

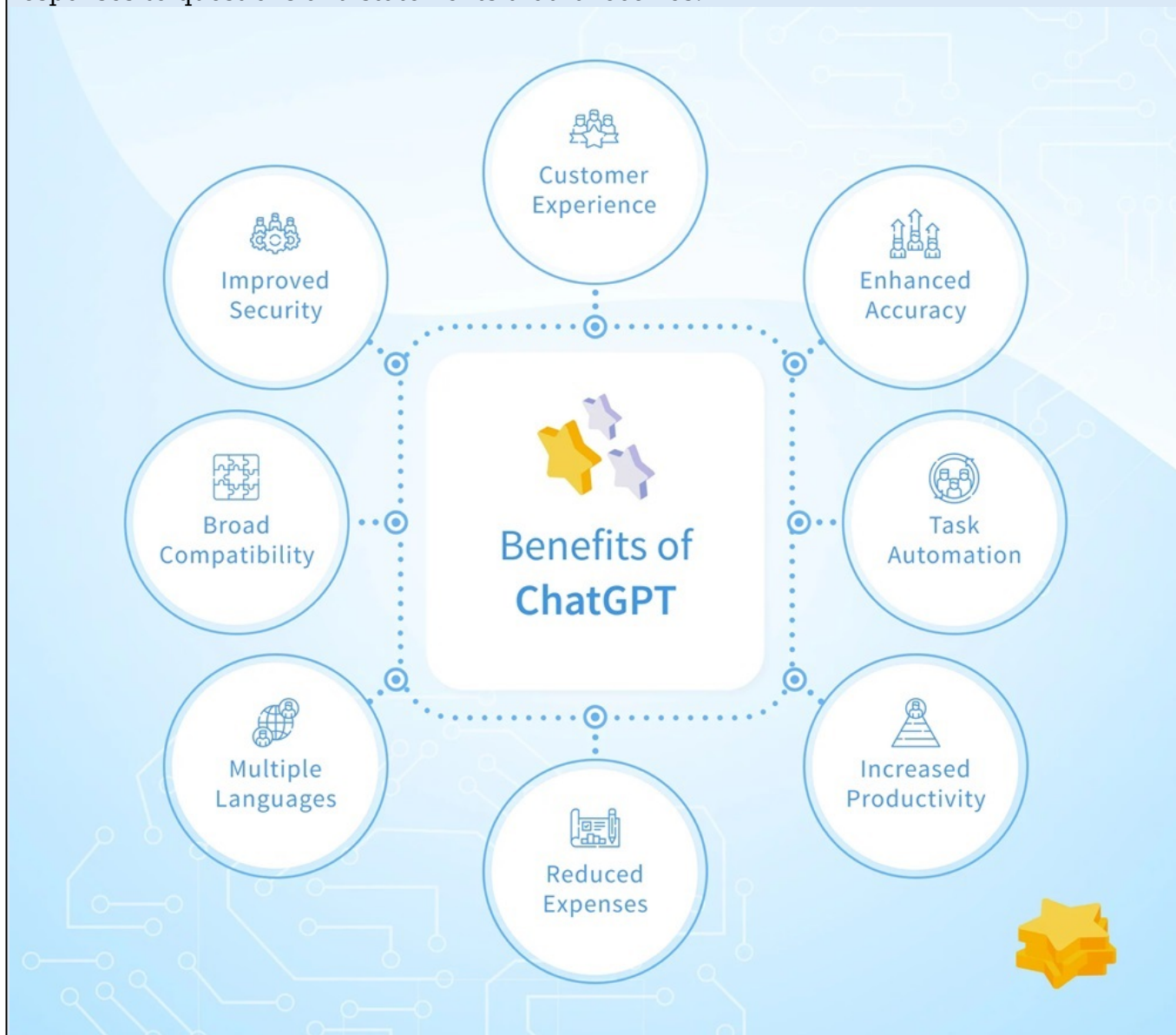
AI usage in Judicial Process

Why in news?

High Courts in India have varying stances using AI, including ChatGPT as a part of the legal process.

