and instrumental use of AI by students and teachers; absence of institutional AI policies in faculties	Design post-AI pedagogical models that integrate digital literacy, ethics, and critical legal thinking
Attitudinal and perceptual	Ambivalent attitudes: uncertainty about professional replacement and latent demand for specialized training	Educational support that demystifies AI and promotes its critical and ethical adoption

DISCUSSION

The results obtained are supported by several recent studies that have addressed the impact of artificial intelligence on law from ethical, normative, and pedagogical perspectives. On the ethical and philosophical level, Fritz (2022) points out that current data protection frameworks present structural contradictions with the operational logic of AI systems, which directly affects the understanding of privacy and informational autonomy in automated environments. The methodological approach was justified by its ability to articulate findings from diverse research traditions, prioritizing hermeneutical depth over the statistical exhaustiveness that characterizes formal systematic reviews (Greenhalgh *et al.*, 2018).

Laux and Ruschemeier (2025) warn of automation bias in the European context, highlighting the need to incorporate algorithmic auditing skills into legal education. Wood (2026) complements this view by showing how autonomous systems erode traditional categories of will and legal responsibility. In Latin America, Díaz-Rincón *et al.* (2024) document cases in Colombia where a lack of critical training led to the reproduction of systemic biases, reinforcing the urgency of integrating AI ethics into curricula.

Regarding regulatory frameworks and AI governance, Sharma and Sharma (2024) compare data protection regimes in the BRICS countries, highlighting substantial differences in how they address AI-related risks. Banck (2025) proposes a technopolitical interpretation of these differences, emphasizing that data protection legislation distributes power in the digital society. Kumar *et al.* (2025) emphasize that the most robust regulatory frameworks are those that successfully integrate technical standards with legal principles through sustained dialogue. The Peruvian case, with Supreme Decree No. 016-2024-JUS, reflects the gap between regulatory advancements and their integration into the curriculum, consistent with Barkane's (2022) warning about the systematic obsolescence of regulations in the face of technological progress.

In the field of legal education, Asyari *et al.* (2025) show that in Indonesia the use of tools like ChatGPT is widespread among students, but without institutional policies to guide this use toward critical thinking. Wang *et al.* (2024) identify pedagogical tensions arising from generative AI, while Méndez Cabrita *et al.* (2023) demonstrate that the deficit in digital skills affects both students and teachers. Pérez Milla (2025) proposes a post-AI pedagogical model focused on contextual and strategic thinking, and Hansen *et al.* (2025) show that errors in language models can become effective pedagogical resources for learning contract law.

Regarding perceptions and attitudes within the legal community, Mamanazarov *et al.* (2025) observe a technological appropriation gap in Central Asia, where the availability of tools is not accompanied by critical interpretive frameworks. Smith (2024) identifies that the most successful training programs incorporate ethical and normative reflection on AI from the outset of training. Pérez *et al.* (2024) report experiences with augmented reality in legal settings, demonstrating that combining technology with active critical analysis leads to greater conceptual appropriation and better retention of complex normative content.

What this review reveals, first and foremost, is a fundamental contradiction in Latin American university legal education. While the regulatory and technological environment is moving toward increasingly complex forms of digital governance of AI, the pedagogical models that predominate in law schools remain organized around the transmission of static normative knowledge. Aidinlis (2024) documents a similar dysfunction in the British context, but in the Peruvian case, the tension takes on a particular urgency: the enactment of Supreme Decree No. 016-2024-JUS has raised the demands for normative literacy in AI, yet legal training programs still lack a curricular response that meets this demand.

The triple gap identified—ethical, regulatory, and competency-based—does not lend itself to a fragmented approach. What emerges from the reviewed corpus is that the insertion of isolated modules or elective courses on AI is insufficient to produce fundamental changes in pedagogical practices (Smith, 2024; Asyari *et al.*, 2025). The type of transformation that the evidence suggests is more far-reaching: it implies redefining legal competence not merely as mastery of current regulations, but as the capacity to reason critically about sociotechnical systems in constant redesign, including AI systems. This is a paradigm shift, not a mere adjustment of content.

