

Artificial Intelligence: Impact on Judicial System of India

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Abstract: *Artificial intelligence (AI) can give judiciaries tools to assist in legal research, case management, translation, document analysis, risk assessment, and even drafting. They can help to expedite processes, reduce costs, and democratize information, but also pose serious risks of discriminatory practices, erroneous outputs, privacy invasions, opacity, and judicial capture. This paper argues that judiciaries should adopt AI as an assistant to decision-makers. Courts and tribunals should adopt such technologies only when given human oversight, explainability, security, independent auditing, and an effective right to challenge.*

Keywords: Artificial Intelligence; Indian Judiciary; Judicial System; Access to Justice; Algorithmic Bias; Judicial Decision-Making; AI Governance

1. Introduction

Modern judiciaries are often faced with a deluge of cases, complex jurisdictions, procedural delays, and inequitable access to resources. AI can empower judiciaries with tools that process more information quickly. Courts and their agencies have adopted this technology to help find relevant precedents and organize information, facilitate administrative work, and make predictions about punishment or risk.

However, the same cannot be said about justice: courts and tribunals must protect all the rights of the parties, including the right to a fair trial and due process. Even with a technically efficient system, its recommendations can still be discriminatory, opaque, or unchallenged. The question, then, is not whether courts should adopt this technology, but how it could be used without undermining the rule of law.

Applications of AI in Courts

AI has administrative and decision-support applications. In an administrative sense, it can sort through filings, find out missing information, schedule hearings and transcribe them, and remove personal information from published judgments. Models of language can help translate documents and explain procedures. Chatbots may give general information about court fees or deadlines. These applications can help to offload simple tasks, allowing courts to focus on more complex issues.

AI can also help to improve legal research: a system can scan through thousands of judgments to find relevant ones, summarize arguments, and even find patterns. Generative AI may help judges and clerks in drafting preliminary versions or summaries, as long as each assertion has been verified by reliable sources. AI can also help lawyers and self-represented litigants in organizing evidence and researching the law. Its more controversial applications concern predicting outcomes and the likelihood that a specific defendant will re-offend or fail to appear in court. Predictive tools may be used for setting bail, sentencing, or parole conditions. Since these considerations have a direct impact on people's liberty, they require more safeguards than simple automation.

Benefits

The most obvious benefit is efficiency: automating classification, transcription, and other repetitive tasks can make the processing of cases faster. This is particularly important given that many judiciaries suffer from extreme delays and backlogs.

Second, AI can help to standardize judgments and improve consistency by helping judges find relevant precedents and compare similar cases. It can also help to improve access to justice by facilitating communication and automating procedures for people who cannot afford lawyers.

Finally, AI can help to improve decision-making by providing evidence-based recommendations. Anonymized data could be used to identify trends and help court administrators to allocate resources more wisely. Used responsibly, such tools can help judiciaries to be more accessible and efficient without compromising judicial independence.

Risks and Ethical Concerns

A known risk is algorithmic bias: AI systems may encode discriminatory decisions if they are trained on prejudiced data. Judicial and policing databases may reflect systemic societal inequities that have historically resulted in over-policing or sentencing for certain groups. Information about arrests, for example, cannot be used as a measure of criminality, since policing practices vary between jurisdictions. A model that uses such information for training may reproduce such patterns in its decision-making.

Another issue is transparency: some systems operate as "black boxes," providing results without explaining how they were reached. It is impossible for a defendant to mount an effective defense if they do not know what information was used for a specific recommendation or probability score. Generative AI models pose additional risks: they may fabricate information, invent precedents, or provide spurious justifications. Court guidance highlights hallucinations, discriminatory practices, data security breaches, and deepfake evidence as major concerns.

National Center for State Courts

Confidential information inputted into an external system may also be processed, stored, or shared with third parties. These risks should not be dismissed even if human oversight is implemented: judges and judges' assistants may be overly reliant on a system's recommendation because it seems objective. Equally concerning is the possibility that decision-makers will use the same technology to bolster their arguments in a selective, subjective manner. Effective human oversight requires education, the authority to reject, and the ability to assess the technology itself rather than simply endorsing.

Governance and Safeguards

Courts and tribunals should adopt a risk-based approach: less safeguards may be needed for technologies with limited applications (like managing low-security documents), whereas systems that make decisions about a person's liberty or evidence should undergo a rigorous review process. European authorities have recognized certain applications of AI in the judiciary as high-risk and have proposed a set of measures to safeguard the rule of law and fundamental rights.

Before adopting a particular technology, courts should perform an impact assessment that considers factors such as accuracy, discriminatory potential, cybersecurity implications, privacy concerns, accessibility, and effects on judicial independence. Audits by independent experts should scrutinize not only the technology's code but also its practical application. Post-adoption monitoring should continue because external factors (users, data) can impact a system's performance.

Parties should be informed whenever an AI has played a material role in a particular proceeding. Wherever possible, they should have the opportunity to review the information considered, rectify errors, and challenge the outcome before a human decision-maker. Courts should maintain records of when a given AI was used and how its findings impacted the outcome of a hearing.

Judges and court employees should receive training about the opportunities and limitations of AI. Policies should ensure that confidential information is not inputted into unauthorized systems and that generated texts and citations have been verified for accuracy. Additionally, procurement contracts should include rights for independent auditing. UNESCO emphasizes human rights, judicial independence, and accountability, and transparency as guiding principles for adoption and implementation.

2. Conclusion

AI can help judiciaries to improve information management, speed up processes, and improve accessibility. However, it can also help to perpetuate discrimination, generate errors, leak confidential information, and undermine due process. Judicial legitimacy depends not only on obtaining efficient outcomes but also on upholding procedural fairness and providing accessible remedies.

AI should be regarded as an assistant and not a decision-

maker, and final responsibility for judgments should be with accountable human officials. With independent auditing, transparent governance, robust data protection, education, and enforceable rights to explanation and redress, courts can harness the benefits of AI while avoiding its risks. Otherwise, automated systems run the risk of becoming an obstacle to justice by placing efficiency over fairness.