ChatGPT

- **About**-It is a large language model developed by OpenAI that can be used for natural language processing tasks such as text generation and language translation.
- **GPT model**- It is based on GPT-3.5 (*Generative Pretrained Transformer 3.5*) model and uses deep learning algorithms to generate text responses to prompts.
- **Technology**- It uses natural language processing technology to understand and generate responses to questions and statements that it receives.



What is the stand of High Courts (HC) on AI usage?

- **Manipur HC**- A petitioner who is a former Village Defense Force (VDF) personnel challenged his dismissal in Manipur HC.
- **Usage of AI**- The court used ChatGPT to research and understand the VDF's role.
- **Court verdict**- The court ultimately set aside petitioner's dismissal based on 2022 memorandum that required an opportunity for dismissed VDF personnel to explain alleged charges.
- **Punjab and Haryana HC**- It used ChatGPT to deny bail in a case involving assault.
- **Delhi HC**- It ruled against using ChatGPT to deny bail in a case involving assault.

International practices on AI usage for legal cases

- **USA-** Manhattan federal court fined a lawyer for submitting a brief with fictitious case law generated by ChatGPT, highlighting the dangers of relying on AI for legal research.
- **Singapore-** AI is mostly used for speech translation system.
- **Robots-** In countries like Russia, Mexico and China, robots are used to provide legal advice to citizens and help judges to determine if pensions should be granted.
- **UK-** The judiciary has issued guidelines allowing the use of generative AI for administrative tasks but cautioned against using it for legal research or analysis, reflecting a balanced approach to AI in legal settings.

What are the advantages of using ChatGPT in legal cases?

- **Rapid Legal Research-** It can quickly process and retrieve relevant legal information, case law, statutes, and precedents, significantly speeding up legal research.
- **24/7 availability-** It can provide assistance at any time, offering legal information and support outside of regular court hours, which is particularly beneficial for urgent matters.
- **Uniform response-** It ensures that the information provided is consistent, reducing the variability that can arise from human interpretation and oversight.
- **Reduction of human error-** Automated systems can minimize errors that might occur due to human fatigue, oversight, or bias.
- **Comprehensive analysis-** It can analyze large volumes of legal texts and case law, providing comprehensive insights that can support judicial decision-making.
- **Multilingual capabilities-** It can process and generate text in multiple languages, facilitating communication in multilingual jurisdictions and assisting non-native speakers.
- **Judicial training-** It can be used as a tool for training new judges and legal professionals, providing instant access to legal knowledge and case studies.
- **Technology integration-** The use of AI in judicial proceedings encourages the integration of advanced technologies in the legal field, promoting innovation and modernization.

What are the challenges of using ChatGPT in legal cases?

- **Inaccuracy-** It can generate responses that sound correct but are faulty incorrect or misleading which poses a significant risk when legal decisions rely on accurate and precise information.
- **Erroneous legal arguments-** There have been instances where ChatGPT produced entirely fictitious legal precedents, which can lead to erroneous legal arguments and judgements.
- **Complexity of legal reasoning-** Legal cases often require a deep understanding of nuanced legal principles, precedents and statutory interpretations which ChatGPT might not grasp fully.
- **Context sensitivity-** Legal decisions depend heavily on the specific context and details of a case, which an AI might not consider adequately.
- **Ethical concerns-** AI models, including ChatGPT, can inadvertently perpetuate biases present in the data they were trained on which could lead to biased legal outcomes, undermining the fairness of judicial processes.

- **Lack of accountability-** It can be challenging to pinpoint responsibility when an AI's suggestion leads to a controversial or incorrect legal outcome.
- **Lack of transparency-** AI models like ChatGPT operate as black boxes, providing outputs without transparent reasoning processes.
- **Regularity issues-** India does not have specific guidelines regulating the use of AI in judicial processes, this can lead to arbitrary legal verdicts.

What lies ahead?

- While AI can assist legal research, its limitations and potential inaccuracies must be considered.
- India needs clear and standardized guidelines to harness AI's capabilities responsibly and effectively within the legal system.

References

1. [Indian Express- Using AI in legal cases](#)
2. [INDIai- Responsible AI for Indian Justice System](#)

