



北京大学
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ATMA JAYA YOGYAKARTA
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Current trends of AI application in judicial areas and possible AI judges in China

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R RITSUMEIKAN
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CONTENTS

- Introduction
- I. Chinese E-justice before/during the pandemic (flash-back)
- II. My preliminary proposal for judicial AI in China (planning-on)
- III. Judicial AI in current China (in full swing)



SPEAKER

- Person and Experience
 - Born in 06.1986, Beijing, PRC
 - LL.B. (2008), Law School, PKU
 - LL.M. (2010), Law School, PKU
 - Ph.D. (2014), Law School, PKU
 - Ph.D. Candidate (since 2011), Law School, Regensburg University, Germany
 - Post-Doctoral Research (2014-2016), KoGuan Law School, Shanghai Jiao Tong University
 - Ass. Prof. (since 2016), tenure Associ. Prof. (since 2022), Law School, PKU (Civil Procedure)
 - Prof. (Research), Ph.D. Supervisor, PKU



SPEAKER ON SPEAKER

- My representative academic interests
 - *Basic theories of civil procedure, e.g. burden of proof, structure of civil judgments, subject matter of claims*
(*Chinese National Social Science Foundation 2018-2024*)
 - Reforming civil justice in the digital era and AI application in judicial areas
(*Chinese National Social Science Foundation 2025-2030*
Chinese Dept. of justice funding project 2024-2026)
 - *Promoting Beijing as a center of international arbitration*
(*Chinese Beijing govt. funding project 2024-2027*
with German KAS for Beijing int'l conference in March 2026)
 - *Judicial efficiency revisited*
(*International Association of Procedural Law 2025 Zagreb*)

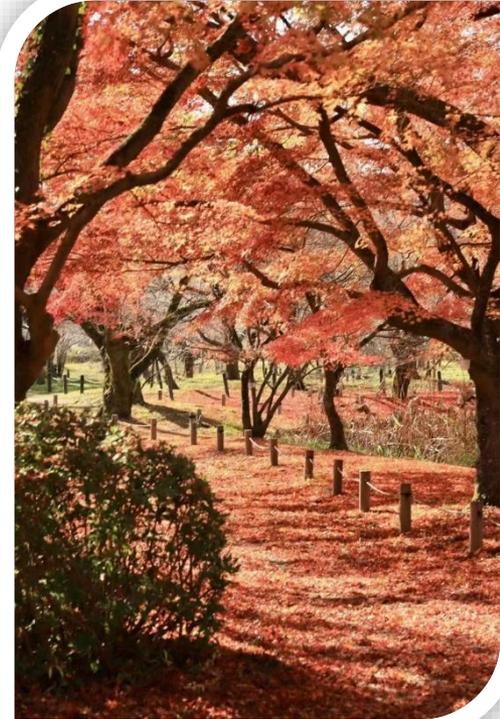




I. CHINESE E-JUSTICE BEFORE/DURING THE PANDEMIC (*FLASH-BACK*)

ORDINARY PROCEDURE

- Art. 122 CPL: A lawsuit to be initiated must meet all of the following preconditions:
 - (1) The plaintiff is a citizen, legal person or any other organization with a **direct interest in the case** (substantial standing);
 - (2) There is a **clear defendant** (formal standing);
 - (3) There are **specific claims, facts and reasons**;
 - (4) The case is within the **scope of civil actions** accepted by the people's courts and under the **jurisdiction of the people's court** in which the action is instituted.



ORDINARY PROCEDURE

- 2017: docketing cases in the city other than the one having jurisdiction
 - Latter court is still responsible for the case
 - E.g., Quanzhou, Fujian province
- 2021: all courts can accept docketing online



ORDINARY PROCEDURE

• Internet Courts



MOBILE COURT 2019.7



STATUTORY REVISIONS

- The Plan for the Pilot Program of the **Reform of Separation between Complicated and Simple Cases** in Civil Procedure
 - Jan. 15, 2020 initiated by SPC
 - Two-year pilot for this separation was completed
 - Objectives and basic principles of reform
 - Main content of the pilot work
 - Scope and duration of the pilot work
 - Implementation of the plan
 - Organizational guarantees
 - Feb. 27 2021, mid-term report from SPC to NPC Standing Committee

