

EEEI REPORT ON THE USE OF ARTIFICIAL INTELLIGENCE IN JUDICIAL EXPERTISE

May 2026 Report - Revised Edition July 2026

First European Survey on AI Practices among Judicial Experts
EEEI Working Group on Artificial Intelligence & Judicial Expertise



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Introductory Note to the Contribution of Dr. Bernd Scheiff, President of the Higher Regional Court of Cologne

Use of Artificial Intelligence in the Judicial System

The use of artificial intelligence in the judicial system provides the opportunity to deploy human expertise where it is decisive.

AI is not merely a technical challenge that must be harnessed for the judicial system; it also poses a challenge to our constitutional values. Its deployment requires a smart balance between innovation and preservation. While AI has the potential to make proceedings more efficient and transparent, it simultaneously affects judicial independence, access to justice, and public confidence in judicial decisions. The discussion on this topic is therefore rightly being conducted in all its complexity.

Fundamental questions arise from the human judge's ultimate responsibility under Articles 92 and 101(1), second sentence, of the German Basic Law (Grundgesetz, GG), as well as from the classification of AI systems intended to support judicial decision-making as high-risk AI system under Regulation (EU) 2024/1689 (AI Act): Where does permissible decision support end, and where does impermissible pre-determination of judicial decisions begin? To what extent may findings of facts, draft decisions, or draft reasoning be automatically suggested without impairing the judge's independent review?

However, these questions must not lead us to remain confined to theoretical debate at the expense of practical evaluation. Only concrete applications can provide reliable insights into the capabilities and limitations of AI. Moreover, regardless of whether the judiciary deploys AI itself, it must be capable of properly assessing AI-generated or AI-altered content when presented as potential evidence.

In their 2026 policy paper, the Presidents of the Higher Regional Courts (Oberlandesgerichte), the Berlin Court of Appeal (Kammergericht), the Bavarian Supreme Regional Court (Bayerisches Oberstes Landesgericht), and the Federal Court of Justice (Bundesgerichtshof) identified numerous potential applications of AI within the judiciary. Across Germany, there is significant momentum in the development and practical testing of AI applications. The judiciary of the State of North Rhine-Westphalia is actively contributing to these developments through its Central IT Service Provider, which is based at the Higher Regional Court of Cologne. A particular focus lies on the development of the Generative Language Model for the Judiciary (Generatives Sprachmodell Justiz - GSJ), which is being developed by the State of North Rhine-Westphalia and the Bavarian State Ministry of Justice in partnership with the University of Cologne and the Technical University of Munich, funded through the Federal Government's Digitalization Initiative. The objective is to adapt and train an open-source large language model for use by judges. Initially, the project focuses on assistive functions, such as the extraction of timelines and

relationship tables from court files. At the same time, requirements arising from data protection law, copyright law, and constitutional law are being examined.

The use of such a judiciary-specific language model is also considered particularly beneficial for judicial decision-making in specialized fields where, due to applicable law, proceedings are subject to a certain degree of uniformity and are handled in high volumes. These may include, for example, air passenger rights litigation, for which Regulation (EC) No. 261/2004 prescribes standardized compensation based on the nature of the disruption. The website <https://service.justiz.de/fluggastrechte> operated by the German Federal Ministry of Justice and Consumer Protection already offers – without the use of AI – a preliminary assessment of the rights to which consumers are entitled and assists in preparing complaints. Even though the use of AI to support judicial decision-making raises the questions briefly touched upon above, the step towards AI-assisted draft decisions appears comparatively modest in this context.

A trustworthy technical infrastructure is a prerequisite for any use of AI. The use of commercial AI services hosted on private servers, often located outside Europe, would most likely be unlawful and, in any event, be politically indefensible. Simply feeding judicial data into ChatGPT is therefore not an option. Under the GSJ project, the AI is intended to be operated on infrastructure under public-sector control.

