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# ROLE OF ARTIFICIAL INTELLIGENCE IN INDIAN COURTS

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## ABSTRACT

In Indian courts, there are millions of cases pending resolution, and judges are overworked. This implies that it takes a long time for justice to be served and that people have to wait years for their issues to be resolved. Consequently, a lot of people are concerned about the efficiency of the legal system. This essay discusses how modern technology, particularly artificial intelligence (AI), can assist in resolving these issues in Indian courts. By assisting with paperwork, managing repetitive tasks, and assisting judges in reaching better decisions, AI can expedite processes. AI in courts can reduce the workload for judges, speed up case resolution, and improve the efficiency of the legal system overall for all parties. This conversation examines the ways in which AI and technology can support courts.

**Keywords:** Court, Artificial Intelligence, Judges, Indian legal system

## **INTRODUCTION**

Artificial Intelligence (AI) is quickly becoming an important part of our daily lives. It is already used in medicine to help doctors during operations, in cars that can drive by themselves, and in advertising to track what people like to buy. Because of its many uses, AI could also help the court system to provide faster and better justice. The use of artificial intelligence (AI) in our daily lives is rapidly expanding. It is already employed in advertising to track consumer preferences, in cars that can drive themselves, and in medicine to assist physicians during surgeries. Due to its numerous applications, AI may also aid the legal system in delivering quicker and more effective justice. AI has the potential to transform the way civil and criminal cases are handled. At various points during a case, it can assist judges and attorneys by completing work more quickly and streamlining court procedures. India is currently developing new data privacy laws that will determine how AI can be applied in the nation in a safe and equitable manner. Tools such as video calls, email, and other online sharing

### **Meaning of Artificial Intelligence**

The concept of creating machines with human-like thought and learning abilities is known as artificial intelligence, or AI. American computer scientist John McCarthy coined the phrase for the first time in 1956. According to him, artificial intelligence (AI) is the study of building intelligent machines that are capable of performing tasks that call for human-like intelligence. In a nutshell, artificial intelligence (AI) is the process of teaching computers or robots to do things that people do naturally, like reasoning, learning from experience, understanding language, recognizing speech and images, making decisions, and solving problems.

The goal of the computer science field of artificial intelligence (AI) is to create systems that mimic human intelligence. It covers topics like computer vision (seeing and interpreting images), natural language processing (understanding human language), machine learning (where machines learn from data), and expert systems (machines that make decisions like experts). In general, artificial intelligence (AI) seeks to build machines that are capable of independent thought, comprehension, and action to assist humans with challenging tasks and improve efficiency and quality of life.

### **Objective of the Paper**

- To explore why Artificial Intelligence (AI) is needed in Indian courts.

- To look at how AI has recently grown and developed in India's legal system.
- To understand the ways AI is helping courts work better.
- To find out the problems and challenges in bringing AI into Indian courts.

### **Why should artificial intelligence (AI) be used in Indian courts?**

Courts play a crucial role in administering justice in every nation. However, due to the large population, things are very challenging in India. The courts are under a lot of strain because so many new cases are constantly being filed. From the lowest courts to the highest courts, millions of cases go unresolved because we lack the judges to handle the volume of cases. While some remedies, such as promoting the use of Alternative Dispute Resolution (ADR) procedures and eliminating superfluous legislation, are being tried, it is still unclear how to apply new technologies, such as artificial intelligence (AI), to address this issue. The majority of Indian courts still rely heavily on manual labor rather than contemporary technology, which makes

### **Examples of recent growth of artificial intelligence in Indian legal system**

The Supreme Court of India has created a special AI-based software called SUVAS (Supreme Court Vidhik Anuvaad Software). This tool uses Artificial Intelligence to translate important legal documents and court orders written in English into nine Indian regional languages like Hindi, Tamil, Telugu, Punjabi, and others. This is the first time our courts have used AI to help with language translation. SUVAS makes it easier for people who speak different languages to understand court rulings, bringing justice closer to everyone. This technology helps to break language barriers and makes the legal system more accessible for all Indians<sup>1</sup>

### **E-courts**

One of most significant advancements brought about by the judicial reforms is the availability of all pertinent information about court orders and judgements online for free. Setting up eCourts will help cases get decided faster, make it easier to keep court records, ensure that

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<sup>1</sup> Harshul Gupta, "Scope of Artificial Intelligence as a Judge in Judicial Sector", Indian Journal of Law, Polity and Administration.

evidence is trustworthy, and make the working of courts more open and clear to everyone.<sup>2</sup>  
How the courts can benefit from artificial intelligence?