STATUTORY REVISIONS

1

- Optimizing judicial confirmation procedure

2

- Improving small claims procedure

3

- Improving the rules of simplified procedure

4

- Expanding the applicable scope of the sole-judge trial system

5

- Improving the rules of electronic litigation

PROCEDURE DURING PANDEMIC

- Court hearings
 - Avoiding meeting
 - Having trial
 - Precondition
 - Account and password
 - Identifying the parties
 - Photos
 - Biometric characters
 - Testing the signal transmission



PROCEDURE DURING PANDEMIC

- Even judges and their clerks could stay at home, but only use the smartphone (Feb. 2020)



PROCEDURE DURING PANDEMIC



PROCEDURE DURING PANDEMIC

- Especially, Several Provisions of the SPC on Providing Online Case Docketing Services for Parties to Cross-border Litigations of 2021



STATUTORY REVISIONS

- Art. 16, CPL 2021
 - with the consent of the parties, civil proceedings may be conducted online through an information network platform.
 - online civil proceedings conducted through an information network platform shall have the same legal force as offline legal proceedings.



STATUTORY REVISIONS

- New Civil Procedure Law of 2023
 - New reform is always on-going (newest version announced in Sept. 2023)
 - Among others, major revision of Part Four- Special Provisions on Foreign-Related Civil Procedures
 - New section 4 of Chapter 15-Special Procedure: Designation of the Legacy Administrator
 - **But nothing for e-justice**





II. MY PRELIMINARY PROPOSAL FOR JUDICIAL AI IN CHINA (PLANNING-ON)

RESEARCH PROPOSAL

- Theoretical Premise: The Dialogue Between Judicial AI Applications and Traditional Procedural Jurisprudence
 - Chapter 2 Chinese Vision of Digitalized Justice Based on Constitutional Procedural Safeguards
 - Constitutional Procedural Guarantees and Judicial Requirements
 - Digitalized Judicial Transparency
 - The International Trend of Access to Justice
 - Judicial Convenience for the People and Litigation Rights
 - Chapter 3 AI Applications and the Particularities of the Chinese Judicial Areas
 - Particularity of Judicial Information
 - Particularity of Judicial Work
 - Judicial Data and Technology
 - Human Judges and Digitalized Judges

RESEARCH PROPOSAL

- Chapter 4 Judicial and Diverse Dispute Resolution Mechanisms under AI Applications
 - A New Discourse on the Relationship Between Court Adjudication and Non-Judicial Dispute Resolution
 - Restructuring the Pre-Litigation Mediation System and New Opportunities
 - Decentralized Dispute Resolution Based on Technological Possibilities
 - New Developments in Diverse Dispute Resolution Mechanisms
- Chapter 5 Reconsidering Civil Procedural Jurisprudence in Judicial AI Applications
 - The Dilemma and New Interpretations of Fairness and Efficiency Values
 - The Conflict Between Legal Traditions and Artificial Intelligence (Common law case law thinking; Civil law claim thinking; Generative AI logic)
 - The Possibility of Party Autonomy and Its Impact
 - The Importance of Judicial Discretion and Its Difficulties



RESEARCH PROPOSAL

- Potential Procedural Transformation via Judicial AI Applications
 - Chapter 6 Digitalized Filing Procedures and the Prospect of Procedural Structuring
 - Models of Digitalized Filing Procedures in China
 - Changes in Plaintiff Preparation
 - Informatization Development of Litigation Procedures towards Structuring and Datafication (model claim forms as examples)
 - Procedural Structuring and Modernization Reform of Civil Litigation
 - Chapter 7 Transformations in Litigation Procedures Driven by Judicial AI Applications
 - Litigation Communication under Digitalized Procedure
 - Litigation Materials under Digitalized Procedure
 - Judicial Documents under Digitalized Procedure
 - Document Management under Digitalized Procedure
 - Litigation Costs under Digitalized Procedure



