



THE ROBOTIC JURIST: SEEKING JUSTICE IN TIMES OF JUDICIAL DISCRETION

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Abstract

This article explores the generative potentials of artificial intelligence (AI) in salvaging the unpredicted nature of judicial discretion. It begins by examining the current state of approaching the assumed lacuna – gap in law – where discretions are exercised, highlighting the inconsistencies inherent in judicial decisions and how discretion, even though accepted as part of the legal process, may not pass the test of objectivity in law. The study explores AI technologies like machine learning, natural language learning, and predictive analysis, and theorizes that AI technologies can address the challenges of precision and inconsistencies in discretion. By analyzing the various applications of AI in legal practices such as legal research, document review, and case outcome prediction, the article provides a comprehensive overview of the opportunities AI presents for enhancing precision, consistency, and promotion of justice for all in judicial discretion. Furthermore, the article identifies impediments to the implementation of AI in legal services. They, among others, include extensive trial and error searches among generative AI vendors, resulting in varied results and models creation for the same questions, changes in law, the developer's morality, hallucination/malfunctioning of the machine, and training of personnel. It offers strategic recommendations for surmounting these deterrents. This study aims to provide practical insights for stakeholders in various legal systems, emphasizing a strategic approach towards the integration of AI technologies in addressing the challenges of judicial discretion to guarantee precision, coherency and justice in the legal system.

Keywords: artificial intelligence, robotic jurist, machine learning, predictive analysis, legal process, judicial discretion.

Introduction

The growth and development of any society strongly rely on how the rules binding all members of that society are meticulously adhered to. To ensure precision, rules are backed with coercive techniques, and efforts are rendered to guarantee justice for all. The Enactment and application of rules appear easy, but remain one of the unfathomable areas of legal proceedings. Despite laborious measures to maintain law and order, some citizens still express disdain and dissatisfaction with legal outcomes. Although nitpicking of legal outcome is indispensable because all parties during judicial probation may not be satisfied, some criticisms are justified, especially when there are inconsistencies in law enactment and adjudication. Among legal processes is judicial discretion, which is usually exercised in court during litigation. The judge introduces discretion to determine the mind of law in the absence of an available rule on a particular case at hand (Kelsen, 1967). The mind of the judge, as discretion, may vary with judges at the same or different points in time vis-à-vis the verdict. Although the jurist is



presumed to speak the mind of the law during discretion, there is need to ensure a coherent and consistent mind of the law. The inconsistency of discretion as part of the judicial process requires a redress to guarantee justice for all.

The robotic jurist, as a construct, is an artificial intelligence judge that uses algorithms to determine legal outcomes. The generative robot is a welcome development and is envisaged to address the inconsistencies in judicial discretion. This study analyses the potential application of generative AI to address the inconsistencies experienced in judicial discretion with the sole aim of realizing objectivity to a greater extent to guarantee justice for all. It examines the challenges and opportunities presented by such integration and proffer recommendation for effective integration. Theoretically, it contributes to the growing body of literature on legal innovation and offers practical insights for legal stakeholders who embrace justice for humans.

Judicial Process Versus Judicial Discretion And The Objectivity Of Law

Judicial process, in simple terms, comprises all the stages that the law undergoes in order to be enforced. The judicial process comprises four major themes, namely: legal reasoning, precedent, statutory interpretation, and judicial discretion (Njoku, 2007). While the first three are presupposed to be the product of law due process, judicial discretion is presumed to be a 'fill in the gap' or a determination of the mind of the law in the absence of précised norm for the case at hand. Legal reasoning hinges on what judges and courts do when cases are decided. It constitutes how verdicts are passed and the reasoning surrounding such decisions. The need for law to be certain and for like cases to be treated alike orchestrated the doctrine of precedent. Connotatively, a judge can decide cases in the same manner as another judge if the cases are similar. Precedent denotatively is guidance by example. Statutory interpretation is also referred to as guidance by precept. Although statutes are drafted in clear and certain terms, there is a need for interpreting statutes in the wake of application.

