

Artificial Intelligence and Quality of Composition Verdicts in Indonesia: Lessons from New Zealand



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ABSTRACT

The quality of the decision is not only related to the judge's considerations but also its suitability to the composition of the decision so that the resulting decision is not easily overturned at the level of legal action and increases public confidence in the judicial institution. This research aims to analyze the quality of judges' decisions in Indonesia in terms of the composition of the decision texts that have been made. This research uses normative legal research methods, a statutory approach, and a comparative approach. The study results show that decisions are not based on the structure of decisions determined by the Supreme Court. One of the reasons is the minimal use of AI, even though AI can help judges identify which parts of the decision structure are not yet in the decision prepared by the judge and improve them so that it is hoped that it will produce uniformity and decisions that are certain and not easily overturned. Indonesia needs to learn from New Zealand guidelines for using AI at the court and tribunal level. Judges can apply AI, some related to summarizing information and administration.



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1. Introduction

The judicial system plays a crucial role in maintaining the integrity of the law and ensuring justice delivery to all individuals in society.¹ A critical part of the

¹ Huda A. Almuzaini and Aqil M. Azmi, 'TaSbeeb: A Judicial Decision Support System Based on Deep Learning Framework', *Journal of King Saud University - Computer and Information Sciences*, 35.8 (2023), 101695 <https://doi.org/10.1016/J.JKSUCI.2023.101695>

judicial system is the verdict.² Verdicts function as a decision on legal disputes/problems³, law enforcement efforts⁴, means of providing justice⁵, legal expediency⁶ and certainty⁷, and a concrete form of the integrity of the legal system itself⁸. Verdicts as law enforcement instruments certainly affect individuals, communities, and other institutions⁹. In addition, rulings also serve as drivers of legal change and reform, following the¹⁰ evolution of social values. In this context, judges are responsible¹¹ for formulating appropriate and fair verdicts that reflect the optimal quality.¹² However, the reality on the ground often reveals striking variants in the quality of verdicts.¹³

² Herning Setyowati, 'The Judges Ethics and Justice: An Analysis of Law Enforcement in Indonesian Court System', *Law Research Review Quarterly*, 7.4 (2021), 403–16 <https://doi.org/10.15294/lrrq.v7i4.48183>

³ Florian Baumann and Frank Fagan, 'When More Isn't Always Better: The Ambiguity of Fully Transparent Judicial Action and Unrestricted Publication Rules', *International Review of Law and Economics*, 75 (2023), 106154 <https://doi.org/10.1016/j.IRLE.2023.106154>

⁴ Terezie Smejkalová, 'Importance of Judicial Decisions as a Perceived Level of Relevance', *Utrecht Law Review*, 16.1 (2020), 39–56 <https://doi.org/10.36633/ulr.504>

⁵ Laifeng Yang, Qing Sophie Wang, and Shaojie Lai, 'Fair and Square: The Impact of Judicial Independence on Entrepreneurship', *Finance Research Letters*, 55 (2023), 103954 <https://doi.org/10.1016/j.FRL.2023.103954>

⁶ Laura Stella Enonchong, 'Public Prosecutors and the Right to Personal Liberty: An Analysis of the Jurisprudence of the UN Human Rights Committee and the European Court of Human Rights', *Https://Doi.Org/10.1177/09240519221115280*, 40.3 (2022), 222–43 <https://doi.org/10.1177/09240519221115280>

⁷ Salahuddin Gaffar and others, 'The Concept of Procedural Law Regarding the Implementation of Collective Agreements with Legal Certainty in Termination of Employment in Indonesia', *Heliyon*, 7.4 (2021), e06690 <https://doi.org/10.1016/j.HELİYON.2021.E06690>

⁸ Ahmad Siboy, 'The Integration of the Authority of Judicial Institutions in Solving General Election Problems in Indonesia', *Legality: Jurnal Ilmiah Hukum*, 29.2 (2021), 237–55 <https://doi.org/10.22219/ljih.v29i2.15608>

⁹ Myrna Calmon Santos de Souza and Rodrigo Silva de Souza, 'Law Enforcement, Social Demands and Reputation Risks as Drivers of Compliance Functions: A Comparative Analysis of the Largest Banks' Disclosures in the UK and Brazil', *Crime, Law and Social Change*, 2023, 1–26 <https://doi.org/10.1007/S10611-023-10116-8/TABLES/2>

¹⁰ Maftuh Effendi, 'The Roles of Judges for Legal Reformation in Indonesia', *South East Asia Journal of Contemporary Business, Economics and Law*, 12.4 (2017), 60–64 <https://jurnal.iain-bone.ac.id/index.php/arrisalah/article/download/4168/1651>

¹¹ Iris van Domselaar, 'Moral Quality in Adjudication: On Judicial Virtues and Civic Friendship', *Netherlands Journal of Legal Philosophy*, 44.1 (2015), 24–46 <https://doi.org/10.5553/NJLP.000025>