RESEARCH PROPOSAL

- Chapter 8 Application, Justification, and Typology of Online Civil Trials
 - Practical Schemes and Empirical Research on Online Trials
 - Application and Challenges of Online Trials in Major Foreign Jurisdictions
 - The Relationship between Online Trials and Fundamental Procedural Principles
 - Limitations and Typology of Online Trials
- Chapter 9 Judicial AI Applications and the Reform of Trial-Execution Separation
 - Particularities and Demands of Enforcement Procedures
 - Improving the National Enforcement Mechanism and Digitalized Enforcement Reform
 - Assistance from AI Applications in the Enforcement System
 - Assistance from AI Applications in Enforcement Measures



RESEARCH PROPOSAL

- Systematic Development: The Digitalized Procedural Jurisprudence Formed by Judicial AI Applications
 - Chapter 10 Overall Design and Fundamental Issues of Online Litigation
 - Chapter 11 Solution to Classic Judicial Issues in the Digitalized Era
 - Chapter 12 Judicial Solution to Social Issues in the Digitalized Era
 - Chapter 13 New Perspectives on Classic Issues of Technology-Law Relationship



RESEARCH PROPOSAL

- To-do list for the time being
 - Organizing empirical field visits and talks
 - Chasing the newest moves of legal AI companies
 - Realizing the concerns of different legal players
 - Strengthening the research team
 - Coordinating with international and regional colleagues





III. JUDICIAL AI IN CURRENT CHINA (IN FULL SWING)

JUDICIAL AI

- Different facets of the development
 - Moves of the state judiciary
 - Integrated judicial network
 - Templates of claim forms
 - Interesting cases
 - AI-generated precedents detected
 - AI-generated evidence detected
 - AIGC torts cases
 - Reconsidering AI judges via smart arbitration experience



INTEGRATED JUDICIAL NETWORK

- Original name: “the network”; Yizhangwang

人民法院在线服务网
司法为民 司法便民

当事人 适老服务 用户须知

服务指引 在线立案

选择案件类型

- 调解
 - 行政诉前调解
 - 行诉前调申请调解书
 - 在线保全
- 民事
 - 民事一审
 - 民事二审
 - 申请司法确认
- 行政
 - 行政一审
 - 行政二审
 - 行政非诉
- 刑事
 - 刑事自诉
- 赔偿
 - 国家赔偿
- 执行
 - 申请执行
- 破产
 - 强制清算申请审查
 - 破产申请审查
- 申诉信访
 - 民事申请再审
 - 行政申请再审
 - 刑事申诉
 - 国家赔偿申诉
 - 执行监督申请

首页 我的立案 我的案件 文书送达 在线交费 诉讼工具 文书制作 其他服务 常用资料 担保服务 债权申报

搜狐号@城市头条网

INTEGRATED JUDICIAL NETWORK

- Under the integrated judicial network
 - One OA system for all
 - Limited access for lawyers and parties
 - Possibility of incorporating more functions
 - Statistics without manipulation
 - Innovation in developed provinces extends to less-developed ones
 - Less chance to be corrupted for technical equipment



TEMPLATES OF CLAIM FORMS

- Before/after the integrated judicial network
- Meaning of the model claim form
 - Each template divides the traditional claim form into over twenty sections to standardize data from the claimant's side
 - Hence, such element-based model claim forms replace traditional long-form textual statements with a tabular, fill-in-the-blank design, breaking down core elements such as claims and factual grounds into sections that can be checked or filled in
 - Attention: normalize dispute data for the potential AI agents

法[2024]46号

最高人民法院 司法部 中华全国律师协会 关于印发部分案件民事起诉状、答辩状 示范文本(试行)的通知

各省、自治区、直辖市高级人民法院、司法厅(局)、律师协会,解放军军事法院,新疆维吾尔自治区高级人民法院生产建设兵团分院,新疆生产建设兵团司法局、律师协会:

为适应我国经济社会高质量发展,满足人民群众对于诉讼便利以及提升司法质效的更高需求,针对金融借款、民间借贷、劳动争议等11类常见多发的民事案件,最高人民法院商司法部、中华全国律师协会研究制定了《民事起诉状、答辩状示范文本(试行)》。该示范文本自2024年3月4日起试行,试行期一年。试行过程