Judges could gain from artificial intelligence (AI) in a number of ways, including increased efficacy, accuracy, and efficiency in the legal system as a whole. Artificial Intelligence (AI) can help judges in the following ways:

- Legal Research and Analysis
- Accelerating the delivery of justice
- Predictive Analytics
- Document Review
- Case Management
- Remote Proceedings and Virtual Courts

**Legal Research and Analysis :-**In order to give judges pertinent information, AI systems can swiftly examine enormous databases of statutes, case law, and legal precedents<sup>3</sup>. In order to guarantee that judges have access to thorough and current information when making decisions, this can greatly expedite the legal research process<sup>45</sup>.

**Accelerating the delivery of justice:-** Speeding up the administration of justice: It is noted that it frequently takes years for a criminal and civil trial to be decided in India. In the end, this results in a delayed and inefficient administration of justice. This can be reduced, and more cases can be handled more quickly, which will expedite the delivery of justice to citizens<sup>5</sup>. Because they don't have to wait as long for decisions that will significantly affect their lives and businesses, citizens benefit from this.

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<sup>2</sup> Prakash R, Mohanty T, Gupta R, Jain V. ICT in Indian court challenges & solution. International Journal of Internet Computing, 2011;(1):2231-6965.

<sup>3</sup> Sharma B. Artificial Intelligence's Effect on the Legal Sector: Benefits, Difficulties, and Ethical Consequences, 2023..

<sup>4</sup> Alam MN, Kabir MS. AI's Place in Legal Research and Decision-Making. Journal Title, 2023

<sup>5</sup> Srivastava SK. Using AI to Enhance the Delivery of Justice: Global Perspective, Possible Uses, and India's Future. Informatica, 47 (5), 2023.

**Predictive Analytics:-** AI systems can predict potential case outcomes by looking at historical case data. The number of cases that are still pending and the shortage of judges to decide on those motions are two of the judiciary's largest issues. In order to address these problems, courts may use predictive analytics to convince parties to an out-of-court settlement by illustrating the likely outcomes of a dispute<sup>6</sup>. In addition to saving the court time, this will help the parties avoid drawn-out and challenging trial processes.

**Document Review:-** AI-powered technologies can assist with the review of legal documents by identifying pertinent information and emphasizing important details. This makes it simpler for judges to focus on the crucial details during hearings and swiftly comprehend the case's essential facts.

**Case Management :-** By utilizing AI to speed up case management processes, judges can more effectively organize and prioritize their caseload. Scheduling, deadline monitoring, and more effective workflow management are all made possible by automated systems.<sup>7</sup>

**Remote Proceedings and Virtual Courts:-**Artificial Intelligence (AI) technologies facilitate secure video conferencing, real-time transcription, and language translation, among other functions that improve the efficiency of virtual courtrooms and remote proceedings. This is particularly crucial in cases where remote hearings are necessary<sup>8</sup>.

**Decision Support Systems:** Artificial Intelligence (AI) systems have the potential to be used as decision support tools by giving judges pertinent data, case law, and legal analyses to help them make decisions. It is imperative to emphasize, though, that artificial intelligence (AI) is merely a supporting instrument and that the judge has the last say in all cases.

## Difficulties

**There are advantages and disadvantages to using artificial intelligence in the legal system.**

While artificial intelligence (AI) holds promise for enhancing productivity and decisionmaking, a number of obstacles must be addressed. The difficulties in applying artificial

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<sup>6</sup> Jain P. Artificial Intelligence for India's Sustainable and Efficient Administration of Justice. OIDA International Journal of Sustainable Development, 11(06):63–70, 2018

<sup>7</sup> Coglianese C, Dor LMB. Artificial Intelligence in Administration and Judgment. Brook. L. Rev., 2020:86:791.

<sup>8</sup> Bell F., Zalnieriute M. Technology and the role of the judiciary. Individual, Collegial, and Institutional Judicial Dynamics in Australia: The Judge, the Judiciary, and the Court (Cambridge University Press, 2021), 2020

intelligence (AI) in courts are as follows: 1. Issues with Fairness and Bias: There are concerns regarding fairness and bias as AI systems may inadvertently confirm or even exacerbate biases present in historical legal data. Biased results from AI algorithms could lead to discriminatory or unfair decisions and violations of fundamental rights<sup>9</sup>.

**Lack of Transparency:** Since many AI algorithms operate as "black boxes," it can be challenging for people to comprehend how they arrive at decisions. The lack of transparency in AI systems may give rise to questions about accountability. Lack of transparency can directly affect litigants and lead to issues for judges<sup>10</sup>.

