Justice and Artificial Intelligence

New technologies can make judicial systems fairer, cheaper, and faster. Yet controversies have shown how they may exacerbate bias in ways that privilege the powerful and hide bad decisions. These results are not inevitable—rather, they happen due to human choices, rules, and processes surrounding these systems.

Individual judges and lawyers, as well as judicial systems as a whole, are increasingly adopting tools based on artificial intelligence (AI). The following recommendations rooted in open government values can ensure that the benefits of these tools are maximized and the risks minimized.

Transparency

- Clearly and consistently disclose when and how justice processes use AI, both in organizational and advisory use cases.

- Publish a standardized register of automated decision-making criteria. This should include an explicit description of which individuals and offices are responsible for the decisions such AI systems make.

Access to Justice

- Maintain or enhance alternative, non-digital means of accessing justice.

- Invest additional resources and people-centered approaches toward case backlogs and more complex cases with the time and money saved by the use of more efficient AI tools.

- Ensure that AI tools are user-friendly and inclusive.

- Support legal aid and intermediaries that can bridge the gap between clients' needs and abilities.

Public Accountability

- Establish a well-resourced, independent oversight body to monitor AI use. The oversight mandate should include monitoring of transparent, *ex ante* public procurement processes as well as the results of using AI tools. Oversight bodies also need clear channels to hear public complaints and find solutions.

- Establish a mandate to act on issues raised by users, such as investigating unfair decisions and creating a mechanism to forward cases for legal action if applicable.

Further Resources

- **OGP Support Unit:** The *Open Gov Guide* addresses automated decision-making and justice. There are also many resources at the international and national level.

- **UNESCO:** Toolkit on Justice & AI and Recommendation on the Ethics of AI

- **The Council of Europe:** Ethical Charter on the Use of AI in Judicial Environments and the Artificial Intelligence Advisory Board's Report on the use of AI in the judiciary

- **United Kingdom:** AI Judicial Guidance

- **UN Special Rapporteur on the independence of judges and lawyers:** The UN Special Rapporteur will publish a thematic report on AI and judicial systems in October 2025.

Open Government Partnership