



Digitalization and the Use of AI in the Taiwanese Judiciary

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Outline



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I. Introduction



- Taiwan is no exception to the global trend towards the digitization of justice and the use of AI in the judiciary.
- Long before the enactment of the **'Basic Act on Artificial Intelligence'** on January 14, 2026, AI had established a profound presence in Taiwan legal practice, including preliminary trial preparation, law firm administration and the review of contracts and other legal documents.

I. Introduction



- More crucially, the **Taiwanese judiciary** is now leveraging the AI-driven innovations to solve the problem of **overwhelming caseload** and **administrative burden**.
- This presentation will trace **the development of Judicial Digitalization** in Taiwan and explore **the application of AI** within the realms of **sentencing consistency** and **family law**.

II. Development of Judicial Digitalization



- In 2013, the Judicial Yuan (司法院), the highest judicial and administrative body in Taiwan, determined to develop a judicial digital system and promote the digitalization of courts.
- **The initial focus** of court digitalization was on establishing an **electronic catalog and display system for case files, integrating this system into the existing judges' operating system.** That way, judges could freely choose to use a document camera or scan specific case files, enjoying the same convenience as a comprehensive scan.
- **The medium-term goal** emphasized paperless litigation procedures, and planned to establish an online litigation and electronic document exchange system to enhance the digitalization of judicial environment.

II. Development of Judicial Digitalization



- In addition, the Judicial Yuan integrated various cloud services into a single login platform, providing prosecutors and lawyers with access to court schedules, hearings and case progress inquiries, and integrating prosecutors' court appointment scheduling and lawyers' online application for payment orders, so that **both the prosecutors and lawyers were able to enjoy integrated services through a single login.**
- Finally, Parties and their attorneys are able to **file lawsuits or appeals, and engage in litigation activities by using the electronic litigation system offered by the Judicial Yuan and all Taiwanese courts.** The courts' online filing systems are a 24/7 service.

III. Use of AI in Sentencing / Background



- The implementation of AI in the Taiwanese legal system made its debut in the realm of **sentencing**.
- Art. 57 and 59 of the Taiwanese Criminal Code requires a criminal judge, when sentencing a offender, to consider all circumstances, paying particular attention to the following matters as standards for **determining the severity of punishment**: (1) the motive and purpose of the crime; (2) the stimulation the offender perceived at the moment of committing the offense; (3) the means used for the commission of the crime; (4) the offender's living conditions; (5) the offender's character; (6) the offender's level of intelligence; (7) the relationship between the offender and the victim; (8) the degree to which the offender violated his/her obligations; (9) the danger or harm caused by the crime; (10) the offender's attitude after the crime; (11) whether the circumstances of the commission of the offense are so pitiable that even the minimum punishment set out by law is considered too severe.

III. Use of AI in Sentencing / Background



- The wordings of Art. 57 and 59 of the Criminal Code are very abstract and not seldom resulted in **significant disparities in sentencing** for cases with similar circumstances, even when adjudicated by the same judge(s). The general public harshly criticized the judgments for **lack of predictability and consistency in sentencing**, which has led to a subsequent erosion of judicial institutional trust.
- To mitigate sentencing inconsistencies, Taiwan officially implemented the **‘Citizen Judge Act’ on January 1, 2023**. Under this new regime, specific serious felonies must be adjudicated and sentenced jointly by professional judges and lay citizens, aiming to enhance transparency and public participation of criminal adjudications.

III. Use of AI: Sentencing and AI



- With the implementation of the citizen judge system, the Judicial Yuan has fully implemented the AI Sentencing Information System.
- Recognizing that citizen judges lack formal legal training, the system is designed to provide a standardized reference range to structure the sentencing discretion. In addition, by offering insights into past sentencing trends for similar cases, the system prevents adjudicators, including both Citizen Judges and Career Judges, from being overwhelmed and effectively alleviates the cognitive burden of the sentencing process.

III. Use of AI: Sentencing and AI



- The AI-assisted sentencing system provided by the Judicial Yuan is a so-called **'fact-based system'**, which collects, organizes, and presents sentencing-related information from similar past cases. This information **covers judgments from all district courts, high Courts, and the Supreme Court**, and is **updated daily**. The system is open to judges, prosecutors, attorneys, and the general public with access to sentencing distributions for similar cases, thereby **enhancing the fairness and transparency of judicial outcomes**.
- Currently, **the system covers 10 major offenses: unsafe driving, hit-and-run, assault, theft, fraud, homicide, robbery, sexual assault, weapons offenses, and drug-related crime**.
- It is crucial to note, however, that **the system serves as a reference tool and does not provide binding sentencing recommendations for specific cases**.

III. Use of AI: Sentencing and AI



- According to the Judicial Yuan the AI sentencing information system has four major advantages:
 1. Data is updated in real time.
 2. Adjustments can be made as needed.
 3. Advanced search is available.
 4. Semantic annotation is adopted.

