



ILE

LEX SPECULUM

VOLUME 1 AND ISSUE 1 OF 2023

INSTITUTE OF LEGAL EDUCATION



ILE LEX SPECULUM

APIS – 3920 – 0036 | ISBN – 978-81-964391-3-2

(Free Publication and Open Access Journal)

Journal's Home Page – <https://ls.iledu.in/>

Journal's Editorial Page – <https://ls.iledu.in/editorial-board/>

Volume 1 and Issue 1 (Access Full Issue on – <https://ls.iledu.in/category/volume-1-and-issue-1-of-2023/>)

Publisher

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Chairman of Institute of Legal Education (Established by I.L.E. Educational Trust)

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ROLE AND IMPACT OF ARTIFICIAL INTELLIGENCE IN THE JUDICIARY

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BEST CITATION – AVANTIKA SRIVASTAVA, C ROLE AND IMPACT OF ARTIFICIAL INTELLIGENCE IN THE JUDICIARY, *ILE LEX SPECULUM (ILE LS)*, 1 (1) OF 2023, PG. 436-440, APIS – 3920 – 0036 | ISBN – 978-81-964391-3-2.

Abstract

Rising the popularity of Artificial Intelligence has been significantly impacted the legal system. The application of Artificial Intelligence in the judicial system is a subset of the broader field of legal technology, which aims to use the technology to improve the legal system. The fast development of Artificial Intelligence technologies like language processing algorithms in recent years has made a number of cutting-edge applications for the legal sector viable. It is expected that new inventions will replace or improve many elements of human activity as technology continues to change the way people live and work. While many human pursuits have changed over time as a result of individual achievements, modern technological advancements have the ability to have a bigger impact on certain previously untouched occupations that humans conduct. In this aspect, technology is currently altering the execution of law and has the potential to change the system of justice by displace, support, or enhance the role of the judge. Such changes might result in less human involvement in decision-making and more AI use for handling small legal issues. This article examines how AI is influencing and modifying important facets of legal processes of decision-making in the court system and also seeks to offer a thorough grasp of the possible effects of AI in the administration of justice by analyzing the benefits and difficulties related to the incorporation of AI technology in the judiciary. In order to facilitate interaction in multilingual court hearings, the study investigates the potential of AI to improve the effectiveness and precision of legal translation services. In light of the growing collection of legal materials, Artificial Intelligence can offer suggestions and directions. The court must continually evaluate how well their system is working and make any necessary improvements.

Keywords: Artificial Intelligence, AI, Legal System, decision- making, Justice.

I. Introduction

John McCarthy given the term “Artificial Intelligence” in 1956.⁶⁵⁰ Establishing human intellect as the benchmark for Artificial Intelligence performance is crucial. Artificial Intelligence is capacity of an Explanation Conceptually, Objectively, And Frequently, To Find Lay As Well As Observe By Means Of Connections, To Resolve Challenges, To Find Patterns In Seemingly Random Information Using Previous Experience, Accomplish Novel Responsibilities, And To Adjust Readily To Changing Circumstances, And Acquire

Information On One Own Without Aid Of Explicit And Comprehensive Education. Artificial intelligence requires ‘huge information’ to function. We need roughly 100,000 images of cats, according to Luc Julia, one of the designers of the virtual assistant Siri, “if a machine is to be able to recognize a cat with 95% certainty.”⁶⁵¹ The functioning of justice entails delivering justice in individual cases, but the judicial system also performs a hidden function by establishing standards for the greater society. However, tribunals and judges have the duty of examining the proof offered;

⁶⁵⁰ McCarthy, *A Proposal for the Dartmouth Summer Research Project on Artificial Intelligence*, August 31, 1955, 27(4) AI MAG. 12, 12 (2006).