¹² Essoujaa mohammed, Esghir Mustapha, and Azhari Mourad, 'Using Machine Learning to Predict Public Prosecution Judges Decisions in Moroccan Courts', *Procedia Computer Science*, 220 (2023), 998–1002 <https://doi.org/10.1016/J.PROCS.2023.03.138>

¹³ Justin K Zhang and others, 'Malpractice Litigation in Elective Lumbar Spinal Fusion: A Comprehensive Review of Reported Legal Claims in the U.S. in the Past 50 Years', *The Spine Journal*, 22.8 (2022), 1254–64 <https://doi.org/10.1016/j.spinee.2022.03.015>

Fundamentally, the law enforcement principle demands that judges make correct verdicts per the applicable law.¹⁴ The quality of a correct verdict not only provides legal certainty for the parties to the dispute but maintains the integrity of the judicial system.¹⁵ A correct verdict reflects a careful analysis of the facts of the case and an accurate application of the law.¹⁶ To improve the quality of verdicts, the Supreme Court has issued a Decree of the Chief Justice of the Supreme Court (*Keputusan Ketua Mahkamah Agung (KKMA)*) Number 359 of 2022 on Templates and Guidelines for Writing Verdicts/Decisions of Courts of First Instance and Appeal at the Four Judicial Environments under the Supreme Court, which provides guidelines on the composition of court verdicts.

This regulation aims to bind judges with the correct composition of the verdict script, which includes the essential parts that must be present in every verdict. By following this arrangement, judges' verdicts are expected to be more transparent, well-organized, and easily understood by the disputing parties and the general public. In addition, with the regulation regarding the composition of verdicts, judges have guidelines that can accelerate their performance in producing verdicts so that the principle of fast proceedings is realized.¹⁷

In the reality of judicial practice, there is a striking variation in the quality of verdicts.¹⁸ The Verdicts reflect in-depth analysis, strong support from law and facts, and a good understanding of applicable legal principles. However, on the other hand, verdicts were found that lacked depth in their analysis or paid little attention to the composition of the text of the verdict required by the KKMA No. 359 of 2022, and this is expressly stated in the preamble to the formation of the Decree.¹⁹ This research uses the decisions of class 1A and class 1A special District

¹⁴ Jeremy Waldron, 'The Rule of Law and the Role of Courts', *Global Constitutionalism*, 10.1 (2021), 91–105 <https://doi.org/10.1017/S2045381720000283>

¹⁵ Ahmad Habib Alfikry, Muhammad Riyan Afandi, and Dian Latifiani, 'National Law Development through Civil Procedure Law Reform as a Manifestation of State Goals during the Covid-19 Pandemic', *Lex Scientia Law Review*, 5.2 (2021), 41–64 <https://doi.org/10.15294/LESREV.V5I2.50483>

¹⁶ Tunggal Anshari and others, 'The Confrontational Role of the Constitutional Court's Decisions in the Legislative Process', *International Journal of Criminal Justice Sciences*, 17.1 (2022), 185–198–185–198 <https://doi.org/10.5281/zenodo.4756099/IJCJS>

¹⁷ Shohib Muslim and others, 'The Meaning of "strength Executive" in the Constitutional Court Decision for the Execution of Fiduciary Securities', *Legality: Jurnal Ilmiah Hukum*, 31.1 (2023), 1–20 <https://doi.org/10.22219/LJIH.V31I1.23244>

¹⁸ Joep Sonnemans and Frans van Dijk, 'Errors in Judicial Decisions: Experimental Results', *The Journal of Law, Economics, and Organization*, 28.4 (2012), 687–716 <https://doi.org/10.1093/jleo/ewq019>

¹⁹ Jakobus Anakletus Rahajaan and Sarifa Niapele, 'Disparity of Conviction Cases Blasphemy in Indonesia', *Jurnal Aplikasi Kebijakan Publik Dan Bisnis*, 3.2 (2022), 141–58 <https://stia-saidperintah.e-journal.id/ppj>

Courts in Indonesia (West Jakarta District Court, Surabaya District Court, Padang District Court, Banjarmasin District Court, and Makassar District Court).²⁰

The data collection process is carried out by building an artificial intelligence model, with the first stage formulating a detection pattern for the verdict based on KKMA No. 359 of 2022. The second step was to conduct data training using 64 court rulings. The final step is to test the AI model to analyze 493 verdicts. Referring to the decision of the Chief Justice of the Supreme Court and various previous studies, judges' decisions that do not follow the provisions of the KKMA can significantly impact the validity of the law. This can happen because KKMA is an internal regulation regulating procedures and procedures that serve as a guide for judges. Specifically, if the judge's decision ignores KKMA number 359 of 2022, it can be a loophole for parties who feel aggrieved to apply for specific legal remedies to review the decision. Although context and unique factors can affect the judgment of the law, in some situations, the Supreme Court may ignore non-compliance with KKMA number 359 of 2022.²¹

