JUDGEGPT: WHEN PROGRESS MEETS PRECEDENT

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> "I predict that human judges will be around for a while. But with equal confidence I predict that judicial work—particularly at the trial level—will be significantly affected by AI."[1]
>
> –Chief Justice John Roberts

ABSTRACT

This article examines how artificial intelligence technologies are being integrated into the judicial systems of three jurisdictions: Brazil, China, and the United States. Organized around three primary domains of judicial activity—core judicial functions, court management, and interfacing with the public—it provides a comparative perspective on the role of governance, data infrastructure, and local conditions in the realization of AI's promise to improve court efficiency and access.

Responsive to a litigation rate that is among the highest in the world, Brazil has become a leader in judicial AI by leveraging a strong, centralized governance structure and a unified commitment to digital records. Courts are developing proprietary generative AI systems to carry out core functions, utilizing bespoke tools to help with case management, and operating under a sophisticated risk-based governance framework for evaluating use cases. In China, initiatives like the country's "smart court" and Same Type Case Reference system in combination with government aspirations in AI and judicial legitimacy have similarly led to a far-reaching court adoption of automation and AI. This includes national and local initiatives that in certain contexts use intelligent software to find cases, generate draft judgments, and offer streamlined and automated options to the public. In the United States, the judiciary has taken a more cautious and fragmented approach, driven by concerns raised by early experiences with risk assessment tools, an emphasis on due process and judicial autonomy, and a decentralized system of judicial governance. This has so far resulted in a landscape that

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1. C.J. John G. Roberts Jr., 2023 Year-End Report on the Federal Judiciary 6 (Dec. 31, 2023), https://www.supremecourt.gov/publicinfo/year-end/2023year-endreport.pdf.

reflects local innovation, piloting, and experimentation to a greater extent than any top-down mandate. As efforts to centralize and coordinate across the U.S. judiciary take shape, the likelihood of greater technological and procedural legal interoperability—essential for more systematic reform—will also increase.

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I. INTRODUCTION

The rapid evolution of artificial intelligence (AI) presents both opportunities and challenges for the legal system. Much attention has been paid to the uptake of AI by attorneys, and their use of generative AI to perform legal research,[2] draft briefs,[3] and develop evidence at trial.[4] But lawyers are not the only ones turning to AI to navigate caseloads and automate legal tasks. This Article focuses on the ways in which courts and the judiciary are quietly integrating AI within their operations, and in certain contexts and ways, reshaping aspects of the legal system. We focus on three leading jurisdictions—Brazil, China, and the United States—and describe how the courts in each country are approaching the adoption of AI.

While AI can help courts ease backlogs, streamline judicial processes, and enhance consistency in decision-making, it has also raised particular concerns regarding transparency, fairness, and accuracy in addition to the well-rehearsed challenges of government procurement and technical competence. By comparing governance approaches, system-level implementations, and individual use cases, we aim to provide insights into the varying stages of judicial AI adoption and the lessons that emerge from each experience.

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2. *See The Past, Present, and Future of Legal Research with Generative AI*, THOMSON REUTERS (Feb. 22, 2024), https://legal.thomsonreuters.com/en/insights/white-papers/helping-the-legal-researcher-feel-confident-they-have-done-enough.

3. AI drafts briefs—in many cases—with fake citations. *See* Daniel Wilf-Townsend & Kevin Tobia, *Generative AI and Courts in the United States*, *in* CAMBRIDGE HANDBOOK OF AI AND TECHNOLOGIES IN COURTS (forthcoming 2026) (working paper and abstract), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=5243402; Sara Merken, *AI 'Hallucinations' in Court Papers Spell Trouble for Lawyers*, REUTERS (Feb. 18, 2025), https://www.reuters.com/technology/artificial-intelligence/ai-hallucinations-court-papers-spell-trouble-lawyers-2025-02-18/.

4. Natalie Runyon, *Deepfakes on Trial: How Judges Are Navigating AI Evidence Authentication*, THOMSON REUTERS (May 8, 2025), https://www.thomsonreuters.com/en-us/posts/ai-in-courts/deepfakes-evidence-authentication/#:~:text=AI%2Dgenerated%20evidence%20presents%20significant,been%20artificially%20created%20or%20manipulated; *see generally* Abhishek Dalal, Chongyang Gao, Hon. Paul W. Grimm, Maura R. Grossman, Daniel W. Linna Jr., Chiara Pulice, V.S. Subrahmanian & Hon. John Tunheim, *Deepfakes in Court: How Judges Can Proactively Manage Alleged AI-Generated Material in National Security Cases*, 75 U. CHI. LEGAL F. 75 (2024) (offering guidance for judges facing the possibility of AI-generated fake evidence).

For example, in Brazil, a unified commitment to digital records and strong, centralized leadership have provided the foundation for the extensive adoption of AI by the judiciary. Courts are building their own proprietary generative AI systems to meet the demands of a legal system that has the world's highest rate of litigation. A recently-adopted risk-based governance scheme—similar to the E.U. AI Act—prohibits certain uses of AI by the courts (e.g. to predict recidivism based on personality traits) and designates others as high-risk, triggering certain safeguards. In China, by contrast, the country's twin aspirations to both achieve AI excellence if not dominance, and boost the legitimacy and reach of the judiciary, combined with pressures of scale and standardization, have shaped the far-reaching embrace of automation and AI by Chinese courts. National initiatives like the "smart court" movement, in which technology and data play a critical role in service delivery, and the Same Type Case Reference system, which relies on intelligent software systems to find and analyze analogous cases and draft judgments, complement a number of regional efforts that offer "robojudges," self-service mediation options, and predictive bots. A national judicial foundation model promises relief not only to judges, but also legal professionals and members of the public. In contrast to China and Brazil, U.S. courts have taken a more cautious approach to relying on algorithms and AI to produce judicial outputs, particularly in light of concerns raised by early experiences with risk assessment tools and more recent high-profile hallucinations in court filings. The more fragmented and decentralized nature of judicial governance has translated into less uptake of AI systems built specifically for the courts, and more piloting, experimentation, and local innovation across a variety of use cases.

Across all jurisdictions, access to justice remains a challenge. Limited legal literacy, procedural complexity, and geographic disparities have left large swaths of the public without meaningful access to legal help.[5] Against this backdrop, artificial intelligence (AI) and automation have emerged as potential catalysts for changing how courts operate and provide services and assistance to litigants in need. When courts adopt AI—whether to automate routine tasks, assist in core activities, improve the provision of legal aid, or interface with litigants[6]—they not only enhance internal efficiencies but also create new pathways for more inclusive, timely, and transparent access to justice, at least in theory.

Part II provides an overview of how courts operate and includes stylized descriptions of the judicial functions and tasks that have been and are most likely to become AI-augmented. We distinguish between the three major

5. *See infra* Part III.

6. *See* Drew Simshaw, *Interoperable Legal AI for Access to Justice*, 134 YALE L.J. 795, 796 n.5 (2025).

domains of judicial activity: core judicial functions, like legal research and drafting; court management and operations, like case routing; and interacting with the public. Part III provides three jurisdictional vignettes—Brazil, China, and the United States—each organized around the same trio of judicial functions. Part IV highlights cross-cutting insights and themes.

II. THE MULTIFACETED NATURE OF JUDICIAL WORK IN TIMES OF TECHNOLOGICAL TRANSFORMATION

Before we examine how judicial systems around the world are integrating artificial intelligence, we describe the multifaceted nature of judicial work. Behind each visible court opinion or decision lies a complex array of operational and administrative tasks that remain largely invisible to outside observers. One of us has served as a judge for over a decade and can attest that courts are not merely arenas of legal reasoning but dynamic institutions that must be managed, directed, and constantly adapted to shifting caseloads, bureaucratic constraints, and evolving societal needs. Beyond the legal knowledge required to adjudicate cases, judges perform a wide array of managerial and administrative duties that are systematically overlooked in traditional legal education and scholarship yet prove critical to the effective functioning of justice systems.

This "invisible labor" encompasses tasks like managing ever-growing case inventories,[7] organizing and supervising diverse court staff, strategically prioritizing which cases to hear and when, within the margins of procedural discretion, mediating complex expectations among litigants, lawyers, and court personnel, navigating chronically outdated IT infrastructure, and responding to shifting external conditions, including regulatory reforms and rapid technological change.

Much judicial work remains fundamentally manual and "highly repetitive," as judges routinely "spend hours reading long electronic pleading files" that "could be hundreds of pages and usually differ in only a few case-specific features."[8] Similarly, the process of drafting judgments has become "a very laborious and repetitive task for . . . judges, who ha[ve] to collect the relevant

7. A challenge exemplified by India's lower courts, which face a staggering backlog of 40 million cases. *See* Jeremy Barnett, Philip Treleaven, Fredric I. Lederer, Nicolas Vermeys & John Zeleznikow, *JudicialTech Supporting Justice: The Impact of AI and Emerging Technologies on the Judiciary, Courts and Justice* 3 (Univ. of Montr. Fac. of L., Research Paper, 2023), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4597917.

8. *Judicial Systems Are Turning to AI to Help Manage Vast Quantities of Data and Expedite Case Resolution*, IBM (Feb. 4, 2025), https://www.ibm.com/case-studies/blog/judicial-systems-are-turning-to-ai-to-help-manage-its-vast-quantities-of-data-and-expedite-case-resolution.

data and, in the end, repeatedly write almost identical judgments."[9] Judicial officers must therefore function not only as neutral adjudicators applying legal principles, but also as institutional stewards—tasked with safeguarding efficiency, integrity, and meaningful access to justice in increasingly complex and resource-constrained environments.[10]

As Komoda notes, while some judicial functions "are unique and by necessity handled by humans," other more rote responsibilities can consume disproportionate amounts of judicial time and attention.[11] The consequence is clear: "[t]he more time these professionals spend on simple tasks, the less time can be allocated to tasks that require their unique skills and expertise."[12] As the individual productivity of judicial workers wanes, quality and timeliness of legal services across the justice system is systematically undermined.

The emergence of what scholars term "JudicialTech"—defined as "Artificial Intelligence (AI) and emerging technologies' systems for Judges, courts and other forms of dispute resolution"—presents opportunities to address challenges unique to the judiciary.[13] Unlike the broader category of legal technology, JudicialTech specifically focuses on "supporting the Judiciary, enhancing access to Justice, and potentially increasing fairness in the Judicial system."[14]

This technological revolution spans multiple stages of the judicial process: from litigation advice and trial preparation to digital courts and algorithmic decision-support systems.[15] The promise is compelling—artificial intelligence could potentially alleviate administrative burdens, streamline case management, and enhance judicial decision-making through sophisticated data analysis and pattern recognition.

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9. *Id.*

10. Empirical research reveals that public perceptions of AI integration in judicial systems vary significantly across racial and ethnic groups. Black participants demonstrate notably higher ratings for judicial legitimacy and procedural justice when AI is involved in decision-making compared to White and Hispanic participants, suggesting that historically marginalized communities may view AI as a potential mechanism for reducing judicial bias. This finding challenges assumptions about uniform public resistance to AI in judicial contexts and highlights the importance of considering diverse community perspectives when implementing judicial technologies. *See* Anna Fine, Emily R. Berthelot & Shawn Marsh, *Public Perceptions of Judges' Use of AI Tools in Courtroom Decision-Making: An Examination of Legitimacy, Fairness, Trust, and Procedural Justice*, 15 BEHAV. SCIS. 476, 490 (2025).

11. Jumpei Komoda, *Designing AI for Courts*, 29 RICH. J.L. & TECH. 145, 147 (2023).

12. *Id.* As Komoda further observes, judges and court clerks currently "spend their working hours handling a variety of tasks," where "[s]ome of these are unique and by necessity handled by humans but others are simple, repetitive tasks." This inefficient allocation of human resources "leads to delays and the deterioration of the quality of legal services."

13. Barnett et al., *supra* note 7, at 1.

14. *Id.*

15. *Id.* at 2–3.

Early implementations highlight the potential: courts report that AI assistance allows "judges [to be] relieved of highly repetitive tasks and . . . concentrate on the complex issues," with some systems showing the ability to reduce processing time of cases by over 50%.[16]

However, the integration of AI into judicial systems raises fundamental questions about the nature of judicial authority and the preservation of human judgment in legal proceedings. As courts worldwide experiment with well-established applications like automated document review and online case filing systems as well as more controversial tools such as recidivism prediction algorithms and sentencing support instruments,[17] the judicial community must carefully assess which aspects of their work can be enhanced by technology, and which must be preserved as exclusively human responsibilities.

This technological transformation occurs against the backdrop of broader concerns about algorithmic bias, transparency, and the risk that efficiency gains might come at the cost of procedural fairness or public confidence in judicial institutions. For analytical clarity and considering the diverse fields of AI application in judicial contexts, we organize our examination around three primary domains of judicial tasks where artificial intelligence is making significant inroads:

Core Judicial Functions: This domain encompasses AI tools that directly assist judges in their primary adjudicative responsibilities. These applications include case triage systems that help prioritize urgent matters, predictive jurisprudence analysis that identifies relevant precedents and legal patterns, automated identification of repetitive legal issues that can streamline decision-making processes, and sophisticated document classification systems.[18] Generative AI can also help with a variety of tasks including summarizing and drafting documents, identifying weaknesses in legal arguments, and exploring legal scenarios.

Court Management: The second domain focuses on AI applications that enhance the administrative and managerial aspects of the judicial work that keeps courts functioning effectively. These tools support human resource allocation by analyzing workload patterns and staff performance metrics, strengthen institutional security through advanced monitoring and threat detection systems, improve staff training through personalized learning platforms and competency assessments, and enhance overall administrative efficiency through automation of routine processes and sophisticated data analytics. Courts report that these management-focused AI systems can

16. IBM, *supra* note 8.
17. *See infra* Part III.
18. IBM, *supra* note 8.

significantly reduce administrative burden while improving resource utilization and operational transparency.

Interfacing with the Public: The third domain addresses how AI can bridge the gap between judicial institutions and the citizens they serve. These tools support user services by providing automated guidance and information systems, simplifying communication with litigants through natural language processing and translation services, and facilitating broader access to legal information through intelligent search systems and plain-language explanations of court procedures. Such applications are particularly crucial for addressing access-to-justice concerns, as they can help self-represented litigants navigate complex legal processes and understand their rights and obligations more effectively.

A. UNDERSTANDING ARTIFICIAL INTELLIGENCE IN JUDICIAL CONTEXTS

The term "artificial intelligence" has become increasingly polysemic, encompassing a broad spectrum of technologies, methodologies, and applications that vary significantly in their capabilities, limitations, and appropriate uses within judicial settings. This conceptual ambiguity can lead to both unrealistic expectations and unnecessary skepticism about AI's potential role in supporting judicial work.[19]

For the purposes of judicial analysis, we distinguish between two primary categories of AI technologies, each with distinct characteristics, applications, and implications for judicial practice:

Predictive AI (particularly machine learning systems) represents the more established form of artificial intelligence in judicial contexts. These systems look backward—to historical data—to inform forward-looking decisions. They classify case-related data, identify patterns in judicial reasoning, procedural choices, and case outcomes, and make predictions about future scenarios based on this accumulated information. Predictive AI analyzes such data to discover trends in judicial behavior—such as sentencing patterns, admissibility rulings, or case dispositions—and generate recommendations accordingly.

