

Critical Evaluation of the Transformative Potential of Artificial Intelligence in Law: A Focus on the Judicial System

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Abstract : Amidst all suspicions and cynicism raised by the legal fraternity, Artificial Intelligence has found its way into the legal system and has revolutionized the conventional forms of legal services delivery. Be it legal argumentation and research or resolution of complex legal disputes; artificial intelligence has crept into all legs of modern day legal services. Its impact has been largely felt by way of big data, legal expert systems, prediction tools, e-lawyering, automated mediation, etc., and lawyers around the world are forced to upgrade themselves and their firms to stay in line with the growth of technology in law. Researchers predict that the future of legal services would belong to artificial intelligence and that the age of human lawyers will soon rust. But as far as the Judiciary is concerned, even in the developed countries, the system has not fully drifted away from the orthodoxy of preferring Natural Intelligence over Artificial Intelligence. Since Judicial decision-making involves a lot of unstructured and rather unprecedented situations which have no single correct answer, and looming questions of legal interpretation arise in most of the cases, discretion and Emotional Intelligence play an unavoidable role. Added to that, there are several ethical, moral and policy issues to be confronted before permitting the intrusion of Artificial Intelligence into the judicial system. As of today, the human judge is the unrivalled master of most of the judicial systems around the globe. Yet, scientists of Artificial Intelligence claim that robot judges can replace human judges irrespective of how daunting the complexity of issues is and how sophisticated the cognitive competence required is. They go on to contend that even if the system is too rigid to allow robot judges to substitute human judges in the recent future, Artificial Intelligence may still aid in other judicial tasks such as drafting judicial documents, intelligent document assembly, case retrieval, etc., and also promote overall flexibility, efficiency, and accuracy in the disposal of cases. By deconstructing the major challenges that Artificial Intelligence has to overcome in order to successfully invade the human- dominated judicial sphere, and critically evaluating the potential differences it would make in the system of justice delivery, the author tries to argue that penetration of Artificial Intelligence into the Judiciary could surely be enhancive and reparative, if not fully transformative.

Keywords : artificial intelligence, judicial decision making, judicial systems, legal services delivery

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