In addition, applications are being developed that do not involve judges' core adjudicative functions but rather support judicial administrative processes, which are often handled by support staff. These applications can relieve staff of repetitive tasks and enhance efficiency of administrative workflows. Current initiatives include projects for the anonymization of judicial decisions, such as "ALeKS", a software developed by the Bavarian judiciary in a research collaboration with Friedrich Alexander University Erlangen-Nuremberg and currently being piloted jointly with the State of Lower Saxony, and "JANO", an AI-assisted tool developed by the Ministries of Justice of Hesse and Baden-Württemberg. These initiatives are also intended to increase the number of published decisions. Furthermore, various scenarios for the use of chatbots are being explored. By integrating manuals and previously answered inquiries, such systems can provide effective knowledge management while being available outside regular working hours.

Further work is being undertaken on areas such as the extraction of data from communications with parties to court proceedings and other external stakeholders of the judiciary, as well as on improving data quality. Projects such as the XJustiz Generator, developed in North Rhine-Westphalia, demonstrate how structured data can be extracted automatically from written submissions and seamlessly integrated into judicial case management systems. While AI could also be incorporated in this context, it has not yet been implemented. The pilot project at the Local Court of Cologne in the field of air passenger rights cases has proven successful. Preparations are now underway both to extend the project to additional courts and to broaden its application to other areas of judicial practice. In parallel, other initiatives such as the currently piloted Online Civil Proceedings (Zivilgerichtliches Online-Verfahren) under §§ 1121 et seq. of the German Code

of Civil Procedure (ZPO), the provision of a digital communication platform, and the collaborative use of a digital core document are being pursued without the use of AI.

Finally, AI and the legal and ethical issues associated with its use must also be incorporated into both continuing professional development and legal education. The dynamic evolution of the workplace already poses significant challenges for judicial personnel. In addition to their professional duties, they must continuously learn new digital skills. Consequently, alongside the introduction of the electronic case file, the Higher Regional Court of Cologne established a program to promote the digital competence of its personnel. Through concise learning formats that can be readily integrated into the working day, the program provides up-to-date, practice-oriented knowledge. Within this framework, knowledge about the functioning, benefits, limitations, and responsible use of AI is already being systematically shared and taught.

It is also inevitable that the use of AI will become increasingly commonplace in personal and professional settings. Acceptance of its outputs will become virtually unavoidable as their quality continues to improve. To ensure that human decision-makers will continue to meet the requirements of Article 92 and Article 101(1), second sentence, of the German Basic Law (GG), more is needed than just human oversight and AI literacy, as provided for in Article 26(2) and Article 4 of the AI Act. This constitutes a societal challenge: legal education must be structured so that future legal professionals can acquire the knowledge necessary to use AI as a tool for producing high-quality work and the comprehensive substantive legal knowledge and analytical reasoning skills. These will remain indispensable to review AI outputs and exercise effective control over AI systems in the future. The thought process involved in using AI is primarily focused on formulating prompts in order to obtain work products from AI that support legal analysis. Taking into account that AI systems themselves rarely draw attention to their own limitations, the inadequacies of a given prompt, or the risks associated with their use, the well-trained legal professional will rightly continue to make the decisive difference - in every sense of the word.

This equally applies to judicial experts. Technical tools, computer programs, and algorithms undoubtedly facilitate and enhance the work of experts, to the benefit of all parties involved. AI can increase efficiency, enable improved and faster data analysis, and contribute to clearer processes. The judges who appoint experts to prepare a report for the purpose of taking evidence in court proceedings are of course well aware of this. Nevertheless, the involvement of a human expert remains indispensable: a person who, based on their specialized knowledge, many years of practical experience and professional expertise, draws the necessary conclusions and assessments. This is also what judges naturally expect. After all, the human expert must take responsibility for their expert opinion. The judiciary relies on motivated, highly qualified, and - above all - human experts.

