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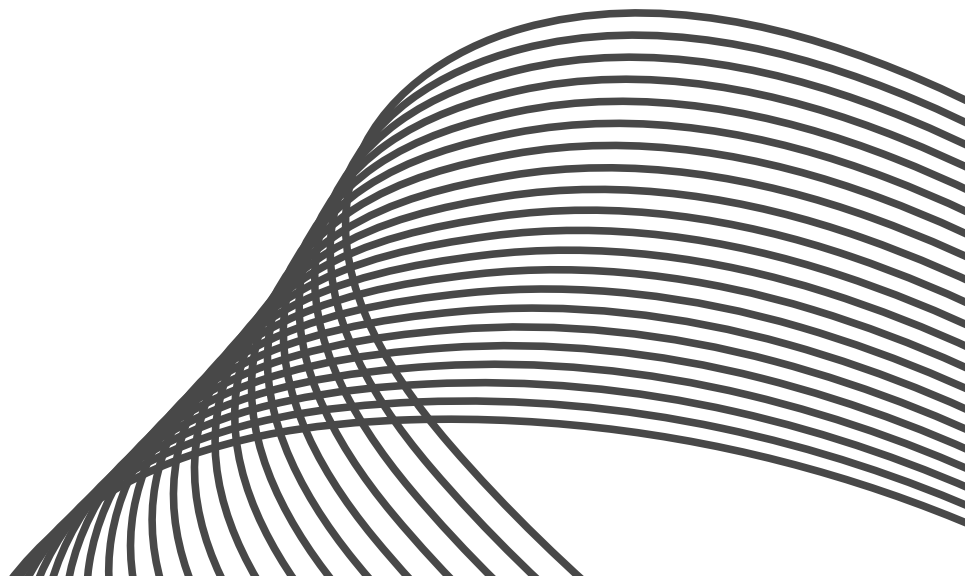
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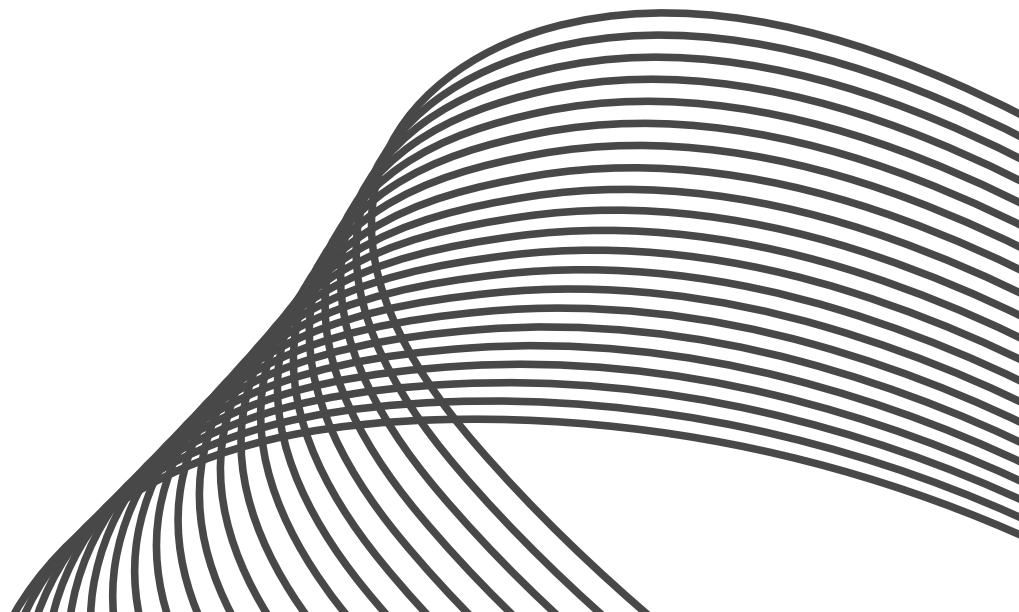


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TRANSFORMATION OF THE INDIAN JUSTICE DELIVERY SYSTEM IN DIGITAL ERA

~ Kakan Mallick ¹

Abstract

This paper examines the true concept of justice as well as how access to the legal system for acquiring justice and is being reshaped by emerging technologies. The word justice does not have a universally accepted definition. In different times and eras, different types of jurists defined justice according to their views. But in justice, there are three components that are constant. Justice must be fair, equitable, and without bias. Access to justice for every citizen is an essential right to continue their livelihood. In India, the constitution is the pillar of democracy, and to maintain democracy, the constitution gives a variety of rights to citizens. Articles 14, 21, 22(1), 39[a], etc. implicitly provide access to justice as a fundamental right of every citizen. This article explores the potential of integrating blockchain, artificial intelligence (AI), and machine learning to improve decision making in the pursuit of justice, expedite case management, and improve legal system. Concerns about data privacy, prejudice, and openness are some of the ethical issues surrounding the use of these technologies in legal practice and education that are examined in detail.