This research utilizes artificial intelligence technology to help analyze the compliance of ruling writing based on KKMA. The advantages of using AI in decision analysis are expected to impact the efficiency and productivity of analysis because by using complex algorithms and computations, the analysis process can be carried out simultaneously at one time.²² This cannot be done by humans manually. In addition, using AI in structural analysis and decision writing can help eliminate factors of subjectivity, emotionality, and personal preference that are feared to be biased toward the results of analysis by humans. This research also conducted a comparative study between the decision-making systems in New Zealand and Indonesia to determine the advantages of each procedure to obtain a complete picture related to compliance in drafting based on applicable rules in each country.²³

²⁰ Theresia Anita Christiani, 'Normative and Empirical Research Methods: Their Usefulness and Relevance in the Study of Law as an Object', *Procedia - Social and Behavioral Sciences*, 219 (2016), 201–7 <https://doi.org/10.1016/J.SBSPRO.2016.05.006>

²¹ Arni S R Srinivasa Rao and Anil P Gore, 'Chapter 8 - Indian Courts of Law Can Benefit Immensely by Adopting Artificial Intelligence Methods in Bail Applications for Speedy and Accurate Justice', in *Artificial Intelligence*, ed. by Steven G Krantz, Arni S R Srinivasa Rao, and C R B T - Handbook of Statistics Rao (Elsevier, 2023), XLIX, 227–36 <https://doi.org/10.1016/bs.host.2023.04.002>

²² S. Yassine, M. Esghir, and O. Ibrihich, 'Using Artificial Intelligence Tools in the Judicial Domain and the Evaluation of Their Impact on the Prediction of Judgments', *Procedia Computer Science*, 220 (2023), 1021–26 <https://doi.org/10.1016/J.PROCS.2023.03.142>

²³ Luis Sarmiento and Adam Nowakowski, 'Court Decisions and Air Pollution: Evidence from Ten Million Penal Cases in India', *Environmental and Resource Economics*, 86.3 (2023), 605–44 <https://doi.org/10.1007/s10640-023-00805-2>

Differences in the quality of court verdicts have a significant impact on further legal proceedings, particularly at the appeal and cassation levels.²⁴ Verdicts that do not meet the expected quality standards, including those that do not adhere to the correct drafting of the verdict, risk facing stricter review at the appellate level. In fact, at the cassation level, such verdicts are vulnerable to being overturned due to inconsistency with applicable norms and rules.²⁵ Several previous studies have been conducted relating to analyzing the quality of judges' verdicts²⁶. These studies provide valuable insights into the challenges²⁷ and opportunities²⁸ in maintaining the quality of judges' sentences.²⁹ Several studies have identified factors that influence the quality of judgments³⁰, both positively and negatively.³¹ By referring to these research findings, this study has a solid foundation to make a new contribution to understanding the dynamics of the quality of verdicts in Indonesia.

The judicial system plays a crucial role in maintaining the integrity of the law and ensuring justice delivery to all individuals in society³². In this context, the decision must be formulated appropriately and fairly and following the structure of the decision that has been regulated.³³ However, the reality on the ground often reveals striking variants in the quality of verdicts, from very strong to those that still need serious improvement. This research partner, the Judicial Commission of

²⁴ Ирина Володимирівна Бойко, 'On the Issue of Enforcement of Court Decisions in Administrative Cases', *Проблеми Законності*, 0.144 (2019), 109–19 <https://doi.org/10.21564/2414-990X.144.153912>

²⁵ Baruch Fischhoff and Stephen B Broomell, 'Judgment and Decision Making', *Annual Review of Psychology*, 71.1 (2020), 331–55 <https://doi.org/10.1146/annurev-psych-010419-050747>

²⁶ Santiago Basabe-Serrano, 'The Judges' Academic Background as Determinant of the Quality of Judicial Decisions in Latin American Supreme Courts', *Justice System Journal*, 40.2 (2019), 110–25 <https://doi.org/10.1080/0098261X.2019.1613201>

²⁷ Fergi Firosa Akbar, 'Judge Decision Analysis on Civil Cases Against Counterfeiting Land Deed Decision Number 350 K/Pdt/2017 Mataram District Court', *Indonesian Journal of Environmental Law and Sustainable Development*, 1.1 (2022), 69–92 <https://doi.org/10.15294/ijel.v1i1.56778>

²⁸ Benjamin Bricker, 'Consensus Decision Making: A Comparative Analysis of Judging and Judicial Deliberations', *Justice System Journal*, 42.1 (2021), 25–49 <https://doi.org/10.1080/0098261X.2020.1856738>

²⁹ Simon Butt, 'Judicial Reasoning and Review in the Indonesian Supreme Court', *Asian Journal of Law and Society*, 6.1 (2019), 67–97 <https://doi.org/10.1017/ALS.2018.26>

