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DIGITAL FORMAT OF ADMINISTRATIVE PROCEEDINGS: REALITIES AND PROSPECTS

One of the key objectives of administrative proceedings is the digital transformation of public administration. In line with this principle, the administrative court system has initiated automation, the integration of artificial intelligence elements, and robotic process implementation. The adoption of digital justice has become a global trend, ensuring accessibility and transparency of court decisions while reducing time and resource costs for both courts and other participants in judicial proceedings. Automated case distribution also minimizes corruption risks. Countries such as Singapore, the United States, the United Kingdom, Russia, and Kazakhstan showcase various approaches to the digitalization of justice, including online filing systems, automation, and artificial intelligence applications.

At the same time, the digitalization of judicial proceedings raises legal concerns regarding essential aspects such as digital privacy, security, and maintaining a balance between efficiency and the protection of citizens' rights. The successful operation of the digital justice format requires further improvements in regulatory frameworks.

The primary aim of this study is to analyze the current realities of digital technology utilization in administrative proceedings, compare scientific approaches, and conduct an analytical review.

Observations have shown that aspects of judicial digitalization are a subject of research in the works of most civil law scholars, experts, analysts, and researchers in the fields of civil and criminal procedure. However, in the sphere of administrative proceedings, the use of digital technologies within the administrative court system remains insufficiently explored. Based on existing scientific approaches and an analytical review, this article attempts to conduct an independent study.

Key words: digital technologies, judicial proceedings, digital justice, accessibility, electronic format, e-justice, digital security.

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Әкімшілік сот өндірісінің цифрлық форматы: қазіргі жағдайы мен перспективалары

Әкімшілік сот өндірісінің маңызды міндеттерінің бірі мемлекеттік басқаруды цифрлық трансформациялау. Осы қағидатқа сүйене отырып, әкімшілік сот жүйесінде автоматтандыру, жасанды интеллект пен роботтандыру процесі іске қосылған. Цифрлық сот төрелігін енгізу жаһандық үрдіске айналып, сот шешімдерінің қолжетімділігі мен ашықтығын қамтамасыз етумен бірге, соттардың ғана емес, сот тыңдауларының өзге де қатысушыларының уақыты мен ресурстарының шығынын азайтып отыр. Сот істерін автоматты түрде бөлу сыбайлас жемқорлық тәуекелдерін де азайтады. Сингапур, АҚШ, Ұлыбритания, Ресей, соның ішінде Қазақстан да сот төрелігін цифрландырудың түрлі жолдарын көрсетуде. Соның ішінде онлайн құжаттарды беру жүйелері, автоматтандыру, жасанды интеллектіні пайдалану.

Дегенмен, сот ісін цифрландыру цифрлық құпиялылық, қауіпсіздік, сондай-ақ азаматтардың құқықтарын қорғау арасындағы тепе-теңдікті сақтау сияқты маңызды элементтердің заңнамалық шешу мәселелерін тудырады. Цифрлық сот төрелігі форматының жүйелі түрде жұмыс істеуі үшін нормативтік реттеуді одан әрі жетілдіру қажет.

Зерттеудің негізгі мақсаты – әкімшілік сот өндірісінде цифрлық технологияларды қолданудың қазіргі жағдайын талдау, ғылыми тәсілдерді салыстыру және аналитикалық шолу жасау.

Талдау көрсеткендей, сот өндірісін цифрландыру аспектілері азаматтық және қылмыстық іс жүргізу саласындағы көптеген цивилистердің, сарапшылардың, талдаушылардың, ғалымдардың еңбектерінде зерттеу нысаны болған. Алайда, әкімшілік сот өндірісі саласында цифрлық технологияларды пайдалану аспектілері жеткілікті түрде қамтылмаған. Сондықтан, ғылыми тәсілдер мен аналитикалық шолудың негізінде осы мақалада автордың өзіндік зерттеуі жүргізілді.

Түйін сөздер: цифрлық технологиялар, сот өндірісі, цифрлық сот төрелігі, қолжетімділік, электрондық формат, электрондық сот төрелігі, цифрлық қауіпсіздік.