Dr. Bernd Scheiff

President of the Higher Regional Court of Cologne

Introduction to the Report

Artificial intelligence is rapidly becoming part of the daily practice of judicial experts across Europe, often without attracting significant visibility. While public debate and European institutions have long focused on the use of AI by judges, lawyers and administrations, the court-appointed expert — at the technical core of many civil, administrative and criminal proceedings — has remained largely outside this discussion. Yet it is precisely at this level that a decisive question arises: when an expert relies, in whole or in part, on AI-generated content, who assumes responsibility for the technical and reasoning presented to the court?

The European Expertise & Expert Institute (EEEI), a European body dedicated to reflection on the evolution of judicial expertise, has considered it both timely and necessary to address this question through a structured and evidence-based approach. Its work notably explores contemporary transformations of expert practices, including those linked to artificial intelligence. More information: www.experts-institute.eu

A first conceptual clarification is essential. The use of AI does not create a new author of the reasoning produced during an expert mission. As consistently underlined in analysis, the professional who reuses generated content remains legally responsible for it. For judicial experts, responsibility does not depend on who physically drafted a passage, but on the act of adopting, validating, and incorporating the content into the expert report. AI is not an autonomous subject and cannot assume responsibility. It is a tool, and as such, it does not alter the fundamental principle that the expert remains the sole legal author of any content submitted to the court.

The use of AI tools is itself embedded in a human intellectual process. Experts define the relevant facts, structure the reasoning, guide and refine AI outputs, and exclude irrelevant or incorrect elements. AI-generated content is therefore never spontaneous; it results from human input, selection and control. The decisive moment lies in the expert's professional appropriation of the content. Once integrated into the report, the output is no longer an algorithmic suggestion, but a technical and position fully assumed by the expert.

This implies a clear distinction between three roles: the material production of text (AI), the construction of the reasoning (the expert), and the legal attribution of responsibility (also the expert). AI may assist in producing content but cannot assume the legal status of author.

A second key observation follows. The introduction of AI into expert workflows does not reduce the expert's responsibility; it reinforces it. The primary legal issue is not the use of AI itself, but the failure to verify outputs, sources and reasoning. In judicial expertise, this translates into a heightened duty of vigilance. Experts must verify the technical accuracy, legal references, methodological coherence and relevance of any AI-assisted output.

This leads to a central principle: the more advanced the technical assistance, the greater the expert's duty of verification. In the algorithmic era, the judicial expert is not replaced but reinforced in their core mission — to ensure the validity, coherence and reliability of the reasoning submitted to the court, and to assume full responsibility for it.

This initiative was launched within EEEI by Priscilla Pisani, Vice-President, and Nathalie Sillon, Executive Assistant, who coordinated the work of the European Working Group and the preparation of this report.

Based on this work, the report provides a structured overview of the use of AI by experts in Europe and proposes orientations for its responsible, transparent and effective integration.

The objective is not to provide a definitive position, but to establish a common European framework for discussion, supporting a shared understanding between experts, courts, professional bodies and institutions in the evolving landscape of judicial expertise.

NOTE ON THE USE OF ARTIFICIAL INTELLIGENCE TOOLS IN THE PRODUCTION OF THIS DOCUMENT

In accordance with the transparency principles promoted by this report, EEEI sets out below the conditions under which artificial intelligence tools were used in its preparation.

Artificial intelligence was used as an assistance tool, in particular for document processing, translation, improving textual fluency, and formatting. It played no role in the design of the survey, the collection or interpretation of data, the legal and ethical analysis, or the drafting of the recommendations set out in Part 3.

The working group retains full and exclusive responsibility for the content, analyses, and conclusions of this report.

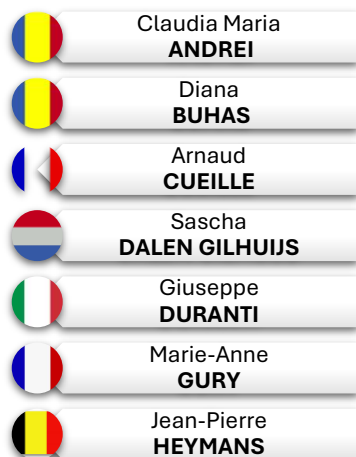
Data visualisation. The tables and graphical representations are based exclusively on the data collected through EEEI survey of September 2025. AI tools were used to generate initial visual outputs and associated analytical comments. These elements were then systematically reviewed, discussed, and validated by the working group.