民间借贷纠纷民事起诉状

民间借贷纠纷民事起诉状1 民事起诉状

原告: , 男, 汉族, 年 月 日出生, 住广东省 市 区 路 号 公民身份号码: 联系电话:

被告: , 男, 汉族, 年 月 日出生, 住广东省 市 区 路 号 公民身份号码: 联系电话:

诉讼请求:

- 1、判令被告立即向原告偿还借款 元及支付相应利息;
- 2、本案的诉讼费由被告承担。

事实与理由:

年 月 日, 被告以资金周转为由, 向原告借款现金人民币 元, 并向原告出具了载明相应款项的《借据》, 约定于 年 月 日一次性还清。上述借款, 原告已多次向被告进行催讨, 但被告却以各种理由一拖再拖, 至今未还。

原告认为, 本案的《借据》是在原告向被告提供现金借款后由被告向原告出具的, 是被告真实的意思表示, 具有法律效力, 被告应按照《借据》中约定的还款期限向原告偿还借款 元。因原、被告未约定借期内利率和逾期利率, 被告至今仍未偿还借款, 故根据《最高人民法院关于审理民间借贷案件适用法律若干问题的规定》第二十九条“既未约定借期内的利率, 也未约定逾期利率, 出借人主张借款人自逾期还款之日起按照年利率6%支付资金占用期间利息的, 人民法院应予支持”的规定, 被告还应自 年

TEMPLATES OF CL

— For example, in private lending disputes, parties are required to fill in or select items such as the contracting parties, loan amount, loan term, interest rate, repayment method and other relevant information



事实和理由	
1. 合同签订情况（名称、编号、签订时间、地点等）	
2. 签订主体	贷款人： 借款人：
3. 借款金额	约定： 实际提供：
4. 借款期限	是否到期： 是 <input type="checkbox"/> 否 <input type="checkbox"/> 约定期限： 年 月 日起至 年 月 日止
5. 借款利率	利率 <input type="checkbox"/> %/年（季/月）（合同条款：第 条）
6. 借款提供时间	年 月 日， 元
7. 还款方式	等额本息 <input type="checkbox"/> 等额本金 <input type="checkbox"/> 到期一次性还本付息 <input type="checkbox"/> 按月计息、到期一次性还本 <input type="checkbox"/> 按季计息、到期一次性还本 <input type="checkbox"/> 按年计息、到期一次性还本 <input type="checkbox"/> 其他 <input type="checkbox"/>
8. 还款情况	已还本金： 元 已还利息： 元，还息至 年 月 日
9. 是否存在逾期还款	是 <input type="checkbox"/> 逾期时间： 至今已逾期 否 <input type="checkbox"/>
10. 是否签订物的担保（抵押、质押）合同	是 <input type="checkbox"/> 签订时间： 否 <input type="checkbox"/>
11. 担保人、担保物	担保人： 担保物：
12. 是否最高额担保（抵押、质押）	是 <input type="checkbox"/> 否 <input type="checkbox"/> 担保债权的确定时间： 担保额度：
13. 是否办理抵押、质押登记	是 <input type="checkbox"/> 正式登记 <input type="checkbox"/> 预告登记 <input type="checkbox"/> 否 <input type="checkbox"/>
14. 是否签订保证合同	是 <input type="checkbox"/> 签订时间： 保证人： 主要内容： 否 <input type="checkbox"/>
15. 保证方式	一般保证 <input type="checkbox"/> 连带责任保证 <input type="checkbox"/>
16. 其他担保方式	是 <input type="checkbox"/> 形式： 签订时间： 否 <input type="checkbox"/>
17. 其他需要说明的内容（可另附页）	
18. 证据清单（可另附页）	