Judicial discretion is a part of judicial processes that occurs as a result of the gaps found in law. This leaves the judge with the discretion to fill it in by passing judgment even in the absence of what the law clearly says in the particular instance. Rules, from this perspective, have open texture as a result of the lacunae inherent in human language. This further raises the controversy related to whether there is objectivity in judges' decisions. Part of the characteristics of the law is that it be clear so that those law addresses will know what is required of them and when they have violated it.

Artificial Intelligence As An Agent Of Precision

Artificial intelligence (AI) is regarded as a machine system that performs algorithmic operations other than human intelligence. In legal turf, AI encompasses all technologies that automate legal activities. The use of AI to enforce the rule of law has been explored in the judiciary sector. AI is used to investigate crimes and automate decision-making processes. Machine learning (ML) reduces the workload of courts all over the world and improves the processing of administrative tasks. It makes legal education more widely accessible to more people and also improves public understanding of the legal system and the practice of law. AI may reduce costs for those seeking



legal assistance (UNESCO, 2025). Natural Language Processing (NLP) is used in the legal setting to summarize documents rapidly and power chatbots that offer legal advice. Through these media, logic and regulatory requirements are encoded and used to assist legal reasoning and compliance checking. “Automation of complex decision-making tasks allows law firms and corporations to navigate regulatory environments more reliably and ensure consistent application of legal standards” (Akanle 2025, 4). Through legal research enhancement, advanced through AI-powered platforms, jurists uncover similar/unlike cases rapidly, reducing time consumption inherent in manual research. During strategic litigation planning, predictive analytics are sourced, and solutions like Les Machina and Premonition deploy AI to scrutinize historical case data, offering lawyers predictions based on precedents and previous argument of the judges. These AI technologies assist the legal profession in sustaining accuracy and building a consistent argument.

The International Bar Association (IBA) examined the impact of AI on law firms, regulation, and the profession’s ethical obligations; It explored the impact of AI on the rule of law (2025, 5). In the research conducted by the task force set up by the IBA committee, it was discovered that generative AI, chat bots, e-diligence, and e-discovery platforms were deployed and used in larger law firms in “client-facing applications such as legal research, document assembly, contract drafting and due diligence, driven by large language models (LLMs) and AI services” (International Bar Association, 8). It was further discovered that there exist “disparities in usage purposes that may be attributed to distrust in the tools, the need for testing before making final choices, concerns related to the high cost of implementation or licensing, and a lack of AI/technical talent and skills.” Research reveals that the vast majority of law firms use AI for purposes that do not involve predicting or citing argumentative foundations for briefs and other legal filings.

Generative AI remains at testing and development phase, and it is yet to be trained with firm-specific data. Firms prioritize confidentiality and information management over potential revenue and investment requirements. The reasons behind the apathy for AI technologies in law firms are, among others, extensive trial and error searches among generative AI vendors, leading to varied results when using different models for the same questions, concerns such as hallucinations. The implementation of AI in law firms represents a significant shift towards integrating advanced technologies to enhance legal processes. However, the journey is ongoing, requiring continuous development and refinement to fully realize AI’s potential in the legal industry (International Bar Association, 2025). Artificial intelligence has a great influence on law firm structure, hiring, and business models, which cuts across fixed or value-added fees, changes in hiring policies to prioritize AI- competent attorneys. The need for extensive training of personnel of law firms to mitigate and unlock AI’s full potential is salient. AI’s ability to perform complex tasks previously reserved for highly trained lawyers presents both a threat and an opportunity. Notwithstanding, Law firms that integrate AI services will reduce costs and improve efficiencies, leading to better outcomes in legal proceedings. Whereas, firms that decline AI risk becoming uncompetitive, losing clients, and struggling to attract and retain talent.