Editorial review. Certain sections of the report — notably Sections in Mapping AI chapter — were revised with the assistance of AI tools to reduce repetition, structure the content more effectively, and improve overall readability, without affecting the underlying analysis.

ACKNOWLEDGEMENTS

We would like to express our **sincere thanks to all the European judicial experts, members of EEEI, who took part in the working group**, dedicating part of their time to analysing the survey and to the discussions and exchanges that contributed to the drafting of this report.

The following individuals, representing various European countries, made a particularly active contribution:



We would like to extend our sincere thanks to all individual and institutional members of EEEI who contributed to the compilation of the survey and promoted its dissemination.

Special appreciation is expressed to those who played an active role in promoting the survey



PART A - EEEI European Survey on the Use of AI in Judicial Expertise

I. WHY, HOW, WHEN, WHO...

This introduction explains the reasons behind EEEI initiative conceived in the summer of 2025 and launched last September, and the objectives that guided the European investigation on the use of artificial intelligence in the judicial experience.

The September 2025 survey pursues four interrelated objectives:

- map current AI practices across the various fields of judicial expertise,
- identify the training and support needs expressed by experts in different jurisdictions,
- gather the ethical and legal concerns raised by the use of AI in judicial expertise,
- contribute to the development of recommendations aligned with the operational reality and the professional responsibilities of judicial experts.

Taken together, these objectives form part of a broader European effort to understand the evolving role of AI within judicial processes and to support a harmonised, responsible adoption of these technologies.

To pursue them, in summer 2025 EEEI designed and distributed a structured survey articulated in four thematic sections. The methodological choices reflect both the diversity of the European judicial-expertise landscape and the need to ensure a wide and authentic participation. The survey was made available as a digital instrument, accessible through a secure link sent by email to all institutional and individual members of EEEI across Europe.

The reach of the survey was further widened by the active relay of several institutional members of EEEI, who forwarded the call to their own internal networks beyond the boundaries of formal EEEI membership. This dynamic was particularly significant in Romania, the Netherlands and Luxembourg, where partner institutions extended the invitation to all the judicial experts they bring together.

The questions focused on:

- identifying how and where judicial experts use AI tools,
- understanding which tools are employed and at which stage of the judicial expertise process they intervene,
- assessing the perceived risks in terms of transparency, reliability, accountability and respect of fundamental rights,
- detecting the expectations of practitioners regarding training, common standards and institutional guidance.

This approach allowed EEEI to capture a broad, cross-sectional overview of how AI is being integrated into judicial expertise at the European level.

The results yield a first European dataset for the analysis of current trends, concerns and expectations regarding the use of AI by judicial experts. These responses form the analytical basis of the following sections of the report, which examine in turn usage patterns, obstacles, ethical considerations, training needs and the implications for future European guidance.

Beyond its analytical purpose, the survey also served as a participative instrument. It included a dedicated question inviting members to engage personally in a follow-up effort, leading to the constitution of EEEI European Working Group on AI and Judicial Expertise. The members who volunteered — drawn from several Member States and from a wide range of fields of expertise — formed the core of the group, which then took up the task of analysing the survey results, situating them within the European legal and ethical framework, and translating them into the guidance proposed in Part 3 of this report.

Why an EEEI Working Group on AI & Judicial Experts

Numerous working groups and commissions are being set up in Europe and elsewhere to better understand the uses of artificial intelligence and to reflect on its impacts, limitations and opportunities, incorporating the ethical approach that any responsible reflection on AI demands. In this context, and in its capacity as a European think tank dedicated to judicial expertise, EEEI considered it both timely and necessary to create a European working group dedicated to studying the use of AI by judicial experts.

This European working group aims to take stock of the current use of artificial intelligence by judicial experts across European countries, identifying existing practices, challenges and opportunities. Its mission is to contribute to the development of recommendations adapted to expert practices and to act as the European reference point for expertise and experts in the dialogue with other associations and institutions.