³⁰ Eric Silver, Jeffery T Ulmer, and Jason R Silver, 'Do Moral Intuitions Influence Judges' Sentencing Decisions? A Multilevel Study of Criminal Court Sentencing in Pennsylvania', *Social Science Research*, 115 (2023), 102927 <https://doi.org/10.1016/j.ssresearch.2023.102927>

³¹ Rebecca A Henry and Janet A Sniezek, 'Situational Factors Affecting Judgments of Future Performance', *Organizational Behavior and Human Decision Processes*, 54.1 (1993), 104–32 <https://doi.org/10.1006/obhd.1993.1005>

³² Ahmad Siboy and others, 'Judicial Review in Indonesia: A Simplification Model', *Lex Scientia Law Review*, 6.2 (2022), 359–90 <https://doi.org/10.15294/LESREV.V6I2.54848>

³³ Samira Allioui, 'How to Measure the Quality of Judicial Reasoning?', *International Journal for Court Administration*, 13.2 (2022) <https://doi.org/10.36745/ijca.396>

the Republic of Indonesia (*Komisi Yudisial Republik Indonesia* (KYRI)), has an essential role in ensuring the quality of court verdicts through its duties and functions in overseeing the behavior of judges and encouraging the implementation of ethical standards and professionalism. KYRI, as a supervisory body for judges, has a particular interest in understanding the extent to which judges comply with the structure of the verdict form set out in the Decree of the Chief Justice of the Supreme Court Number 359 of 2022 and the impact of such compliance or non-compliance on the overall quality of the verdict.

The background of this research highlights the urgency of ensuring that verdicts reflect the quality expected in the justice system. The Decree of the Chief Justice of the Supreme Court Number 359 of 2022 attempts to regulate and bind the composition of verdicts, but challenges in implementation are still relevant. The variability in the quality of verdicts, both those that are good and those that need improvement, illustrates the dynamics of judicial practice. The impact of differences in verdict quality affects the parties to the dispute and indicates the importance of improving verdict quality to maintain the judicial system's integrity. By linking this context with the results of previous studies, this research has a solid foundation to make a significant contribution to understanding and improving the quality of the composition of verdicts in the Indonesian judicial system.

2. Research Method

The research method used is normative legal research.³⁴ This research used a legislative approach³⁵ and a Comparative approach.³⁶ The legislative approach uses the Decree of The Chief Justice of the Supreme Court Number 359 of 202. At the same time, the comparative approach is carried out by making the provisions of the composition of the verdict in New Zealand as a comparison for this study. The legal materials used are the Judicial Power Act, the Supreme Court Act, the HIR, RBG, the Civil Code, the KKMA Number 359 of 2022, and other laws and regulations related to judges' verdicts and comparative approach. The secondary legal materials used are judges' verdicts that will be used as material for analysis,

³⁴ Tunggal Ansari and Setia Negara, 'Normative Legal Research in Indonesia: Its Originis and Approaches', *Audito Comparative Law Journal (ACLJ)*, 4.1 (2023), 1–9 <https://doi.org/10.22219/ACLJ.V4I1.24855>

³⁵ Abdul Kadir Jaelani, Muhammad Jihadul Hayat, and others, 'Green Tourism Regulation on Sustainable Development: Droning from Indonesia and China', *Journal of Indonesian Legal Studies*, 8.2 (2023) <https://doi.org/10.15294/jils.v8i2.72210>

³⁶ Nur Putri Hidayah and Isdian Anggraeny, 'Fulfillment of Workers' Rights in Remote Working: The Perspective of Labor Development Principle in Indonesia', *Legality: Jurnal Ilmiah Hukum*, 31.1 (2023), 124–37 <https://doi.org/10.22219/LJIH.V31I1.25338>

as well as various concepts regarding verdicts contained in journals, books, and other secondary materials.³⁷

The legal materials in this writing are obtained through a literature review and the results of research activities by the informatics and law team who are the authors of this research, to build an artificial intelligence system with the concept of Natural Language Processing (NLP)³⁸, which functions to extract the judge's verdict so that it can be analyzed quickly and accurately against the judge's verdict.³⁹ The verdicts that will be the object of research are the verdicts of judges in civil cases (default) in class 1A and class 1A special district courts, namely, District Court of West Jakarta, District Court of Surabaya, District Court of Banjarmasin, District Court of Padang; and District Court of Makassar. These five district courts were used as the object of research considering the quality of qualified judges and can be used as examples by other judges in preparing verdicts.