Consistency and coherence are the most prominent priorities in AI regulation from the perspective of the legal profession. The legal norm is prioritized on the ground that it is objective



in contrast with its counterpart, other social norms. Judicial discretion considered as part of the legal norm could maintain objectivity through collaboration with AI systems to maintain précised possible outcomes as aligned with human intentions. The International Bar Association aims to sustain modern democracies and protect human rights through incorporating new technologies to strengthen democratic institutions, safeguard fundamental rights, and speak up when the rule of law is threatened. “Central to the administration of justice is a legal system that is fair, accountable, efficient, and transparent. Human decision-making and human accountability, expressed through the work of lawyers and advocates, judges and magistrates, and courts and tribunals, is the foundation of law (International Bar Association, 32).” AI may help improve the administration of justice. As AI systems are developed to guarantee fairness, accountability, efficiency, transparency, and aid human decision-making. The generative robotic jurist is earnestly required to ensure consistency in the area of judicial discretion if regular assessments of AI systems are made.

Artificial Intelligence (AI) Integrated In Law Setting

AI technologies are, in recent times, integrated into legal firms to speed up legal processes. These machines, among others, aid legal operations:

Do Not Pay: This is an artificial intelligence developed in the United States, known as the robot lawyer, which started initially to contest a parking ticket. Its services are further extended to generating documents on legal issues like consumer protection rights and immigration rights. Through the simplification and automation of common process tasks, Do Not Pay executes, it renders justice to its clients and eliminating the pressure that accompanies clients seeking justice through natural intelligence.

Smartsettle ONE: This is an online dispute resolution platform developed by iCan Systems Inc. of Canada. It is an artificial intelligence developed for early dispute resolution, especially between two parties. The system utilizes nine algorithms, including Visual Blind Bidding and Expert Neutral Intervention, to settle conflicts. It is claimed to achieve 60% efficiency rate. The Visual Bling Bidding maintains the confidentiality of the parties involved. Expert neutral Intervention ensures that the parties are treated disinterestedly to ensure fairness.

COMPAS: The Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) is an AI-driven risk assessment tool developed in the United States to assist judges during adjudications. COMPAS uses an algorithm to predict the offender’s likelihood of relapsing into crime. The advancement of COMPAS ensures the consistency and efficiency of legal outcomes. It offers insights to the judge who understands the offender’s intentions and presumes the likely punishment that will be more effective.

Solution Explorer: This is the British Columbia Civil Resolution Tribunal (CRT) that was developed to assist citizens with resolving small legal claims. It diagnoses clients' complaints and offers tailored plain-language advice. CRT resolves disputes often without the need for a formal tribunal or appearances in the court of law. CRT services save time and other costs and maintain precision (Akanle, 2025).



The Robotic Jurist's Intervention Into Judicial Discretion

Artificial intelligence can transcend the usual benefits it accrues to mankind, saving time, cost, quality services, and precision in decision making (Couture, 2025). It can improve the use of judicial discretion. The introduction of artificial intelligence into the legal setting could make precedents more visible and accessible. It may further, with the assistance of robots inbuilt with large legal algorithms, predict what verdict is suitable for a novel case. As humans differ in rational faculty and decision-making ability, their discretion on a particular case may vary. Artificial intelligence could salvage this situation if vast information is stored in it, from where it could generate the likely outcome for a new case at hand. Furthermore, precedents could be made accessible through interconnectivity, and that which may have been considered a novel case in a particular place in time becomes a verdict already passed in another place at another time. The robotic jurist with tons of legal information it digested from various parts of the world could reduce the chances of discretion. This guarantees the treatment of like cases alike and unlike cases differently and the maintenance of justice for all. It also guarantees the passing of judgment from a disinterested point of view.

Implications of AI Technologies For The Rule Of Law

The integration of artificial intelligence into a legal setting yields immense benefits. The assistance from AI increases efficiency since AI is known for reducing error risks through its automation of routine and repetitive tasks. This shift creates the opportunity for jurists to focus on other, more rigorous tasks. AI systems process large volumes of data with a high degree of precision, especially in areas of document review and legal research. This improved accuracy in a legal setting is crucial in maintaining high standards and ensuring justice in the legal turf. AI-powered analytics supports decision-making and further create strategic approach to case management with decisions centered on comprehensive objective findings. The introduction of an AI-driven legal guidance tool proves beneficial to the public. While it enriches the jurists' horizon and provides the required information in their field, it is also beneficial to the clients who learn from these AI technologies. By providing basic legal information to clients who can barely afford professional representation, AI bridges the gap between legal needs and legal services availability and thus dismantles the systemic barriers to justice, especially in remote communities (Akanle, 2025).