The constitution of the working group followed a deliberately participative approach. The combined effect of EEEI survey and the social media call produced thirty expressions of interest, coming from different Member States — Belgium, France, Italy, the Netherlands and Romania — and covering a broad range of fields of expertise. This diversity of jurisdictions and disciplines is a deliberate methodological choice: it ensures that the analysis remains grounded in the operational reality of European judicial expertise.

All thirty volunteers received the invitation to the first constitutive meeting of the working group, held online on 2 October 2025. From that date, the group has continued to meet periodically in online sessions. In the phase dedicated to the analysis of the survey results, the working group was organised into four sub-groups, each entrusted with the analysis of one of the four thematic sections: Mapping AI, Ethics & Legal, Training & Support, and Profiles & Suggestions.

Limitations of the Survey

While the Mapping AI results provide valuable insights into the state of AI use in judicial expertise across Europe, several methodological limitations should be acknowledged:

- Self-selection bias: Participation in the survey was voluntary, which may result in disproportionate responses from experts who are more digitally engaged or more interested in the subject of AI.
- Uneven participation across countries: Response rates varied significantly between Member States, and many jurisdictions are under-represented. This may influence aggregated results and should be considered when interpreting cross-national comparisons.
- Heterogeneity of expert practice: Judicial expertise varies widely between legal systems, both in procedural roles and technical domains. Certain findings may therefore be more relevant to some jurisdictions or specialisations than others.

Despite these limitations, the consistency of several trends across responses supports the validity of the broad conclusions presented in this report.

METHODOLOGICAL NOTE: This analysis is based on EEEI survey dated 01/10/2025. The responses are self-reported, heterogeneous across countries and disciplines, and reflect practices in transition. The data do not represent an institutional position but rather a statistical snapshot. The results reflect the experts' responses as of 01/10/2025.

In the following chapters of this first part of the report, the responses received and the analysis made by the participants of the working group will be reported. For each section of the survey, the conclusions dedicated to the specific topic under analysis will also be reported.

The number of responses varies across questions due to conditional branching within the questionnaire and occasional non-response. Unless otherwise indicated, analyses are based on the valid responses received for each individual question.

II. MAPPING AI

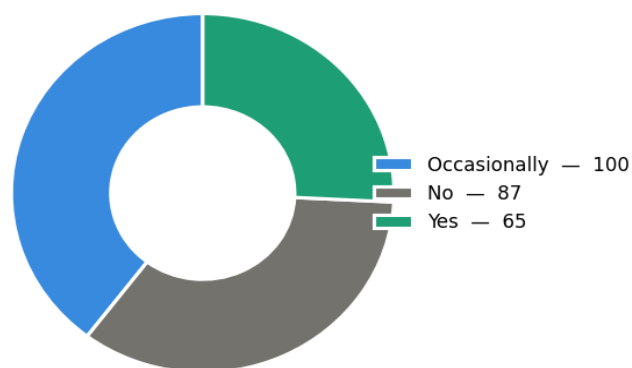
Identification of the Information Forming the Basis of the Opinion

Source: EEEI Survey dated 01/10/2025 – Mapping AI section (columns I–W).

This section presents the experts' responses regarding the use of artificial intelligence in their work, the obstacles encountered, the types of tools used, the fields of application, and the current level of integration. The figures reflect the number of respondents.

QUESTION 3 – Use of AI Tools

Do you currently use AI tools in your expert assessments?