Keywords

Access to justice, fundamental rights, technologies, AI, machine learning, data privacy.

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INTRODUCTION

Access to justice refers to the ability to obtain justice quickly and easily through judicial proceedings. Justice should be delivered impartially and without discrimination. The Indian Constitution guarantees access to justice in Articles 14, 21, and 39 [a], and the state must take all necessary steps to offer fair, transparent, effective, and accountable services that encourage equal access to justice for all. Legal assistance programs play an important role in improving access to justice.

In *Anita Kushwaha v. Pushap Sudan* supreme court held access to justice a facet of right guaranteed under article 14 and 21 of the constitution of India.² Access to justice as a fundamental right constantly raises the question of whether it is available to all. To answer this question, a critical analysis of India's justice delivery system reveals that there are many delays in justice delivery. These delays occur as a result of lengthy procedures, undertrial prisoners, lack of knowledge, and extremely expensive and time-consuming legal procedures.

President Droupadi Murmu had advocated for a reform in the court's "culture of adjournments" while speaking to the national conference of district judges here. According to her, a significant obstacle facing the judiciary is the backlog of cases and long-standing pendency. "All stakeholders have to find a solution by giving priority to this problem,"³ Exactly one year ago, the Centre for Research and Planning (CRP) of the Supreme Court released a report titled "State of the Judiciary," which included recommendations made by Sanjiv Khanna, the incumbent Chief Justice of India (CJI). In addition to "introducing robust processes to divide judges into high, above average, and below average performers," he proposed "measuring court performance" and providing "positive reinforcement to high performers."⁴

In 2024, there were more than 51 million pending cases at all levels and of all types, including more than 180,000 cases in district and high courts that had been waiting for more than 30 years. As of 2024, 4.5 crore of the 5.1 crore cases—more than 87% of all cases—were still pending in district courts. With the state sponsoring half of the ongoing litigation, the government itself is

² Acharya N, 'Anita Kushwaha vs. Pushap Sudan' (*Law Times Journal*, 14 March 2019) <<https://lawtimesjournal.in/anita-kushwaha-vs-pushap-sudan/>> accessed 28 November 2024

³ Chandra S, 'Ttps://Indianexpress.Com/Article/Opinion/Columns/the-Judiciary-Is-Slow-and-Clogged-Its-Time-to-Get-Outside-Help-to-Fix-It-9682420/'

⁴ PTI 'Htts://Www.Thehindu.Com/News/National/Nearly-62000-of-Cases-Pending-in-High-Courts-Are-over-30-Years-Old/Article68616991.Ece'

the largest litigant. The difficulties surrounding the Indian judicial system can be addressed by new technology, resulting in a robust system that is freely accessible to all citizens.⁵

The modern world is seeing a wave of technology developments that are transforming various areas of society, including the judicial and educational systems.

In this paper, I discuss how crucially AI perform in the judicial system and the educational system.

RESEARCH PROBLEM

How technology will promote access to justice, pro-bono culture, and breaches of data privacy can be a matter of concern, but there is still no clear idea about data protection and in this area more research is still required on how the data will be protected. This paper tries to find out the way how data can be protected.

LITERATURE REVIEW

This journal talks about the advantages and difficulties of artificial intelligence. It also does a fantastic job of discussing how AI is doing in another nation.⁶

This paper discusses the applications of artificial intelligence (AI) in the financial sector, including fraud detection, disease diagnosis, and decision-making processes. Describe the current data protection legislation and discuss the issues with AI regulation.⁷

This essay carefully considers what artificial intelligence (AI) is able to do for courts and what equipment is necessary to make AI more beneficial in court settings.⁸

It is a strategy document, or rather better described as a roadmap for AI regulation within the legal system. Every aspect of artificial intelligence (AI) was carefully covered in this study, including its challenges, decision-making abilities, ways that legal robotics enhance court administration, a worldwide overview, and responsible AI capabilities.⁹

RESEARCH QUESTION

- (i) How can modern technologies expedite justice delivery system and legal access?
- (ii) How might AI aid in making decisions?