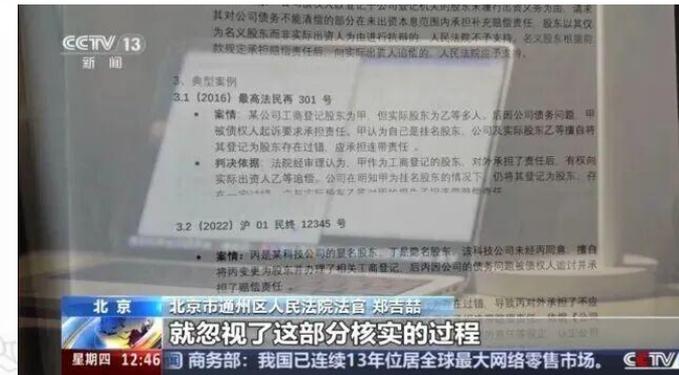
TEMPLATES OF CLAIM FORMS

- Development
 - Two batches of model claim forms in **March 2024 and July 2025**
 - Total number of model texts has reached 67 categories
 - Fully implemented nationwide, voluntarily and pushed forward practically
 - Statistics provided by the judiciary
 - 72% of parties and lawyers proactively applied element-based model claim forms in litigation
 - a 21-percentage-points increase compared with the first quarter of 2025
 - The application rate of model claim forms for disputes such as financial loan contracts, credit card contracts, and guarantee insurance contracts exceeded 80%.

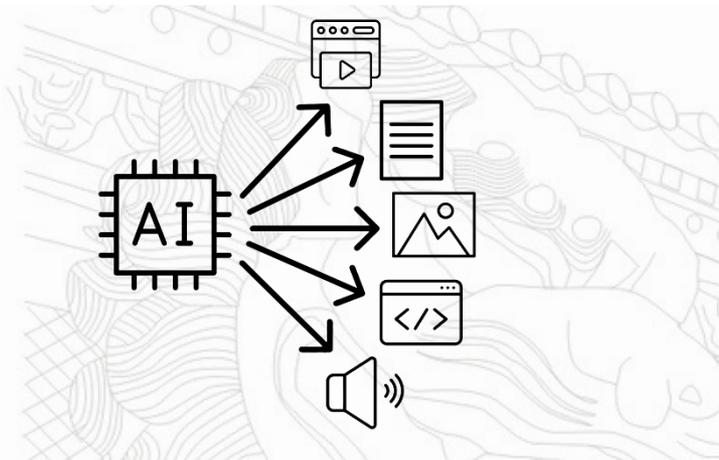


INTERESTING CASES

- AI-generated precedents
 - The judge received the opinion submitted by the plaintiff's lawyer via mail
 - Attached two reference cases from the Supreme People's Court and a Shanghai Intermediate People's Court
 - With similar facts and results in favor of the plaintiff
 - Fake case number with fake content
 - Merely condemned by the judge
 - Other cases: AI-generated claim form with fake legal provisions cited