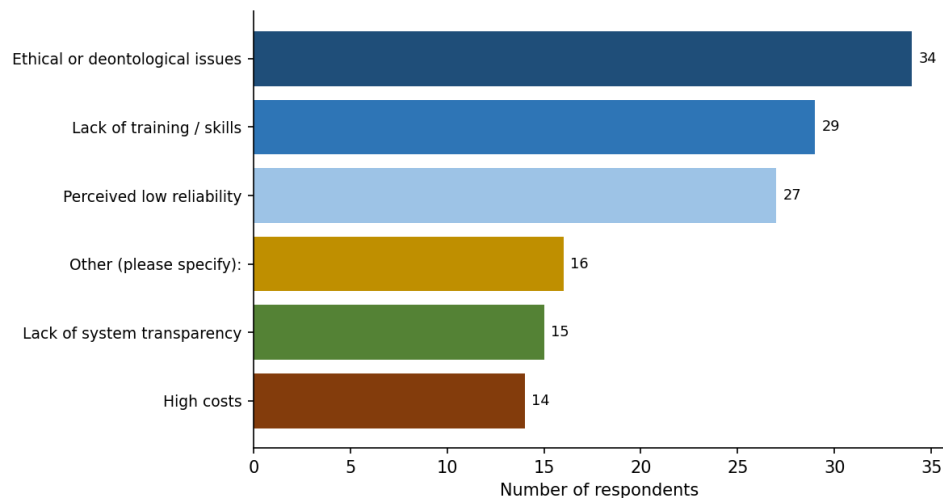
Key Insight → AI is already widely adopted among experts but remains largely informal in practice.

Implication → The profession has entered an early adoption phase without structured integration. Uninformed use could introduce methodological risks where knowledge of the tools is still limited.

Strategic Link → This finding underpins the need for structured frameworks in Section “Redefining the AI-Usage Paradigm.”

QUESTION 4a – Obstacles to AI Use

If NOT, what obstacles or reasons prevent you from using AI?



Key Insight → Barriers to AI adoption are primarily linked to ethical, competence-related and reliability concerns, with technical and financial factors (system transparency, cost) playing a secondary but non-negligible role.

Implication → Adoption is constrained primarily by training needs, concerns regarding reliability, and ethical considerations rather than by technological limitations.

Strategic Link → Supports the emphasis on training and ethical frameworks in Section “Training to Secure Practice.”

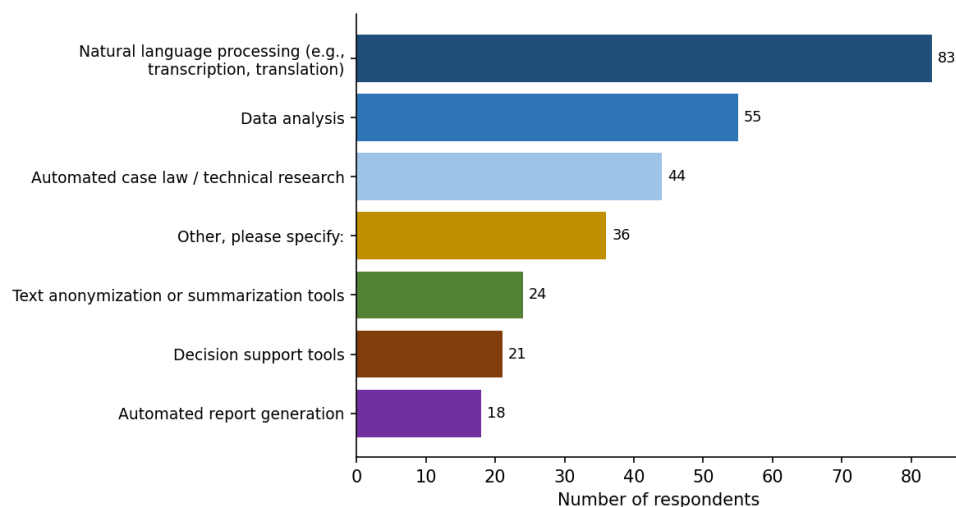
Recurring keywords: ethical concerns, lack of training, reliability, competence gaps.

