Artificial Intelligence in courts: status, challenges, issues

IACA Webinar

10 September 2024
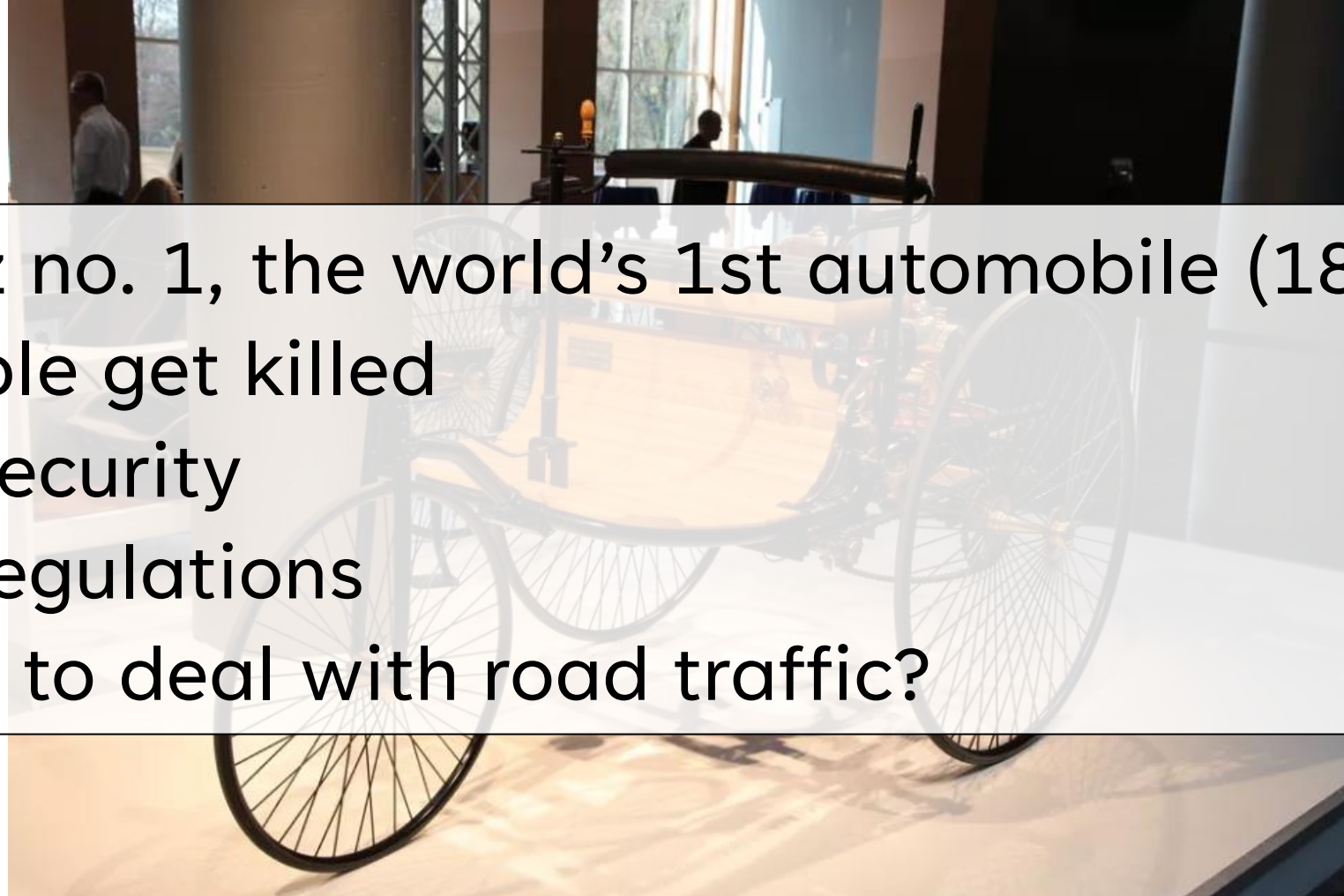
Dr. Dory Reiling

Status: early design

Benz no. 1, the world's 1st automobile (1890s)

People get killed

No security

No regulations

How to deal with road traffic?

Status of AI

Self-driving car
Not very intelligent yet
People get killed
AI: how to deal with it?

Co-pilot, give me picture of a Dutch court

Status: AI in courts in Europe

CCJE survey for Opinion 26

- CCJE survey
- Opinion 26: moving forward
- What AI in your courts?
- 9 mentions out of 33

What?