INTERESTING

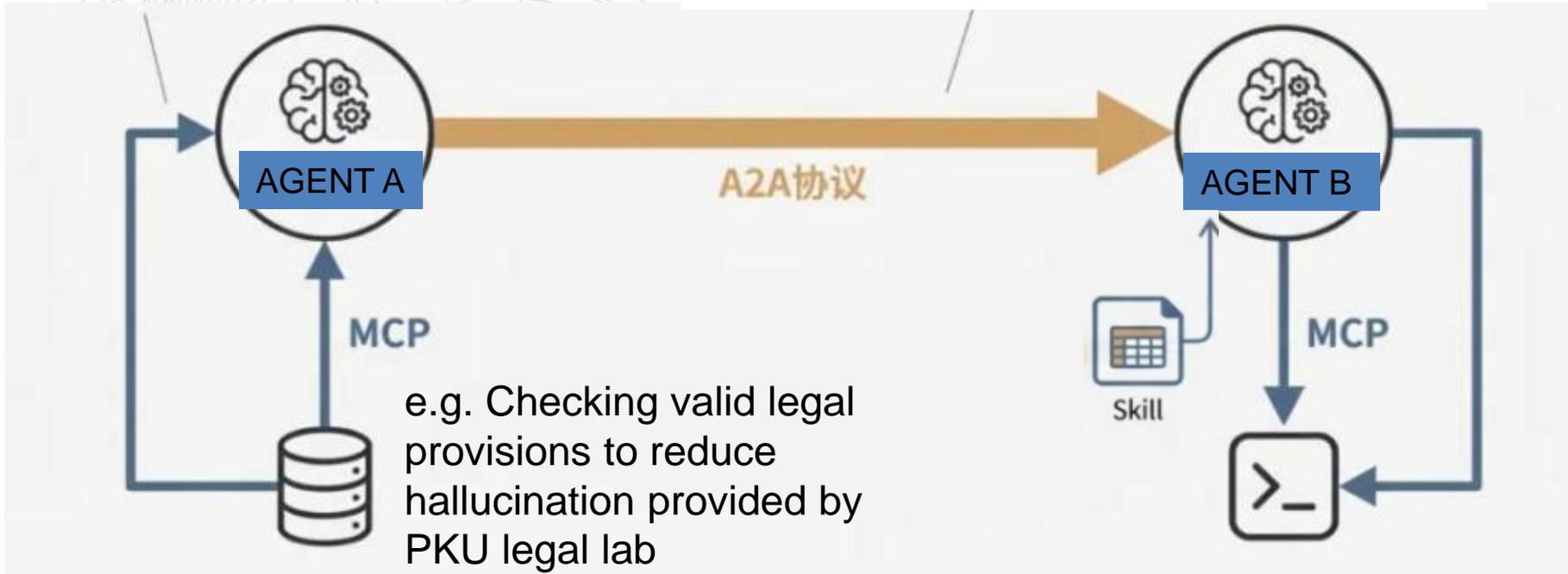


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}
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根据核查结果,发现您提供的法条款项与2023年修订后的《中华人民共和国行政复议法》实际内容存在不一致,现将正确内容反馈如下:

一、原文核对情况:

1. 第十一条实际内容为行政复议受理范围(15种情形),并非您所述的电子送达条款
2. 第八十七条实际内容为行政复议不收费规定,非拒收文书送达条款
3. 第八十九条实际内容为涉外行政复议适用,非公告送达条款



INTERESTING CASES

- AI-generated evidence
 - Case 1: the tenant Mr. Han, in order to prove that the rent had been paid, submitted several "bank payment electronic receipts" with standardized formats and clear seals
 - Case 2: the landlord Ms. Dong claimed that the electricity consumption recorded on the electricity meter of the disputed house was solely used by the tenant Mr. Xiong. She submitted one photo of the electricity meter before Mr. Xiong's move-in and another photo after the lease term expired, to prove the electricity consumption during Mr. Xiong's tenancy



INTERESTING CASES

- AIGC-related cases 1 (torts)
 - The plaintiff, holder of a registered trademark ABC, found that when searching for the **keyword "how much does it cost to franchise ABC"** on a certain search engine, the first result was a sponsored link fully containing the keyword, leading to the self-owned brand franchise promotion page of the defendant.
 - The plaintiff alleged that the defendant infringed its registered trademark rights and engaged in unfair competition by purchasing search engine advertising services and deliberately selecting search keywords similar to the trademark ABC
 - The defendant alleged that although it had purchased online advertising services from the search engine, it had never manually added keywords containing ABC
 - **Then, how could it happen?**



INTERESTING CASES

- The operator of the search engine confirmed defendant's purchase of online advertising services yet without the keyword "how much does it cost to franchise ABC"
- **Irregularities in the evidence collection:** prior to evidence collection, the plaintiff had repeatedly and abnormally searched for keywords related to ABC over 50 times without clicking on any results
- The Judge pointed out that the plaintiff had **exploited the AI-powered self-learning capability of the search engine**—by repeatedly entering its own trademark name without actually visiting the normally displayed web links, conducting a series of abnormal search operations until an erroneous link appeared, then capturing evidence
- According to the investigation, the plaintiff had obtained over 400 such "evidence" files using this method and had already filed or was preparing to file trademark infringement lawsuits before courts across the country

INTERESTING CASES

- AIGC-related cases 2 (contract)
 - The case refers to a generative AI application like ChatGPT based on a Chinese LLM.
 - In March 2025, Liang registered and began using the application after agreeing to the user agreement.
 - On June 29, 2025, when Liang entered a query about admission information for a certain university, the application generated inaccurate information regarding one of the university's campuses.
 - After discovering the error, Liang corrected and criticized the response in the conversation, but **the application** continued to assert that the campus did exist and further generated a resolution proposal, **offering to compensate the user with 100,000 Yuan if the generated content was proven incorrect.**