Main remarks expressed by respondents include:

- limited or cautious use of AI tools,
- lack of time / resources to invest in training,
- current limitations of AI regarding accuracy and specialised or national knowledge,
- concern about assuming responsibility for AI-assisted results

QUESTION 4b – Types of AI Tools Used

If YES, what types of tools do you use? (Multiple answers possible)



Key Insight → AI usage is led by general-purpose language tools, primarily used for drafting and document-related tasks rather than specialised analytical functions. But a substantial share of experts also apply AI to data analysis and automated case-law / technical research— showing that

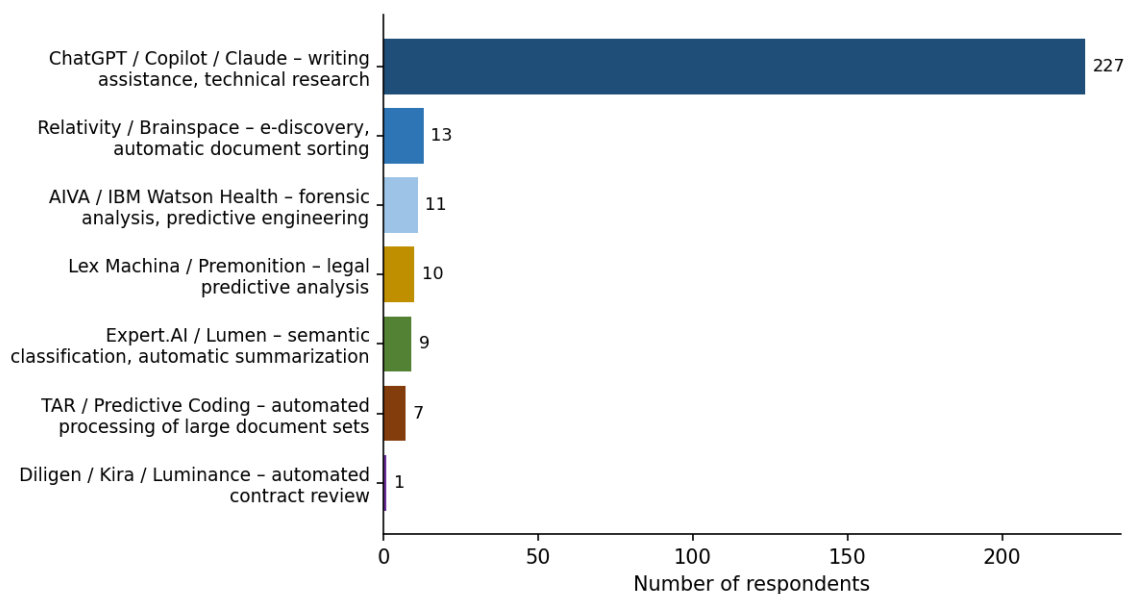
usage already extends well beyond drafting into analytical functions, alongside emerging use of decision-support tools

Implication → Current uses remain predominantly functional, although some applications already extend into analytical activities with potential implications for expert reasoning.

Strategic Link → Connects to the need for specialised tools outlined in “Development of Dedicated AI Tool

QUESTION 5 – Specific AI Tools

Or alternatively - Which specific AI tools do you use?



Key Insight → A limited number of mainstream generative AI tools dominate usage among experts, particularly general-purpose language models.

Implication → This concentration highlights both ease of access and a lack of specialised tools tailored to expert needs.

Strategic Link → Relates to the reflections in “Development of Dedicated AI Tools” and “Referencing AI Tools for the Justice System.