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Цифровой формат административного судопроизводства: реалии и перспективы

Одной из важных задач административного судопроизводства является цифровая трансформация государственного управления. Следуя данному принципу в системе административных судов был запущен процесс автоматизации, использования элементов искусственного интеллекта и роботизации. Внедрение цифрового правосудия стало глобальной тенденцией, обеспечивая доступность и прозрачность судебных решений, снижая затратность времени и ресурсов не только судов, но и иных участников судебных слушаний. Автоматическое распределение судебных дел также минимизирует коррупционные риски. Сингапур, США, Великобритания, Россия, в том числе и Казахстан демонстрируют различные подходы к цифровизации правосудия., включая системы онлайн-подачи документов, автоматизацию, использование искусственного интеллекта.

Вместе с тем цифровизация судопроизводства вызывает вопросы законодательного решения таких важных ее элементов как цифровая конфиденциальность, безопасность, а также соблюдение баланса между эффективностью и защитой прав граждан. Для успешного функционирования формата цифрового правосудия необходимо дальнейшее совершенствование нормативного регулирования.

Основная цель исследования – проанализировать современные реалии использования цифровых технологий в административном судопроизводстве, сравнить научные подходы и провести аналитический обзор.

Наблюдения показали, что аспекты цифровизации судопроизводства являются предметом исследования в трудах большинства цивилистов, экспертов, аналитиков, ученых из области гражданского и уголовного процесса. В сфере административного судопроизводства аспекты использования цифровых технологий в системе административных судов освещены недостаточно. На основе имеющихся научных подходов и аналитического обзора в данной статье была сделана попытка провести самостоятельное исследование

Ключевые слова: цифровые технологии, судопроизводство, цифровое правосудие, доступность, электронный формат, электронное правосудие, цифровая безопасность.

Introduction

Digital technologies have become an integral part not only of the digital economy, culture, and social life of society but also of the judicial system of Kazakhstan. In the context of the stable development of administrative justice, the use of digital technologies in the consideration of public proceedings is also a necessary factor.

The Universal Declaration of Human Rights of the United Nations (1948) guarantees the right to

access and equality. As the global human society, driven by digital and other technologies, seeks to preserve and enhance its ability to control and adapt to the accelerating changes in society, the use of digital competence, digital confidence, and digital accountability becomes increasingly essential (Declaration).

By early 2025, the level of digital literacy among the population has significantly increased – reaching 90%. For comparison, in 2021, this figure stood at 87.3%, in 2019 at 82.1%, and in 2018 at 79.6% (Digital Literacy Level, 2025).

The demand for digital justice among participants in disputed legal relations within the field of administrative justice is also growing. The Supreme Court of the Republic of Kazakhstan reports that in just the first quarter of 2024, approximately 7,000 administrative claims were reviewed. In contrast, as of early January 2023, this number was around 1,868 (Supreme Court, 2024). This not only indicates the active development of digital case proceedings but also highlights the significance of the administrative court system's work.

At present, modern advancements in science and technology bring to the forefront not only questions regarding the current state of digital administrative proceedings and the implementation of cutting-edge technologies in courts but also the continuous professional development of the judiciary through innovations in ICT. There is a pressing need for legislative regulation of new aspects such as improving digital analytical tools, establishing key criteria for judicial digital literacy, defining AI system usage algorithms, strengthening digital security mechanisms, and ensuring the confidentiality of digital information, among many other aspects.

As of today, key state innovations include the introduction of a judicial enforcement robot, digital power of attorney, and online registration of legal entities. The accelerating pace of digital technology development imposes new demands not only on the speed of legislative decision-making but also on the transformation of judicial processes. As one quote aptly states, "Digitalization should not be seen as an end in itself but as a means to achieve the well-being and prosperity of the state" (Huppert et al., 2008).

Digital technologies undeniably influence the evolution of scientific perspectives and the stable functioning of the judicial system. However, procedural legislation reveals terminological discrepancies between theoretical approaches and practical reality. The lack of a clear algorithm for the digital format of administrative proceedings complicates in-depth research and the ability to conduct a proper legal assessment.