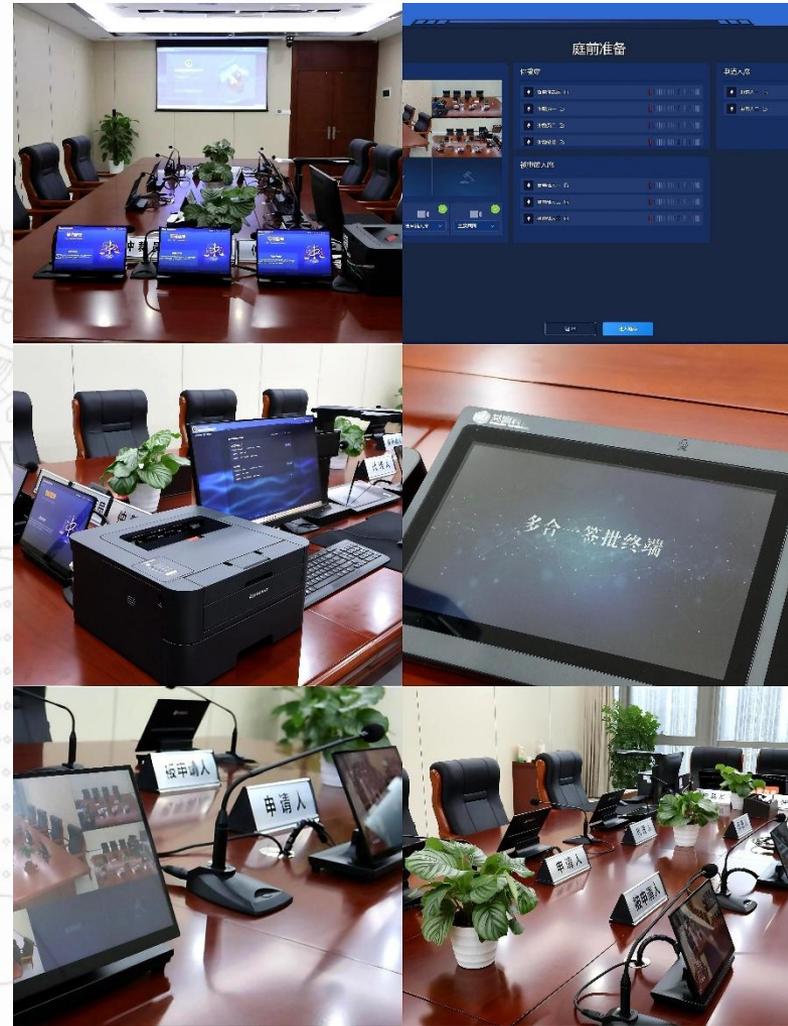


INTERESTING CASES

- Subsequently, Liang provided the application with enrollment information retrieved from the official university website. At that point, **the application acknowledged having generated inaccurate information and suggested that Liang file a lawsuit for compensation at the Hangzhou Internet Court**
- Then, Liang claims for 9,999 Yuan before court
- Judgment's reasoning
 - The relevant application itself is not able to conclude an agreement
 - The managing company does not have the intention to be bound
 - No negligence/duty of care
 - No loss