In the early stages of building knowledge for AI systems, we used 64 rulings as training data. Each decision training data will be extracted into 20 parts of the civil judgment, which include: 1) Judgment Number; 2) the Judiciary; 3) the Identity of the parties; 4) Date of Claim; 6) Subject Matter; 7) Mediation Report; 8) Reconvention; 9) *Replik*; 10) *Duplik*; 11) Plaintiff's evidence; 12) Defendant's evidence; 13) Plaintiff's Witness Evidence; 14) Evidence of Defendant's Witnesses; 15) Conclusion; 16) Arguments that the Defendant refutes; 17) Consideration of evidence on refuted evidence; 18) Legal Considerations; 19) Verdict and 10) Closing. The results of the system training are then validated by legal experts and by KYRI. In the next stage, the scraping process is carried out, namely taking decisions directly from the Supreme Court Directory website of the Republic of Indonesia <https://putusan3.mahkamahagung.go.id>; this procedure utilizes a Python library that can automate the process of downloading decisions from the Supreme Court website.

³⁷ Abdul Kadir Jaelani, Ahmad Dwi Nuryanto, and others, 'Legal Protection of Employee Wage Rights in Bankrupt Companies: Evidence from China', *Legality: Jurnal Ilmiah Hukum*, 31.2 (2023), 202–23 <https://doi.org/10.22219/ljih.v31i2.25874>

³⁸ Emre Mumcuoğlu and others, 'Natural Language Processing in Law: Prediction of Outcomes in the Higher Courts of Turkey', *Information Processing & Management*, 58.5 (2021), 102684 <https://doi.org/10.1016/j.ipm.2021.102684>

³⁹ Galih Wasis Wicaksono and others, 'Automatic Summarization of Court Decision Documents Over Narcotic Cases Using BERT', *International Journal on Informatics Visualization*, 7.2 (2023), 416–22 <https://doi.org/10.30630/foiv.7.2.1811>

3. Results and Discussion

The Current State of the Court's Decision-Making Process in Indonesia and New Zealand

The Decree of The Chief Justice of the Supreme Court Number 359 of 2022, based on the consideration of the decision, was motivated by the fact that there was still a lack of uniformity in the templates and components of verdicts/decrees at the first level and appellate level in the four judicial circles, thus hampering the realization of the principles of simple, fast and low-cost justice. The series of manuscript arrangements or decision templates is not just about uniform decisions. However, this also reflects the quality of the decision. A. Mukti Arto stated that a quality verdict is well-organized, systematic, and sequential.⁴⁰

The process of drafting a verdict, the author will elaborate on the process of the trial stages between Indonesia and New Zealand. In Indonesia, the stages of the trial include⁴¹: 1) Registration of the suit by the plaintiff, the suit is sent to the defendant by the District Court through the Bailiff; 2) Mediation, if the result is that both parties to the dispute agree peacefully, then the case is stopped, while if it is not successful peacefully, the dispute proceeds to the trial stage; 3) the Implementation of the Initial Session, 4) the Answer stage, 5) the *Replik-Duplik* stage, 6) the Evidentiary Stage, 7) the Conclusion Stage, and 8) the Verdict Stage. In comparison, the stages of the trial in New Zealand include:⁴² 1) Registration of the lawsuit by the plaintiff; 2). Submission of claim documents by the plaintiff to the defendant for 25 days. If the defendant does not proceed, a judgment will be handed down without trial and the case will end. If the defendant defends, then the judicial process continues; 3) Preliminary hearings, aimed at ensuring all parties understand the process and are used to resolve pre-procedural issues; 4) Proof; 5) Pleading and Replication; 6) Court rulings. If viewed further, in the stage of proceedings, Indonesia and New Zealand have many similarities except for the process of submitting lawsuit documents, where the task of raising a lawsuit is the obligation of the district court, while in New Zealand, it is the duty of the Plaintiff.

In the process of filing a lawsuit, the nominal of the lawsuit determines the trial process. In Indonesia, if the lawsuit is less than Rp. 500,000,000 (five hundred million rupiahs), then the lawsuit is filed, in a procedure called "Simple lawsuit,"

⁴⁰ Muhiddin Muhiddin, 'Theoretical and Practical Implications of Evidence in Religion Court', *International Journal of Nusantara Islam*, 8.1 (2020), 19–30 <https://doi.org/10.15575/ijni.v8i1.8538>

⁴¹ Ferlyawan Isnanda Nuh, Herwastoeti Herwastoeti, and Dwi Ratna Indri Hapsari, 'Implementation of E-Court in Civil Life Settlement to Realize Simple Principles Quickly and Low Costs (Study in Malang District Court Class 1a)', *Indonesia Law Reform Journal*, 2.3 (2022), 367–81 <https://doi.org/10.22219/ILREJ.V2I3.23264>

⁴² Kim Swon Lewis, 'Speak for Yourself', *New Zealand Law Journal*, 19.7 (2020), 208–18 <https://doi.org/10.1044/leader.MIW.19072014.30>

and resolved in a more straightforward process with a maximum period of 25 (twenty-five) days.⁴³ Meanwhile, if the nominal claim is more than Rp. The trial process is carried out generally for 500,000,000 (five hundred million rupiah). Whereas in New Zealand, if the nominal claim is less than \$ 30,000 (thirty thousand US dollars), then the settlement process is carried out in the Dispute Tribunal. At the same time, It exceeds that, it is only resolved in the District Court where the process is regulated in the District Court Rules 2014.⁴⁴ The difference is in the process, where settlement in the *Dispute Tribunal* is simpler, faster and cheaper than in the District Court. Even on the official website of the New Zealand Ministry of Justice, they warn that every person who will prosecute to the district court to contact their lawyer / legal counsel.

