

Chapter 1

A Comparative Study on Artificial Intelligence and Courtroom Practices With India, UK, and USA

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ABSTRACT

This chapter explores the applicability of AI in courtrooms and the related practices. Inspired by the works of AI developers in India and globally including LAW BOT PRO, CHATGPT, COMPAS, and HART, this chapter addresses the evolution of machine learning and artificial intelligence, its mechanism, applicability in business matters, courtroom practice, how AI is involved in the general practice of court, and its position globally and in Indian perspective. It addresses concepts regarding AI that are used in countries like the United States and the United Kingdom and its legal implications, the comparative study on the working mechanism of these AI in different countries, the ways it will aid within the legal or court system, the ethical principles as per the European Union (EU), the distinction between AI for court and AI in court, the challenges it faces entering the justice system, whether it will replace lawyers, and is it trustworthy.

INTRODUCTION

Our generation should be considered as the beginning era of man-made, non-human intelligence. The concept of life is unknown to the time. Several approaches have been made on existence of life yet the source of life is still a mystery. An intelligence

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is evolved by a natural human to assist himself was started way before several decades in the form of machines and at present it gained its splashing momentum by enhancing its activities as if done by a human being. It assists mankind in several streams. To be cautious it was at the first instance created only for assisting human kind activities. Just like the nervous system it has neural networks and a determined decision-making skill just like human. The major question is whether all human's decision wise? No, that's the difference between them. It runs on a pre-determined rules to make decision rather what a natural human do. The major difference is that it is a programmed one and not in physical presence rather it is travelling through the signals of consisted networks.

These machine learning systems by way of utilizing algorithms and learn from data by using artificial neural networks to stimulate the way human brain works is termed as Artificial Intelligence, AI. It was started as an image and speech recognition and now it has been developed into autonomous vehicles and entered into at least with a specific aspect in every profession. Let me put the problem straightforward here. Do the advent of AI in every profession leads to the problem of techno-human unemployment? Will it be regarded as the new world order? In simple terms, if not accepted now, there always lies a future where technology grows and will there be a position of AI based labour or employment system being adopted where no man has a choice of getting employed? It again leads to the debate, whether technology be considered superior than the human resource?

The first artificial intelligence system was developed in 1956 and it was a computer programme designed to play checkers, a game. It was created by Arthur Samuel (McCarthy & Feigenbaum, 1990) one of the participants in the Dartmouth conference and it was there the term Artificial Intelligence coined. We can analyse how an AI developed from a game of checkers to play the profession of employed persons almost in every aspect. Further it is not the one which always got programmed. Samuel's checkers programme was the first example of a machine learning algorithm, which he trained to play checkers by having it play games against itself and learn from its mistakes (McCarthy et al., 2006). So, we cannot go into the assumption that how a programmed AI functions the job of an employee. But the real question here is how can an AI take over a profession? There is an ultimate difference between an employment and a profession. Let us take the example of software developer, he works with an AI and the takeover by AI is a simple job that an AI develops a system. But it is not the case with a profession especially considering a legal profession. To be particular, the courtroom profession.

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