⁵ Edited By: Devika Bhattacharya EBDB, 'Pending Cases in Supreme Court near All-Time High' <https://www.indiatoday.in/law/story/supreme-court-pending-cases-near-all-time-high-83000-2590625-2024-08-30> (1 August 2024)

⁶ Facciola J and Mignanelli N [2022] Artificial Intelligence and the courts: Artificial Intelligence, legal research, and Judicial Analytics

⁷ Singh DrC and Verma DrM, 'TQM on the Status of Sports in Sirsa and Bhiwani' (2019) 8 International Journal of Engineering and Advanced Technology 312

⁸ Dory A, Courts and Artificial Intelligence ' < icajournal.org/ article:>

⁹ Responsible artificial intelligence for the Indian justice system by vidhi center for legal policy:

(iii) How will data security be put into practice?

HYPOTHESIS

Because AI is more effective at data analysis, we may employ a variety of technologies in the current technological era to guarantee access to justice and advance pro-bono culture. AI plays a significant part in creating new versions of certain items and assists judges, attorneys, and other legal professionals in making better choices. Concern for data privacy, however, is another crucial component of AI in the modern era. so that we may put techniques and technologies in place to protect our data.

RESEARCH METHODOLOGY

This research article uses both descriptive and critical analysis techniques altogether. Secondary data provided the study's framework. Secondary data or sources, such as journals, blogs, websites, and articles, were consulted in the creation of this work. Each of these pieces of information has been utilized to better understand the paper's background and has also contributed to the development of the research questions. These sources or data have aided in the paper's understanding of the current social scenario in relation to the research problem and have allowed for an in-depth investigation for this study.

WHAT IS AI?

Artificial intelligence mimics human intelligence processes using algorithms and computer technologies. Artificial intelligence systems have the capacity to learn from data, discover patterns, and make intelligent decisions or predictions. Machine Learning (ML) is a branch of artificial intelligence that enables computers to improve their performance on a specific task by learning from data rather than being explicitly programmed.

AI, being a machine, lacks reasoning ability. It is essentially a non-human with human intelligence, but it is limited to its algorithm; it knows nothing but the data supplied into it. It just knows how to apply provided algorithm and generate a result.

At a hearing, CJI states that technology is here to stay—forever. The plea sought the declaration of virtual hearings as a basic right. The CJI's statements present an aspirational vision of his goal to use technology to modernize the Indian legal system.¹⁰

¹⁰ Express News Service ENS, '<https://indianexpress.com/article/india/cji-chandrachud-technology-high-courts-8443340/>' *INDIAN EXPRESS* (DELHI, 14 February 2023)

NEWER TECHNOLOGIES AND INDIAN JUDICIAL SYSTEM

Technology has the potential to alter legal practice in two ways: access to justice and pro bono culture. Every country's justice system is a pillar of its civilized society. In this technological age, practically every industrialized country employs various forms of artificial intelligence systems in its justice delivery system to make it run more quickly. In India, as a developing country, we can introduce the ODR system, various AI tools such as ML, blockchain technology, legal research AI tools that help to reduce the burden of long judicial procedures, legal research, data reservation, evidence collection, and help to better decision-making.

ONLINE DISPUTE RESOLUTION

Online dispute resolution is made possible via ODR systems, which eliminates the need for in-person court appearances. It helps litigants settle their case or disagreement, entertained or provided with assistance by the judiciary. In order to serve citizens effectively, efficiently, transparently, and fairly, it combines and expands the judicial branch's conflict resolution services into digital space. It is not a type of private alternative dispute resolution. Through ODR, a number of case types might be successfully resolved and the court's workload could be minimized.

In the matter of ODR the Attorney General, top government officials, industry leaders, academic institutions, civil society organizations, members of the judiciary (including current and retired Supreme Court judges), and other national and international legal and technical experts were consulted.

The head of the Supreme Court's e-Committee, Justice DY Chandrachud, actually noted during one of these discussions:

“In the wide variety of litigation that comes before every court, there is a confluence of the very substantive and not very small, but important, disputes which don't have to come before the court. Cases like motor accidents claims, cheque bouncing cases, personal injury claims and issues such as this may be dealt with by ODR. The ODR initiative by NITI Aayog is commendable and the draft report is meticulously compiled. This is a unique analysis of the interface between dispute resolution and technology and its prospects in India.”¹¹

¹¹——, ‘NITI Aayog Pushes for Online Dispute Resolution for Speedy Access to Justice. Posted on 29 NOV 2021 by PIB Delhi.’ *PIB* (DELHI, 29 November 2021)

Three different levels of action are suggested by the NITI Ayog report to address obstacles to India's adoption of the ODR framework. On a structural level, it recommends steps to boost digital literacy, enhance accessibility to digital infrastructure, and prepare experts to act as neutrals in ODR services delivery.