There is no creative activity in this category of AI; rather, these tools excel at processing vast amounts of information to identify correlations and

19. The Organization for Economic Co-Operation and Development (OECD) defines AI as a "machine-based system that can, for a given set of human-defined objectives, make predictions, recommendations, or decisions influencing real or virtual environments." Komoda, *supra*, note 12, at 148 (citing OECD, *Recommendation of the Council on Artificial Intelligence*, OECD/LEGAL/0449 7 (May 21, 2019)). This definition emphasizes AI's capacity to influence decision-making processes while operating within human-defined parameters. *Id.*

statistical relationships that might not be apparent to human reviewers. However, this limitation to historical data analysis for future decision-making creates a significant constraint: predictive AI systems struggle to respond adequately to novel, unprecedented situations that fall outside established patterns.[20]

Generative AI represents a more recent and potentially transformative development in artificial intelligence. While generative systems also analyze historical data, they synthesize this information to create something entirely new—whether text, images, video, or other forms of content.

This creative capacity distinguishes generative AI from its predictive counterpart and opens new possibilities for judicial applications, from drafting documents to providing explanations of legal concepts. However, this same creative activity that enables novel outputs also introduces the risk of "hallucinations"—instances where the AI generates plausible-seeming but factually incorrect or legally unsound content.[21]

B. PREDICTIVE AI IN JUDICIAL PRACTICE

The application of predictive AI in judicial contexts involves analyzing historical patterns of judicial behavior, case outcomes, and procedural decisions to identify trends that can inform future actions. By examining past data to establish patterns of conduct, behavioral tendencies, and decisional frameworks, predictive AI offers numerous potential applications across the judicial spectrum—ranging from low-risk administrative tasks to more complex analytical functions.

The versatility of predictive AI in judicial settings spans activities with varying degrees of risk and complexity. At the lower-risk end of the spectrum, these systems can automate routine procedural tasks and case management functions. More sophisticated applications involve pattern recognition and legal analysis that can support, though not replace, judicial decision-making. Consider several real-world examples of predictive AI implementation:[22]

- **Low-Risk Applications:** Identification of *lis pendens*, issue preclusion (collateral estoppel), or time-barred lawsuits represents perhaps the most straightforward application of predictive AI in judicial contexts. These systems can automatically flag potential procedural problems by

20. On the operation of predictive AI, see generally Jürgen Schmidhuber, *Deep Learning in Neural Networks: An Overview*, 61 NEURAL NETWORKS 85–117 (2015).

21. For an accessible technical explanation of how generative artificial intelligence operates, see ANDREJ KARPATHY, *Deep Dive Into LLMs Like ChatGPT*, at 1:03:45 (YouTube, Feb. 5, 2025), https://youtu.be/7xTGNNLPyMI?si=7ODBzt1qHF5zDpoj.

22. For the application of artificial intelligence in the judiciary, with real cases and examples, see ISABELA FERRARI, DISCRIMINAÇÃO ALGORÍTMICA E PODER JUDICIÁRIO [ALGORITHMIC DISCRIMINATION AND THE JUDICIARY] 75–95 (Emais ed., 2023).

comparing new filings against existing case databases. Similarly, electronic judicial attachments and asset research can be significantly enhanced through AI systems that search and cross-reference financial databases more efficiently than manual processes.

- **Moderate-Risk Applications:** Classification of lawsuits—defining appropriate procedural processes and grouping similar cases—requires more sophisticated analysis but offers substantial efficiency gains. AI systems can analyze case characteristics, legal claims, and procedural requirements to recommend appropriate case tracks and identify similar matters for consolidated handling. Additionally, recommendation of applicable laws and binding precedents can assist judicial officers by identifying relevant legal authorities, though the final determination of legal applicability remains a judicial function.[23]
- **High-Risk Applications:** Identification of similar cases to use their rulings as models represents a more complex application that begins to approach core judicial functions. These systems can analyze legal issues, factual patterns, and case outcomes to suggest relevant precedents and analogical reasoning frameworks.[24]

C. GENERATIVE ARTIFICIAL INTELLIGENCE IN JUDICIAL CONTEXTS

Unlike predictive AI systems, which analyze historical data to identify behavioral patterns and make recommendations based on established precedents, generative artificial intelligence represents a fundamentally different technological paradigm. Generative AI systems autonomously produce novel content—including texts, summaries, transcriptions, legal analyses, and even codes—based on large-scale language models trained on vast corpora of existing material. These systems simulate a form of machine

23. While this human-centric approach may seem intuitive to legal professionals, recent empirical research reveals that it reflects genuine public sentiment rather than mere regulatory compliance. In a comprehensive study examining public perceptions across racial and ethnic groups, researchers found consistent emphasis on preserving human agency in judicial decision-making, with participants explicitly articulating that "[j]udges should use artificial intelligence to help guide their decisions but they shouldn't base their final decision on the AI's suggested action." Fine et al., *supra* note 10, at 489. This finding suggests that successful AI implementation in judicial contexts must navigate not only technical and legal constraints, but also deeply held public expectations about the irreplaceable role of human judgment in legal proceedings. *Id.*

24. At the highest end of complexity, some jurisdictions have experimented with drafting decisions based on previous rulings—essentially using predictive AI to generate judicial opinions by synthesizing patterns from historical decisions; however, such tools have increasingly been abandoned as generative artificial intelligence has gained prominence, offering more sophisticated approaches to judicial writing assistance.

creativity that extends beyond pattern recognition to genuine content creation, finding increasing application within the legal sector and beyond.

The creative capacity of generative AI emerges from its ability to synthesize information from multiple sources and produce entirely new outputs rather than simply retrieving existing materials. When prompted to generate content, these systems do not merely locate and return the most relevant existing document, as traditional search engines might. Instead, they analyze patterns across their training data and create novel combinations that respond to specific prompts while maintaining coherence and relevance. This synthetic process produces outputs that are inherently stochastic—probabilistic in nature—meaning that identical prompts may yield different results across multiple interactions, as the system continuously recombines learned patterns in novel ways.

The stochastic nature of generative AI reflects the mathematics underlying these systems. Rather than following deterministic rules that produce identical outputs for identical inputs, generative models sample from probability distributions learned during training, introducing controlled randomness into the generation process. This probabilistic approach enables creativity and prevents mechanical repetition but simultaneously introduces unpredictability that poses particular challenges for judicial applications where consistency and reliability prove paramount.

Current applications of generative AI within judicial contexts span both general-purpose tools and specialized legal technologies. General platforms such as ChatGPT, Claude, Gemini, and similar systems offer broad capabilities applicable to diverse legal tasks, while more specialized tools focus on particular judicial functions such as creating legal knowledge repositories, generating procedural diagrams, and summarizing judicial opinions. These specialized applications often incorporate domain-specific training data and fine-tuning to enhance their relevance and accuracy within legal contexts.[25]

The deployment of generative AI within judicial systems occurs across two primary domains, each presenting distinct opportunities and challenges. Private use by individual judges encompasses applications such as drafting assistance for opinions and judicial decisions, analysis of case details and legal arguments, exploration of alternative legal scenarios and precedential frameworks, summarization of voluminous legal documents, identification of inconsistencies within witness testimony, and assistance in formulating questions for expert witnesses. These individual applications offer immediate

25. In the Brazilian judiciary, various training programs have been offered to judges on the use of generative AI in legal writing. Among these, courses taught by Hon. Judge George Marmelstein stand out for their focus on practical applications.

productivity benefits but raise concerns about consistency across judicial officers and adequate oversight of AI-generated content—issues further explored in later sections addressing hallucinations, regulatory safeguards, and the need for human review (see *infra* Section II.C and Part IV).

Institutional deployment of generative AI requires more systematic approaches to implementation, training, and governance. General institutional adoption demands comprehensive education programs to ensure judicial officers understand both capabilities and limitations of these technologies. Specialized systems designed for particular legal tasks represent emerging initiatives, exemplified by projects such as Assis,[26] developed by the Rio de Janeiro State Court, which provides tailored assistance for specific judicial functions. Such institutional implementations require careful attention to cost considerations, data governance agreements protecting sensitive information, and systematic quality control mechanisms.

Generative AI demonstrates particular strengths in several areas relevant to judicial work. These systems excel at improving existing texts through correction, summarization, and stylistic adaptation, enabling judges to refine drafts and enhance clarity of judicial opinions. Their capacity for comparing and contrasting different legal concepts facilitates analysis of competing arguments and identification of relevant distinctions. The ability to suggest alternative approaches and creative solutions can assist judicial officers in exploring novel legal theories or considering unconventional remedies. Additionally, these systems can construct coherent narratives and timelines from complex factual scenarios, potentially assisting in case organization and presentation.

However, generative AI introduces unique challenges that compound the difficulties already identified with predictive systems. The creative capacity that enables novel content generation simultaneously creates the risk of hallucinations—the production of plausible-seeming but factually incorrect or legally unsound content.[27] These hallucinations emerge from various sources, including insufficient or biased training data, incorrect assumptions embedded within model architecture, design priorities that emphasize pattern-based content generation over factual accuracy, adversarial manipulation by bad

26. *ASSIS-Assistente de Inteligência Artificial Generativa* [*ASSIS-Generative Artificial Intelligence Assistant*], PODER JUDICIÁRIO: ESTADO DO RIO DE JANEIRO [JUDICIAL BRANCH: STATE OF RIO DE JANEIRO], https://www.tjrj.jus.br/magistrado/servicos/assis/o-projeto.

27. This risk has already led to real-world concerns in judicial systems. *See, e.g.*, Robert Booth, *High Court Tells UK Lawyers to Stop Misuse of AI After Fake Case-Law Citations*, GUARDIAN (June 6, 2025), https://www.theguardian.com/technology/2025/jun/06/high-court-tells-uk-lawyers-to-urgently-stop-misuse-of-ai-in-legal-work?CMP=share_btn_url.

actors seeking to corrupt outputs, and fundamental limitations of current AI technology.

The interactive nature of generative AI systems creates additional pathways for problematic outcomes through user misuse. Discrimination may arise not merely from training data or algorithmic design, but from patterns of user interaction,[28] including biased prompting strategies, selective information-seeking behavior, or unconscious reinforcement of existing prejudices through iterative questioning. The flexibility of these systems makes them susceptible to jailbreaking attempts wherein users circumvent ethical restrictions and safety measures to elicit inappropriate or harmful content.

Mitigating these risks within judicial contexts[29] requires multifaceted approaches that combine technical solutions with procedural safeguards. Specific prompting strategies can enhance accuracy and reduce hallucination risks by providing clear context, explicit constraints, and verification requirements. Ethical alignment mechanisms work to prevent jailbreaking attempts and ensure outputs conform to professional and legal standards. Grounding techniques connect AI outputs to verifiable sources of information, enabling validation and reducing reliance on potentially fabricated content. Systematic review processes ensure human oversight of AI-generated content before incorporation into official judicial work.[30] Finally, emerging regulatory frameworks seek to establish appropriate boundaries and accountability mechanisms for AI use within judicial systems.

The contemporary judicial landscape presents fertile ground for both predictive and generative AI applications, with courts worldwide experimenting with diverse implementations across the spectrum of judicial functions. The experiences of leading jurisdictions provide valuable insights

28. Solon Barocas & Andrew D. Selbst, *Big Data's Disparate Impact*, 104 CALIF. L. REV. 671, 674, 715–23 (2016).

29. For a critical examination of the legal and ethical implications that arise when GenAI is used in judicial rulings and their underlying rationale, see generally David Uriel Socol de la Osa & Nydia Remolina, *Artificial Intelligence at the Bench: Legal and Ethical Challenges of Informing—Or Misinforming—Judicial Decision-Making Through Generative AI*, 6 DATA & POL'Y e59 (2024).

30. The stakes of inadequate oversight extend far beyond technical errors—they touch the very core of judicial legitimacy and public trust. In a recent multi-ethnic study examining public perceptions of AI in judicial decision-making, researchers found that public anxiety about AI in judicial contexts centers not merely on accuracy concerns, but on the irreversible consequences of algorithmic mistakes. Fine et al., *supra* note 10, at 489. One participant's warning captures this visceral concern: "Judges using AI in decision-making need to be extremely careful that they don't make a mistake and ruin someone's life by misusing AI." *Id.* This sentiment reflects a deeper understanding that judicial errors involving AI carry unique reputational and systemic risks that could undermine confidence in the entire justice system, making robust human oversight not just a technical necessity but a prerequisite for maintaining judicial legitimacy. *See id.*

into both the transformative potential and persistent challenges associated with AI integration within judicial systems, offering lessons that can inform responsible development of these technologies across diverse legal contexts.

III. FROM CODE TO COURTROOM: NATIONAL APPROACHES TO AI IN THE JUDICIARY

This Part surveys the experiences of the Brazilian, Chinese, and American judiciaries with AI. Of note, we dedicate more space to the Brazilian case by drawing upon the personal experiences of one of us as a sitting federal judge who has witnessed firsthand how artificial intelligence has been considered, negotiated, and deployed in that jurisdiction. In contrast, our profiles of China and the United States draw from publicly available documents and secondary literature. While each country's profile is organized around the same core aspects of the judicial experience with AI, readers should bear in mind the asymmetry of underlying sources and evidence we draw upon.

A. BRAZIL: MODEL IN THE MAKING

One of the highest litigation rates in the world, an early and unified commitment to digital records, and strong, centralized governance of AI are some of the factors that have led Brazil to be recognized as a leader in the use of AI in the judiciary.

1. A Landscape of High Litigation: Structural Pressures on the Judiciary

Brazil's judiciary is a unified system with five branches—Federal, State, Labor, Electoral, and Military—each operating independently under the 1988 Constitution. At the top of the judicial hierarchy, the Supreme Court (STF) functions as the constitutional court responsible for safeguarding fundamental rights, followed by the Superior Court of Justice (STJ), which ensures uniform interpretation of federal law across jurisdictions. Administrative oversight is exercised by the National Council of Justice (CNJ), a non-adjudicative constitutional body tasked with coordinating national judicial policy, monitoring court performance, and regulating the use of technology. While the CNJ supervises all courts and judges, it does not oversee the STF itself, which remains institutionally independent.

Despite centralized governance by the CNJ and superior courts, first-instance judges in Brazil exercise significant administrative autonomy. Each presides over a *vara*—a unit that functions as both courtroom and administrative office—managing staff, dockets, hearings, and procedural routines. This discretion has enabled judges to pilot digital tools, streamline workflows, and develop local initiatives to improve access to justice. The result

is a hybrid model: nationally coordinated but operationally decentralized, fostering responsiveness and innovation while also posing coordination challenges.