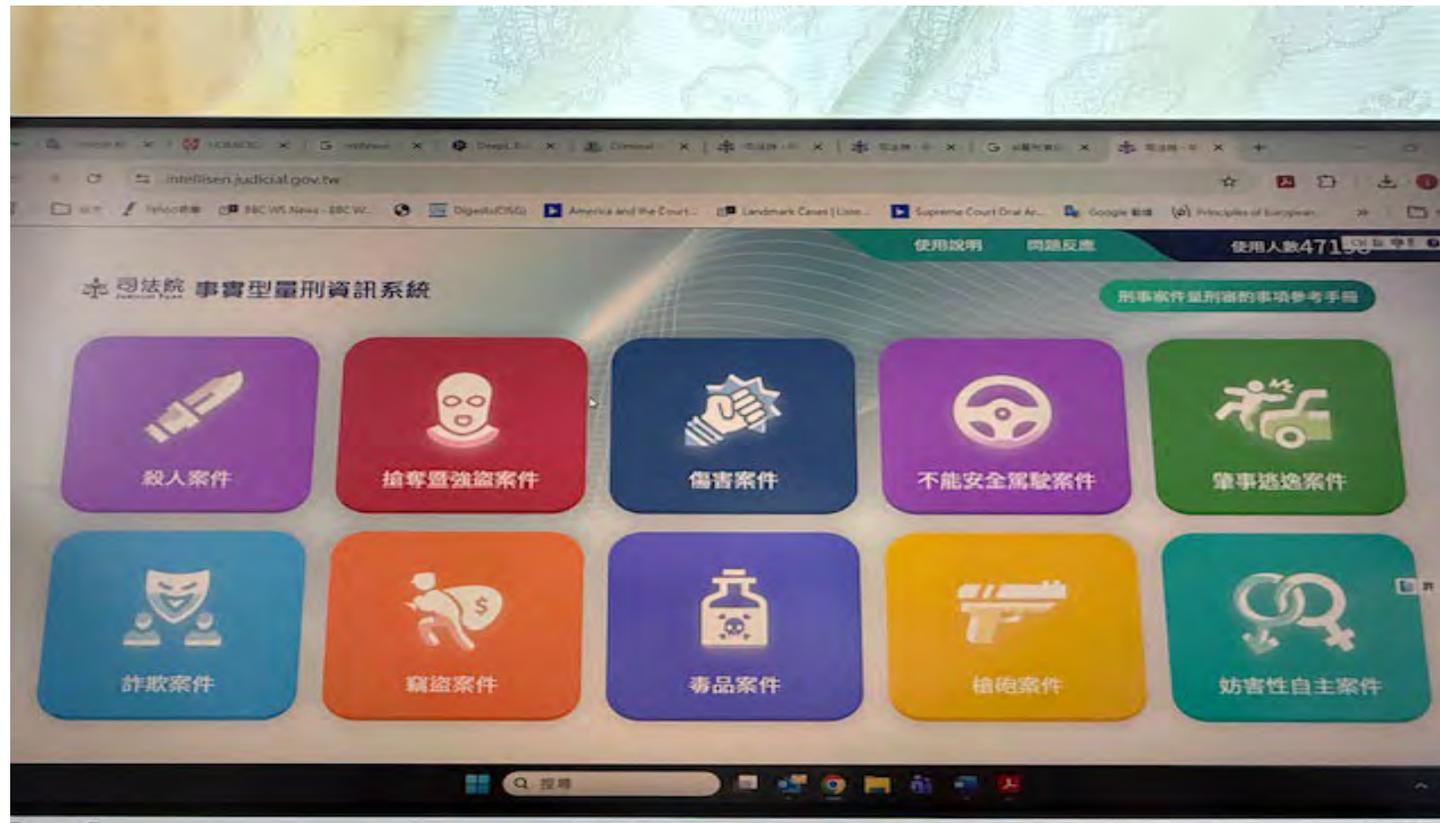
III. Use of AI: Sentencing and AI



- The system also considers the **changing social values**. In other words, past judgments may be interpreted differently in modern times. The system provides a function to search for sentencing tendencies by ‘time interval’, allowing users to select the time range of data themselves to reduce the influence of historical bias.
- The Judicial Yuan has reaffirmed its commitment to leveraging digital technology to refine and optimize sentencing information systems.
- **By expanding these databases, the judiciary aims to bolster sentencing equity, transparency, and predictability, thereby fostering greater public confidence in the legal system.**

III. Use of AI: Sentencing and AI

Figure 1: Fact-based AI-assisted Sentencing System: 10 major Offenses



III. Use of AI: Sentencing and AI



- Figure 2: Hit-and-run: Applicable Provision is Article 185-3, Paragraph 1 of the Criminal Law, with 96,533 judgments available for reference