BLOCKCHAIN

It is a safe way to store data. Blocks of data are safely kept together until they eventually form a chain. For every piece of data kept in the block, a hash is generated. A process algorithm called hashing reduces a vast amount of data to a predetermined size. A hash function, for instance, can be used to cryptographically transform the word "mouse" into "1f43156th1". this conversion increases the security of your archived data and makes it irreversible. Due to its security and transparency features, blockchain has become a fundamental technology in numerous industries.

NITI Aayog presented the idea of using blockchain technology in the legal sector in India in a study titled "Blockchain: The India Strategy Part I."¹²

The Blockchain Technologies Can Be Used In Different Types Of Area In The Legal System:

- *Smart contract*

Contracts are currently written by hand, which increases the possibility of human error. Blockchain can change this by enabling the creation of smart contracts, which are contracts that can be automatically performed in response to pre-programmed conditions. The software codes these parameters, which are used in the following step-by-step manner. *Intelligent programs, for instance, can be developed step-by-step in the following ways: -*

First, a user or attorney signs the software using legitimate credentials.

Second, parties produce digital software authorized by attorneys.

Third, the agreement is signable by all necessary parties.

Fourth, the contract is moved to the blockchain, where it can be accepted or rejected based on whether the parties followed the specified stages while establishing the agreement. The availability of developers capable of producing software capable of identifying legal contracts is one of the challenges associated with the implementation of smart contracts. In a case like this, knowledgeable attorneys need to collaborate closely with the developers.

¹² AYO N, 'Blockchain the India Strategy Part I' (https://www.niti.gov.in/sites/default/files/2020-01/Blockchain_The_India_Strategy_Part_I.pdf, 1 January 2020) <https://www.niti.gov.in/sites/default/files/2020-01/Blockchain_The_India_Strategy_Part_I.pdf> accessed 1 January 2024

- *Evidence in electronic form*

The judiciary may use the blockchain to authenticate and certify electronic evidence during the trial phase, provided that doing so is permitted by law or court order. Evidence can be gathered by the evidence collector and uploaded to blockchain servers. Judges can quickly and effectively eradicate fraudulent evidence by using blockchain technology to verify electronically stored evidence as authentic.

- *Transfer of FIR, charge -sheet, traffic challan data form police*

The Police issue the charge sheet and the FIR. There is a deadline for presenting these documents to the court. The FIR's details are entered into the court's case information system and subsequently filed as a case. Hearings may occasionally be held based on the FIR even when the charge sheet has not been filed. Once the admissibility has been confirmed, the police submit the charge sheet to the prosecution, which subsequently turns it over to the judge. After that, the charge sheet is admitted and the Court acknowledges receipt of it. Alternatively, the FIR, charge sheet, details of the traffic offense, and the fine amount can be stored in the blockchain by the police/traffic police department software. This will make the following possible:

The citizens also want certified copies of the charge sheet and FIR document. By storing these documents on the blockchain, it will be easier to distribute hard copies through counters and for the agencies that require them to download soft copies more easily. Without waiting for the actual copy of the FIR, the Court can refer to the FIR metadata from the for additional processing. The traffic court has the ability to swiftly resolve these cases by retrieving the fine for the traffic infringement.

- *Publishing the notices and summonses to the parties served by the police*

By making sure that the registry saves these documents in the blockchain and permits the police personnel to download them without having to go to court every day, the time and effort required to issue summonses and notices to parties can be significantly decreased.

An area of artificial intelligence (AI) called machine learning (ML) is concerned with creating computer systems that can learn from experience and data. Put simply, machine learning eliminates the need for explicit programming by enabling computers to learn from data and generate predictions or judgments. Machine learning is basically the process of creating and implementing

algorithms to assist with these forecasts and judgments. These algorithms get more accurate and efficient as they process more data.

In conventional programming, a computer follows a predetermined set of instructions to accomplish a task. But with machine learning, the computer is given a task to complete along with a collection of examples (data), and it is up to the computer to determine how to carry out the task based on the example provided.

The Indian courts can benefit from machine learning in a variety of ways, including enhanced accessibility, accuracy, and efficiency.

The Indian courts may benefit from machine learning in the following ways:

- *Legal Analysis and Case Forecasting*

Machine learning algorithms can assist legal professionals with their extensive legal research by examine large volume of legal papers, precedents, and case law. This not only saves time but also strengthens legal arguments.

Judges can use predictive analytics to study past case data and estimate how a case will likely turn out based on previous rulings. This could help people make better decisions.

- *Evaluation and Interpretation of Documents*
Contracts, case files, and legal papers can all be reviewed and analysed automatically by machine learning algorithms. This can cut down on the amount of time considerably.

- *Efficient case management*

Machine learning can improve case management systems by prioritizing and scheduling cases based on their complexity, urgency, and other relevant criteria. This can result in more effective use of judicial resources.