These dynamics are compounded by structural pressures. Broad constitutional guarantees of access to justice,[31] including state-funded legal aid, have led to extremely high litigation rates. As of 2022, fewer than 7,000 public defenders served a population of over 210 million[32]—forcing courts to rely on private attorneys (*advogados dativos*).[33] In 2021, nearly 30% of all cases benefited from state-funded legal assistance, underscoring the system's scale and social role.[34] Moreover, Brazil's legal profession is vast: 1.4 million licensed lawyers as of 2024, or one for every 152 people—the highest per capita ratio in the world.[35] This density increases demand for judicial services and contributes to procedural complexity, reinforcing the need for scalable, technology-driven solutions. Together, these features—judicial autonomy, universal access guarantees, litigation overload, and professional density—create an environment where AI is not only desirable but increasingly essential to ensure institutional sustainability and procedural fairness.

While Brazil's constitutional guarantees and institutional mechanisms have laid a strong foundation for access to justice, the system must operate under exceptionally demanding conditions. Brazil is widely recognized for having one of the highest litigation rates in the world. As of 2023, there were approximately 83.8 million active legal proceedings across 91 courts

31. CONSTITUIÇÃO DA REPÚBLICA FEDERATIVA DO BRASIL [CONSTITUTION OF THE FEDERATIVE REPUBLIC OF BRAZIL] art. 5, cl. XXXV (1988) ("The law shall not exclude from the assessment of the Judiciary any injury or threat to a right."); *id.* art. 5, cl. LXXIV ("The State will provide full and free legal assistance to those who prove insufficient resources.").

32. DIOGO ESTEVES, CLEBER ALVES & ANDRÉ CASTRO, *National Report: Brazil*, 7 (International Legal Aid Group Conference, 2017), https://clp.law.harvard.edu/wp-content/uploads/2023/06/Brazil-National-Report-ILAG-Conference-2023.pdf.

33. *Pro Bono Practices and Opportunities in Brazil*, LATHAM & WATKINS LLP 91, 93–94 (Feb. 21, 2016), https://www.lw.com/admin/Upload/Documents/Global%20Pro%20Bono%20Survey/pro-bono-in-brazil.pdf.

34. Skye.Tan.22, *Brazilian Legal Clinics Work to Promote Effective Access to Justice*, OFF. BLOG UCL STUDENT PRO BONO COMM. (Dec. 8, 2023), https://reflect.ucl.ac.uk/access-to-justice/2023/12/08/brazilian-law-clinics-work-to-promote-effective-access-to-justice/; *Justiça em Números 2022* [*Justice in Numbers 2022*], CONSELHO NACIONAL DE JUSTIÇA [NATIONAL COUNCIL OF JUSTICE] 1, 115 (2022), https://www.cnj.jus.br/wp-content/uploads/2022/09/justica-em-numeros-2022-1.pdf.

35. Renato Souza, *O País Com Mais Advogados* [*The Country with the Most Lawyers*], CORREIO BRAZILIENSE [BRAZILIAN MAIL] (Aug. 11, 2024), https://www.correiobraziliense.com.br/politica/2024/08/6917908-o-pais-com-mais-advogados.html. The daily updated number of lawyers in Brazil can be found at *Quadro da Advocacia*, ORDEM DOS ADVOGADOS DO BRASIL NACIONAL [NATIONAL ORDER OF ATTORNEYS OF BRAZIL], https://www.oab.org.br/institucionalconselhofederal/quadroadvogados.

nationwide[36]—a volume that places extraordinary pressure on judicial personnel and infrastructure. Settlement rates remain low, at around 12%,[37] meaning that most disputes must be resolved through formal judicial decisions. On average, each judge is responsible for closing over 2,000 cases per year, which translates to approximately 8.6 final rulings (*sentenças*) per working day.[38] In addition to these final decisions, judges must also issue a high number of interlocutory rulings throughout the life of each proceeding, addressing procedural motions, evidentiary requests, and other case-management tasks. This cumulative workload has intensified the demand for technological solutions that can support caseflow management, reduce administrative burdens, and enhance the efficiency of judicial decision-making.

2. Building Digital Justice: Data Consolidation and Policy Coordination

Brazil's digital transformation began in 2006 with the adoption of electronic case processing across its judiciary.[39] While implementation initially varied across branches and jurisdictions—resulting in a fragmented technological landscape—by 2021, 97.2% of all new cases were filed electronically, reflecting a rapid and near-universal shift to digital justice.[40] This process generated not only operational efficiency but also an unprecedented volume of structured procedural data, laying the foundation for institutional AI deployment.

To harness this data potential, the National Council of Justice (CNJ) developed CODEX, a centralized data lake that integrates structured and unstructured data from multiple case management systems into a unified national repository.[41] Created in partnership with the Court of Justice of Rondônia, CODEX consolidates over 337 million legal proceedings, including full-text documents, metadata, and procedural information.[42] It supports advanced analytics, regulatory design, and model training, and functions as the

36. *Justiça em Números 2022* [*Justice in Numbers 2022*], *supra* note 34, at 15.

37. *Justiça em Números 2024* [*Justice in Numbers 2024*], at 252.

38. *Id.* at 20.

39. Law No. 11.419/2006 authorized the use of electronic records in judicial proceedings and established the legal foundation for nationwide digitalization.

40. Luciana Otoni, *Justiça em Números 2022: Processos Eletrônicos Alcançam 97,2% das Novas Ações* [*Justice in Numbers 2022: Electronic Processes Reach 97.2% of New Cases*], CONSELHO NACIONAL DE JUSTIÇA [NATIONAL COUNCIL OF JUSTICE] (Sep. 16, 2022), https://www.cnj.jus.br/justica-em-numeros-2022-processos-eletronicos-alcancam-972-das-novas-acoes.

41. *Platforma Codex* [*Codex Platform*], CONSELHO NACIONAL DE JUSTIÇA [NATIONAL COUNCIL OF JUSTICE], https://www.cnj.jus.br/sistemas/plataforma-codex/.

42. *Codex-Público* [*Public Codex*], METABASE, https://metabase.ia.pje.jus.br/public/dashboard/d4c8362c-4150-4359-96c9-b5cbf1f64f15.

technical backbone of Brazil's AI ecosystem, enabling scalable and responsible AI integration across courts.

CODEX represents a rare instance of judicial data infrastructure at national scale—positioning Brazil among the few jurisdictions in the world with the institutional capacity to develop AI solutions grounded in real case data and legal reasoning patterns. One of its major achievements lies in addressing Brazil's historically fragmented digital justice environment, where numerous electronic case management systems were developed in a decentralized, often bottom-up fashion.

This fragmentation posed significant interoperability challenges—both within the same court system (e.g., between first and second instances) and across jurisdictions, including communication with superior courts such as the Superior Court of Justice (STJ) and the Supreme Court (STF).[43] CODEX's centralized architecture enables seamless data integration across these disparate systems, facilitating jurisdictionally consistent AI governance and nationally coordinated innovation.

This transition from digital case management to strategic data governance was supported by strong institutional leadership. During his tenure as President of the Supreme Court (STF) and the CNJ (2018–2020), Justice José Antonio Dias Toffoli convened judges and technical experts to develop a national vision for judicial AI. The result was the 2019 Handbook on Artificial Intelligence in the Brazilian Judiciary,[44] which outlined key principles—transparency, human oversight, fairness—and documented 14 early-stage AI initiatives.

Building on this foundation, the CNJ issued Resolution No. 332/2020,[45] one of the world's first regulatory frameworks specifically designed for judicial

43. Interoperability in the context of Brazil's electronic judicial process refers not merely to the ability of systems to exchange data, but to a broader set of technical, legal, organizational, and semantic conditions that allow integrated and functional communication between different platforms. For an in-depth empirical study on the interoperability challenges faced by Brazilian courts—including intra–institutional gaps and user–centered functionality—see Carlos Renato Cunha, Cesar Antonio Serbena, Cesar Felipe Bolzani, Edna Torres Câmara, Gustavo Vieira Vilar Garcia, Nayara de Camargo Pinto, Priscila da Silva Barbosa & Renê Chiquetti Rodrigues, *Pesquisa Nacional: Interoperabilidade dos Sistemas de Processo Eletrônico no Brasil* [*National Survey: Interoperability of Electronic Process Systems in Brazil*], CNPQ (2018), https://www.cnj.jus.br/wp-content/uploads/2018/09/d22fe00c12cda4219b4876efb44bfc42.pdf.

44. *Inteligência Artificial: No Poder Judiciário Brasileiro* [*Artificial Intelligance: In the Brazilian Judiciary*], CONSELHO NACIONAL DE JUSTIÇA [NATIONAL COUNCIL OF JUSTICE] (2019), https://bibliotecadigital.cnj.jus.br/jspui/bitstream/123456789/98/1/Intelig%c3%aancia%20Artificial%20no%20Poder%20Judiciario%20Brasileiro.pdf.

45. CONSELHO NACIONAL DE JUSTIÇA RESOLUÇÃO [NATIONAL COUNCIL OF JUSTICE RESOLUTION] NO. 332 (2020), https://atos.cnj.jus.br/atos/detalhar/3429.

AI. Inspired in part by international debates such as *State v. Loomis* in the United States, the resolution addresses core risks of opacity, bias, and lack of explainability, and sets forth safeguards to align AI systems with constitutional guarantees—particularly human dignity, liberty, due process, and equality.[46] It prohibits the use of AI in criminal sentencing and risk assessments, strongly reinforces the principle of human oversight, and mandates that technology serve strictly as a non-decisional auxiliary tool.[47]

The resolution also emphasizes cybersecurity and data protection, recognizing the sensitivity of judicial records.[48] In doing so, it positions Brazil as a pioneer in rights-based AI governance, embedding normative caution and institutional accountability at the center of its innovation strategy.[49]

3. A New Regulatory Framework: From CNJ Resolution No. 332/2020 to CNJ Resolution No. 615/2025

As generative AI tools began to permeate judicial practice, the need for an updated regulatory framework became evident. In response, the current President of the Brazilian Supreme Court, Chief Justice Luís Roberto Barroso, convened a multidisciplinary working group under the auspices of the National Council of Justice (CNJ). The group was tasked with updating the regulatory parameters first established by Resolution No. 332/2020, in light of the rapid and diverse forms of generative artificial intelligence ("GenAI") adoption already taking place across the judiciary.[50]

This widespread adoption unfolded along two parallel paths. First, as described below, judges began experimenting individually with general-purpose tools such as ChatGPT and Claude, applying them to auxiliary tasks like summarizing documents, transcribing hearings, and drafting preliminary analyses. As interest grew—fueled by increasing workloads and oversubscribed judicial training sessions—usage expanded informally across courts. Simultaneously, even before new regulation was in place, some courts initiated the development of institutional GenAI systems, customized to specific judicial workflows. The coexistence of unregulated individual use and early institutional experimentation underscored the urgency of a revised framework and provided critical input to the working group's deliberations.

Active throughout 2024 and the beginning of 2025, the working group brought together representatives from the judiciary, public defenders' offices,

46. *Id.* arts. 2, 7.
47. *Id.* arts. 17(I)–(II), 23 §§ 1–2.
48. *Id.* arts. 13–16.
49. *Id.* arts. 9, 10, 25–27.
50. CONSELHO NACIONAL DE JUSTIÇA PORTARIA [NATIONAL COUNCIL OF JUSTICE ORDINANCE] NO. 338 (2023), https://atos.cnj.jus.br/atos/detalhar/5368.

prosecutors' offices, the legal profession, academia, technical experts, and leading specialists in data protection.[51] Its mission was to align judicial AI governance with emerging technological realities—especially those introduced by generative AI—and to ensure that innovation proceeds without compromising constitutional guarantees.

The result of this effort was CNJ Resolution No. 615/2025,[52] issued on March 11, 2025, which introduces a comprehensive and binding framework for the development, deployment, and oversight of AI systems within the Brazilian judiciary. While CNJ Resolution No. 332/2020 remained in force during a 120-day transition period,[53] the new resolution significantly broadens the regulatory scope in both substance and structure.

At its core, the resolution aims to foster responsible technological innovation in judicial services without compromising constitutional guarantees. It affirms that all AI systems must comply with fundamental principles enshrined in the Brazilian Federal Constitution—particularly the protection of human dignity, the prohibition of discrimination, and the right to due process.[54] Importantly, it mandates that all AI-assisted activities remain subject to human oversight[55] and that AI outputs must be explainable, verifiable, and open to challenge.[56]

A key innovation lies in the introduction of a tiered, risk-based classification system. AI tools are categorized as low, medium, or high risk depending on their potential to interfere with individual rights or procedural guarantees. This classification determines the level of transparency, supervision, and auditability required.[57] High-risk systems, for instance, are subject to stricter controls and must undergo regular review and lifecycle documentation.[58]

Recognizing the distinctive challenges posed by generative AI, the resolution sets forth specific rules governing its use. These include requirements for output transparency, mandatory human review prior to the integration of AI-generated content into judicial decisions or draft opinions,

51. One of the authors, Federal Judge Isabela Ferrari, served as a member of the multidisciplinary working group convened by the National Council of Justice (CNJ) to draft Resolution No. 615/2025.

52. CONSELHO NACIONAL DE JUSTIÇA RESOLUÇÃO [NATIONAL COUNCIL OF JUSTICE RESOLUTION] NO. 615 (2025) [hereinafter CNJ Res. No. 615], https://atos.cnj.jus.br/atos/detalhar/6001.

53. *Id.* art. 47.

54. CNJ Res. No. 615, *supra* note 52.

55. *Id.* arts. 2(V), 3(VII), 15–18.

56. *Id.* arts. 3(II), 13(VII), 22 § 3.

57. *Id.* arts. 9, 11, Anexo [Appendix].

58. *Id.* arts. 11 § 1–2, 13(IV), 14 § 1, 17 § 1.

and an explicit prohibition against relying solely on AI outputs as the basis for legal rulings. Importantly, the resolution does not prohibit the automation of supporting functions—such as document summarization, transcription, or drafting assistance—but draws a firm line against delegating the core judicial function: the authoritative act of legal interpretation and decision-making. Judges may not use generative AI to determine legal outcomes or to ask what should be decided; the final reasoning and judgment must remain both formally and substantively human.[59] These measures are designed to preserve judicial reasoning not merely as a procedural formality, but as an intrinsically human exercise grounded in deliberation, responsibility, and legal authority.

In addition to these safeguards, the resolution outlines a list of expressly prohibited uses.[60] AI systems may not be used to predict criminal behavior or the likelihood of recidivism based on personality traits or behavioral profiling. Nor may they classify or rank individuals in ways that affect access to legal rights or operate without meaningful human intervention. These prohibitions reflect a clear stance against algorithmic determinism in contexts that demand human judgment and legal nuance.

To support institutional accountability, the resolution requires courts to establish internal governance mechanisms for AI oversight.[61] These include periodic audits of high–risk systems and detailed documentation of each system's lifecycle—from initial development and data training to deployment, monitoring, and eventual deactivation. Such requirements aim to ensure traceability, enable institutional learning, and mitigate the risks associated with opaque or poorly understood systems.