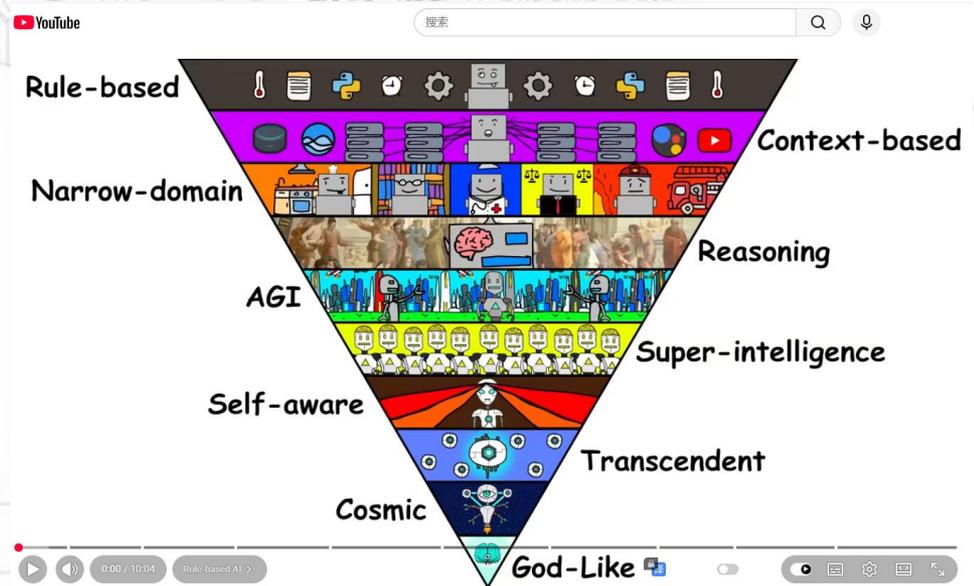
SMART ARBITRATION PRACTICE

- Preliminary application
 - AI transcript for different persons
 - Manual correction by arbitration secretary
 - Manual operation by arbitration secretary (what to be written down? More clarification?)
 - Preparing documents for service



SMART ARBITRATION PRACTICE

- Answering questions with rule-based expert system
 - Chat-box or hotline before the breakthrough of LLMs
 - Chinese AI judge in 2019 (moving images with voices)



SMART ARBITRATION PRACTICE

- Middle-level application
 - AI-generated structure of the transcript in advance and procedural info incorporated
 - Pre-prepared draft of the arbitral award while the customized judgment and reasoning on the merits is to be manually supplemented
 - AI-based suggestions of similar cases and relevant arbitral awards for reference, esp. simple cases

所有案例均由 AI 推荐, 请您自行甄别。

5 个案例

10 个案例

案例 1

匹配度: 91.445 %

案例 2

匹配度: 90.791 %

案例 3

匹配度: 89.869 %

SMART ARBITRATION PRACTICE

- High-level application?
 - Summarizing the disputed issues
 - Matching the factual allegation and the items of evidence and compare the partial standing?
 - *AI-based collection of info which is not presented by the parties?*
 - *AI hearing and questioning?*
 - *AI evaluation of evidence? Giving scores for the presentation of each side? Finding truth of the factual allegation?*
 - *AI drafting and judging finally?*



自动驾驶的六个等级

THE 6 LEVELS OF AUTONOMOUS DRIVING

	L0	L1	L2	L3	L4	L5
	完全人类驾驶	辅助驾驶	部分自动驾驶	有条件的自动驾驶	高度自动驾驶	完全自动驾驶
驾驶员	 <p>必须完成所有驾驶操作。</p>	 <p>必须完成所有驾驶操作，但在某些情况下能够获得辅助。</p>	 <p>车辆可以承担一些基本的驾驶任务，但驾驶员必须随时准备接管车辆。</p>	 <p>当功能请求时，驾驶员必须接管车辆。</p>	 <p>当系统无法继续运行时，驾驶员需要在接到通知后接管车辆。</p>	 <p>无需驾驶员，方向盘可有可无。坐在L5级别的自动驾驶汽车中，每个人都是乘客。</p>
车辆	<p>仅能对驾驶员的指令做出响应，但可以提供有关环境的警报。</p> 	<p>可以提供诸如紧急情况下自动制动或车道偏离修正等基本辅助功能。</p> 	<p>在某些特定情况下，能够自动转向、加速和制动。</p> 	<p>在某些特定情况下，可完全自动转向、加速和制动。</p> 	<p>可在大多数情况下承担全部驾驶任务，而无需驾驶员干预。</p> 	<p>能够在所有情况下承担全部驾驶任务，无需驾驶员干预。</p> 

COMPARATIVE CIVIL PROCEDURE

- Comparative civil procedure “may help not just to improve your own national law but to find solutions for practical legal problems of trans-national relations in our world of globalisation” (Prof. Peter Gottwald)
 - Reconsidering our own legal system and its relative position
 - What could be learned, if any, from the experience in China?
 - “all happy families are alike; each unhappy family is unhappy in its own way”



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