- *Virtual Legal Assistants*

Chatbots and virtual legal assistants driven by machine learning can respond instantly to basic legal questions, supporting litigants and legal professionals in gathering preliminary information and counsel.

TECHNOLOGIES ADVANCING PRO-BONO SERVICE

Access to justice is a fundamental right, but many people do not have access to it, due to a lack of awareness about their rights and the government's insufficient participation in the free legal aid program. So, a faster justice delivery system is not the only way to justice; promoting pro-bono culture is also an important tool for common people's access to justice. With help of technology,

government may establish an online legal aid portal, virtual consultation, legal chatbots, and a document authentication mechanism that guarantees public access to justice and assists pro-bono lawyers, students in providing free legal aid to individuals.

The University of Cumbria in the United Kingdom is the originator of the Virtual Law Clinic concept, which is a prime example of legal education adopting the digital age. The Virtual Law Clinic is an online platform that links lawyers and law students with the dual goals of assisting those in need of free legal aid and developing students' professional and practical legal abilities.

CURRENT STATUS OF INDIA TO PROMOTE PRO-BONO CULTURE

The concept of "Pro Bono Legal Service" hasn't gained a lot of support in India. In their private practice, many attorneys give essential legal counsel and assistance to underprivileged and disadvantaged clients without charging a charge for their services. As such, it continues to be a customary, individual practice free of an institutional framework.

To create a structure that offers pro bono legal services and promote pro bono culture throughout the nation. The Lok Sabha was recently informed by the Minister of Law and Justice that the "Designing Innovative Solutions for Holistic Access to Justice" (DISHA) Scheme was introduced, with a five-year duration spanning from 2021 to 2026.

Currently, DISHA consists of three parts-

Tele-Law: The Tele-Law Service connects common people with Panel lawyers for pre-litigation legal help and discussion using video and teleconferencing facilities available at Common Service Centers (CSCs) and the Tele-Law Mobile App.¹³

- Legal Awareness Programs:

Formed under the Legal Services Authorities Act of 1987, the Legal Service Institutions network functions at the national, state, district, and taluk levels to provide a more complete framework.

- Nyaya Bandhu:

the government introduced Nyaya Bandhu (Pro-Bono Legal Services) in 2017. Both applicants and attorneys must register on the Nyaya Bandhu Mobile Application (accessible on the UMANG platform, iOS, and Android platforms) in order to use a pro bono lawyer's services. 10,779 pro bono advocates from 27 States and U.T. Bar Councils were registered under the Nyaya Bandhu

¹³ 'Tele Law : Reaching the Unreached' (*Press Information Bureau*)
<<https://www.pib.gov.in/PressReleaselframePage.aspx?PRID=1939245>> accessed 13 July 2023

program as of January 31, 2024.(Annexure-'A'), and as of January 31, 2024, the total number of cases that the program's beneficiaries had reported was 31,57.(Annexure: "B").¹⁴

GLOBAL PRACTICES

Pro-bono legal aid has emerged as the main strategy for giving the impoverished access to free legal representation in many countries. In several nations, like the US and South Korea, attorneys are mandated to provide pro bono services for a predetermined amount of time each year. The American Bar Association recommends at least 50 hours of pro bono work annually, although South Korea mandates at least 30 hours. In Singapore, pro bono services are offered by individual attorneys as well as corporate entities such as Hewlett Packard, Intel, and others.

These organizations adopt the program and assign their in-house attorneys, paralegals, and staff to participate in various pro activities to give back to the community.

IMPROVING DECISION MAKING

Decision-making and a more effective judicial system are possible due to AI's ability to analyse and interpret enormous amounts of data far more quickly than humans.

Furthermore, AI algorithms may examine existing case data to detect patterns in judicial decisions, which can help predict the results of similar cases. This forecast can help lawyers and litigants plan their legal strategy and negotiate settlements by providing significant insights into the likely course of a case. AI can eliminate biases in the judicial process.

In 2023, there were more than 50 million pending cases at all levels, including 169,000 cases that had been waiting for over 30 years in district and high courts. There are not enough judges available to decide cases. AI has the potential to address this shortfall. The AI may be used to decide routine cases on a regular basis, or if not, it may help the judges with data analysis, case finding, online case filing, and other tasks. This will improve the judges' (and attorneys') efficiency.

Beyond assisting judges and lawyers, AI legal analytics and research tools that are easily available to the general public, Efficient to Assist people in understanding the law and informing them of their legal rights.