Transparency is further enhanced through the mandatory registration of all judicial AI tools on Sinapses,[62] a centralized national platform maintained by the National Council of Justice. This registry functions as both a compliance tool and a strategic database, helping to avoid technological fragmentation, promote interoperability, and enable coordinated supervision across the judiciary.[63]

Finally, the resolution addresses the cultural and educational conditions necessary for safe and effective AI adoption. It mandates continuous training programs for judges and court personnel, with particular emphasis on algorithmic bias, data protection, and the ethical limits of automation.[64] By

59. *Id.* arts. 19 § 3(II), 6, 20(IV).

60. *Id.* art. 10.

61. *Id.* art. 12(III).

62. *Id.* art. 24.

63. *Sinapses Platform*, CONSELHO NACIONAL DE JUSTIÇA [NATIONAL COUNCIL OF JUSTICE], https://www.cnj.jus.br/sistemas/plataforma-sinapses/.

64. CNJ Res. No. 615, *supra* note 52, arts. 3(VIII), 16(VII), 20(III), 19 § 3(I), 5.

incorporating education into the regulatory framework, the resolution seeks not only to build institutional capacity, but also to promote critical awareness of the roles and limitations of AI in legal decision-making.

The following sections present examples of how different forms of AI—both predictive and generative—have been integrated into the Brazilian judiciary, spanning court management, citizen-facing services, and core judicial functions.

a) Integration of Generative AI into Core Judicial Functions

As described earlier, the use of generative AI by the Brazilian judiciary has taken two distinct paths. First, judges have been experimenting individually with general-purpose tools such as ChatGPT, Claude, and Gemini, often through personal subscriptions. These individual adoptions have been informal and exploratory, with judges using these tools for a variety of auxiliary functions.[65] This initial wave of adoption was driven both by growing interest among judges and by official training programs organized by judicial schools.[66] These courses—quickly oversubscribed—reflect a strong demand for practical, constitutionally grounded guidance on the opportunities and risks posed by generative AI.

65. These include summarizing documents and accelerating the review of lengthy case files, converting oral testimonies and hearings into text, comparing witness statements and assisting in the detection of inconsistencies, drafting questions for witness examination and supporting the formulation of strategic inquiries, conducting legal research and retrieving applicable case law or doctrinal references. While hallucinations and factual inaccuracies remain a concern, ongoing improvements aim to reduce these limitations.

66. For examples of institutional training, see the 2025 course "Inteligência Artificial Generativa Aplicada ao Judiciário" (Generative Artificial Intelligence Applied to the Judiciary), organized by the Center for Judicial Studies (Centro de Estudos Judiciários–CEJ) of the Federal Justice Council (Conselho da Justiça Federal–CJF). The program included both basic and advanced modules on prompt engineering, data protection, and the ethical use of generative AI in judicial practice. *See Inteligência Artificial Generativa Aplicada ao Judiciário* [*Generative Artificial Intelligence Applied to the Judiciary*], CENTRO DE ESTUDOS JUDICIÁRIOS: CONSELHO DA JUSTIÇA FEDERAL [CENTER FOR JUDICIAL STUDIES: FEDERAL JUSTICE COUNCIL] (2025), https://www.cjf.jus.br/cjf/corregedoria-da-justica-federal/centro-de-estudos-judiciarios-1/eventos/eventos-cej/2025/IAgaJud-2025-pres.
Another relevant example is the course "Escrita Jurídica com o ChatGPT: Teoria e Prática" (Legal Writing with ChatGPT: Theory and Practice), held by the School for the Judiciary (Escola Superior da Magistratura–ESMA). Taught by federal judge George Marmelstein, the course covered legal writing with AI support, prompt safety, and persuasive writing strategies using ChatGPT, emphasizing cautious and informed adoption of generative AI in judicial routines. *See* Marcus Vinícius, *O Uso de IA Nas Atividades dos Magistrados é Tratado No Curso 'Escrita Jurídica Com o ChatGPT'* [*The Use of AI in Magistrates' Activities is Addressed in the Course 'Legal Writing with ChatGPT'*], PODER JUDICIÁRIO: TRIBUNAL DE JUSTIÇA DA PARAÍBA [JUDICIAL BRANCH: PARAÍBA COURT OF JUSTICE] (Apr. 8, 2024), https://www.tjpb.jus.br/noticia/o-uso-da-ia-nas-atividades-dos-magistrados-e-tratado-no-curso-escrita-juridica-com-o-chatgpt.

Second, courts have started to institutionalize the use of these technologies by developing and implementing customized systems designed to support judicial workflows. These systems include court-sanctioned tools—whether developed internally or adopted through official channels—that are integrated into judicial workflows and governed by constitutional and procedural constraints.

Among the most significant developments are proprietary generative AI systems built by the courts themselves. These tools reflect a transition from experimentation to structured, rule-bound deployment, with the goal of improving procedural efficiency while ensuring transparency and preserving judicial authority, and include:

- ASSIS (TJRJ):[67] Developed by the Rio de Janeiro State Court (TJRJ), ASSIS—short for Assistente de Inteligência Artificial com Soluções de Sentença—is a generative AI assistant designed to support judges in drafting decisions and opinions. It integrates with the court's case management system, allowing judges to request AI-generated drafts and legal summaries based on case files and existing jurisprudence.
- ChatJT (Labor Courts):[68] The Labor Justice system has launched ChatJT, a generative AI system trained on case law from the first instance through the Superior Labor Court (TST). It is designed to promote coherence in legal reasoning and to assist judges in producing rulings aligned with prevailing precedents.
- Logos (STJ):[69] The Superior Court of Justice (STJ) introduced Logos, a generative engine that aids in the preparation of draft rulings and case assessments. Its objective is to increase both the speed and uniformity of judicial decisions, especially in repetitive or high-volume matters.
- MARIA (STF):[70] The Brazilian Supreme Court (STF) launched MARIA (Módulo de Apoio para Redação com Inteligência Artificial),

67. *ASSIS*, *supra* note 26.

68. Nathália Valente, *Nova Versão do Chat-JT Conta Com Integração ao PJe* [*New Version of Chat–JT Features PJe Integration*], CONSELHO SUPERIOR DA JUSTIÇA DO TRABALHO [SUPERIOR COUNCIL OF LABOR JUSTICE] (May 6, 2025), https://www.csjt.jus.br/web/csjt/-/nova-vers%C3%A3o-do-chat-jt-conta-com-integra%C3%A7%C3%A3o-ao-pje.

69. STJ Lança Novo Motor de Inteligência Artificial Generativa Para Aumentar Eficiência Na Produção de Decisões [*STJ Launches New Generative Artificial Intelligence Engine to Increase Efficiency in Decision–Making*], SUPERIOR TRIBUNAL DE JUSTIÇA [SUPERIOR COURT OF JUSTICE] (Feb. 12, 2025), https://www.stj.jus.br/sites/portalp/Paginas/Comunicacao/Noticias/2025/11022025-STJ-lanca-novo-motor-de-inteligencia-artificial-generativa-para-aumentar-eficiencia-na-producao-de-decisoes.aspx.

70. Jorge Macedo, STF Lança MARIA, Ferramenta de Inteligência Artificial Que Dará Mais Agilidade Aos Serviços do Tribunal [*STF Launches MARIA, An Artificial Intelligence Tool That Will Streamline Court Services*], SUPREMO TRIBUNAL FEDERAL [SUPREME COURT] (Dec. 16,

> a tool integrated into the STF-Digital system. MARIA automatically generates draft summaries and headnotes (ementas) for judicial opinions, which can then be edited and validated directly by the justices.

These institutional initiatives reflect a broader shift toward the systematization of GenAI tools within judicial governance, combining technological innovation with constitutional and procedural safeguards. Rather than displacing judicial authority, these tools are designed to augment legal analysis, streamline internal workflows, and standardize outputs—particularly in high-volume courts.

b) Court Management

Within Brazil's higher courts, predictive AI has been strategically applied to optimize internal workflows and support judicial decision-making. Two systems in particular stand out for their scope and impact: VICTOR, developed by the Supreme Federal Court, and Athos, created by the Superior Court of Justice. While both systems leverage natural language processing and machine learning, they operate in distinct institutional contexts and pursue different goals—VICTOR focuses on constitutional admissibility, whereas Athos targets the identification and management of repetitive legal issues.

VICTOR, introduced in 2019, is one of the earliest and most emblematic examples of AI applied to court management. Developed by the Supreme Court, it was designed to assist in identifying cases involving general repercussion—a constitutional admissibility requirement for extraordinary appeals. Trained on 28 established general repercussion themes with sufficient jurisprudential data, the system could flag whether a given case potentially involved one of these themes. When uncertain, the system would return an "inconclusive" result. Regardless of the output, the final determination remained subject to human review by a civil servant.[71]

To perform this task, VICTOR applies optical character recognition (OCR) to all incoming cases, enabling the system to identify and reorganize key documents within each file. This significantly improves the structure and accessibility of case records in the STF's digital system.

Another example of AI applied to court management is Athos, a system developed by the Superior Court of Justice (STJ), Brazil's highest court for nonconstitutional matters. Athos was created to help the court identify and

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2024), https://noticias.stf.jus.br/postsnoticias/stf-lanca-maria-ferramenta-de-inteligencia-artificial-que-dara-mais-agilidade-aos-servicos-do-tribunal/.

71. Fabiano Hartmann & Debora Bonat, *Machine Learning and the General Repercussion on Brazilian Supreme Court: Applying the Victor Robot to Legal Texts* 7–8 (2020), https://ceur-ws.org/Vol-2632/MIREL-19_paper_5.pdf.

manage repetitive legal issues, especially those eligible for resolution through Brazil's system of binding precedents. It uses natural language processing and semantic clustering to group appeals that involve similar legal questions. Its main features include similarity search, keyword-based search, monitoring of legal controversies, case clustering, and support for admissibility analysis. These tools improve workflow efficiency and promote consistency in judicial decisions.

From 2020 to 2021, Athos was used in 40% of all new legal controversies formally recognized by STJ. In the Brazilian legal system, a "legal controversy" refers to a recurring legal question that appears in multiple cases and may be resolved through a single precedent-setting decision. During this period, the number of internal requests to use Athos grew by 211%, reflecting increased reliance on the system by court staff and legal analysts.[72]

Athos has also contributed to a measurable reduction in caseloads. By mid-2021, more than 350,000 cases were resolved in lower courts—through settlements, withdrawals, or decisions not to appeal—without being sent to the STJ. In cases involving the federal government, the number of special appeals filed by the Office of the Attorney General (AGU) fell by 11.2% compared to the same period the year before. The rate of unfavorable decisions in these cases decreased by 14.15%, and over 1,400 appeals were voluntarily withdrawn from the STJ.[73]

c) Interfacing with the Public

Despite the emphasis on backend efficiency, several federal courts across Brazil have independently developed AI-powered virtual assistants to enhance the experience of those seeking justice. From Espírito Santo to Rio de Janeiro, tools such as Fale com a Ju, Judi, and Justa have emerged as emblematic examples of this citizen-facing innovation. Though developed in distinct institutional contexts and serving different immediate needs, these initiatives share a common aim: bridging the gap between the judiciary and the public by offering accessible, responsive, and human-centered digital interfaces.

72. *Ascom, Sistema do STJ Que Automatiza Fluxo de Processos Começa a Operar No TJMA* [*STJ System That Automates Process Flow Begins Operating at TJMA*], PORTAL DO PODER JUDICIÁRIO: DO ESTADO DO MARANHÃO [JUDICIAL PORTAL: STATE OF MARANHÃO] (June 27, 2023), https://www.tjma.jus.br/midia/portal/noticia/510543/sistema-do-stj-que-automatiza-fluxo-de-processos-comeca-a-operar-no-tjma.

73. Guilherme Silva Figueiredo, *Projeto Athos: Um Estudo de Caso Sobre a Inserção do Superior Tribunal de Justiça Na Era da Inteligência Artificial* [*Project Athos: A Case Study on the Superior Court of Justice's Integration Into the Age of Artificial Intelligence*], UNIVERSIDADE DE BRASÍLIA [UNIVERSITY OF BRASILIA] 102 (2022), https://www.cnj.jus.br/wp-content/uploads/2022/11/projeto-athos.pdf.

Launched during the COVID-19 pandemic, Fale com a Ju ("Talk to Ju") was created by the Federal Court of Espírito Santo to respond to the surge in litigation related to emergency aid benefits.[74] Deployed via WhatsApp, the assistant provided clear information on eligibility criteria, addressing widespread documentation issues that had led to mass denials. By offering automated responses, it helped reduce unnecessary claims and guided legitimate cases more efficiently into the judicial system.

Similarly, the Federal Court in Rio de Janeiro (JFRJ) launched "Judi," a virtual assistant accessible through Telegram that redirects users to official information on the court's website, enhancing accessibility and user autonomy.[75]

In the same spirit, the 27th Federal Court of Rio de Janeiro (JFRJ) implemented *Justa*, an AI-powered virtual assistant designed to improve interaction with court users. Accessible at all hours via WhatsApp and Instagram, *Justa* provides case updates, clarifies procedural steps, and responds to common inquiries, particularly benefiting self-represented litigants and those facing structural barriers to accessing the justice system.[76]

Justa is part of a broader project titled "VIC–Vara Integrada ao Cidadão"[77] ("Court Integrated with the Citizen"), led by the presiding judge, Hon. Geraldine de Castro. The initiative seeks to align judicial services with principles of inclusivity and institutional transparency, in line with the United Nations Sustainable Development Goals. Rather than focusing solely on automation, the project emphasizes enhancing communication channels between the court and the broader public.[78]

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74. InovarES - Laboratório de Inovação da Justiça Federal do Espírito Santo [*InovarES–Innovation Laboratory of the Federal Court of Espírito Santo*], RENOVAJUD, https://renovajud.cnj.jus.br/laboratorios-publico?laboratorio=12&utm; *JFES Lança Atendimento por Whatsapp Com a Utilização de Chatbot* [*JFES Launches WhatsApp Support Using Chatbot*], ASSOCIAÇÃO DOS JUÍZES FEDERAIS DO BRASIL [BRAZILIAN FEDERAL JUDGES ASSOCIATION] (May 27, 2020), https://www.ajufe.org.br/imprensa/noticias-do-judiciario/13923-jfes-lanca-atendimento-por-whatsapp-com-a-utilizacao-de-chatbot.

75. *Atendimento Virtual* [*Virtual Assistance*], JUSTIÇA FEDERAL 2ª REGIÃO [FEDERAL COURT 2ND REGION] (Feb. 15, 2024), https://www.trf2.jus.br/jfrj/duvidas-frequentes/atendimento-virtual.

76. *Justa - Assistente Virtual* [*Justa–Virtual Assistant*], JUSTIÇA FEDERAL 2ª REGIÃO [FEDERAL COURT 2ND REGION] (Sep. 20, 2024), https://www.trf2.jus.br/juizo/jfrj/27vf/justa-assistente-virtual.

77. *Vara Integrada ao Cidadão–VIC* [*Integrated Citizen Court–VIC*], JUSTIÇA FEDERAL 2ª REGIÃO [FEDERAL COURT 2ND REGION] (Sep. 21, 2024), https://www.trf2.jus.br/jfrj/artigo/27vf/vara-integrada-ao-cidadao-vic.

