

**International Workshop: “Accountability of the Supreme Court and Constitutional Court in  
Digital Justice and AI Analysis of Judgment Databases”  
Ritsumeikan University, March 11, 2026**

**Comments on Dr. Apipong Sarntikasem’s Presentation:  
“Digitalization of Court Proceedings in Thailand”**

**By Tsukasa MIHIRA (Kyoto University, Japan)**

Dr. Apipong Sarntikasem's presentation provides valuable insights into the current state of e-Service of the Thailand’s judiciary and its policies regarding AI utilization, and issues surrounding cross-border video hearings. While it covers diverse topics, I will focus several of them.

Dr. Sarntikasem shows that e-filing is widely used particularly in remote areas. While this suggests that e-service contributes to improved access to justice, it is interesting to know whether it also leads to an increase in the use of courts by the public: e.g., has the number of litigations increased in remote areas after the introduction of e-Service systems? If so, it demonstrates that e-Service not only enhances efficiency and convenience but also holds importance for realizing the rule of law.

Dr. Sarntikasem also introduced Thailand's e-Courtroom. I wonder if examinations of witnesses are conducted online in Thailand. During examinations of witnesses, the witness's facial expressions, gestures, and tone of voice could influence the judges’ evaluation of evidence. However, if they are conducted online, only parts of the body may be visible, voice tones can differ, and the impression witnesses give may be different from in-person appearances. If examinations of witnesses are conducted online in Thailand, I wish to learn how these issues are considered and addressed in the country.

In his presentation, Dr. Sarntikasem suggests that the judicial digitalization has aspects that could both enhance and diminish public trust in the judiciary, pointing out the significance of a “hybrid approach”. Given that public trust in the judiciary influences citizens' use of the judicial system and their respect for judicial decisions, thereby affecting the effectiveness of the judiciary and the realization of the rule of law, his argument is highly significant. I wish to learn more specifically how such hybrid approach is being implemented in Thailand, and

what challenges exist from the perspective of that approach.

Dr. Sarntikasem also introduces a model proposed by Judge Kraiphol Aranyarat for how adjudicative tasks should be allocated between human judges and AI. This model emphasizes the need to attend to the scope of judicial discretion and the seriousness of the case. The model provides important insights for considering the extent of AI use in judiciary, and therefore I wish to ask several points about this model.

First, in Tier 1 cases, would judges be prohibited from consulting AI built on case law databases? For example, in Session 8, it is reported that in Taiwan, an AI sentencing information system has been developed and used for reference for professional and citizen judges in citizen judge trials. Since sentencing concerns the defendant's liberty and fundamental rights and thereby carries seriousness, and judges possess discretion in this area, sentencing appears to be categorized as Tier 1 task. I wish to learn how the use of such sentencing information systems would be treated under this model.

Second, conversely, in Tier 3 cases, would human judges not need to ultimately verify the AI's output? It is often pointed out that AI outputs may contain false positives and errors. I wish to learn how this risk is considered and addressed under this model.

Third, in Session 8, it is also reported that AI is also used in mediation concerning child guardianship arrangements in Taiwan. How would mediation be positioned under this model? Since mediation, unlike trials, is not a compulsory dispute resolution method, would broader use of AI be permitted?

Fourth, I wish to learn how AI is currently being utilized in the Thai judiciary, and how this would be evaluated under this model?

Dr. Sarntikasem presented theoretically and practically significant perspectives on judicial digitization and the distribution of tasks between AI and human judges in judicial decision-making. I wish to express my gratitude to Dr. Sarntikasem for sharing these precious insights.