The benefits of AI technologies can be retained and guaranteed if appropriate measures are properly taken. The negative implications of AI technologies reside in negligence on the part of the stakeholders responsible for monitoring and assessing AI technologies. Some factors affect AI potentials. They include, among others, changes in law, the developer's morality, hallucination/malfunctioning of the machine, and training of personnel. It is important to ensure that impact assessments of AI systems are regularly made before and after deployment and throughout the AI life cycle to ensure that these AI systems comply with the rule of law and do not diminish or distort the administration of justice. The need for human oversight and the expertise of lawyers during the transition to these new practices cannot be neglected. Assessment of these new technologies is expedient. The International Bar Association should ensure that AI



technologies advance the rule of law. They must ensure that there is no fundamental mistake; AI devoid of Ethics. There is a need to ensure that AI algorithms are interpretable, ethically designed, and subject to rigorous oversight to maintain public trust and uphold justice and equity.

International Regulations Of Artificial Intelligence

In an effort to regulate AI, the European Commission proposed a regulatory framework for AI, the Artificial Intelligence Act (AI Act). The AI Act classifies AI systems based on the risk presented to users and uses that risk level to determine the amount of regulation. According to the framework, “AI systems that negatively affect safety or fundamental rights will be considered high risk. If an AI system is marked as high risk, it must be registered in an EU database and will be assessed before entering the market. If it makes it to the market, it will be reassessed “throughout [its] lifecycle. By assessing and reassessing AI systems that are marked as “high risk,” the AI Act assures that the systems are consistently meeting quality management and process requirements.

Additionally, generative AI would have to adhere to specific transparency requirements. Like the EU, the United Kingdom is taking a risk-based approach to the regulation of AI systems. The United Kingdom regulation focuses on context and proportionality. A focus on context and proportionality allows regulators to analyze the risk in the context and environment in which the AI system is used. China recently enacted the interim measures for the management of generative artificial intelligence services. The measures hold providers of generative AI services legally responsible for the sources that generative AI systems use and pre-training data. Providers are also liable as the producers of the content that the system generates. The United States does not have a national law to regulate AI. State courts address the issue of AI in the courtroom.

Judge Brantley Starr observes that generative AI is prone to hallucinations and bias. Through hallucinations, AI may make up quotes and citations. They, in this regard, may be unreliable or biased. Judge Star further stipulated:

While attorneys swear an oath to set aside their personal prejudices, biases, and beliefs to faithfully uphold the law and represent their clients, generative artificial intelligence is the product of programming devised by humans who did not have to swear such an oath. As such, these systems hold no allegiance to any client, the rule of law, or the laws and Constitution of the United States. (Jack Greiner, 2023).

Connotatively, the developers of generative AI are not morally culpable to the users of these products. An Illinois judge, in relation to this, released an order that requires parties who use generative AI during legal research or drafting of legal documents filed with the court to disclose the tool they used and how they used it (Fuentes, 2023). The U.S. Court on International Trade requires disclosing the use of any generative AI program used and all portions of the text drafted with the help of generative AI; parties must also certify that using the system did not result in



disclosing confidential or proprietary information without the proper authorization (Vaden, 2023).

Texas, California, and New York created task forces that should intervene in the issues surrounding the ethics of using AI. The task force group helps the legal professionals to report issues related to the bridge of AI ethics (Pesquera, 2023). The American Bar Association (2023) drafted two resolutions that address the use and development of AI in the legal sector. One of the Resolutions stressed accountability and consequences caused by AI products, and maintained that humans ought to regulate AI systems. Operators of the AI system are responsible for the consequences of AI products and must ensure the transparency and traceability of their AI systems while protecting associated intellectual property. Courts and lawyers must recognize the ethical implications of AI, including bias, explainability, and transparency of automated decisions made by AI; ethical and beneficial usage of AI; and controls and oversight of AI and the vendors that provide AI (Am. Bar Ass'n, 2019). Courts and lawyers must ensure that their clients are safe to the best of their ability while using AI to execute their operations.