78. *JF 2ª Região, Por Meio de Iniciativa Inovadora da 27ª VF/RJ, Está Incluída No Portal de Boas Práticas do Judiciário/CNJ* [*Federal Court 2nd Region, Through an Innovative Initiative of the 27th Federal Court of Rio de Janeiro, Is Included in the Judiciary/CNJ Best Practices Portal*], JUSTIÇA FEDERAL 2ª REGIÃO [FEDERAL COURT 2ND REGION] (Aug. 19, 2024), https://www.trf2.jus.br/trf2/

Innovation is further structured through *Lab27*, an internal unit dedicated to experimental solutions developed collaboratively by court staff and trainees.[79] Among its outcomes are simplified digital forms for urgent procedural requests and redesigned citation templates using plain language. These developments reflect the capacity for administrative innovation within Brazil's judiciary, where trial-level judges exercise broad discretion in managing court operations and public service delivery.

B. CHINA AI-ENHANCED COURTS AT SCALE

As in Brazil, the judiciary in China faces immense pressures of scale, and therefore, immense incentives and opportunities to expand the reach of the courts through AI. Rising demand and limited human capacity, the country's broader digital and artificial intelligence ambitions,[80] and investments in data and technical infrastructure have led to China's adoption of AI to the point where it has been identified as "probably the most advanced and prolific judicial user of AI."[81]

China's vast, stratified, and heterogeneous judicial system includes elite, tech-enabled tribunals in urban centers and severely under-resourced county courts serving remote and rural populations,[82] as represented by the Supreme People's Court (SPC), 31 High People's Courts, Intermediate People's Courts, and over 3,000 Basic People's Courts.[83] China has an estimated 650,000 lawyers for a population of more than 1.4 billion, or about one lawyer for about 4,000

noticia/2024/jf-2a-regiao-por-meio-de-iniciativa-inovadora-da-27a-vfrj-esta-incluida-no-portal.

79. *Lab27*, JUSTIÇA FEDERAL 2ª REGIÃO [FEDERAL COURT 2ND REGION] (Sep. 30, 2024), https://www.trf2.jus.br/jfrj/artigo/27vf/lab27.

80. *See* Rachel E. Stern, Ben L. Liebman, Margaret E. Roberts & Alice Z. Wang, *Automating Fairness? Artificial Intelligence in the Chinese Courts*, 59 COLUM J. TRANSNAT'L L. 515, 530 (2021) ("China's push for [artificial intelligence] is an important part of the country's strategic response to slowing economic growth," on the one hand, and "motivated by a pervasive belief in nationalist vindication through technological innovation" on the other. "Viewed through this lens, the courts' strides toward algorithmic analytics contribute to the 'first in the world' narrative of technological success poised to become a prominent part of the Party's twenty-first century legitimacy strategy."); *see also* Zhiyuan Guo & Jiajia Yang, *The Application of Artificial Intelligence in China's Criminal Justice System*, 6 LEGAL ISSUES DIGIT. AGE 83, 83–104 (2025) (describing assorted government efforts to build a "Digital China").

81. Gary E. Marchant, *AI in Robes: Courts, Judges, and Artificial Intelligence*, 50 OHIO N.U. L. REV. 473, 486 (2024).

82. *China*, JUDICIARIES WORLDWIDE: A RES. ON COMPAR. JUD. PRAC., https://judiciariesworldwide.fjc.gov/country-profile/china#:~:text=China%20has%20a%20unified%20court,cases%20from%20their%20territorial%20designations; Xin Dai, *Who Wants a Robo-Lawyer Now?: On AI Chatbots in China's Public Legal Services Sector*, 26 YALE J.L. & TECH. 527, 535 (2024).

83. *China*, JUDICIARIES WORLDWIDE, *supra* note 82.

people.[84] This gap is most pronounced in rural areas as professionals trained in legal services have historically gravitated toward developed urban areas.[85] Furthermore, since 1978, there has been roughly a 30-fold increase in cases but only a 3-fold increase in judges, with growth in the judiciary limited by the need to increase the legitimacy and professionalism of the judiciary.[86]

The mismatch between the demand for legal services and professional supply has led China's Ministry of Justice (MOJ) to pursue reform initiatives focused on establishing a "public legal services system" that "covers all urban and rural residents," in order to "ensure that people receive timely and effective legal help."[87] Alongside pro bono representation in litigation, the MOJ seeks to provide public legal services in the form of providing basic legal information and answering routine questions.[88] In later years, this goal was transformed into numerical targets with the objective of having onsite legal advisors for the country's more than 690,000 rural villages and nearly 120,000 urban residential communities.[89] Achieving this goal with human professionals alone sits somewhere between extremely expensive and unlikely to nearly impossible, presenting the opportunity for AI tools to offer accessible, consistent legal services at scale to populations who would otherwise receive no services.

At the same time, several factors have contributed to the embrace of legal tech across the judicial system in China. Government initiatives have led to the development of "Smart Courts" that make use of technology and data, online trial services, and AI-powered services integrated with ubiquitous platforms like WeChat.[90] The state has invested in streamlining judicial processes through automation and digitization,[91] and it made no secret of its desire to lead the world in artificial intelligence as well as to elevate the role, presence, and the image of the judiciary. This top-down support has given both the judiciary and legal practitioners the confidence and incentive to introduce AI-based tools.[92]

84. Dai, *supra* note 82, at 536.

85. *Id.* at 535–36.

86. Nyu Wang & Michael Yuan Tian, *"Intelligent Justice": Human–Centered Considerations in China's Legal AI Transformation*, 3 AI ETHICS 349, 350 (2023).

87. Dai, *supra* note 82, at 535.

88. *Id.*

89. *Id.* at 536.

90. Sebastian Ko, *5 Factors Driving the Chinese Lawtech Boom*, WORLD ECON. F. (Apr. 1, 2019), https://www.weforum.org/stories/2019/04/5-factors-driving-the-chinese-lawtech-boom/.

91. *See, e.g.*, Mimi Zou, "*Smart Courts" in China and the Future of Personal Injury Litigation*, J. PERS. INJ. L. 1, 2 (2020) (describing the development of open online judicial information platforms for the publication of all judicial documents produced by Chinese courts).

92. *Id.*

Structural, political, and cultural factors have also played an important role. Automated systems make it easier to monitor judges and standardize approaches. China's legal system is still young compared to those of other major economies, supporting experimentation.[93] The growth in public demand for legal services has been driven by new laws, rising disputes, and expanding awareness of legal rights. A smartphone-centric culture has further pushed the delivery of legal services into mobile formats. With a limited legacy infrastructure to disrupt, Chinese legal professionals have the potential to leapfrog conventional legal systems. Together, these factors have contributed to a government-supported ecosystem for judicial AI that has prioritized accessibility, scale, and efficiency, though potentially over other important considerations like fairness, accountability, and judicial authority.[94]

1. Core Judicial Functions

China has integrated AI into its core judicial functions for some time, in national, provincial, and municipal courts. Below, we highlight the Same Type Case Reference system (STCR) and FaXin at the national level, as well as local examples, particularly Shanghai's "System 206" and Hangzhou's Xiao Zhi 3.0. Much of the groundwork for the use of AI in the Chinese legal system has been laid by the country's national "Big Data" and related strategies.[95] For example, starting in 2014, the Supreme People's Court (SPC) mandated the public disclosure of judicial decisions, which were hosted on a centralized website called "China Judgments Online."[96] Although compliance with this mandate and comprehensive accountability remains a work in progress,[97] the platform hosted over 160 million documents at the time of this writing.[98]

93. Jinting Deng, *Should the Common Law System Welcome Artificial Intelligence: A Case Study of China's Same-Type Case Reference System*, 3 GEO. L. TECH. REV. 223 (2019) (describing how modern Chinese caselaw began in the 1980s).

94. *See, e.g.*, Nyu Wang et al., *supra* note 86, at 351 (describing challenges to the implementation of AI in the Chinese courts as including unproven technologies, uneven availability of case data, and a lack of accountability); *see also* Straton Papagianneas & Nino Junius, *Fairness and Justice Through Automation in China's Smart Courts*, 51 COMPUT. L. & SEC. REV. 1, 2–3 (2023) (surveying critical analyses of China's smart court initiatives and identifying due process, transparency, judicial independence, and fairness concerns).

95. *See* China's State Council, Promotion of Big Data Development Action Outlines in 2015, the Industry Ministry 2016–2020 Plan for the Development of the Big Data Industry in 2016, and subsequent initiatives.

96. *See* Stern et al., *supra* note 80, at 522.

97. *See id.* at 533–37.

98. CHINA JUDGEMENTS ONLINE, https://wenshu.court.gov.cn/ (last visited Feb. 2, 2026) (reporting 163M documents).

Commitments to digital services and big data have made possible the introduction of the STCR in 2015, a series of systems for promoting judicial uniformity by making prior cases binding on subsequent courts.[99] The infrastructure of the system includes a national database of continuously updated judicial decisions, software for searching and locating comparable cases among millions of judgments, and accountability rules that require cases to be decided in a way consistent with those previously decided.[100] The system allows judges to upload complaints or hearing records and retrieve comparable precedent cases.[101] The system can suggest outcomes, calculate expected sentences, and summarize typical remedies—effectively importing a form of precedent-based reasoning into a civil law framework. Although consistency in judicial outcomes is traditionally considered helpful in upholding democratic values, part of the purpose of STCR was and continues to be to strengthen supervision over ordinary judges and restrict judicial discretion. Most of the focus in this area has been on the vast amount of data that has been publicly released, without a full accounting for the data and cases that are missing/not public. Since the database of previous decisions informs this "precedent-based" reasoning, understanding and evaluating how complete the record is should remain a priority.[102] Although implementations of STCR vary by province, they rely heavily on computer and AI logics to provide case recommendations (through a "same-type" computer program), statistical analysis of prior analogous cases (through a "prior-case" analysis program), and draft judgments (through a "judgment-generating" program).[103]

Another major AI initiative has been Shanghai's "System 206," officially known as the Trial-centered Litigation Reform Software.[104] Its development began in 2017 under the umbrella of China's broader "Smart Justice" initiative, launched by the Supreme People's Court in 2016 to modernize the judiciary through digital tools, big data, and artificial intelligence.[105] Jointly created by iFlytech and Shanghai's judicial, procuratorial, and public security agencies, System 206 is an AI judicial assistant that can support various phases of the criminal process. It helps judges with fact finding, authenticating evidence, and

99. Deng, *supra* note 93, at 225.

100. *Id.* at 237.

101. *Id.* at 226.

102. *See* Stern et al., *supra* note 80, at 534.

103. Deng, *supra* note 93, at 252.

104. *See* YADONG CUI, ARTIFICIAL INTELLIGENCE AND JUDICIAL MODERNIZATION ix–xi (Cao Yan & Liu Yan trans., Springer 2020).

105. Wanqiang Wu & Xifen Lin, *Access to Technology, Access to Justice: China's Artificial Intelligence Application in Criminal Proceedings*, 81 INT'L J.L., CRIME & JUST. 1, 1 (2025).

improving consistency in criminal cases.[106] The 206 System can accept verbal commands to display relevant information on digital screens.[107] It is also able to transcribe speech throughout hearings and identify speakers according to their roles as judges, prosecutors (referred to in China as "procurators"), and defendants.[108] It was the first court to experiment with AI in adjudication.[109] But while its primary goals are to standardize evidence collection, reduce discretionary inconsistencies, studies of its operations suggest that the system has not necessarily lived up to its promise, its benefits have been unevenly realized, and its usage has concentrated in simple, high-volume cases.[110]

Another early and highly publicized system, in use in Hangzhou since 2019, is Xiao Zhi 3.0, or "Little Wisdom."[111] Although the system was originally just used for simple financial adjudications, its abilities have grown over time.[112] Today, it analyzes filings, summarizes disputes, evaluates evidence, and drafts judicial documents. In one widely publicized case, Xiao Zhi was used to hear and resolve a case, start to finish, in under 30 minutes.[113] Through remote proceedings, a "Robojudge," not only assists judges, but can also decide ecommerce, product liability and copyright disputes.[114] In some contexts, human judges that disagree with AI rulings are required to submit written explanations,[115] though it is unclear the degree to which judicial decisions, overall, are AI-assisted. Additionally, it is unclear whether litigants have the opportunity to opt-out of or object to the use of AI systems in their matters.[116]

These initiatives are poised to continue to proliferate. In 2024, China's Supreme People's Court introduced the FaXin foundation model system, a national large AI model designed to enhance the efficiency and application of

106. Jiang Wei, *China Uses AI Assistive Tech on Court Trial for First Time*, CHINA DAILY (Jan. 24, 2019), https://www.chinadaily.com.cn/a/201901/24/WS5c4959f9a3106c65c34e64ea.html.

107. Liang Chenyu, *Shanghai Court Adopts New AI Assistant*, SIXTH TONE (Jan. 25, 2019), https://www.sixthtone.com/news/1003496.

108. *Id.*

109. *Id.*

110. Wu et al., *supra* note 105, at 13; *see also* Stern et al., *supra* note 80, at 543.

111. Alena Zhabina, *How China's AI Is Automating the Legal System*, DEUTSCHE WELLE (Jan. 20, 2023), https://www.dw.com/en/how-chinas-ai-is-automating-the-legal-system/a-64465988.

112. *How Is China Using AI?*, APAC INSIDER (May 18, 2023), https://apacinsider.digital/how-is-china-using-ai/.

113. Zhabina, *supra* note 111.

114. Hadar Y. Jabotinsky & Michal Lavi, *AI in the Courtroom: The Boundaries of RoboLawyers and RoboJudges*, 35 FORDHAM INTELL. PROP., MEDIA & ENT. L.J. 286, 291 (2025).

115. *Id.* at 385.

116. Zhiyu Li, *AI and Human Judges in Chinese Courts* 7 (Jan. 10, 2025), http://dx.doi.org/10.2139/ssrn.5235753 (on file with the Berkeley Technology Law Journal).

AI technologies within the legal field, such as improving judicial paperwork processes.[117] The model's database contains 320 million entries, including legal documents, court judgments, cases, articles, and related materials, amounting to 3.67 trillion Chinese characters on multiple legal data platforms. Like STCR, FaXin seeks to strengthen supervision over ordinary judges and restrict judicial discretion.[118] The system issues an alert for supervisory review whenever a judge's decision differs from the AI recommendation.[119] Every action is timestamped and tied to the judge's final performance review, incentivizing judges to align with AI recommendations.[120] Finally, litigants see the final judgment but have no insight into the data or algorithms that shaped the decision.[121] Although this system arguably reduces idiosyncratic bias, it entrenches systemic conformity bias, particularly since the AI-influenced decisions of today become tomorrow's training data.[122]

2. Court Management

In addition to assisting judges, AI is also being deployed in China to support court operations, improving the administrative efficiency of judicial institutions. The Xiao Zhi 3.0 system supports not only case analysis but also logistical tasks like scheduling hearings and announcing court procedures. More broadly, the FaXin foundation model helps automate judicial paperwork and assists in training and standardization efforts by embedding best practices into its recommendations. Systems like STCR, while designed with jurisprudential aims, also serve a managerial role by ensuring compliance with centrally approved legal interpretations and reducing inconsistencies among lower court decisions.[123]

Case management is another realm to which data and AI have been applied. Various Chinese provinces have developed AI-based case management systems to meet different purposes. For example, the Zhejiang People's Procuratorate worked with Alibaba Cloud to co-develop a big data platform that visualizes case data in dynamic charts to support prosecutorial decisions.[124] In Beijing, a similar platform integrates litigation-stage data, enabling fast access to legal documents. Other provinces—like Guizhou,

117. Huaxia, *China Unveils AI Model to Facilitate Judicial Work*, XINHUANET (Nov. 15, 2024), https://english.news.cn/20241115/20c393c7d1a4441cad9581125cad4561/c.html.

