The Possible Application of Artificial Intelligence in Hungarian Court Practice

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Abstract : In the context of artificial intelligence, we need to pay primary and particular attention to ethical principles not only in the design process but also during the application process. According to the European Commission's Ethical Guidelines, AI must have three main characteristics: it must be legal, ethical and stabil. We must never lose sight of the ethical principles because we risk that this new technology will not help democratic decision-making under the rule of law, but will, on the contrary, destroy it. The rapid spread and use of artificial intelligence poses an enormous challenge to both lawmaking and law enforcement. On legislation because AI permeates many areas of our daily lives that the legislator must regulate. We can see how challenging it is to regulate e.g., selfdriving cars/taxis/vans etc. Not to mention, more recently, cryptocurrencies and Chat GPT, the use of which also requires legislative intervention, from copyright to scientific use and even law of succession. Artificial intelligence also poses an extraordinary challenge to law enforcement. In criminal cases, police and prosecutors can make great use of AI in investigations, e.g. in forensics, DNA samples, reconstruction, identification, etc. But it can also be of great help in the detection of crimes committed in cyberspace. In criminal or civil court proceedings, AI can also play a major role in the evaluation of evidence and proof. For example, a photo or video or audio recording could be immediately revealed as genuine or fake. Likewise, the authenticity or falsification of a document could be determined much more quickly and cheaply than with current procedure (expert witnesses). Neither the current Hungarian Civil Procedure Act nor the Criminal Procedure Act allows the use of artificial intelligence in the evidentiary process. However, this should be changed. To use this technology in court proceedings would be very useful. The procedures would be faster, simpler, and therefore cheaper. Artificial intelligence could also replace much of the work of expert witnesses. Its introduction into judicial procedures would certainly be justified, but with due respect for human rights, the right to a fair trial and other democratic and rule of law guarantees.
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