Regulations of AI serve as guidance for the legal field. Increased legal liability is a precautionary measure for AI producers and leads to more effective tools for data. Although this could narrow innovation (Toner et al, 2023) it will guarantee a healthy consumption of AI.

Recommendations Made To Checkmate Artificial Intelligence

The international principles on conduct for the legal profession (2018) outlined certain rules lawyers must adhere to for artificial intelligence to promote the legal system effectively. A lawyer should be conscious of changes both in the law and technology and must be competent to respond to them and restructure them, as relevant to their practice. The successful adoption of AI in the legal profession presupposes training and ample knowledge of innovations and change. Legal professionals need to be equipped with the knowledge and skills to use AI tools effectively while understanding their ethical implications. Technological competence is crucial if a lawyer must utilize Artificial Intelligence. Lawyers should be conscious of the opportunities, risks, and ethical challenges that technology presents to themselves as well as their clients.

New governance frameworks have been established in the EU and the US. International bodies such as the Council of Europe, the OECD, and the UN are also establishing frameworks. These frameworks ensure that AI technologies are developed and used responsibly. They should enact stable regulatory frameworks that protect the legal and ethical standards while promoting innovation. They must ensure that AI's adoption does not compromise the integrity of the legal profession or the rule of law. Although the regulatory frameworks of different countries may vary at some points, lawyers must study these differences, navigate and comply with the different regulations in each country where it touches for efficient AI knowledge and utilization, leading to coherence and consistency.

Effective AI adoption requires robust funding, which remains a critical challenge, particularly for smaller law firms. Issues such as data governance, security, intellectual property, and privacy require robust policies to manage AI tools responsibly. The International Bar Association in



collaboration with various national bar associations, can play a pivotal role in developing comprehensive guidelines and best practices that law firms can adopt, and should devise means that funding can be generated. This collaboration will enable the legal community to be informed about the latest developments in AI regulation and provide guidance to address emerging challenges (International Bar Association, 2018). Generative AI should be sponsored immensely, and more research should be conducted to discover ways that AI technologies can ameliorate the risks of hallucinations, inconsistencies in model designs, and unethical generation, modification, or transformational AI, even as AI tools become more integrated into daily legal operations. Opaque decision-making systems that produce results that cannot be replicated, traced, contested, or proven are at odds with the legal profession, which seeks to determine the truth through open and transparent proceedings.

Evaluation

Artificial intelligence (AI) is crucial in humans' daily dealings with activities that involve extreme physical, psychological, and mental operations. Humans must explore AI to work faster, neater, greater, and coherently. In a legal setting, AI has been deployed to realize efficiency in legal practice. Precedents are made available nationwide through the assistance of AI. This makes verdicts that would have been regarded as novel cases, in areas where they are inaccessible, accessible. The accessibility of precedent reduces the chances of judicial discretion and upholds the principle of treating like cases alike and unlike cases differently. Generative AI can further be utilized to store vast arrays of legal data and precedents in the form of algorithms, which can be processed and used to decide cases. The possibility of discretion may not be totally annihilated, probably because of the intended and unintended indefiniteness of the law (Kelsen, 1967), but can be drastically reduced if AI, with its capacity of storing large amounts of data higher than human memory, is employed. The robotic jurist is a better offer, even though it might have its own flaws; hallucination, developers' related challenges, bias, etc. At the level of storage, transmission, and recollection, man relies on it for precision.

Conclusion

The robotic jurist, through generative AI, has clear benefits in the legal field. It reduces the chance of judicial discretion by bringing precedents to the jurists' doorstep. It also analyzes data from which verdicts can be generated. It reduces the chances of judicial bias and the introduction of extralegal concepts into law. It guarantees coherence, consistency, and precision.

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