In this regard, we believe that, in line with the goals of digital transformation in administrative justice, it is essential to establish a framework that defines the digital competencies of courts, the digital rights and responsibilities of participants, and guarantees for cybersecurity. The absence of proper legal regulation in these areas leads to violations of the principles of transparency and openness in judicial proceedings.

Materials and methods

The methodological foundation of this research comprises both general scientific and empirical methods of analysis. Based on the analysis of the regulatory framework, constitutional norms, administrative procedural and processual legislation, as well as strategic and programmatic documents of the Republic of Kazakhstan regulating the digitalization of courts, were examined first and foremost. The comparative legal method was employed to highlight the priority of international norms, compare foreign experiences, and assess the possibilities of their adaptation in Kazakhstan. Through content analysis, scientific publications by foreign and Kazakhstani scholars and experts, focused on studying pressing issues of digital justice, were analyzed. Analytical and statistical methods from recent years were applied to provide readers with an understanding of the stability indicators of the studied issues, to compare data, and to develop further prospects for digital justice. Using a systematic approach, an attempt was made to demonstrate the need to study the digital format of administrative legal proceedings as an integrated process encompassing technological, legal, organizational, and social aspects. Overall, the use of these methods enabled the study of the format of administrative legal proceedings as part of Kazakhstan's digital judicial system, identifying its key problems, trends, and prospects for further development.

Literature review

Digital (electronic) justice has become the subject of academic research for numerous authors. In civil law and procedural law, various problematic aspects are discussed at the stages of pre-trial proceedings.

Theoretical and analytical examination of the digital format of administrative proceedings demonstrates the need for more in-depth studies in both the academic and practical spheres. Our research focuses on two key directions:

1. Digital justice as a phenomenon of digital transformation.
2. The digital format of administrative legal proceedings refers to the use of electronic technologies and digital platforms by courts in the process of handling administrative cases.

In the theory of administrative procedure, three conditional groups of relationships associated with digital technologies are typically distinguished:

1. The first group is related to the right to file an administrative claim electronically.

2. The second group focuses on the realization of the right to receive documents from the court in electronic form.

3. The third group defines the court's ability to evaluate electronic evidence (Morozova et al., 2020: 189).

Analyzing the concept proposed by the authors and the law enforcement norms of the legislation of the Russian Federation, it is worth noting the detailed algorithm for filing an administrative claim through automated systems developed for courts (Part 2, Article 45 of the CAS RF) (Code, 2015). The Administrative Procedural and Processual Code of the Republic of Kazakhstan does not provide such an algorithm (Code, 2020).

In this context, it is appropriate to state, quoting, "technology has advanced faster than the law." In cases where a specific relationship does not appear to fall under an existing legal prohibition, or where the law is poorly formulated, there is no choice but to present the facts in an appropriate form (Correia et al., 2024: 221).

Electronic justice has become not only a response to crisis periods such as pandemics and emergencies but also an objective inevitability, driving the emergence of a new format for court hearings (Banica, 2020). Electronic justice is described as a "complex social phenomenon with various qualitative components that continues to evolve within the judicial and legal reality" (Burdin et al., 2021: 222).

Digital justice, utilizing artificial intelligence, often referred to by researchers as "predictive justice" or "forecastable justice," was initially developed for use by legal departments, insurers (both for internal needs and for policyholders), as well as legal professionals to predict the outcomes of court proceedings (Schneier, 2015).

As we can see, modern studies increasingly emphasize the importance of digital (electronic) justice.

Contemporary research also actively discusses the issue of digital competence (literacy) in courts. According to scholars, a judge's digital competence should align with the concept of informatization of procedural actions in courts of general jurisdiction. Modern judicial education must integrate traditional legal knowledge with new technological (digital) competencies (Chulliev, 2024). A similar concept exists in Kazakhstan's judicial system (Rakhmetov, 2023).

Given the broad scope of the topic, we consider it appropriate to focus on the importance of the

concept of the digital format in administrative legal proceedings, identify the challenges it presents, explore the methods practitioners use to address these issues, and examine how theoretical and legislative foundations are being developed to resolve future challenges.