118. Ernest Lim & Ilya Akdemir, *Same Words, Different Worlds: The Illusion of Shared Judicial AI Principles* (forthcoming) (manuscript at 22) (on file with authors).

119. *Id.*

120. *Id.*

121. *Id.* at 22–24.

122. *Id.* at 34.

123. *See* Deng, *supra* note 93, at 233–36.

124. Guo et al., *supra* note 80, at 85.

Hainan, Yunnan, Jiangsu, and Guangdong—are also developing their own AI-based systems, reflecting the broad integration of AI into case handling and court operations in criminal justice contexts.[125] "Smart Court" systems in, for example Hainan, Guizhou, Yunnan and Guangzhou provinces, have also applied AI to carry out a variety of functions including "litigation service reception, case file transfer, pretrial meetings, trial recording" and a variety of evidence-related tasks.[126]

3. Interfacing with the Public

China's Smart Courts initiative has also included a variety of mechanisms for making the court more accessible to ordinary users. This is most visible in the Internet Courts, first launched in Hangzhou in 2017 and later expanded to Beijing and Guangzhou.[127] Designed to handle online disputes efficiently,[128] these courts allow litigants to file, mediate, and resolve cases entirely online. Parties can access court services through a WeChat-based "mobile micro court" app that uses facial recognition to authenticate identities and allows for communication with judges via text or audio, uploading of evidence, and electronic signing of documents.[129] Pretrial mediation is integrated into the platform and, if successful, results in a binding agreement without the need for formal litigation. The Internet Courts also incorporate blockchain technology to store and authenticate digital evidence, a practice the Supreme People's Court has endorsed as legally valid when certain conditions are met. These courts function not only as a response to practical burdens—like geographic dispersion and overloaded dockets—but also as a testbed for more radical digital transformations in adjudication.

To bring legal information to the parties, the Beijing Internet Court has touted the use of digital assistants, even in hologram form, for providing basic guidance on laws, court procedures, and whether a court has jurisdiction or if alternative dispute resolution is more appropriate. Courts in a number of provincial level regions, including Beijing, Shanghai, and Guangdong, have also introduced AI-powered service robots in court halls. These bots help users navigate litigation manuals, judicial procedures, and offer information

125. *Id.*

126. *Id.* at 91.

127. Zou, *supra* note 91, at 4.

128. It has been reported that in Beijing, "the average duration of a case is 40 days; the average dispositive hearing lasts 37 minutes; almost 80 per cent of the litigants before the Chinese Internet courts are individuals, and 20 per cent corporate entities; and 98 per cent of the rulings have been accepted without appeal." Tara Vasdani, *Robot Justice: China's Use of Internet Courts*, LAW360 CANADA, (Feb. 5, 2020), https://www.law360.ca/ca/articles/1750396/robot-justice-china-s-use-of-internet-courts.

129. *See* Guo et al., *supra* note 80, at 85; *see also* Zou, *supra* note 91, at 4.

about specific judges and clerks. Some advanced models can even predict likely outcomes for a party before a case is formally filed, illustrating the growing sophistication of AI in legal access tools.[130]

Additionally, the FaXin model is accessible to the public, offering litigants AI-powered legal advice tailored to their specific situations. This marks a shift from purely internal judicial AI to tools that aim to close the information and guidance gaps experienced by unrepresented users.

C. THE UNITED STATES: JUDICIAL EXPERIMENTATION AND INNOVATION

In contrast to China and Brazil, in the United States there has been less uptake of AI systems built specifically for judges, and more piloting and experimentation across a variety of use cases. This is due in no small part to the decentralized nature of the American judiciary; along with one Supreme Court, 13 appellate courts, 94 trial court districts, and a handful of specialty courts at the federal level,[131] there are approximately 15,000 to 17,000 different state and municipal courts,[132] and a concomitant lack of uniformity with respect to procurement and use policies for adopting Al.[133] In the one realm in which there has been relatively high uptake, the adoption of algorithms in risk assessment contexts, there has also been vigorous debate and contestation, due to concerns about algorithmic bias, opacity, and the risk of due process violations.[134] A vibrant legal tech sector[135] and the integration of AI into

130. Zou, *supra* note 91, at 3.

131. *Court Role and Structure*, U.S. COURTS, https://www.uscourts.gov/about-federal-courts/court-role-and-structure.

132. Cary Coglianese & Lavi M. Ben Dor, *AI in Adjudication and Administration*, 86 BROOK. L. REV. 791, 794 (2021).

133. *See* Simshaw, *supra* note 6, at 806.

134. *See* Coglianese et al., *supra* note 132, at 805–11 (describing challenges to risk assessment tools). An evaluation by Jennifer Doleac and Megan Stevenson found that the use of risk assessments in sentencing contexts did not translate into gains in public safety or reductions in rates of incarceration, in part because of the ways in which judges deviated from tool recommendations. *See generally* Megan T. Stevenson & Jennifer L. Doleac, *Algorithm Risk Assessment in the Hands of Humans*, 16 ECON. POL'Y 382 (2024). Judges were also more likely to follow leniency recommendations for White rather than for Black defendants. *Id.* A recent analysis of 27,357 sentencing cases of drug offenses in Virginia between 2013 and 2022 concluded that a risk assessment tool's recommendations impacted judicial fairness in opposite directions, alleviating gender-based disparity in favor of females, but triggering racial bias favoring White over Black offenders. Yi-Jen (Ian) Ho, Wael Jabr & Yifan Zhang, *AI Enforcement: Examining the Impact of AI on Judicial Fairness and Public Safety* 4–6 (2024) (manuscript), https://ssrn.com/abstract=4533047.

135. As measured, for example, by legal tech funding. *See, e.g.*, Steven Lerner, *Legal Tech Sees 80% Funding Surge Amid AI Boom*, LAW360 (Apr. 7, 2025), https://www.law360.com/pulse/articles/2321847/legal-tech-sees-80-funding-surge-amid-ai-boom (describing the United States as the top country for receiving legal tech investment over the studied period).

mainstream legal research platforms have bolstered the uptake of AI by practicing lawyers.[136] But litigant use of AI has not necessarily built confidence in the capacity of generative artificial intelligence to support high quality work product, with numerous high-profile cases of lawyers filing briefs that contain hallucinated citations,[137] at least one of which has, unfortunately, made it into a court decision.[138] These incidents have, in turn, placed emphasis on the *responsive* role of U.S. courts to litigant use of AI, whether through the development of standing orders governing lawyers' uses of generative tools[139] or the recent proposed introduction of a new rule, Federal Rule of Evidence 707, to regulate the authentication and admission of evidence that is or is suspected to be machine-generated.[140]

Nevertheless, the conditions for the increased, *proactive* adoption of AI by judges and courts are also present. Electronic filings and digitalization, as well as the publication of court proceedings mean that massive troves of court records, pleadings, and decisions are available for training machines for both "LegalTech" and "JudgeTech" applications.[141] There is a yawning access to

136. *See, e.g.*, *LexisNexis Announces Launch of Lexis+ AI Commercial Preview, Most Comprehensive Global Legal Generative AI Platform*, LEXISNEXIS (May 4, 2023), https://www.lexisnexis.com/community/pressroom/b/news/posts/lexisnexis-announces-launch-of-lexis-ai-commercial-preview-most-comprehensive-global-legal-generative-ai-platform (discussing how LexisNexis announced the launch of its Lexis+ AI platform in May 2023); *see also Thomson Reuters Debuts Westlaw Precision*, PR NEWSWIRE (Sep. 14, 2022), https://www.prnewswire.com/news-releases/thomson-reuters-debuts-westlaw-precision-301624347.html (discussing how Westlaw Precision, which also incorporates generative AI, was introduced the year before).

137. As of January 31, 2026, Damien Charlotin has collected over 600 legal decisions in the U.S. in which generative AI produced hallucinated content, including both fake citations and other types of content. *See AI Hallucination Cases*, DAMIEN CHARLOTIN, https://www.damiencharlotin.com/hallucinations/.

138. Shahid v. Esaam, 376 Ga. App. 145, 145 (2025) (describing the trial court's use of "an order that relied upon non-existent case law").

139. Tracked, for example, by the law firm Ropes and Gray; by July 2025, its database of standing orders, local rules, or judicial decisions included 396 entries as of January 31, 2026. Amy Jane Longo, Shannon Capone Kirk & Isaac Sommers, *Standing Court Order Tracker*, ROPES & GRAY, https://www.ropesgray.com/en/sites/artificial-intelligence-court-order-tracker.

140. *See* Shane Ramsey, *Safeguarding the Courtroom from AI-Generated Evidence: Federal Rule of Evidence 707 Approved by Judicial Conference*, JD SUPRA (June 13, 2025), https://www.jdsupra.com/legalnews/safeguarding-the-courtroom-from-ai-1931550/ (describing that the new rule essentially requires machine-generated evidence to meet the same standard of admissibility as traditional expert evidence).

141. However, comprehensive access to federal court records generally requires a subscription to a commercial database or surmounting a government paywall, PACER, a problem that notable court record liberation efforts like the SCALES project are trying to address. David L. Schwartz, Kat M. Albrecht, Adam R. Pah, Christopher A. Cotropia, Amy Kristin Sanders, Sarath Sanga, Charlotte S. Alexander, Luís A.N. Amaral, Zachary D. Clopton, Anne M. Tucker, Thomas W. Gaylord, Scott G. Daniel & Nathan Dahlberg, *The SCALES*

justice gap—according to the Legal Services Corporation, "[l]ow-income Americans do not get any or enough legal help for 92% of their substantial civil legal problems."[142] Parties without legal training frequently are in direct contact with the court. As has been observed, the typical American civil trial court is "lawyerless"—in contrast to the situation within federal courts, "more than 75% of state court claims involve at least one party without legal representation."[143] Decentralization also supports experimentation as technology can be initially tried on a small scale without requiring systems-wide change.[144] In addition, as litigants increasingly turn to AI tools to carry out legal research, generate pleadings, and support the production of evidence,[145] it is inevitable that courts, too, will increasingly incorporate AI tools into their work flows. Indeed, over 50 courts at the time of this writing are reportedly actively testing AI tools for legal research, document review, and case management.[146]

Guidance issued by members of the American Bar Association (ABA) Task Force on Law and Artificial Intelligence Working Group on AI and the Courts has sanctioned doing so. While not formally endorsed by the ABA, the document nonetheless represents a thoughtful attempt to outline the judicial tasks to which the application of AI is recommended.[147] These include, in the realm of core judicial functions:

- Conducting legal research, when appropriately trained;
- Drafting routine orders;
- Searching and summarizing discovery;
- Creating event timelines; and

Project: Making Federal Court Records Free, 119 NW. U. L. REV. 23, 32–37 (2024) (describing the history of access to court records, and the SCALE project). There is no unified interface for accessing state court records.

142. LEGAL SERVS. CORP., THE JUSTICE CAP: THE UNMET CIVIL LEGAL NEEDS OF LOW-INCOME AMERICANS 7 (2022), https://lsc-live.app.box.com/s/xl2v2uraiotbbzrhuwtjlgi0emp3myz1.

143. Diego A. Zambrano, *Missing Discovery in Lawyerless Courts*, 122 COLUM. L.J. 1423, 1425 (2022).

144. Madison Alder, *U.S. Court System Eyeing AI Use Cases for Access to Justice, Cost Savings*, FEDSCOOP (May 6, 2025), https://fedscoop.com/u-s-court-system-eyeing-ai-use-cases-for-access-to-justice-cost-savings/ (describing the federated nature of the federal judiciary as providing opportunities for individual circuits and courts to experiment, learn, and teach).

145. *See* Wilf-Townsend et al., *supra* note 3, at 2–6.

146. NAT'L CTR. FOR STATE CTS., *Guidance for Implementing AI in Courts*, https://www.ncsc.org/resources-courts/guidance-implementing-ai-courts (reporting that 50+ courts are "actively testing AI tools for legal research, document review, and case management").

147. Hon. Herbert B. Dixon Jr, Hon. Allison H. Goddard, Maura R. Grossman, Hon. Xavier Rodriguez, Hon. Scott U. Schlegel & Hon. Samuel A. Thumma., *Navigating AI in the Judiciary: New Guidelines for Judges and Their Chambers*, 26 SEDONA CONF. J. 1 (2025).

- Evaluating submissions by the parties for legal sufficiency.

In the realm of court management:

- Generating court notices and communications;
- Court scheduling and calendar management;
- Translation of foreign language documents and transcription of court proceedings;
- Analysis of court operations; and
- Document organization and management.[148]

In the realm of public facing AI, the guidance also encourages the use of AI to enhance court accessibility services and assist pro se litigants.[149]

This work builds on the longstanding coordination efforts of the National Center for State Courts (NCSC) among state courts seeking to adopt AI. In 2020, the NCSC published "Introduction to AI for Courts," a short document that described some early examples of the use of AI by U.S. courts.[150] Following the introduction of ChatGPT, the NCSC launched, in coordination with the Conference of Chief Justices (CCJ) and the Conference of State Court Administrators (COSCA), the "AI Rapid Response Team" (RRT) to help respond to the new set of issues posed by generative AI.[151] In addition to a series of short "interim" guidance documents on various topics,[152] it released, in 2024, "Artificial Intelligence: Guidance for Use of AI and Generative AI in Courts."[153] Part primer and part guidance document, the RRT advises courts that are exploring the use of generative AI to take several steps: develop an internal use policy, start with a few low risk tasks, and use a "human-in-the-loop" or "human-on-the-loop" approach.[154]

148. *Id.* at 6–7.

149. *Id.*

150. JOINT TECH. COMM., *JTC Resource Bulletin: Introduction to AI for Courts* 2, 7 (Mar. 27, 2020), Nat'l Ctr. for State Cts., https://ncsc.contentdm.oclc.org/digital/collection/tech/id/930 (describing, for example, the use of facial recognition-based sign-on by Marion County judges, a New Jersey court chatbot called JIA); *see also* Marchant, *supra* note 81, at 481.

151. *See* Marchant, *supra* note 81, at 481–82.

