

Client Alert

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Baker McKenzie FenXun
A Leading Chinese and
International Law Joint Platform



For further information, please contact:

Liu Honghuan
Partner
+86 10 5649 6018
liuhonghuan@fenxunlaw.com

Zhou Xi
Partner
+86 10 5949 6019
zhouxi@fenxunlaw.com

Peng Shen
Special Counsel
+86 10 6535 3932
peng.shen@bakermckenzie.com

Li Haifeng
Special Counsel
+86 10 6535 3867
haifeng.li@bakermckenziefenxun.com

Adoption of AI in Chinese courts paves the way for greater efficiencies and judicial consistency

2018 is said to be year of artificial intelligence (AI) for many industries. In China, AI is making a big impact in the legal industry where we are seeing some significant developments in the judicial system.

Our alert discusses the adoption of AI and technology in the Chinese judicial system and its implications.

What this means for parties litigating in China

We have summarized some of the key AI developments in Chinese courts in the table below.

Parties litigating in China will see substantial benefits. Among other things, the AI advancements will facilitate improved efficiencies across the court system and allow increased access to litigation services. Most importantly, the use of AI to provide guidance and predict potential outcomes will assist in managing litigation risks. Further, by using AI to assist judges in analyzing previous decisions and comparing evidence, parties can be assured of greater certainty and consistency in judicial decisions across Chinese courts.

AI in Chinese Courts

1. *SPC encourages smart courts*

The PRC Supreme People's Court has issued the *Opinions on Accelerating Building of Smart Courts* which encourages local courts to use AI to:

- provide litigation and legal literacy services for the general public; and
- support judges in minimizing the burden of non-judicial matters in an effort to boost smart courts.

2. *AI robots to provide litigation guidance*

Local courts in nine provincial-level regions, including Beijing, Shanghai and Guangdong, have officially launched new AI-powered robots in their litigation services halls.

This is to facilitate public access to manuals on litigation and judicial procedures, as well as provide basic information on judges and court clerks.

The AI powered robots are also capable of automatically generating civil complaints for the plaintiff.



3. *AI robots to provide litigation risk analysis*

The AI robots in Beijing, Shanghai and Jiangsu are capable of evaluating possible litigation outcomes for a party before the case is filed. Such evaluation is based on analyzing over 7,000 Chinese laws and the numerous court decisions saved in its system.

The AI robots are also able to suggest other modes of dispute resolution to parties seeking to commence litigation. For example, the robots will suggest that parties consider conciliation or proceed with other dispute resolution methods such as arbitration if an arbitration clause is in place.

4. *AI for electronic case submission*

The Shanghai and Henan courts have set up AI Services Terminals to scan and submit case files electronically. This will expedite the process of evidence submission and classification, although the originals of documents would still be required.

In addition, using electronic means can speed up the transfer of case files between different courts, especially for appeal cases in which the first instance court must transfer the case files to the appeal court.

5. *Trial recording*

Local courts in Shanghai, Zhejiang and three other provinces in China have introduced an AI Speech Recognition System to achieve automatic real-time recording of trial proceedings in substitution for court clerks.

The AI Speech Recognition System is capable of automatically distinguishing the voices of judges, plaintiffs, defendants and other litigation participants, and recording the trial as synchronously as possible so that litigation participants can view the real-time hearing transcript.

It is expected that the AI Speech Recognition System will expand to judicial meetings and judicial committee meetings.

6. *AI-assisted Judicial System*

The Shanghai Higher People's Court is now piloting the establishment of an AI-assisted Judicial System which is capable of analyzing and automatically collating similarly decided court cases for the judges' reference.

The system is also capable of conducting deviation analysis on draft judgments by comparing relevant evidence with evidence in prior decisions. This will help judges to maintain consistency in their judicial practice. The criminal case system has been established while the civil and administrative case systems are still under pilot.

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www.bakermckenzie.com
www.fenxunlaw.com

Baker McKenzie FenXun (FTZ)
Joint Operation Office
Unit 1601, Jin Mao Tower
88 Century Avenue, Pudong
Shanghai 200121, PRC

Tel: +86 21 6105 8558
Fax: +86 21 5047 0020