In Indonesia, the judge renders a verdict at the end of the case, settling the disagreement between the two parties.⁴⁵ The decision handed down is a whole document referred to as the 'Decision'. It contains materials related to the identity of the case, *the irah* "For the Sake of Justice Based on God Almighty", the parties to the dispute, the basis of the lawsuit, the contents of the claim, the mediation process, the answer, the replication and duplicates, the evidence by both parties, the judge's consideration, and the verdict. Whereas in New Zealand, the composition of verdicts includes the title and identity of the case, the preamble, facts, the judge's consideration, the assessment of evidence, consideration and conclusion, and the verdict.⁴⁶

Civil case decisions in both Indonesia and New Zealand are both compiled in a verdicts document. The difference is that in terms of content, decisions in Indonesia are more comprehensive, so they tend to produce decisions with a far greater number of pages than decisions in New Zealand. However, regarding ease of reading, New Zealand decisions are easier to read because, in each arrangement of the decision, a sub-chapter or title is given and written in bold.

⁴³ Seno Adhi Wibowo and Massulthan Rafi Wijaya, 'Implementation of the Small Claims Court in Dispute Case Settlement in Indonesia', *Lex Scientia Law Review*, 5.1 (2021), 165–78 <https://doi.org/10.15294/lesrev.v5i1.42859>

⁴⁴ B Toy-Cronin, 'Keeping up Appearances: Accessing New Zealand's Civil Courts as a Litigant in Person', *PhD Thesis* (University of Otago, 2015) <https://ourarchive.otago.ac.nz/handle/10523/6003>

⁴⁵ Galih Wasis Wicaksono and others, 'Automatic Summarization of Court Decision Documents over Narcotic Cases Using BERT', *JOIV: International Journal on Informatics Visualization*, 7.2 (2023), 416–22 <https://doi.org/10.30630/JOIV.7.2.1811>

⁴⁶ RUSSELL SMYTH, 'Empirical Studies of Judicial Behavior and Decision-Making in Australian and New Zealand Courts', *High Courts in Global Perspective*, July.July 2021 (2021), 108–28 <https://doi.org/10.2307/j.ctv1tfw0ff.9>

Artificial Intelligence in the Judicial System and Decision-Making in New Zealand

The application of AI in the New Zealand justice system is realized by accommodating the use of Generative AI (Gen AI) models such as chatbots (ChatGPT, Bing Chat / Copilot, or Google Bard) as tools that can help judges, court officials, court members, and judicial support staff. The justice system in New Zealand has stipulated that AI must be consistent with its obligations and still uphold the integrity of all judicial processes. Not only in judicial institutions, the application of AI is also regulated for the use of advocates and non-advocates who will later be involved in the judicial process. The move marks a significant evolution in increased efficiency, accessibility, and technological advances in justice. This is stated through the Guidelines for using AI in courts and tribunals for judges,⁴⁷ judicial officers, tribunal members,⁴⁷ judicial support staff, lawyers, and non-lawyers, December 7th, 2023.

Focus on supporting the duties of judges, court clerks, lawyers, and non-lawyers, the application of AI in New Zealand courts demonstrates a commitment to modernization and improving the quality of legal services. AI, such as chatbots, has been integrated to provide broad support throughout the justice system. One of the main aspects of its use is in the preparation of court judgment texts. Chatbots can assist in summarizing, analyzing, and synthesizing relevant legal information, making it easier for judges, lawyers, and court officials to process information more efficiently. They use AI as a virtual assistant to support judges in managing complex workloads.⁴⁸ Chatbots assist judges in detailing each case's relevant facts and laws, easing decision-making. With its analytical skills and natural language comprehension, the chatbot also presents information concisely and efficiently, allowing judges to focus more on aspects that require human consideration.

For lawyers and court officials, AI is becoming an invaluable tool. Chatbots will assist in legal research, present precedents, and provide up-to-date information about the law relevant to a case. With fast data analysis capabilities, chatbots can identify solid legal arguments and guide in developing legal strategies. In addition to utilization rules, all stakeholders involved in the use of AI are reminded of the risks and limitations of AI so that the potential problems can be minimized. The potential for data security, privacy, and related aspects of fairness and non-

⁴⁷ Baogui Chen and others, 'A Deep Learning Method for Judicial Decision Support', *Proceedings - Companion of the 19th IEEE International Conference on Software Quality, Reliability and Security, QRS-C 2019*, 2019, 145-49 <https://doi.org/10.1109/QRS-C.2019.00040>

⁴⁸ Yugo Hayashi and Kosuke Wakabayashi, 'Can AI Become Reliable Source to Support Human Decision Making in a Court Scene?', *CSCW 2017 - Companion of the 2017 ACM Conference on Computer Supported Cooperative Work and Social Computing*, 2017, 195-98 <https://doi.org/10.1145/3022198.3026338>

discrimination need to be carefully considered. In addition, it should be emphasized that the role of human beings, especially judges, remains crucial in making legal decisions. AI should be a tool that supports, not replaces, the role of humans.