Govt. Strategy

Vision

Plan for measures

Thinktank

Initiatives

Pilot projects

Ideas, chatbots

Source: Consultative Council of European Judges survey for Opinion 26
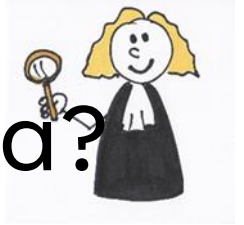
AI in use in courts in US (2)

- Chatbox
  - NJ State Miami Circuit FAQ
- Sentencing algorithms
  - Robust guidance Lot of info
- Translations
  - for customer service, not in the courtroom
- Data extraction
  - Courts control data, no access for outsiders
- Speech to text
  - Now at a low level
  - Recognising accents

Co-pilot, what is happening in AI in courts in Asia?

- China
- Singapore
- India
- Malaysia
- South Korea

- Government AI strategy
- Recording testimony
- Analyzing case materials
- Verifying database information
- Only in simple financial disputes
- How China's AI is automating the legal system – DW – 01/20/2023

© Fan Jiashan/HPIC/dpa/picture alliance

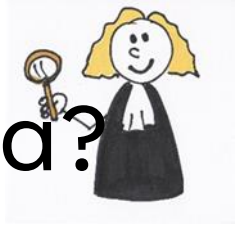# Co-pilot, what is happening in AI in courts in Asia?

Asia

- China
- Singapore
- India
- Malaysia
- South Korea

What?

- Experiment with generative AI to help self-representing litigants
- (…)
- Generative AI being tested for use in Singapore Courts, starting with small claims tribunal - CNA (channelnewsasia.com)

© Fan Jiashan/HPIC/dpa/picture alliance

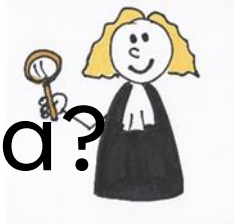# Co-pilot, what is happening in AI in courts in Asia?

Asia

- China
- Singapore
- India
- Malaysia
- South Korea

What?

- Initiative with live transcription
- Chief Justice of India DY Chandrachud advocates for ethical AI integration in legal research - Times of India (indiatimes.com)

© Fan Jiashan/HPIC/dpa/picture alliance

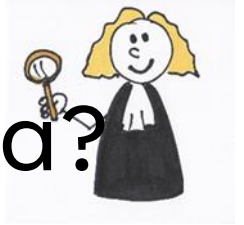# Co-pilot, what is happening in AI in courts in Asia?

Asia

- China
- Singapore
- India
- Malaysia
- South Korea

What?

- Incidental
- Sentencing prediction
- Malaysia tests AI court sentencing despite ethical concerns raised by lawyers - Tech (mashable.com)

© Fan Jiashan/HPIC/dpa/picture alliance

Co-pilot, what is happening in AI in courts in Asia?

Asia

What?

- China

- Singapore

- India

- Malaysia

- South Korea

- In South Korea, the judiciary is actively integrating AI tools to enhance legal processes. Here are some specific AI tools and initiatives being used:

- all examples were for lawyers

- [Competition heats up to launch AI-based legal services – The Korea Times](#)

© Fan Jiashan/HPIC/dpa/picture alliance

Major issues

With AI
- Data
- Algorithms
- Consistency
- Accountability
-

For judiciaries
- Discretion
- Confidentiality
- User in control and accountable
- Risk awareness
- Accountability
- Governance

- Source: F. Contini, Unboxing Generative AI International Journal for Court Administration, https://iacajournal.org/47/volume/15/issue/2

2018: European Ethical Charter for the use of AI in judicial systems and their environment

- ✓ 1 Respect for fundamental rights
- ✓ 2 Non-discrimination
- ✓ 3 Quality and security
- ✓ 4 Transparency, impartiality and fairness
- ✓ 5 Under human control

Judiciaries' Consensus on using AI in courts

Use AI to support, not decide

Understand how it works

Be aware of bias

Is predictive justice dead?

Maintain

Confidentiality and privacy

Security, Accountability and Accuracy

- Source: ARTIFICIAL INTELLIGENCE (AI) Judicial Guidance, UK Courts and Tribunals

Challenges for courts - AI to-do

- Human, judiciary and court control:
  - Design
  - Development
  - Safeguarding correct workings
- Improving legal source input
  - Correct data
  - Secure data
  - Enough data
  - Machine-processable judgments

Artificial intelligence, Courts and Judges

- Dory Reiling mag. Iur. PhD
- www.doryreiling.com
- www.doryreiling.blogspot.com

 @doryontour

 dory@doryreiling.com

 [linkedin profile](#)