**Information Security and Privacy Risks:** Because bad actors could exploit flaws in AI systems, it is very challenging to guarantee the security and privacy of sensitive legal data.

**High Costs and Resource Requirements:** AI system development, deployment, and maintenance can be costly. The affordability and scalability of AI solutions must be carefully considered if they are to be widely and equitably adopted within the legal system.

**Technical Restrictions and Mistakes:** Artificial Intelligence (AI) systems are prone to errors and are not flawless. The AI system might interpret legal statutes incorrectly or fail to recognize changes in the law. Furthermore, like any other technology, an artificial intelligence (AI) system may have errors or malfunctions that result in incorrect judgments or forecasts.

**Judges' Acceptance:** Judges' acceptance or rejection of artificial intelligence (AI) has an impact on how it is incorporated into court proceedings. These days, younger judges are more likely to employ AI technology. The senior judges are unwilling to accept AI technology because they think it won't help them handle cases. Giving cold robots control over litigation cases that call for social interaction is viewed by some judges as emotionally inappropriate. They would much rather take their time making their own decisions rather than depending on AI technology to do it for them<sup>11</sup>.

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<sup>9</sup> Artificial Intelligence in the Judiciary: Applications and Risks, Rocha C, Carvalho J. EGOV-CeDEM-ePart 2022, 183.

<sup>10</sup> Themeli E, Philipsen S. AI as the Court: Evaluating the Use of AI in Civil Cases. AI as the Court: Evaluating AI Implementation in Civil Cases, by E. Themeli and S. Philipsen, in AI and Law. A Critical Overview, edited by K. Benyekhlef, Éditions Thémis, 2021, 213-232.

<sup>11</sup> Research on the use of AI technology in the justice sector was conducted by Mingsung C. and Shuling L. June. In the Conference Series of the Journal of Physics (Vol. 1570, No. 1, p. 012047). IOP Publishing, 2020:1570(1):012047

## Ethics of artificial intelligence in the practice of law<sup>12</sup>

**Prioritize fundamental rights:-** when developing and deploying AI tools and services to ensure adherence to important tenets such as equal treatment, privacy, and the right to a fair trial. This implies that these fundamental rights should be respected and upheld at every stage of the creation and application of AI technologies.

**Equitable Treatment:** Preventing discrimination against individuals and groups through the use of algorithms will promote equal treatment. Both the algorithm and the data it uses may unintentionally introduce biases. To guarantee impartial and equitable results, it is imperative to address both algorithmic and data biases.

**Transparency:** Procedures for processing data must be transparent, easy to understand, and include clauses allowing for external audits. Transparency is now required by law. Algorithm users are required to make their decisions, information, and presumptions publicly available to third parties in a thorough, timely, and suitable manner. This comprehensive and prompt disclosure makes it possible to evaluate the judgments, information, logic, and presumptions, guaranteeing strong legal protection and permitting judicial review by the courts.

## Conclusion

In conclusion, modern legal frameworks are making it more and more necessary to integrate Artificial Intelligence (AI) in courts, especially to address the problem of case pending. Artificial intelligence can expedite legal proceedings, reduce backlogs, and increase overall efficiency. Even though the Indian government has already set up e-courts, their reach needs to be expanded further in order to manage the volume of cases we currently handle. Electronic courts provide a more efficient and time-saving means of administering justice because of their superior case and courtroom management features.

The use of artificial intelligence in courts has several benefits, including improved case management, data-driven insights for decision-making, and quicker document review. But concerns like biases, data privacy, and the need for transparency need to be addressed appropriately. Maintaining a fair, effective, and technologically advanced legal system that

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<sup>12</sup> Reiling AD. Artificial intelligence and courts. IJCA, 2020, 11(1)

meets the needs of our evolving legal environment requires finding a balance between maximizing AI's potential advantages and reducing its disadvantages.

Judges and lawyers, who are seen as essential pillars of the justice delivery system, would benefit from artificial intelligence in a variety of fields and its potential application in the legal system. It goes without saying that no technology, no matter how sophisticated, could ever replace a human judge<sup>13</sup>. They might, however, assist judges in making decisions and guarantee that the handling of a high number of cases does not jeopardize justice, which might eventually help to shorten the typical trial length. Time savings would undoubtedly result in more effective case disposition, which would eventually aid in lowering the backlog of cases that are still pending in the legal system. The noble objective of ensuring the public receives effective and durable justice will be achieved once this is finished.

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<sup>13</sup> Sharma M. India's courts and artificial intelligence: A future outlook. *LeXonomica*,2023;15(1):99-120.