¹⁴ 'Free Legal Aid and Advice through Nyaya Bandhu Program' (*Press Information Bureau*) <<https://pib.gov.in/PressReleaseIframePage.aspx?PRID=1944789>> accessed 1 August 2023

DATA PROTECTION

In the era of artificial intelligence, data protection is a huge concern because, when we think about the implementation of AI in different types of sectors, we must keep in mind that AI algorithms are trained on the data or personal information of individuals.

All of us believe that artificial intelligence (AI) has the potential to speed up the justice delivery system and facilitate access to justice for all citizens. However, we also need to remember that every person needs to receive justice, and that access to justice is not only the system's intended outcome. For this reason, every person has a right to data protection and the governance authority has a responsibility to safeguard each person's personal information.

If AI is not used and controlled effectively, data privacy may be jeopardized due to poor security protocols, unauthorized access, and flaws in user authentication, which may reveal sensitive case information, confidential court information, and party's personal information.

The following are important steps that can be performed to protect personal data

- *Encryption of Data*
Make sure that any personal data kept in databases is encrypted to prevent unwanted access.
- *Controls for Access*
Put strong access control measures in place to limit authorized personnel's access to personal data. Judges, court employees, and other pertinent authorities fall under this category.
- *Minimizing data*
Reduce the amount of data you collect by gathering and keeping only the personal data needed for legal actions. Steer clear of collecting needless data.
- *Safe infrastructure*
Make sure that the judiciary's AI system-supporting infrastructure is safe by conducting frequent security audits and updates.
- *Observance of Data Protection Laws*
Respect Indian data privacy laws, including the Personal Data Protection Bill, and make sure AI apps follow these rules.
- *User Consent and Transparency*
Before collecting or using someone's personal information, get their informed consent. Be open and honest about the use of AI in legal proceedings.

- *Ethical ai practice*

Encourage the use of ethical AI techniques in the legal system to avoid prejudice, discrimination, and unjust treatment based on personal data.

In conclusion Except for the aforementioned technology. If we want to protect our data, we required our own, developed in India, AI technology, research tools, and other processes such as strong data protection act, AI regulation act that ensure data privacy and access to justice.

“Justice is not only sovereign function but also justice is an essential service provide to Indian citizen”

INDIAN DIGITAL PERSONAL DATA PRIVACY ACT IMPACT ON ARTIFICIAL INTELLIGENCE

The Digital Personal Data Protection Act of India ensures various types of data protection for citizens, but in this revolutionary technological era, it needs to be strengthened because it is reshaping every sector and also changing human lifestyles. In this act, clause 3(ii)c states that information available in the public domain, such as different types of social media, does not come under the category of personal data, so if any company uses such data without the permission of people, we cannot say that it violates the Data Protection Act.¹⁵ Through these small loopholes, lots of AI companies use that data for training AI models, and personal information is violated. In fact, different forms of voice dubbing can accurately mimic the voices of other people. In addition, by utilizing voice and video editing, they can position the voices of other people in ways that are not easily understood by the general public. Aside from that, deepfake AI's power is growing. This type of AI is trained on individual personal information. In the future, our voice, images, and other private data will be utilized for anti-social purposes if we are unable to control them. So if we need to control this type of deepfake AI, we need a stronger digital data protection bill and method.

Recently, in order to strengthen and prevent the AI system, India's first Artificial Intelligence (AI) data bank was inaugurated Wednesday by the Ministry of Science and Technology with the goal of advancing innovation and strengthening national security.¹⁶

¹⁵ ADV Priyanka, 'Digital Personal Data Protection Act' <<https://blog.iplayers.in/digital-personal-data-protection-act-dpdpa-2023/>> accessed 21 May 2024

¹⁶ 'Ai Is an Essential Tool but Must Be Used Optimally with Responsible Handling, Says Union Minister Jitendra Singh at Assocham Ai Leadership Meet 2024' (*Press Information Bureau*) <<https://pib.gov.in/PressReleasePage.aspx?PRID=2075176>> accessed 20 November 2024

WORLD FIRST AI REGULATED ACT PASSED BY EUROPEAN COUNTRY

European Union lawmakers handed final authorization to the 27-nation bloc's artificial intelligence bill on Wednesday, putting the world-leading laws on track to go into force later this year. The European Parliament voted decisively in favour of the Artificial Intelligence Act, five years after laws were initially proposed. The AI Act is likely to serve as a global benchmark for other nations wrestling with how to control rapidly evolving technology.

‘The Artificial intelligence Act has pushed the future of AI in a human-centric direction, where humans control the technology and it — the technology — helps us leverage new discoveries, economic growth, advancements in society, and open up human potential,' Dragos Tudorache, a Romanian lawmaker who co-led the Parliament negotiations on the draft law, said before the vote.¹⁷

CURRENT STATE OF ARTIFICIAL INTELLIGENCE ADOPTION IN INDIA

Possibly for the first time in India, a court used artificial intelligence to acquire information about a criminal case. Justice Anoop Chitkara of the Punjab and Haryana High Court used ChatGPT to support his decision on an accused's bail motion. ChatGPT is being used for the first time in India to determine a bail application.