In New Zealand, providing guidelines to judges on generative artificial intelligence models creates new opportunities to support judges' diverse duties. With a focus on using AI generative models to summarize information, write speeches, perform administrative tasks, conduct legal research, and analyze legal cases, judges can gain significant benefits in efficiency, accuracy, and time. AI models can assist judges in translating information contained in legal documents. AI's ability to process and present relevant information briefly can save judges time in understanding the substance of a case. This allows judges to focus more on deeper legal considerations and decisions.

Speech Writing: Drafting a speech or legal argument can be complicated and time-consuming. AI models can assist judges in drafting speeches by providing summaries of essential information, identifying relevant legal arguments, and structuring them appropriately. This can improve the quality and cohesion of the judge's speech. **Administrative Tasks:** Administrative aspects of a judge's job, such as the preparation of hearing schedules or other administrative documents, can be assisted by AI. This model can process data and compile administrative information quickly, reducing the administrative workload of judges and allowing them to focus more on the core of their juridical tasks.

AI models can assist judges in conducting legal research quickly and efficiently. With the ability to filter information from vast legal databases, AI models can present related cases, precedents, and other legal arguments supporting judges in decision-making. In legal analysis, generative AI models can assist judges in identifying and evaluating arguments raised in court. Through natural language processing, AI can analyze legal documents accurately, providing a holistic case view. The provision of guidelines for using AI opens the door for judges in New Zealand to integrate this technology into various aspects of their work. However, remember that although generative AI can help in such tasks, the role of judges as final assessors and decision-makers remains to be irreplaceable. Judges retain control over court proceedings and their ethical role in maintaining fairness and the justice system's integrity.

For lawyers in New Zealand, using generative artificial intelligence (AI) such as ChatGPT can open up opportunities and provide significant support in their critical tasks. New Zealand's guidance on using generative AI signals an essential evolution in legal practice that adopts technology to improve the efficiency, accuracy, and accessibility of legal services; first, fast and Efficient Legal Research: Generative AI, such as ChatGPT, can conduct legal research quickly and

efficiently. Access an extensive legal database; the model can present related cases, precedents, and other legal literature in seconds. This lets lawyers obtain in-depth information quickly, helping them devise better legal strategies. Second, in-depth Legal Analysis: With natural language analysis capabilities, generative AI can assist lawyers in analyzing and evaluating complex legal documents. This includes the identification of legal arguments, potential risks, and other legal considerations. With AI guidance, lawyers can make more informed decisions and understand the legal implications of a situation.

Third, legal decision support with AI can serve as a decision support tool for lawyers. In dealing with complex cases, lawyers can use ChatGPT to design legal strategies, get legal advice, or simulate possible outcomes. This can enrich the legal decision-making process. Fourth, New Zealand's guide to the use of generative AI also details the use of this technology in assisting lawyers in preparing legal speeches or presentations. ChatGPT can help summarize essential information, identify arguments that need to be emphasized, and craft a strong speech for a trial or other presentation.

By leveraging generative AI like ChatGPT, lawyers in New Zealand can increase productivity, get legal information faster, and gain sophisticated decision support tools. Lawyers must keep their knowledge of this technology updated and ensure its application to the legal principles and ethics of the legal profession. With a thoughtful approach, generative AI can be a valuable partner for lawyers in the face of the complex dynamics of the modern legal world. Despite its various benefits for judges, court staff, and lawyers, the New Zealand government insists that AI technology cannot replace lawyers for the general public. AI technology is not a substitute for lawyers who are qualified and unable to provide relevant legal advice. Lawyers are obligated to uphold ethical standards toward their clients in every case. On the other hand, AI also has the potential to provide inaccurate information. People cannot rely solely on AI as the only source giving advice and input to solve a case.

The Potential Impact of Artificial Intelligence on the Quality of Verdicts in Indonesia

Based on the training stage of the artificial intelligence model for decision analysis, training data was collected for 64 decisions from 5 class 1A and class 1A special courts at the initial stage. After that, the results of web scraping, extraction, and analysis of the verdict will be obtained using artificial intelligence models and validated by experts and KYRI.