Results and discussion

Digital technologies have a global impact on business processes, corporate culture, and the relationships between citizens, organizations, and judicial authorities.

The necessity of electronic justice has been recognized worldwide.

Singapore is one of the most digitally advanced countries. A distinctive feature of its modern judicial system is the rule of law, strict judicial policies, a competent and honest judiciary, the absence of corruption, and transparency of information. The digital court filing system in Singapore was introduced as early as 2000. The country's advancements in digital technologies enabled its courts to be the first to conduct judicial proceedings in an electronic format. At every stage, judges could manage cases from their personal computers with internet access.

Additionally, Singapore developed the eLitigation system, which provided unified access to all court users. Since 2016, the submission of court documents through social media platforms such as Facebook, Skype, WhatsApp, Viber, and others has also been made possible.

Within the framework of the OECD's activities and the accumulated experience of its member states, the following observations can be made. Digital justice among OECD countries is implemented in different ways, using various technologies. The primary regulator of all introduced innovations remains legislation, which in international legal practice is often heterogeneous and unstable.

Our observations indicate that experimental digital methods and their implementation in courts, along with the rapid development of ICT, significantly outpace the legal regulation of the social relations emerging from these processes. In addition to digital technologies, the introduction of an experimental legal regime has been proposed (Idrysheva, 2022). Such laws have been successfully implemented in the United Kingdom and Russia.

Regarding the United States, federal courts transitioned to fully electronic legal proceedings only in 2005. Since then, an electronic system for judicial case management has been in operation. Today,

there are over one million users of the Public Access to Court Electronic Records (PACER) system, including judges, attorneys, government agencies, trustees, researchers, businesses, media representatives, and others (Adler, 2019).

Like in our courts, the videoconferencing system (VCS) is widely used in U.S. courts for conducting online hearings. It is important to highlight that the VCS in courts is compatible with almost any online communication platform worldwide. This represents a significant technical advancement in the use of digital broadcasting methods in judicial proceedings.

In the era of digital transformation, the collection of vast amounts of data on citizens has become possible. Similarly, participants in procedural relations now can exercise their rights electronically. It is safe to say that digital technologies have been successfully integrated into the professional legal community and court systems. Digital justice is the result of various contextual, institutional, and individual innovation processes (Fenwick et al., 2016).

According to the Concept of Information Policy of the Judicial System of the Republic of Kazakhstan, the principle of information transparency reflects the implementation of fundamental principles of justice, such as accessibility, immediacy, openness, and publicity (Concept, 2021).

Access to justice means the ability to receive qualified legal assistance when appealing to a court. This right is enshrined in paragraph 3 of Article 13 of the 1995 Constitution (Constitution, 1995). The process of exercising this right through digital (electronic) technologies allows citizens to submit documents to the court electronically, receive judicial acts, and access any case-related information directly through an online platform.

This digitalization includes online document submission, digital court diaries, electronic case files, and forms that enhance judicial access to electronic communication with lawyers and participants in legal proceedings.

Electronic participation is built upon three fundamental components: ensuring public access to legal information via the internet, public consultations and engagement, and digital decision-making, enabling direct citizen involvement in judicial processes through online platforms.

As of today, access to judicial information is fully provided through the official website of the Supreme Court of the Republic of Kazakhstan. One hundred percent of judicial acts are published, including those available on digital platforms, in ac-

cordance with legal regulations (Regulations, 2014). The only exceptions are cases heard in closed sessions, which involve information protected by law, including state, official, and commercial secrets.

The electronic judicial archive is accessible not only to judges but also to any digital network user. However, access to judicial acts of higher courts is restricted to local courts only. This system significantly enhances public engagement, improves the efficiency and responsiveness of judicial communication, and minimizes financial and logistical burdens for the parties involved in legal proceedings.

While digital openness strengthens public accessibility, it also raises concerns regarding data security and, in some cases, necessitates the implementation of legal restrictions to safeguard sensitive information. As part of protective measures, the judiciary has increasingly shifted toward online court proceedings to ensure secure digital interactions.

