

JUDICIAL INTEGRITY NETWORK ASEAN

EMERGING TECHNOLOGIES AND JUDICIAL INTEGRITY TOOLKIT FOR JUDGES

JIN
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ASEAN



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Emerging Technologies and Judicial Integrity Toolkit for Judges

The Judicial Integrity Network ASEAN (JIN ASEAN) published a report on the impact of emerging technologies on judicial excellence based on a survey of judges about their experiences with new technology. The Report made nine recommendations about areas where judges can bring their leadership and expertise on rights protection, rule of law and equality to the introduction of new technologies into court processes and operations.

These nine recommendations include strategies to build the capacities of individual judges to understand the impact of new technologies on rights in the courtroom and strategies to shift in the role of the judiciary in the planning and implementation of new technologies.

RECOMMENDATIONS

Ask questions about the data being used to train the algorithms	Identify gender, racial and identity-based bias in machine learning processes	Receive detailed briefings about the training of AI systems
Prepare litigants & witnesses for the virtual court process, decorum & technology use	Raise rule of law and trial fairness criteria when new technology is proposed	Scrutinize evidence and witness testimony presented through new technologies
Promote understanding of the court processes with litigants and witnesses	Support judicial colleagues to build the skills & understanding of the new technologies	Maintain rigorous attention to avenues for corruption

This set of tools is designed to respond to these nine recommendations. Each tool can be used by a judge for self-study or management of their courtroom, whether in-person or virtual or can be used by judiciaries or judges sitting on planning committees to bring judicial excellence priorities into the design, procurement, implementation and evaluation of emerging court technologies.

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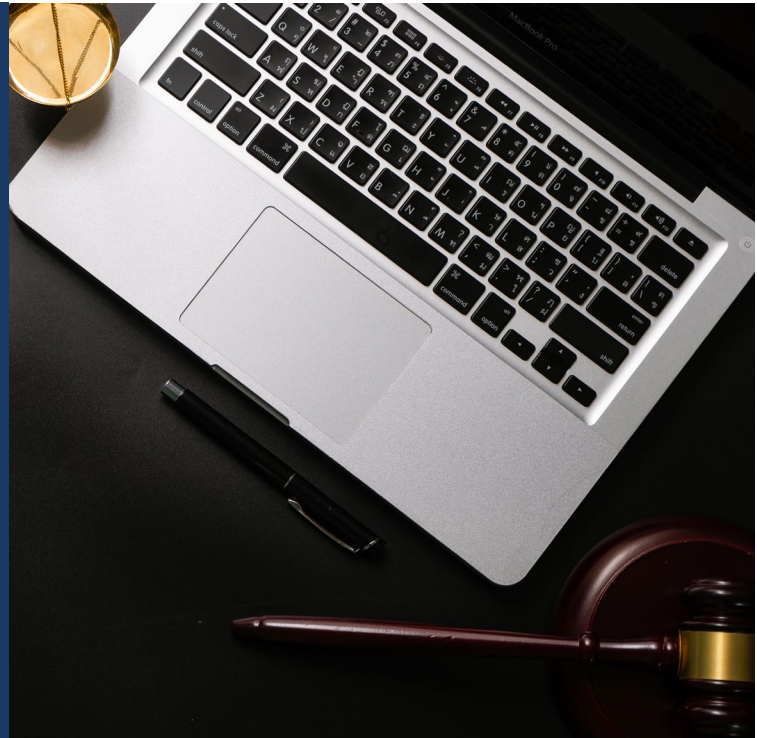
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How is Technology Being Used in Court?



PURPOSES OF THIS TOOL

- To build judicial understanding of how emerging technologies are affecting court processes
- To create a common understanding of new court technologies

The [International Consortium on Court Excellence](#) has published its third edition of its Framework for Court Excellence. It drafted an Annex making specific recommendations on the use of Technology that also addresses these issues.

You can read the Annex at [page 39 of the Framework, found here](#).

Stage in a Legal Process	Technologies in use	Public User Needs	Judicial Needs
Avoid legal issues	Automated contract reviewers Blockchain	Easy access Affordable	
Learning about legal issues	Legal education Apps WhatsApp and other communication platforms	Multi-lingual Free	
Reporting legal issues	Apps to record experiences Police reporting tools Portals	Private Secure Trauma-informed Admissible in court	Secure Admissible in court Compatible with evidentiary standards

Stage in a Legal Process	Technologies in use	Public User Needs	Judicial Needs
Starting a legal case	E-filing Forms wizards Guided pathways	Easy to use Secure	Secure Different levels of access
Progression of the case	Online Dispute Resolutions Case management platforms AI predictions of case progress	Quick Secure Transparent	Secure Transparent Allow for judicial discretion
Disclosure, discovery, evidence submission	Police reporting apps Case management platforms e-filing	Secure Admissible in court Simple	Secure Admissible in court Different levels of access
Hearings	Video platforms Language interpretation Accessibility tools	Secure Free	Secure Free
Decision writing	AI recommendations on decisions Auto-generated decisions	Transparent algorithms	Allow for judicial discretion Transparent algorithms
Delivery of decisions	Video platforms Automated media distribution WhatsApp and other direct to public platforms	Secure Free	Secure Free
Enforcement	Blockchain and e-garnishment tools	Secure Effective	Secure Different levels of access
Appeals	Case Management platforms	Quick Secure Transparent	Secure Transparent Allow for judicial discretion

Understanding Emerging Court Technologies



PURPOSES OF THIS TOOL:

- ▶ To build judicial understanding of specific emerging technologies and their use in court processes and operations
- ▶ To create a common understanding of new court technologies

DEFINITIONS OF COMMON TERMS

Digitization: converting existing processes and content from analog into digital formats. This includes developing online forms, portals to submit documents or access decisions that reflect the same court processes but are now available online.

Digitalization – use of digital technologies to change justice processes and business

Leave No One Behind - general principle of inclusion and access that runs through all UNDP strategic priorities. Development framework is premised on using the UNDP as a conduit to donors, expertise and credibility to insist on development that meets everyone's needs. LNOB is often raised as an objection to fast technology rollouts, technology aimed at efficiency and cost savings and gaps in infrastructure or capacity building.

Access to Justice (A2J) - widely used term

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