⁶⁵¹ VISIONARY MARKETING,
<https://visionarymarketing.com/en/2020/02/augmented-intelligence/amp/>
(last visited June 28, 2023).

parties submit data to the court, amendments are made across the procedures, and the judgement itself constitutes evidence. Substantial customization is not used in all instances regarding data transmission. Many instances call for a quick evaluation without proceedings, default judgements, and declarations of unconstitutional are commonly generated, and certain situations are negotiated. The judge only needs to wrestle with difficult, conflicting situations in a small percentage of all instances.⁶⁵²

II. Artificial Intelligence

In several sectors, including the judiciary, Artificial Intelligence has grown into a game-changing technology. AI has the ability to completely change a way of legal system functions, thanks to its capacity to analyze enormous volumes of data, spot patterns, and come to wise judgements. The use of AI in the judicial system extends to activities like case prediction, document analysis, and legal research, providing effectiveness and preciseness that were before unthinkable. AI's role in legal study is one of the important effects it has on the judicial system. In the past, locating pertinent information required attorneys and judges to spend many hours reading through the mountains of legislation and legal precedents. But today, tools with artificial intelligence-powered capabilities may help with this procedure by instantly finding and examining pertinent legal papers, conserving a lot of time and work. Due to their increased access to a wide variety of information, legal scholars are able to make more complete and educated decisions. Additionally, by examining previous information from earlier court decisions, artificial intelligence could assist in case forecasting. AI algorithms can forecast the chance of victory for certain arguments or variables in a specific case by recognizing similarities and trends in legal results. The general effectiveness and impartiality of the court system can be improved by using this proactive capacity to help judges make more

precise judgements and to help attorneys develop increasingly successful approaches. The significance of artificial intelligence extends beyond just case prognosis and legal study. Systems based on Artificial intelligence are able to quickly and accurately analyze and categorize legal records including contracts, agreements, and lawsuits. By lessening the workload on legal experts and reducing the possibility of human mistake during record inspection, this promotes uniformity and dependability in court procedures. Although there are many benefits to integration of Artificial Intelligence in the legal system, there are also certain difficulties and issues to be aware of. It is important to critically analyze social issues, such data privacy, algorithmic prejudice, and the possibility of employment destruction. In addition, depending only on artificial intelligence systems presents a special issue since judgement from humans is necessary for the application of legal concepts and the use of judicial jurisdiction. To secure the safeguarding of core legal concepts and defend the credibility of the judicial system, an intelligent compromise between the abilities of artificial intelligence and the judgement of humans should be established.

III. Role and Impact of Artificial Intelligence on Judiciary

AI is used in our legal system, banks, large corporations, startup overviews, and widely used navigational systems. This further raises the issue of employing advancements in the legal system. The Chief Justice of India, i.e., SA Bobde, has advocated introducing AI during the Income Tax Administrative Tribunal's 79th Foundation Day ceremony in order to improve the functioning of justice.⁶⁵³ He added that the application of modern technology to judicial operations is an exciting field and a major advance. But I must be precise regarding a particular thing. Since we have recently been discussing the use of information in the

⁶⁵²A. D. (Dory) Reiling, *Courts and Artificial Intelligence*, 11(2) IJCA 1, 2 (2020).

⁶⁵³INDIA LEGAL LIVE, <https://www.indialegalive.com/top-news-of-the-day/news/ai-will-bring-new-hope-to-drive-the-public-faith-to-our-institutions-cji-bobde/> (last visited June 28, 2023).

judiciary, I'm firmly for the opinion that only the repetitive areas of making choices, such as prices for revenue taxes and other things, require the use of Artificial Intelligence. He said, "The technology based on AI we want to use in tribunals is capable of analyzing one million texts per sec. A comparable method could probably be used for reading and extracting all pertinent information, calculate tax implications, and help in a variety of other ways to speed up the making of choices."⁶⁵⁴ AI may be very helpful in managing dockets and making decisions in panels like the ITAT (Income Tax Appellate Tribunal), as well as other Administrative Organizations. While the supreme court of India has confidence in Artificial Intelligence and thinks it could substantially strengthen the court's process, he additionally strongly maintains that while Artificial Intelligence can operate autonomously and accelerate up judges work, it is unable to take over the role of magistrates, and more specifically, their expertise and experience. The use of Artificial Intelligence technology will facilitate court adjudication and decrease pending cases. However, not everyone is as confident in programmed Artificial Intelligence upgraded judgements. Many other officials in the judiciary worry that such decisions may look to be more unbiased, unbiased and efficient than they genuinely are. Furthermore, officials from the judiciary might unnecessarily rely on this erroneous preciseness, not succeeding to consider the strategy constraints, the risks being performed, the judgements that took place during its development, and the reality that irrespective of whether the prediction is reliable, such a person accused of a crime will not return to crime two out of every ten instances.⁶⁵⁵ We are well aware that the courts of India is overworked with litigation in the framework of the Indian legal framework. There are currently 58,519 matters remaining before the Court of Appeals, and the