Information support for government agencies in Kazakhstan was carried out from 2019 to 2022. During this period, judicial operations reached a new level, and IT technologies demonstrated both their necessity and effectiveness in legal practice.

The field of digital technologies is continuously expanding, further emphasizing the importance of utilizing digital tools.

The digital capabilities of courts ultimately impact the legality and justification of judicial decisions in administrative cases. We believe that the foundation of the justice system lies in the application of law to specific circumstances and the way rights and claims can be asserted in judicial proceedings. This requires not only judges with legal expertise and qualifications but also well-defined procedural algorithms that facilitate the successful implementation of online judicial processes.

Since 2021, administrative justice practices in Kazakhstan have demonstrated that 92% of administrative claims are now submitted electronically through the judicial cabinet. The remaining 8% are digitized using a scanning system, which integrates them into the electronic judicial process according to a set algorithm.

Currently, the primary digital services available to judges include “E-Mediation,” “Online Consultation,” “Case Search,” “Online Statement Constructor,” “Judicial Acts Database,” the “Judge’s Diary” module, “Text Mining,” and others, as well as the “Torelik” system. Users can access the unified online platform sud.gov.kz, where they can independently file administrative claims, pay state fees

online, select a professional mediator through an online search, and perform other legal actions.

In essence, IT innovations have introduced a new paradigm, particularly in digital justice, which must be actively implemented. Artificial intelligence (AI) and its algorithms are already widely used across various professions and industries, making their integration into the justice system inevitable.

Predictive justice, in general, refers to an AI-driven technology based on statistical modeling of past judicial decisions to determine the most probable outcome of a specific case. The use of AI in justice has been endorsed by the European Charter on the Use of Artificial Intelligence in Judicial Systems. According to the European Ethical Charter, states are required to establish an efficient, high-tech system for swift and transparent justice. The charter highlights AI's potential to enhance the quality and efficiency of judicial processes.

The goal of courts is not merely to automate inefficient current practices, judicial procedures, or even laws. The challenge lies in integrating innovations into judicial practices and justice systems in ways previously deemed impossible. Some advancements will enable both new digital methods and existing procedures to function at an accelerated and secure pace.

AI-driven programs have the capability to analyze judicial rulings, compare them, and identify decisions that significantly deviate from established legal precedents. Such deviations may stem from various factors, including legislative changes.

In Kazakhstan, an AI-based system was introduced in 2019 under the name "Judicial Smart Analytics." The system operates by selecting the top 10 judicial cases like the one under review, providing a reference framework for decision-making.

Another IT solution, implemented in Kazakhstani courts since 2022, is an AI-powered robot designed to draft judicial decisions based on predefined legal algorithms. This system is particularly useful in cases where judicial discretion is strictly regulated by law. For example, the issuance of a sanction prohibiting a debtor from leaving the country. By integrating relevant databases, the AI can generate a draft sanction within minutes after receiving the case materials. However, the responsibility for signing the decision remains with the judge.

Beyond the use of digital technologies and their consumption, cybersecurity is a crucial component of digital administrative justice. Some experts argue that to maintain a fair balance between transparency in judicial decisions and the protection of fundamen-

tal rights, the names and addresses of participants should not be disclosed. This would prevent the risk of unlawful data usage or identity theft while also safeguarding confidential information contained in certain rulings. The most effective method for systematizing and storing such data is through automated platforms (Battelli, 2021).

Undoubtedly, "to protect personal data, it is necessary to impose access restrictions on judicial materials in cases where the extraction of personal information from court decisions is required" (Morkhat, 2023). In our view, such measures will help establish a balance between individual rights and societal interests.

When addressing ethical concerns, it is important to emphasize that digitalization of judicial processes risks diminishing the human elements of justice—such as a judge's sense of responsibility, professional experience, moral judgment, duty, honor, and conscience. This shift raises concerns that judicial decisions may overlook human needs that do not fall within the formal scope of legal authority. In other words, digital technologies inherently pose the risk of limiting personal freedoms through mechanisms of total control. Given this, the state may eventually need to seek a social compromise—balancing, on one hand, the positive right to security and, on the other, the fundamental right to personal freedom and quality of life.