152. *See, e.g.*, NAT'L CTR. FOR STATE CTS., AI AND THE COURTS: GETTING STARTED (Mar. 2024), https://www.ncsc.org/sites/default/files/media/document/RRT-AI-getting-started-march-2024.pdf.

153. *See generally* NAT'L CTR. FOR STATE CTS., ARTIFICIAL INTELLIGENCE: GUIDANCE FOR USE OF AI AND GENERATIVE AI IN COURTS (Aug. 7, 2024), https://nationalcenterforstatecourts.app.box.com/s/65mh1qmyx9ap469kjj386vhk0vxtpral.

154. *Id.* at 13–16.

In Fall 2024, NCSC launched a collaboration with the Thomas Reuters Institute to bolster the availability of AI tools, trainings, and recommendations for the courts.[155] The initiative is focused in particular on three areas: best practices in court and administration, AI for justice, and AI governance.[156] It offers an "AI Sandbox" in which judges and courts can experiment with different implementations of AI applications, alongside a database of judicial court orders, rules, and guidance documents from courts across the country.[157] This effort supports a broader community of practice, the "Court AI Implementers' Forum," through which state courts can collaborate on their AI implementations.[158] State bar associations and professional organizations across the country are also establishing committees to produce guidance on the use of AI; that which is directed at judges have emphasized a few points:[159] first, that AI use by the judiciary must be cabined—only judges can decide cases;[160] second, that judges have an ongoing ethical duty to understand and remain competent in technology;[161] and third, that while AI holds great promise, its risks must be managed.[162] For example, in October 2025, New York announced an AI policy for its courts, specifying which AI platforms may be used, and prohibited judges from "engag[ing] [AI] in the decision-

155. *AI in Courts Resource Center Launches to Empower Justice with AI*, THOMSON REUTERS (Jan. 6, 2025), https://www.thomsonreuters.com/en-us/posts/ai-in-courts/ai-in-courts-resource-center-launches/.

156. *Id.*

157. *AI in State Courts*, NAT'L CTR. FOR STATE CTS., https://www.ncsc.org/resources-courts/ai-state-courts (last visited June 9, 2025); *see also* Andre Assumpcao, *NCSC's 'Sandbox' Tool Aims to Help Courts Utilize AI Systems*, LEGALNEWS (Mar. 6, 2025), https://www.legalnews.com/Home/Articles?DataId=1582524.

158. *See Artificial Intelligence (AI)*, NAT'L CTR. FOR STATE CTS., https://www.ncsc.org/resources-courts/artificial-intelligence (demonstrating how platforms are encouraging court professionals to share their experience with AI).

159. *See* Marchant, *supra* note 81, at 483–85.

160. *Id.* (referring to the New Jersey Supreme Court's adoption of a Statement of Principles for the use of AI by the N.J. Courts); *see also* William M. Carlucci, Kaitlyn E. Stone & Michael Zogby, *Supreme Courts of Delaware and Georgia Take Steps to Regulate the Use of Artificial Intelligence*, NAT'L L. REV. (Oct. 24, 2024), https://natlawreview.com/article/supreme-courts-delaware-and-georgia-take-steps-regulate-use-artificial-intelligence (describing interim policy of the Delaware Supreme Court emphasizing that GenAI should not serve "as a substitute for judicial, legal, or professional expertise" or human "decision-making function[s]."); *see also Illinois Supreme Court Announces Policy on Artificial Intelligence*, ILL. CTS. (Dec. 18, 2024), https://www.illinoiscourts.gov/News/1485/Illinois-Supreme-Court-Announces-Policy-on-Artificial-Intelligence/news-detail/ (emphasizing that "[j]udges remain ultimately responsible for their decisions, irrespective of technological advancements").

161. *See* Marchant, *supra* note 81, at 484 (referencing the Michigan ethical advisory opinion).

162. *See id.* at 484–85 (referencing the Connecticut guidance, which includes an impact assessment methodology and the noting of risks by the New Jersey and Michigan statements).

making tasks a judge is ethically obligated to perform."[163] Meanwhile West Virginia's judicial commission concluded that while AI may be used for research purposes, it may not be used to reach a conclusion on the outcome of a case.[164]

In 2025, the Administrative Office of the Courts (AOC) launched a new "AI Pilot" initiative to work with district and circuit courts to identify and meet their needs using AI.[165] While the details are still emerging, chatbots that can enable the provision of services after hours appear to be one area of particular interest.[166] The AOC has also reportedly created a task force to ascertain the need for policies on the judicial use of AI.[167]

Notably in October 2025, following the news that two district court judges used generative AI to draft factually inaccurate court orders, Senate Judiciary Committee Chairman Chuck Grassley called for the judicial branch to develop more decisive, meaningful and permanent AI policies and guidelines.[168]

These broader, systemic efforts complement what one judge has described as the individualized journey of each chamber to explore how best to integrate AI into its workflows,[169] particularly with an increasing influx of clerks trained on and familiar with AI tools. This process requires a careful weighing of the benefits of AI against the panoply of risks AI technologies still present, with a number of judges deciding it is worth it to use AI for core tasks.[170] Below, we

163. Nikola L. Datzov, *AI Jurisprudence: Toward Automated Justice*, 23 NW. J. TECH. & INTELL. PROP. 1, 83 (2025).

164. *Id.*

165. *See* Madison Alder, *U.S. Court System Eyeing AI Use Cases for Access to Justice, Cost Savings*, FEDSCOOP (May 6, 2025), https://fedscoop.com/u-s-court-system-eyeing-ai-use-cases-for-access-to-justice-cost-savings/.

166. *Id.*

167. Jacqueline Thomsen, *US Courts Cautiously Experiment with AI to Speed Up Their Work*, BLOOMBERG L. (Apr. 7, 2025), https://news.bloomberglaw.com/us-law-week/us-courts-cautiously-experiment-with-ai-to-speed-up-their-work.

168. *Grassley Releases Judges' Responses Owning Up to AI Use, Calls for Continued Oversight and Regulation*, U.S. SENATE COMM. ON THE JUDICIARY (Oct. 23, 2025), https://www.judiciary.senate.gov/press/rep/releases/grassley-releases-judges-responses-owning-up-to-ai-use-calls-for-continued-oversight-and-regulation.

169. J. Herbert B. Dixon Jr., *I Am a Judge. Should I Use AI to Do My Job? Which AI Tools Should I Use?*, 64 JUDGES' J. 36 (2025), https://www.americanbar.org/content/dam/aba/publications/judges_journal/vol64no1-jj2025-tech.pdf.

170. *See id.*; *see also* James O'Donnell, *Meet the Early-Adopter Judges Using AI*, MIT TECH. REV. (Aug. 11, 2025), https://www-technologyreview-com.cdn.ampproject.org/c/s/www.technologyreview.com/2025/08/11/1121460/meet-the-early-adopter-judges-using-ai/amp/ (detailing the use of generative AI by individual US judges to summarize cases, generate

highlight selected instances in which U.S. courts have adopted AI, mindful that our description includes only a small fraction of the initiatives unfolding across the American judiciary.

1. Core Judicial Functions

One of the most intriguing ways in which AI has been used, in a few cases, is as a tool for engaging in legal reasoning. In a pair of decisions, Judge Kevin Newson of the 11th Circuit Court of Appeals described a considered experiment to use LLMs, not as drafting tools, but as thought partners of sorts.[171] At issue in a first case was the meaning of the word "landscaping," and whether or not a trampoline, installed at the ground-level, qualified.[172] Working with a clerk, Judge Newsom's concurrence describes asking ChatGPT and other LLMs about the ordinary meaning of the term, and then ultimately, for an analysis of the legal question.[173] On this basis, as well as a consideration of the benefits and drawbacks of using AI, the judge concluded that LLMs could be helpful in the judicial task of ordinary-meaning making. Alongside dictionaries, semantic canons, and other approaches, LLMs deserved their place, he concluded, in the "textualist toolkit."[174] In a second case, Judge Newsom extended the experiment to the task of interpreting the phrase, "physically constrained."[175] He found the LLMs useful for understanding composite phrases, which tend not to be listed in dictionaries, even if their responses varied each time the queries were asked.[176] In another case, before the D.C. District Court of Appeals, the majority, concurrence, and dissent each discussed the merits of using ChatGPT as a source for determining whether or not leaving a dog in a hot car amounted to animal cruelty, among other topics.[177] But in contrast to Judge Newsom, the judges expressed much greater

timelines, come up with questions for attorneys, and order information from complex dockets).

171. Snell v. United Specialty Ins. Co., 102 F.4th 1208, 1221 (11th Cir. 2024) (Newsom, J., concurring); United States v. Deleon, 116 F.4th 1260, 1270 (11th Cir. 2024) (Newsom, J., concurring).

172. *Snell*, 102 F.4th at 1212–13.

173. *Id.* at 1224–25.

174. *Id.* at 1226 (describing LLMs as "one implement among several in the textualist toolbox—to inform ordinary–meaning analyses of legal instruments."). Notably, the majority opinion took the opinion that it did not need to decide the meaning of the word "landscaping" in order to resolve the appeal. *Id.* at 1221.

175. *Deleon*, 116 F.4th at 1274 (describing references to three LLMs, each of which he posed his queries to ten times).

176. *Id.*

177. *See, e.g.*, Ross v. United States, No. 23-CM-1067, at *11 n.2 (D.C. Ct. App., Feb. 20, 2025), https://www.dccourts.gov/sites/default/files/2025-02/Ross-v-United-States-23-CM-1067-S.pdf; *see also id.* at *20–27 (Howard, J., concurring); *id.* at *37 n.5 (Deahl, J., dissenting).

skepticism that ChatGPT is necessarily "a good proxy for what is, and what isn't, common knowledge."[178]

In contrast to generative AI technology, risk assessment tools have been widely used by U.S. courts, in criminal justice cases. Such instruments use a variety of factors to estimate the probability of an outcome like reoffending or failing to appear in court. The Mapping Pretrial in Justice project has documented the use of pretrial risk assessment tools in all but four states,[179] the two most popular instruments being the Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) and LSI-R (Level of Service Inventory-Revised).[180] As described above, the use of these instruments has been highly scrutinized and criticized; a recent study that probed public perception of the use of AI in bail and sentencing contexts found that people tended to view judges that relied solely on their own expertise more positively than judges who relied on AI, either partially or completely.[181] The mixed reception of the public to the use of such inputs in criminal justice contexts has likely contributed to the cautious approach taken by the courts to AI in general.

Courts are also experimenting with online dispute resolution (ODR)—the use of information and communications technology to help individuals resolve their disputes without having to resort to formal court processes. Algorithms are already reportedly being used as part of ODR proceedings in Utah, Wisconsin, California, and elsewhere, in a number of lower-stakes contexts.[182] In the future, one could imagine AI playing a number of roles in more complex proceedings, for example as a digital advisor helping guide parties through distinct phases of a dispute resolution process.[183]

178. *Id.* at *11 n.2.

179. *National Landscape*, MAPPING PRETRIAL INJUSTICE, https://pretrialrisk.com/national-landscape/.

180. *See* Simshaw, *supra* note 6, at 806 n.63.

181. *See* Fine et al., *supra* note 10, at 492. *But see id.* at 491 (finding Black study participants to have more positive views of judicial processes, whether or not with AI).

182. Samuel D. Hodge Jr., *Is the Use of Artificial Intelligence in Alternative Dispute Resolution a Viable Option or Wishful Thinking?*, 24 PEPP. DISP. RESOL. L.J. 91, 108 (2024) (describing the application of "algorithm-based ODR" to "small monetary disputes, traffic tickets, outstanding warrant issues, and 'low-conflict family court cases.'").

183. Kendal Enz & Colin Rule, *Nerding Out on Dispute Resolution: An Interview with ODR.com's Colin Rule*, MEDIATE (Jan. 8, 2025), https://mediate.com/nerding-out-on-dispute-resolution-an-interview-with-odr-coms-colin-rule/; Kate Shonk, *AI Mediation: Using AI to Help Mediate Disputes*, PROGRAM ON NEGOT.: HARV. L. SCH. (June 10, 2025), https://www.pon.harvard.edu/daily/mediation/ai-mediation-using-ai-to-help-mediate-disputes/ (describing a mediation in which ChatGPT was used by a mediator to suggest a number to propose to the parties, which was used to help break the impasse between them).

2. Court Management

Outside of the realm of core judicial functions, AI has been applied to a variety of court management tasks. Since 2016, the 15th Judicial Circuit (Palm Beach County) has used a combination of "narrow AI" and "robotic process automation (RPA)" to streamline docketing tasks.[184] A technology tool used by the county, Intellidact AI,[185] uses machine learning to automatically 'read' filed documents, extract relevant data, fill out docket sheets to be put into the case management system, and then publish the resulting documents.[186] Implementation of the system in Palm Beach was reported to lead to a 4-fold increase in processing speed for electronic filings, along with a significant reduction in errors and an increase in user satisfaction, and an approximate $2.5 million in savings annually.[187] Similar systems have been deployed in Texas and California.[188] Other experiments in court management include the use of AI to aggregate information from multiple sources in order to better manage juvenile court cases in Montgomery County, Ohio.[189]

Detecting legal errors on forms and pleadings represents another time-consuming and laborious task ripe for automation. Los Angeles Superior Court is working with researchers from Stanford on a tool that can check "default judgements," which are entered when a defendant fails to show up or respond to a complaint, and ensure that they are actually legally warranted.[190] Early results suggest that AI may be able to detect errors in up to 10% of cases as compared to a 1% error detection rate in the case of human review, a

184. *See* Glen Bischoff, *Key Takeaways from the 2023 Courts Technology Conference—Part 1*, MISSION CRITICAL PARTNERS (Oct. 5, 2023), https://resources.missioncriticalpartners.com/insights/key-takeaways-from-the-2023-courts-technology-conference-part-1 (discussing Parik Chokshi—circuit court clerk, comptroller, and director of enterprise applications for Palm Beach County, Florida).

185. *Palm Beach Clerk Receives National Digital Innovation Award for Its Use of CSI Intellidact AI*, FL. CT. CLERKS & COMPTROLLERS (Jan. 4, 2019), https://www.flclerks.com/news/news.asp?id=432529.

186. Felicity Bell, Lyria Bennett Moses, Michael Legg, Jake Silove & Monika Zalnieriute, *AI Decision-Making and the Courts: A Guide for Judges, Tribunal Members and Court Administrators*, AUSTRALASIAN INST. JUD. ADMIN. LTD. 26 (2022), https://aija.org.au/publications/ai-decision-making-and-the-courts-a-guide-for-judges-tribunal-members-and-court-administrators/.

187. *See* Bischoff, *supra* note 184.

188. *See* Bell et al., *supra* note 186.

189. *See* Marcus W. Reinkensmeyer & Raymond L. Billotte, *Artificial Intelligence (AI): Early Court Project Implementations and Emerging Issues*, NACM: CT. MANAGER (Aug. 2019), https://thecourtmanager.org/articles/artificial-intelligence-ai-early-court-project-implementations-and-emerging-issues/.