Table 1 : Results of Training and Assessment of Artificial Intelligence Models for Decision Analysis by Experts

Name of Court	Appropriate	Not Appropriate
District Court of West Jakarta	20	3
District Court of Padang	5	1

District Court of Surabaya	18	2
District Court of Banjarmasin	1	0
District Court of Makassar	13	1
Total	57	7

Based on the results of scraping using artificial intelligence models, an uneven data distribution was obtained between each class 1A and particular class 1A District Court. However, this is not a determining factor in the quality of artificial intelligence models. Refer to the results of manual expert validation of the quality of the scraping model, extraction, and analysis of the verdict on the completeness of the 20 parts of the verdict content. From 64 rulings, 57 were assessed according to the expert analysis results, and the success rate of the intelligence model reached 89%. So, the artificial intelligence model is considered sufficient to help the analysis process. The following procedure is to expand the data analysis capacity to assist the research team in analyzing court decisions by referring to the provisions of KKMA Number 359 of 2022. At this stage, the artificial intelligence model successfully scraped 493 verdicts. However, are six decisions sourced from different courts outside the 5 district courts used as research objects.

Table 1 : The results of Scraping the Verdict by an Artificial Intelligence Model on the website of the Supreme Court of the Republic of Indonesia

Name of Court	Number of Verdicts
District Court of West Jakarta	30
District Court of Padang	28
District Court of Surabaya	62
District Court of Banjarmasin	331
District Court of Makassar	33
Total	487

Researchers then used the results of the decision analysis using artificial intelligence models to consider the impact of compliance with the preparation of decisions based on KKMA No. 359 of 2022 on cases of default decisions in 5 district courts. If we refer to the data, many verdicts still do not follow the provisions, and some parts of the judgment are not detected in all decisions. Therefore, researchers then review and make the results of the artificial intelligence model analysis a basis for consideration in this study. The help of artificial intelligence models in this research has an impact, including the fact that AI can process large and complex data and information quickly and with excellent accuracy. Then AI can also reduce the burden of operational costs to perform decision analysis manually. AI can detect and correct errors in rulings such as typing, counting, or interpretation errors. On the other hand, AI can adapt to the growth of verdict data to improve its ability and performance in conducting verdict analysis.

The legal sector is no exception in an era where technology continues to evolve rapidly. Artificial intelligence (AI) has promised to revolutionize many aspects of human life, including the justice system. Learning from New Zealand, its courts are open and trying to adapt to technological developments, especially artificial intelligence, instead of closing themselves off and forbidding it. The Guidelines for Use of Generative Artificial Intelligence in Courts and Tribunals provides guidance for judges, judicial officers, tribunal members, and judicial support staff on how to use AI and its limitations.

The Supreme Court can adopt this as a judicial body that oversees 4 (four) judicial environment bodies in Indonesia⁴⁹. Adoption can be done by creating guidelines outlined in a Supreme Court Circular Letter (SEMA). Supreme Court Circular Letter is a circular from the Chief of the Supreme Court to all levels of the judiciary containing guidance in the administration of justice which is administrative. Another form is a Decree of the Chief Justice of the Supreme Court which includes a decision issued by the Chief Justice of the Supreme Court regarding certain matters. However, it must be remembered that if one of these two forms is made, then this guidance is binding for parties within the scope of the Supreme Court only, but not for external parties such as parties to a dispute in court.

Meanwhile, suppose the guidelines for using AI in courts are intended for the public (especially the parties to the dispute) within the scope of the supreme court. In that case, the guidelines can be prepared as a Supreme Court Regulation⁵⁰. This is similar to the New Zealand court that drafted Guidelines for the Use of Generative Artificial Intelligence in Courts and Tribunals for Lawyers and also for non Lawyers. It must be ensured that the AI to be applied are tools to support the decision-making process by the composition of verdicts as stipulated in SKKMA 359/2022, and not replace the role of humans. While AI can provide valuable assistance, the final decision must remain in the control of the human judge or court. The use of AI should support, not replace, the role of humans in the decision-making process.

4. Conclusion

There is still a lot of non-uniformity in the composition of verdict scripts in various district courts, and to improve the quality of judges' verdicts is the background of the Chief Justice of the Supreme Court Decision No. 359 of 2022. The study results show that there are still verdicts whose manuscript structure needs to follow the provisions of KKMA 359 of 2022. Secondly, the results of the analysis using artificial intelligence models were then used by researchers to

⁴⁹ Tim Lindsey Simon Butt, '4 The Judicial System', in *Indonesian Law* (Oxford: Oxford Academic, 2018) <https://doi.org/https://doi.org/10.1093/oso/9780199677740.003.0004>

⁵⁰Tumpa and Ali.

consider the impact of this issue. Learning from New Zealand, the use of AI in courts can bring great benefits if done carefully and responsibly. The creation of clear and sustainable guidelines is an important step in ensuring that the use of this technology supports, rather than replaces, the fundamental principles of justice and fairness in the legal system. Guidance can be in the form of a Supreme Court Circular Letter or Chief Justice Decree if the guidance is intended for judges and staff at the Supreme Court, and it can also be in the form of a Supreme Court Regulation if the guidance is also intended for the public, especially court litigants/parties.

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