number would increase if we include district court proceedings throughout India. Each year, a large number of cases that are somewhat comparable in character are submitted. Analysis of the development of these situations at each step is rarely attempted. In order to expedite the case's resolution, tribunals must be well-informed about all potential outcomes. Artificially Intelligent technology, recent development can help judges by foretelling key facts about a current proceeding based on equivalent instances from the past. The situation details which include the quantity in the matter of the time that the accusation document was filed, plenty of those who witnessed a question throughout the prosecution phase, the amount of observes who became unfriendly justifications for postponements, the specifics of the First Information Report, the severity of the repercussions, the amount of reimbursement awarded, etc., tend to include the most important details with regard to cases that are still pending, which are noted in the daily instructions and the ultimate verdict for this analysis. By analyzing these factors, judges can improve their strategic judgement and shorten case processing times. In a similar vein, it is preferable to maintain evidence that is both oral and written in a format that can be read when a substantial amount of it is presented for Recording. The jury of courts would have a trustworthy instrument in their arsenal to emphasize the summaries of the written materials and Oral Testimony properly educated AI Methodology. It would significantly improve the courtroom authorities' capacity to decide difficult cases with thick documents in an expedient manner. The similar situation may be observed with regard to contractual agreements, particularly those that are stated virtually as well as those in which their meaning is presented in a manner that is technologically comprehensible. An excellent illustration of this matter be seen in the numerous commodities agreements used in the financial sector, whereby the exchange agreements are defined

⁶⁵⁴ JOURNEY LINE, <http://www.journeyline.in/newsdet.aspx?q=190772> (last visited June 28, 2023).

⁶⁵⁵ TRIPAKSHA LITIGATION, <https://tripakshalitigation.com/artificial-intelligence-in-judiciary/> (last visited June 28, 2023).

in machine-understandable terms that enable the machine in question to execute on its own the transaction logic underneath the agreement in question. The “Do Not Pay” application⁶⁵⁶, offering a fundamental legal assistance structure that enables users to traverse the field of law, is a last illustration of the practice of AI in legal. Simple intelligent expertise like this, which frequently take the shape of virtual assistants, give common people responses to common court queries. These all of them modest steps closer to the improvement and effectiveness of the legal framework. The adoption of AI will change the way the judiciary sees things: it will support judges across India in their efforts to deliver judgement to the parties in a way that is more efficient and open. Alongside each advantage comes a disadvantage, and while many judges are open to implementing Artificial Intelligence novel notion in the legal system, others are less certain. AI is a sophisticated programme that uses a number of algorithms to function. As regarding any unorganized information resources, these techniques will have errors notwithstanding their sophistication. Information has to be formatted in order to create a strong programme. The majority of pertinent information is, regrettably, not presented in a systematic manner within the e-court’s domain (the official website that houses case-related information from every corner of India). It is necessary for recording information in an additional organized way when it is in an overwhelming written form, such as paperwork and judgements. The fact that we’re not as apparent as computers, or in this case, AI when it comes to feelings as people, is most essential. In a situation wherein arbitrators must also take into account the grey region, anything will be seen as being either black or white. The fact that Artificial Intelligence is very clever and capable of working alone raises the additional way that it might result in the legal system

being taken control over its removal. The capacity to comprehend Artificial Intelligence technologies, the openness surrounding the way Artificial Intelligence technologies arrive at choices are two more modern issues concerning Artificial Intelligence and law enforcement.