190. Shana Lynch, *Harnessing AI to Improve Access to Justice in Civil Courts*, HAI: STAN. U. HUM.-CENTERED A.I. (Mar. 4, 2025), https://hai.stanford.edu/news/harnessing-ai-to-improve-access-to-justice-in-civil-courts.

dramatic increase.[191] This can be particularly meaningful in the context of evictions where a landlord's improper service, damages miscalculations, or the failure to meet a rental arrears threshold could all be reasons that a default judgment is improper.

3. Interfacing with the Public

A number of U.S. courts have deployed bots—both physical and virtual—to provide triage and navigational services to the public. In this Section, we highlight a handful of them to provide a sense of the range of uses of bots by courts, as well as legal aid service providers.[192]

In an early effort, the 20th Circuit Court, Ottawa County, Michigan, introduced a robotic "concierge" at the local courthouse. Court Operated Robot Assistant (CORA) provided maps and directions, court dockets, judge biographies, and answers to frequently asked questions (FAQs), in Spanish and English,[193] eliciting a positive reception among certain court visitors, but, also, cost and job displacement concerns.[194]

Virtual chatbots have been more widely deployed, for example, by the Arizona Judicial branch, California Superior counties of Riverside and Los Angeles, as well as by courts in Montana and elsewhere.[195] In 2022, the 11th Judicial Circuit of Florida announced the launch of an online AI chatbot named SANDI (Self-Help Assistant Navigator for Digital Interactions).[196] Alongside website navigation assistance, SANDI offers assistance to people representing themselves in divorce and other Family Division cases.[197] Behind the visage of a digital avatar, and capable of receiving both voice and text commands, SANDI can answer frequently asked questions about the Family Court Self-Help Program and direct users to the appropriate web pages for forms and instructions.[198] The court reportedly experienced a 94% reduction

191. Stanford HAI, *HAI Seminar with David Engstrom: AI and Access to Justice*, at 42:55, YOUTUBE (Feb. 28, 2025), https://youtu.be/qS9CEdymWxI?si=Zf4rM0vZYCapGG-N.

192. The National Center for State Courts' 2024 report on Chatbots has compiled a list of them. *See* A. Souza & Z. Zarnow, *Court Chatbots: How to Build a Great Chatbot for Your Court's Website.*, NAT'L CTR. FOR STATE CTS. 25–26 (2024), https://www.ncsc.org/sites/default/files/media/document/Court-Chatbots.pdf.

193. Reinkensmeyer et al., *supra* note 189.

194. *Id.*

195. Souza et al., *supra* note 192.

196. *Miami-Dade Courts Now Offer Website Navigation Help Via Online Chat with Digital Assistant SANDI*, ELEVENTH JUD. CIR. FLA. (July 25, 2022), https://www.jud11.flcourts.org/Court-Announcements/ArtMID/584/ArticleID/4522/Miami-Dade-Courts-Now-Offer-Website-Navigation-Help-via-Online-Chat-with-Digital-Assistant-SANDI.

197. *Id.*

198. Eunice Sigler, *SANDI: Improving Court Access and Service in Miami with an Advanced Artifical Intelligence Chatbot*, CT. NEWS FLA. (June 28, 2023), https://news.flcourts.gov/All-

in live chats after adopting the technology.[199] The bot's expertise also "grew" based on interactions with the public, synthesizing answers to new questions built upon an initial knowledge base.[200] Using a similar technology, New Mexico implemented CLARA, a multilingual AI avatar stationed in courthouse kiosks[201] and online to assist the public. CLARA interacts through an on-screen persona and can answer questions or guide users to services in multiple languages, entered through text or voice command inputs.[202] These AI assistants can provide 24/7 services, in multiple languages, in a form much more friendly than court websites.

As of the time of this writing, the Alaska Court System (ACS) was working to develop an AI-powered chatbot called the Alaska Virtual Assistant, or AVA, with the legal tech firm LawDroid.[203] The goal is to create a conversational interface for delivering information currently captured within the 220 pages of static content on the Court's website.[204] A presentation of the project reported on the need for deliberation, vetting, and testing while the model was fine-tuned.[205]

In 2025, the Supreme Court of Nevada's Administrative Office of the Courts enlisted the help of technology company CiviLaw.Tech to develop online tools including instructional step-by-step guides, informative videos about navigating the court system, and an AI-powered chatbot that offers guidance in over 50 languages.[206]

Court-News/SANDI-Improving-Court-Access-and-Service-in-Miami-with-an-Advanced-Artificial-Intelligence-Chatbot.

199. *Id.*

200. *Id.*

201. *NM Ranked #1 in Nation for Language Access in the Justice System*, N.M. ADMIN. OFF. CTS. (June 15, 2021), https://nmcourts.gov/wp-content/uploads/2024/03/NM-ranked-1-in-nation-for-language-access-in-the-justice-system-June-15-2021.pdf.

202. *See* Souza et al., *supra* note 192, at 18 (describing Clara as "speak-to-chat").

203. Natalie Runyon, *Chatbots for Justice: Building AI-Powered Legal Solutions Step By Step*, THOMSON REUTERS (Mar. 12, 2025), https://www.thomsonreuters.com/en-us/posts/ai-in-courts/chatbots-for-justice-building-ai-powered-legal-solutions/.

204. Jeannie Sato, Dir., Access to Just. Servs., & Tom Martin CEO, LawDroid, Tech for All: Applications of AI to Increase Access to Justice 2, NAT'L CTR. FOR STATE CTS., https://nationalcenterforstatecourts.app.box.com/s/aghv4c5h169wdysq74n04lt5nbgxep0s. Hawai'i has introduced a similar AI tool for navigating court website information. *See Hawai'i State Judiciary Launches AI-Powered KolokoloChat for Law Day 2025*, HAW. STATE JUDICIARY (May 1, 2025), https://www.courts.state.hi.us/news_and_reports/2025/05/hawai%CA%BBi-state-judiciary-launches-ai-powered-kolokolochat-for-law-day-2025.

205. *See generally* Sato & Martin, *supra* note 204.

206. *Nevada Judiciary Expands Free Legal Resources with Self-Help Website*, NEV. ADMIN. OFF. OF CTS. (Mar. 3, 2025),
https://nvcourts.gov/aoc/aoc_news/
nevada_judiciary_expands_free_legal_resources_with_self-help_website.

Adjacent to the formal legal system, legal aid organizations have also developed a number of chatbots to help unrepresented litigants exercise their rights. For example, in 2024, Legal Aid of North Carolina (LANC) developed a generative AI chatbot (named "LIA") that provides answers to legal questions in English and Spanish.[207] Developed in LANC's Innovation Lab in collaboration with LawDroid, LIA is designed to efficiently provide high-quality legal information to underserved communities. LIA automates routine communications and provides self-service options for simple legal matters, streamlining the overall client experience. Powered by models like GPT-4 and BERT, and supported by LawDroid's technical infrastructure, LIA focuses on high-demand areas such as domestic violence, child custody, landlord-tenant issues, and consumer law. Meanwhile, in Missouri, an online screening tool helps tenants determine eligibility for legal assistance before connecting with program staff. The AI-chatbot, "MOLS," can help individuals determine whether their issue is one legal aid can address.[208] Also for tenants, Rentervention is an AI virtual assistant launched by the Law Center for Better Housing, the Illinois Equal Justice Foundation, and the Lawyers Trust Fund of Illinois.[209] Through it, Illinois renters can access information and resources on housing rights, as well as connect with an attorney if legal advice is needed. A counterpart tool in New York, "Roxanne," developed in partnership with New York University School of Law and the legal automation company Josef assists tenants in addressing housing repair issues. The tool seeks to both educate renters and help them enforce their rights.[210]

These collaboratively developed tools demonstrate the responsiveness of the courts and legal community to the needs of the public and underserved litigants. But the extent to which the initiatives described above remain "demonstration" projects as opposed to the norm in U.S. courts depend on a number of factors beyond the scope of this Article including the emergence

207. *Legal Aid of North Carolina Launches LIA 2.0, Marking a New Era in Accessible, AI-Powered Legal Information*, LEGAL AID OF N.C. (Nov. 18, 2025), https://legalaidnc.org/2025/11/18/legal-aid-of-north-carolina-launches-lia-2-0-marking-a-new-era-in-accessible-ai-powered-legal-information/.

208. *Places to Get Help*, MO. TENANT HELP, https://motenanthelp.org/places-to-get-help/.

209. Shiva Kooragayala, *Using Generative A.I. to Expand Legal Aid: The Case of "Rentervention"*, MEDIUM (July 17, 2024), https://medium.com/justice-rising/using-generative-a-i-to-expand-legal-aid-the-case-of-rentervention-88df92e477c1.

210. Bob Ambrogi, *AI-Powered Tool Launches to Help New York Tenants Enforce Their Repair Rights*, LAWSITES (Jan. 7, 2025), https://www.lawnext.com/2025/01/ai-powered-tool-launches-to-help-new-york-tenants-enforce-their-repair-rights.html; *see also* Colleen V. Chien & Miriam Kim, *Generative AI and Legal Aid: Results from a Field Study and 100 Use Cases to Bridge the Access to Justice Gap*, 57 LOY. L.A. L. REV. 903, 967–68 (2025) (describing, among others, Rasa and Visalaw.Ai).

of funding models and development of scalable solutions within a fragmented landscape. An additional, formative factor in the case of legal aid technologies will be the enduring strength of laws prohibiting the unauthorized practice of law, which limit the support that AI tools can offer to the provision of legal information, not advice.[211]

IV. THE PATH FORWARD: INTEGRATING ARTIFICIAL INTELLIGENCE IN JUDICIAL SYSTEMS

Our brief survey of the use of artificial intelligence (AI) by three judicial systems underscores that successful implementation of AI transcends mere technological adoption. Rather, meaningful AI deployment requires consideration of judicial operations, data governance, and justice delivery mechanisms and social imperatives—harmonizing technological capabilities with institutional capacity and jurisprudential traditions.

A. DATA INFRASTRUCTURE AND INSTITUTIONAL FOUNDATIONS

The experiences of Brazil and China demonstrate how robust data architecture can serve as the cornerstone for scalable AI utilization within judicial frameworks. Brazil's commitment to digital recordkeeping, culminating in near-universal electronic filing protocols and the establishment of the CODEX data repository show how digitization constitutes merely the preliminary phase of technological integration. The substantive challenge lies in developing interoperable, high-fidelity datasets capable of supporting sophisticated analytical applications and predictive modeling systems. In a similar vein, China's comprehensive national Big Data initiatives have enabled platforms such as the Same Type Court Reference (STCR) system and the FaXin judicial database, which integrate hundreds of millions of legal instruments into unified platforms. Atop these data infrastructures, meaningful JudicialTech has been developed in each country to effectively provide a "first draft" of a wide variety of court documents. Both jurisdictions successfully transitioned from isolated pilot programs to systemic AI integrations because they coupled technical preparedness with sustained institutional commitment and strategic vision.

In contrast, the United States experience exemplifies how a more cautious approach to automation, centered in due process and individualized justice as well as decentralized experimentation can also support innovation in service of judicial mission, individual court preference, and autonomy, but at a much smaller scale. As the efforts described earlier to centralize and coordinate

211. *See* Stephanos Bibas, *Lawyers' Monopoly and the Promises of AI*, 134 YALE L.J. F. 920, 921 (2025).

across the U.S. judiciary take shape, the likelihood of greater technological and procedural legal interoperability—essential for more systematic reform—will also increase.

B. GOVERNANCE FRAMEWORKS AND JUDICIAL LEADERSHIP

Our comparative analysis also reveals that diverse governance models may successfully foster technological advancement, once there exists committed leadership dedicated to responsible innovation principles. Brazil's centralized oversight mechanism, administered through the National Council of Justice, facilitated the development of rights-based regulatory frameworks, including Resolutions No. 332/2020 and 615/2025, which effectively balance technological innovation with constitutional safeguards and due process protections. China's hierarchical, state-directed implementation model has allowed it to develop initiatives with local and national reach. The United States experience, while characterized by jurisdictional fragmentation, also demonstrates how localized leadership and professional organizations can advance AI adoption even in the absence of formal federal mandates or comprehensive regulatory frameworks.

These divergent approaches confirm that no singular model guarantees successful implementation. The determinative factors extend beyond technological sophistication to encompass institutional vision and organizational capacity to integrate AI systems in alignment with existing legal frameworks and public expectations regarding judicial administration.

C. BALANCING TECHNOLOGICAL INNOVATION, HUMAN ADJUDICATION, AND SOCIETAL IMPERATIVES

Despite significant differences in their approaches, Brazil, China, and the United States commonly confront the fundamental challenge of balancing technological innovation with the preservation of human judicial discretion and the protection of constitutional and statutory rights. Brazil's constitutional framework explicitly mandates that AI systems function as auxiliary tools rather than substitutes for judicial decision-making processes. China's automated systems, while more extensively integrated, continue to require human oversight in critical adjudicatory functions, though the equilibrium between algorithmic processing and human intervention differs substantially from Western models. In the United States, early experiences with risk assessment tools as well as more recent cases of litigant uses of generative AI have collectively illustrated the importance of human oversight. In the absence of centralized mandates, they have increased the pressure on local court governance, professional responsibility codes, and judicial discretion. The societal pressures driving AI adoption—including massive litigation volumes, acute shortages of legal professionals, and persistent access-to-justice gaps—

underscore the urgency of achieving this delicate balance. However, sustainable integration requires more than technical solutions: it demands institutional wisdom to deploy AI responsibly, ensuring that technological systems enhance rather than supplant the core adjudicatory functions of judicial institutions.

V. CONCLUSION

The comparative experiences of Brazil, China, and the United States illustrate that AI can meaningfully reshape judicial administration through diverse institutional pathways. Each jurisdiction reflects distinct governance models, legal traditions, and societal priorities, which in turn inform their respective approaches to AI integration. Rather than suggesting a singular trajectory or ranking of advancement, these variations highlight the contextual nature of technological adaptation within judicial systems.

Common principles nonetheless emerge: the importance of robust data infrastructure, thoughtful and accountable leadership, human-centered design, and the need to align technological capabilities with institutional mandates and values. These shared elements underscore that while implementation strategies may differ, foundational challenges—and aspirations—remain broadly convergent.

As courts move from pilot initiatives toward more enduring forms of AI integration, a central insight is that what matters is not only the relative speed or scale of adoption, but the quality and care with which AI is embedded into judicial processes. As with many things, automated justice can be considered a "double-edged sword"—easing the load of judges on the one hand but reducing incentives for the thorough consideration of the record and identification of opportunities to evolve the law.[212] A higher volume of cases handled with AI does not necessarily equate to a greater number of people receiving adequate help or the increased legitimacy of the courts.[213] Technology offers powerful tools for institutional improvement, but its contribution depends on transparent, deliberate governance that centers humans—in the tasks of both formulating justice as well as receiving it. The future of AI in the judiciary will be determined not by the sophistication of algorithms, but by the evolutionary capacity of legal institutions to integrate them in ways that strengthen rather than substitute the foundational promise of justice under law.

212. *See* Li, *supra* note 116, at 5–7.
213. *Id.* at 7.