It is also worth agreeing with the statement that when making decisions, a judge requires not only knowledge of positive (formal) law but also a certain level of cognitive and emotional competence, which artificial intelligence cannot possess (Morkhat, 2023). Digital vulnerability and violations of digital rights pose serious challenges to the fair and impartial consideration of court cases (Bekmagambetov, 2020).

In Kazakhstan, an AI-based system was introduced in 2019 under the name "Judicial Smart Analytics." The system selects the top 10 most relevant court cases similar to the one under review, serving as a reference for judicial decision-making.

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As noted by high-ranking experts in Kazakhstan’s judicial system, IT solutions not only help reduce the workload of courts but also serve as anti-corruption tools (Akhmedzakirov, 2021).

A court ruling is a critical step that can determine the fate of individuals. The responsibility for the consequences of such life-altering decisions ultimately lies with the judge.

The publication of judicial decisions is also a fundamental principle of judicial transparency. However, in some cases, disclosing information related to personal data may not be appropriate.

Based on the discussion above, we will highlight the main characteristics of the latest software applications, noting their advantages (Table 1).

Table 1 – Digital technologies of administrative courts

Application areas of technologies	Functions	Prospects
court case management automation systems	Automate tracking of court cases and use collected data	Improve data and procedure standardization
Electronic workspace for lawyers (legal documents and legal information systems)	Provide up-to-date information on precedents and legal information to judicial staff	Create conditions within the organization that facilitate regular updates of legal information
Technologies for courtrooms Video/audio conferencing	Facilitate hearings, reduce costs, and enhance security	Collaboration between various judicial bodies and legislative changes
Electronic document submission and integrated justice chain	Allows filing claims online and exchanging case materials online, ensuring interaction between law enforcement and judicial information systems	Development of information infrastructure; legislative and procedural changes; cooperation between independent institutions; legacy systems; legislative and procedural changes

Overall, it can be noted that law enforcement practice, alongside traditional judicial procedures, is successfully integrating with the databases of information systems, including automation, robotics, and artificial intelligence (AI). Digital tools are being actively implemented in court operations, and there is significant progress in the use of robotics in judicial processes.

At the same time, existing legislative gaps in regulating the digital infrastructure of courts and its participants (citizens and their associations) are still in the development stage. As is well known, crucial legal frameworks such as digital security, personal data protection, AI usage algorithms, digital rights and guarantees, and others are currently being drafted as part of the Digital Code of the Republic of Kazakhstan.

Conclusion

The theoretical study of practical mechanisms for using digital technologies in administrative proceedings allows us to draw the following conclusions.

The concept implemented in the Kazakhstani judicial system to improve access to court procedures

has not only accelerated and simplified judicial practice but has also provided opportunities for remote participation for both citizens and courts. The gradual introduction of modern tools for recording judicial information has expanded access to information and citizens’ personal data, thereby ensuring the realization of their constitutional right to access justice.

The advancements in modern information technologies have undoubtedly helped address the issue of access to justice within court operations—a problem that had persisted until recently.

The “Digital Analytics of Judicial Practice” service, currently operating within the Supreme Court’s digitalization program, enables an in-depth analysis of court rulings based on specific case circumstances. This service provides a wide range of intelligent search tools to predict possible case outcomes. The potential of such predictive analytics should be leveraged not only by judges and court staff but also by the direct participants in the legal process.

Another advantage of standardized digital court rulings is ensuring consistency across the country.

One of the five key principles of Kazakhstan’s development, as outlined in the National Develop-

ment Plan until 2029, is improving the quality of justice while reducing case processing time (National Plan, 2023). We believe that further digitalization of the judiciary will contribute to this goal. Automated standardization of digital justice, in this regard, helps establish a more uniform judicial practice, continuously enhancing the concept of fairness within the country.

As digital technologies continue to evolve, they will undoubtedly transform the working principles and legal practices of judges. Citizens' expectations will also shift, particularly regarding their digital demands for professional judicial services. Legal procedures, and possibly even legislation, will undergo changes, and soon, courts will introduce numerous innovations that are currently still in development.

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