III. Conclusion

Artificial Intelligence is neither magical nor cognitively brilliant in the traditional meaning of a word at this time. Instead, by using motifs, regulations, and inductive intermediates the fact that let it arrive at helpful judgements in doubt, limited circumstances, modern Artificial Intelligence technologies has the capability to deliver sophisticated outcomes lacking knowledge. The entire globe has changed and entered the age of the internet, where we are able to conduct transactions using our mobile devices and do basic transactions via the internet, while employing the newest technology to streamline our job. Comparable as the way society has developed, the legal framework has begun to adapt to the technological revolution. We now have electronic the legal system, and many panels allow web submission. The Legal System has made a huge stride regarding a modern and electronic nation with the creation of AI Portal.⁶⁵⁷ The practice of AI will expand a range of proceedings, lighten the load on lawmakers, and most significantly, it will expedite the decision-making process of proceedings and the delivery of fairness, which will help the judiciary resolve cases that are now waiting. We can observe the use of Artificial Intelligence in several international courts,⁶⁵⁸ including those in France, Austria, and other nations. These nations have benefited from the use of Artificial Intelligence to their judicial systems in ways like the inspection of decision papers and the acquisition of statistics. Unorganized

⁶⁵⁶ Kanya Pandey, *World’s First AI Lawyer Do Not Pay: What Is It and How Does It Work?*, JUMPSTART MAGAZINE (Feb. 24, 2023, 12:05 PM), <https://www.jumpstartmag.com/worlds-first-ai-lawyer-do-not-pay-what-is-it-and-how-does-it-work/>.

⁶⁵⁷ VIKASPEDIA, <https://vikaspedia.in/education/resource-links/indiaai-national-ai-portal-of-india> (last visited June 29, 2023).

⁶⁵⁸ Matt Halling, *Artificial Intelligence and International Criminal Law*, EJIL: TALK (June 29, 2023, 9:29 PM), <https://www.ejiltalk.org/artificial-intelligence-and-international-criminal-law/>.

information will always lead to errors, which is a big problem we discussed. Austria developed AI to address problems like for continuous storage, inbound documents that are unorganized should be treated equally and taxonomy should be implemented manually. Encouragement could also be given to the efficient digitalization of current paper-based records. We can also enhance the technologies for better organized work as well as adopt certain concepts from other nations, like Austria. Nevertheless, the limits of present Artificial Intelligence technology exist. In particular, it performs poorly when confronting abstract concepts, comprehending which means applying information across different activities and managing entirely unregulated or ambiguous duties. Instead, the majority of activities for which Artificial Intelligence has demonstrated effectiveness include extremely organized regions with distinct accurate and incorrect responses as well as robot fundamental trends that are able to systematically recognized. To comprehend Artificial Intelligence within legislation, one must be aware of both the benefits and drawbacks of the most recent technological advancements in AI. The application of Artificial Intelligence in the court will allow us to accomplish more after we started our journey down the path of technological India. India is the second-most population nation in the world, and within this demographic group, the number of open cases has surpassed one billion in all 50 states. The brain of a person can only handle so much stress and pressure; thus, allowing Artificial Intelligence to help by lowering the pressure and providing effective judgement to the parties would have a positive impact on the legal system and our nation as a whole.⁶⁵⁹ By examining elements like the gravity of the offence, past indictments, and particular facts. In certain places, courts are using AI to help them decide on the proper penalties to impose and whether to grant probation. These

techniques deliver suggestions based on a variety of variables, including the seriousness of the offence. This can encourage uniformity and justice in sentencing while taking individualised considerations into account. Court scheduling management and prioritization, hearing scheduling, and allocation of assets may all be improved with the use of AI technologies. AI can optimize court procedures, lowering inefficiencies and increasing general effectiveness by analyzing past information as well as patterns. It's crucial to remember that, despite the fact that Artificial Intelligence (AI) may be a useful tool in the legal system, tribunals and other specialists in law should continue to have the final say in all cases. Artificial intelligence should not be used to replace human knowledge and judgement, but rather as a tool to assist in making decisions.

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⁶⁵⁹NITI Aayog, *National Strategy for Artificial Intelligence*, INDIAAI (June 29, 2023, 10:00 AM), <https://indiaai.gov.in/research-reports/national-strategy-for-artificial-intelligence>