

ORIGINAL ARTICLE

The Undeniable Connection Between Law and Psychology: Is AI the Answer?

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Abstract

This paper aims to reflect the unwavering interconnection that exists between the law, its application, and psychology by demonstrating the degree to which the human dimension affects the work of judges or other parties in a judicial process. By illustrating unprecedented cases of this influence, it raises questions and attempts to resolve whether the latest technology can offer solutions and to what extent.

The Undeniable Connection

The notion that law cannot be limited to legal reasoning or intellect is reflected profoundly in Lawrence Friedman's remark that "Law is a massive, vital presence in society. It is too important to be left only to lawyers, or confined to the realm of pure thought" (Lawrence M. Friedman, *The Law and Society Movement*).

His "pure thought" invites us to brainstorm more about this concept but also to acknowledge that law cannot endure on its own. It is always significantly harmonised by psychology and human engagement.

Moreover, Neil Vidmar offers one of the most comprehensive explanations on this topic, stressing that:

Trial judges are on the front line of civil and criminal disputes. At early stages of litigation they make rulings about relevant law bearing on the dispute: e.g.,

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about whether a plea bargain is acceptable; about who has standing to sue; whether the court has jurisdiction; whether the litigation is “ripe” for further attention by the court; whether the claims have merit; or whether a statute of limitations is or is not applicable. Trial judges also manage settlement conferences, approve plea bargains and preside over jury trials. Often they serve as the primary fact finder instead of a jury. Trial judges also render sentences in criminal cases and review civil jury verdicts, including adjusting damage awards through remittitur or additur. These various decision-making activities are potentially subject to influence by the judge’s personality, attitudes, past experiences or other factors that have been shown to operate in other areas of human behaviour (Neil Vidmar, *The Psychology of Trial Judging*).

Vidmar’s non-abstract perspective describes judges as professionals with numerous duties and vigorous obligations towards the people to apply the law to the best of their abilities, but who cannot turn a blind eye to the undeniable: that these professionals are also human beings, with reactions, impulses, a past, and unique personalities that from time to time exert an effect on their decisions.

The Undeniable Consequences

In October 2025, the justice system in Albania endured an unprecedented tragedy. In one of the courtrooms of the Court of Appeals of General Jurisdiction, Judge Astrit Kalaja was shot and killed a few moments after giving the verdict regarding a property dispute.

The International Commission of Jurists (ICJ) condemned this tragic event, underlining that under international human rights law, states must guarantee both the independence and the security of their judiciary. The ICJ brought to the attention the UN Basic Principles on the Independence of the Judiciary (Principle 2), which affirms that judges must decide cases free from improper influence, pressure or threats. Moreover, the UN Basic Principles on the Role of Lawyers stipulate that lawyers must be able to perform their duties “without intimidation, hindrance, harassment or improper interference” (International Commission of Jurists, *Albania: The Courtroom Assassination of Judge Astrit Kalaja Must Be Effectively Investigated*).

A few days after this fatal event, the European Association of Judges (EAJ) meeting took place in Baku. The Albanian delegation briefed their colleagues, who were shocked and extremely concerned to learn of the background against which this event took place.

A resolution was approved “On the Current Situation in Albania” that highlighted, among others, that in addition to the judicial system being under pressure as a result of a shortage of judges following vetting procedures, judges have recently been the subject of abusive public attacks in the media from high-ranking political figures. These have gone so far as to single out individual judges for insult and denigration, including posting photographs of them on social media accounts (International Association of Judges, *Resolution — Albania, Baku 2025*).

Beyond that, this event did not remain in that courtroom, but it is deeply present in every courtroom of Albania where hearings take place, thereby giving a powerful reminder of the overwhelming influence of the human dimension, the sense of personal security and the impact they have on well-grounded decision-making, which cannot operate clearly in an environment where fears preside over reasoning.

Is AI the Way Forward?

The world today is moving at a rapid pace. It is experiencing an unparalleled rise of artificial intelligence (AI) – an enormous tool that is ultimately being integrated into almost every sphere, including the realm of justice.

According to the Organisation for Economic Co-operation and Development's report on Governing with Artificial Intelligence (OECD, Governing with Artificial Intelligence: The State of Play and Way Forward in Core Government Functions), artificial intelligence (AI) is impacting justice systems disproportionately, considering that some countries are progressing considerably in this area, while others are still struggling to apply the most basic tools of technology.

Additionally, the report identifies that once it is applied, AI can help solve some of the challenges that the judiciary is facing to a substantial extent, from improving efficiency and responsiveness, enhancing the delivery of services tailored to people's needs, supporting routine tasks, solving backlogs, lengthy procedural requirements and limited accessibility.

A noteworthy element that the OECD highlights is:

AI's transformative potential in justice requires a human-centred approach that both promotes digital transformation and protects human rights. Effective governance involves collaboration among policymakers, legal professionals and technologists to align AI applications with the principles of fairness, equity and procedural integrity. Continuous impact assessments, stakeholder engagement and mechanisms for redress enhance both legitimacy and effectiveness. This underscores the importance of designing AI systems as tools that support judicial decision-making and justice administration and reinforce the capacity to deliver people-centred justice. The OECD AI Principles advocate for inclusive growth, sustainable development and well-being, emphasising the importance of human-centred values and fairness. They call for AI systems to be transparent, with their decisions understandable by those affected by them. The Framework for Trustworthy AI in Government can be a useful tool to support the responsible use of AI in the justice sector. The OECD Methodology for Monitoring AI

Incidents can support the justice sector to monitor AI incidents, ensuring these systems are accountable, trustworthy and beneficial, while mitigating potential risks associated with their deployment.

Conclusion

What emerges clearly is that artificial intelligence has immense potential to empower the human role in the justice system, but it cannot replace it. This tool, however, has the power to provide the solutions that can help lighten the load of the obstacles that judges and other actors in the system are facing. Artificial intelligence can help reduce but not eliminate the complexities that arise from the human impact, especially the need for security, a pressure-free working environment, and autonomy from outside sources.

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