The bench asked ChatGPT for assistance on the legal doctrine governing bail in circumstances when the accused is charged with a cruelty-related crime. The justices underlined that references to the viral chatbot are only meant to convey a broader picture of bail jurisprudence in cases where cruelty is an issue.¹⁸

Virtual Hearing: The usage of technology for e-filing and virtual hearings has skyrocketed during the Covid-19 pandemic.

The Ministry of Law and Justice notified the Lok Sabha that after the Covid lockdown began, the District Courts have heard 1,23,19,917 cases, while the High Courts have heard 61,02,859 cases (totaling 1.84 core) through Video-Conferencing until February 28, 2022. It was stated that the Supreme Court held 2,18,891 hearings from the beginning of the lockdown period until 14.03.2022, making it the "world leader"

¹⁷ ‘Europe’s World-First AI Rules Gets Final Approval from Lawmakers. Here’s What Happens Next’ <https://www.thehindu.com/sci-tech/technology/europes-world-first-ai-rules-gets-final-approval-from-lawmakers-heres-what-happens-next/article67949594.ece> (24 March 2024)

¹⁸ ‘AI and Chatgpt in in Legal Case’ *Times of india.indiatimes.com*

What is e-court

The e-courts program was built on the "National Policy and Action Plan for Implementation of Information and Communication Technology (ICT) in the Indian Judiciary - 2005" submitted by the Supreme Court of India's e-Committee.

The purpose is to modernize the Indian judiciary by providing courts with information and communication technology. Its purpose is to boost judicial output, both qualitatively and quantitatively, while also making the court delivery system more affordable, accessible, predictable, cost-effective, dependable, and transparent.

The e-courts project is being led by the Department of Justice, Ministry of Law and Justice, Government of India.¹⁹

VIDHIK ANUVAAD SOFTWARE, THE SUPREME COURT'S SUVAS ²⁰

This artificial intelligence system can help in translating verdicts into local tongues. This is yet another historic attempt to improve access read court instructions. Artificial intelligence technology has been developed by IIT Kharagpur. Machine learning is the technology that can interpret court orders and verdicts.

On February 21st, 2023, CJI Chandrachud announced his most recent Artificial Intelligence (AI)-aided initiative: live transcription of Constitution Bench sessions. The transcriptions project comes after previous AI-powered initiatives like SUPACE (2021) and judgment translations (2019).

The significance of artificial intelligence across several industries was examined in a policy paper titled "National Strategy for Artificial Intelligence," which was published by NITI Aayog in 2018.

A national artificial intelligence initiative was also suggested to be launched in the 2019 budget.

INDIA-BASED STARTUPS IN THE FIELD OF ARTIFICIAL INTELLIGENCE

- *Spot Draft*

It takes minutes to review contracts. This startup is situated in Gurugram and can examine contracts in accordance with our specifications. It provides an option for its clients to write and sign contracts.

¹⁹ 'Official Website of E-Committee, Supreme Court of India: India' (*State Emblem of India*) <<https://ecommitteesci.gov.in/>>

²⁰ 'CJI Chandrachud: We Are Using AI Enabled SUVAS - Supreme Court Vidhik Anuvad Software, to Translate SC Judgments in Four Languages' (*latestlaws.com*) <<https://www.latestlaws.com/latest-news/cji-chandrachud-we-are-using-ai-enabled-suvas-supreme-court-vidhik-anuvad-software-to-translate-sc-judgments-in-four-languages-194863/>> accessed 25 January 2023

- *Case Mine*

Anuradha Yadav founded this artificial intelligence-powered legal research platform, which assists in identifying connections between different case laws. Additionally, it offers a summary of case laws, which facilitates faster and more thorough legal research.

- *Case Intelligence*

This device can assist researchers by highlighting numerous pertinent case laws that may be overlooked or by suggesting counterarguments. In other words, it can function as a legal colleague. It can even draw attention to appropriate judgment in the given circumstance.

- *Mitra*

Additionally, Mitra is an artificial intelligence-based legal research platform. A large number of clients use it. At the moment, it is working with IIT-Madras to improve the product, and other businesses also use it.

- *Practice league*

It is a platform that permits research platforms and apps based on natural language processing, enabling legal professionals to do searches that go beyond basic keyword-based searches. Additionally, this business is working with Google and Amazon to integrate artificial intelligence into its operations.