Pérez Milla's (2025) pedagogical proposal for post-AI legal didactics points precisely in this direction: shifting the focus of the educational process from the memorization of legal provisions to contextual and strategic thinking in the face of highly complex technological scenarios. The conceptual framework offered by Mamanazarov *et al.* (2025), the development of digitally mediated legal human capital, is complementary, as it situates this transition within cultural rather than solely technical coordinates, making it more relevant to Latin American contexts with their own institutional dynamics.

It is worth noting that the digital divide in legal education affects both students and teachers. The diagnosis by Méndez Cabrita *et al.* (2023) regarding the equivalent deficiencies among students and teachers necessitates a broader focus for any reform strategy: redesigning the curriculum is insufficient without simultaneous investment in faculty professional development. A teacher who has not developed the legal digital skills they are expected to cultivate cannot, no matter how up to date the curriculum, model the type of critical reasoning that the AI era demands.

Regarding the attitudinal dimension, the studies analyzed allow us to qualify a common misconception: the legal community's resistance to AI is not primarily a form of technological

conservatism. Fritz (2022) and Laux and Ruschemeier (2025) show that this resistance is rooted in legitimate ethical concerns—the erosion of professional autonomy, the opacity of automated decision-making systems, and the reproduction of biases that the law should correct. Treating these concerns as obstacles to be overcome through basic technological training would be a mistake: what they demand is a curricular space where they can be analyzed in depth, not silenced with arguments of efficiency.

The practical implications of these findings point in one specific direction: the need to move from isolated pilot initiatives to systemic training policies. These policies should encompass at least four interconnected dimensions: mechanisms for continuous curriculum updates linked to monitoring regulatory developments in AI and data; teacher training programs in digital legal pedagogy that go beyond simply acquiring knowledge of tools, but also develop the ability to teach with them critically; interdisciplinary practice spaces that connect law students with those who develop the systems they will regulate; and institutional frameworks for governing the use of AI within the teaching and learning process itself.

The critical review of the scientific literature on digital skills and normative literacy in AI in university legal training yields a set of conclusions that, taken together, point to the need for a structural rethinking in the way Latin American law faculties conceive their educational mission.

First and foremost, the existence of a triple gap—ethical, regulatory, and competency-based—that cut across the region's legal education systems is confirmed. This is not a temporary deficiency or a passing lag: the dominant pedagogical models were designed for a pre-digital environment and have been largely overtaken by the speed of technological and regulatory transformation. This asynchrony is, in itself, the critical challenge that legal education must address with determination.

Furthermore, the integration of AI and data protection into law curricula cannot be reduced to simply adding specific subjects or elective modules. The evidence examined points to something more profound: a paradigm shift that redefines legal competence not merely as mastery of current law, but as the ability to reason critically about constantly evolving socio-technical systems, including AI systems.

It is also worth noting that the legal community's attitudes toward AI are not simply a matter of technological resistance. Behind this uncertainty lie fundamental ethical concerns: the erosion of

professional autonomy, the assignment of responsibility for automated decisions, and the reproduction of systemic biases. Ignoring these concerns in curriculum design is tantamount to missing a crucial educational opportunity.

Related to the above, any curriculum transformation strategy that aims for lasting results must include intensive teacher professional development programs. The digital divide doesn't only affect students; it equally impacts the teaching staff. Without educators trained to foster critical thinking about AI, no curriculum reform will achieve its intended effects.

In closing, the Peruvian context offers uniquely favorable regulatory conditions—Law No. 29733 and Supreme Decree No. 016-2024-JUS—for developing a systemic educational response. Law schools have both the ethical obligation and the historical opportunity to become spaces where professionals capable of safeguarding citizens' rights are forged in an era marked by big data and algorithmic decision-making.

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Conflict of interest

Authors declare no conflict of interests.

Authors' contribution

The authors participated in the design and writing of the article, in the search and analysis of the information contained in the consulted bibliography.



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