

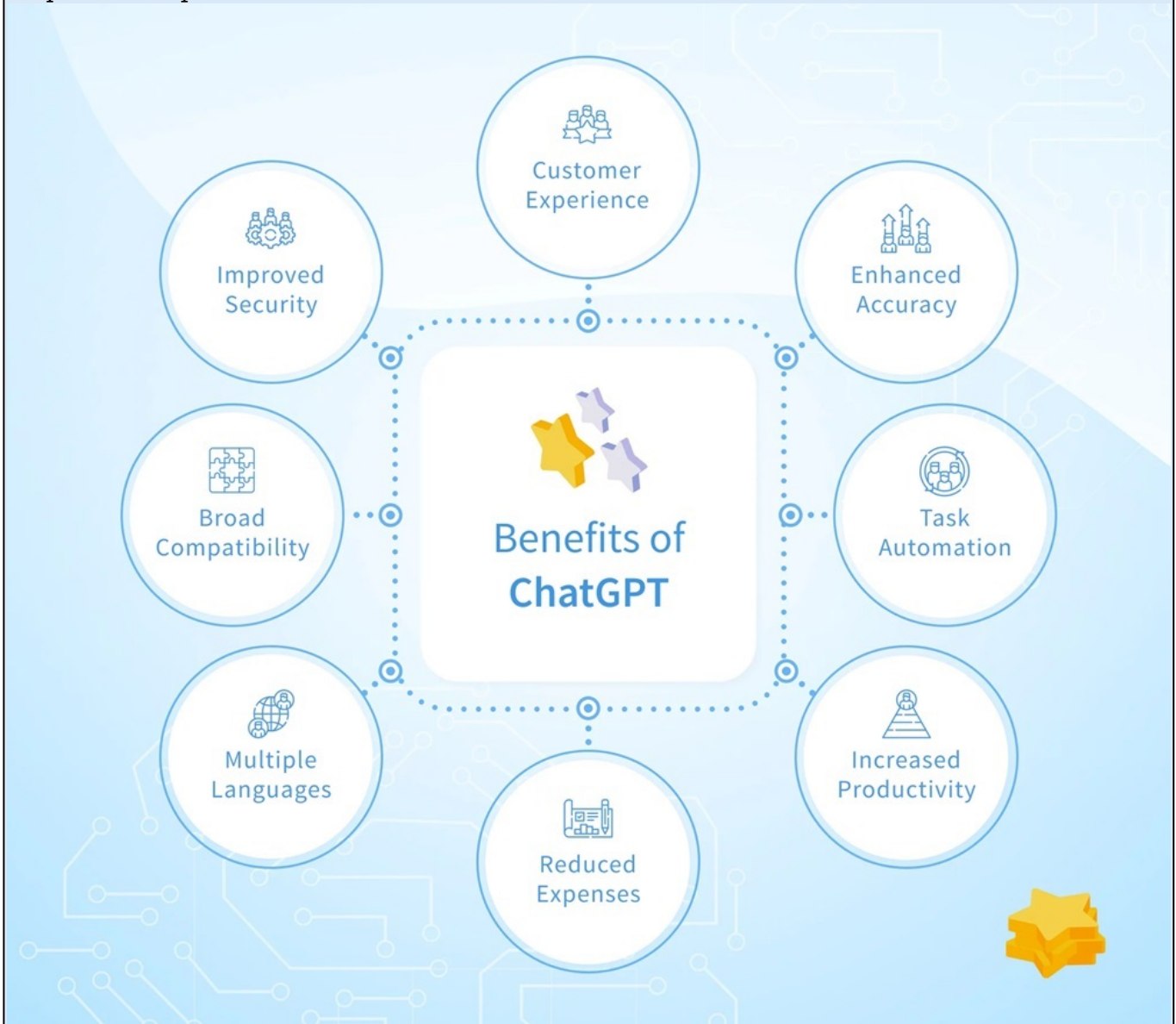
## **AI usage in Judicial Process**

### **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](#)