The first law practice to employ Kira software, created by a Canadian business, was Cyril Amarchand Mangaldas in 2017. Legal documents' provisions and other information are precisely identified and separated by the program.²¹

GLOBAL SURVEY

Adopting technology to make the legal system more effective is not unique to India. Different strategies for utilizing AI in courts have also been adopted by other nations. Let us examine what they are:

From Research to Predictive Analysis: USA²²

In an effort to enhance the administration of justice, the US has started a number of initiatives using AI. A number of US courts employ artificial intelligence in addition to research instruments

²¹ <https://www.legallyindia.com/law-firms/cyril-amarchand-hires-azb-hr-head-kiran-patheja-as-chief-in-house-head-hunter-20170118-8233>

²² Brennan T and Dieterich W, 'Correctional Offender Management Profiles for Alternative Sanctions (Compas)' [2017] Handbook of Recidivism Risk/Needs Assessment Tools 49

to help judges reach just and impartial verdicts. Artificial intelligence (AI) systems analyze data to predict a case's conclusion. Courts can evaluate risk with the aid of AI-powered tools like COMPAS (Correctional Offender Management Profiling for Alternative Solutions). These technologies predict recidivism based on a range of factors, such as criminal history, socioeconomic background, and mental health, using machine learning algorithms. In addition, artificial intelligence is used by the US Sentencing Commission to create and implement sentencing guidelines, which helps courts determine just and uniform penalties for different crimes. In order to provide the public with information, the US Court System has also developed chatbots. By responding to common questions on court procedures, scheduling, and other matters, these virtual assistants lighten the effort of court staff members and enhance public access to information

The 'Smart Court' System in China ²³

China has been working to include artificial intelligence into its court systems since 1990. 'Smart Court system' is the best illustration of this. In China, the Smart Court system uses artificial intelligence to help in case analysis and decision-making by connecting to each working judge's PC. Judges may receive assistance from the internal system in discovering relevant laws and precedents, as well as in proposing sentences based on similar circumstances, by analysing data from prior instances.

Chinese courts employ AI in addition to the Smart Court system to help with legal research. 'China Judgements Online' is an AI-powered legal research tool developed by the Supreme People's Court of China that makes it simple for judges to look for and access pertinent court records.

The Digital Case System: UK ²⁴

The Ministry of Justice in the United Kingdom created the "Digital Case System" (DCS) in 2020 as an electronic platform for Crown Court case management. The DCS aims to enhance the effectiveness and efficiency of the criminal judicial system in England and Wales by enabling judges, attorneys, and other court personnel to digitally handle cases from inception to completion.

²³ Shi C, Sourdin T and Li B, 'The Smart Court – a New Pathway to Justice in China?' (2021) 12 International Journal for Court Administration

²⁴ (*Crown Court Digital Case System (DCS)*) <<https://www.criminalbar.com/wp-content/uploads/2018/02/dcsuserguide.pdf>>

The DCS provides two primary features: remote court session participation and real-time access to submitted case updates. Technology also makes it possible for parties to electronically submit documents and evidence, which lowers the quantity of paper used in court proceedings.

The ChatGPT Judgement: Colombia ²⁵

Recently, Columbian judge Juan Manuel Padilla used ChatGPT, an artificial intelligence software, to deliver his decision. He was managing an insurance claim on behalf of a child with autism. During the conversation, Justice Padilla asked the ChatGPT bot, "Is an autistic minor exempt from paying fees for their therapies?" and the AI gave him an answer that he agreed with. Justice Padilla noted this debate in his conclusion. He consequently rendered a ruling declaring that, in accordance with Colombian legislation, an autistic child was exempt from having to pay for therapy. AI does not take the place of judges' critical thinking skills, in Judge Padilla's opinion.

CONCLUSION

There are two legal quotes in our field: justice delayed is justice denied, and justice hurried is justice buried. We must remember that while AI has the ability to establish a balance between these two maxims, and justice delivery system. We can construct a speedier delivery system by utilizing several forms of artificial intelligence technology and promote pro-bono culture of Idia. But if we rely solely on AI for justice, justice will be buried. Because AI just analyses prior data and does not interpret anything new.

AI can help with legal research, analysis, and prediction, but it cannot replace human judges' empathy, ethical judgment, and deep understanding of the law.

²⁵ Zoppo A, 'CHATGPT Helped Write a Court Ruling in Colombia. Here's What Judges Say about Its Use in Decision Making' (*National Law Journal*, 13 March 2023)
<<https://www.law.com/nationallawjournal/2023/03/13/chatgpt-helped-write-a-court-ruling-in-colombia-heres-what-judges-say-about-its-use-in-decision-making/>>