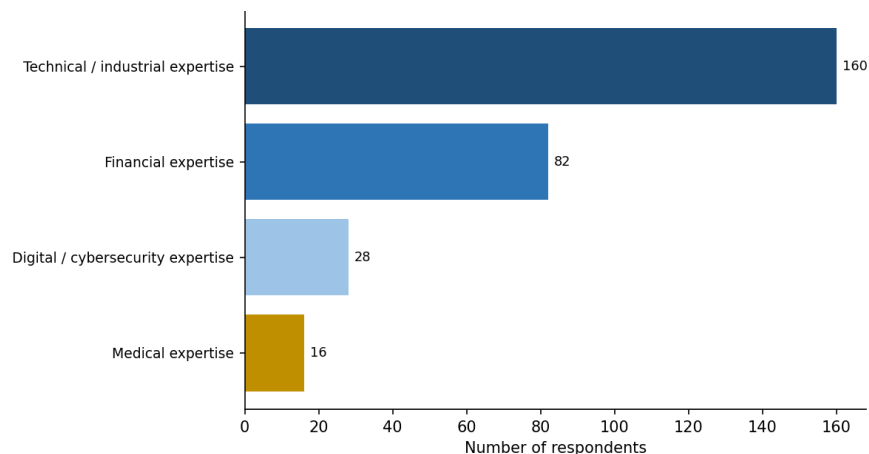
Qualitative Signals

Declared uses: drafting assistance, technical research, document summarization.

Emerging domain-specific models are also mentioned as potentially offering higher levels of precision and reliability.

QUESTION 6 – Fields of Application

In which fields do you apply these tools? (Multiple answers possible)



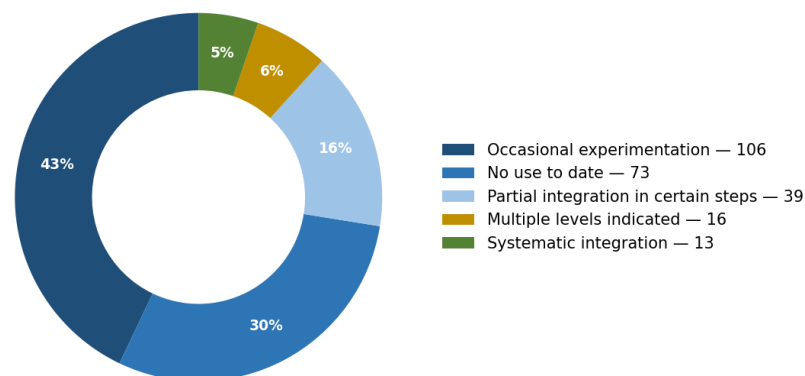
Key Insight → AI adoption is concentrated in technical and industrial fields, with financial expertise as a secondary area of use. But this pattern reflects the profile of survey respondents, predominantly from technical and financial disciplines.

Implication → The distribution of AI use remains uneven across disciplines.

Strategic Link → Supports the domain-sensitive approach outlined in “A Gradual and Domain-Sensitive Approach to Training.”

QUESTION 7 – Integration into Expert Procedures

To what extent are these tools integrated into your procedures?



Insight → AI integration into expert procedures remains largely exploratory, with only limited cases of systematic use.

Implication → The absence of formalised practices limits the reliability and consistency of AI integration. Data suggests a profession willing to engage but lacking the guidance to formalise AI use.

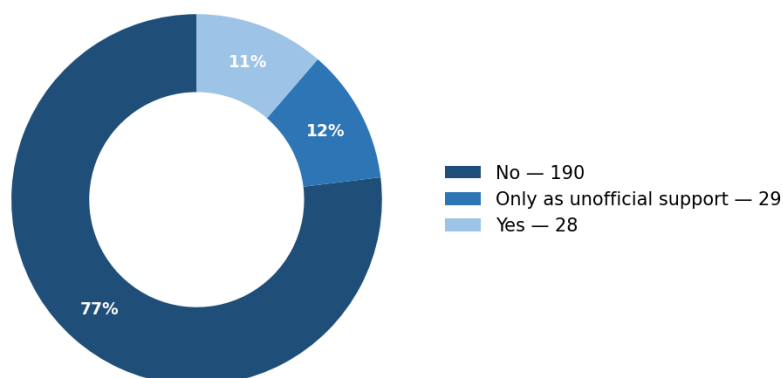
Strategic Link → Supports the need for structured methodologies outlined in “Redefining the AI-Usage Paradigm in Expertise”.

Qualitative Signals

Most uses remain ad hoc and experimental.

QUESTION 8 – Use of AI-Generated Results in Court

Have you ever included in a report or presented in Court results generated or assisted by AI?



Key Insight → AI-assisted outputs are rarely used in formal judicial proceedings.

Implication → Judicial systems are not yet structurally aligned with AI-assisted expertise.

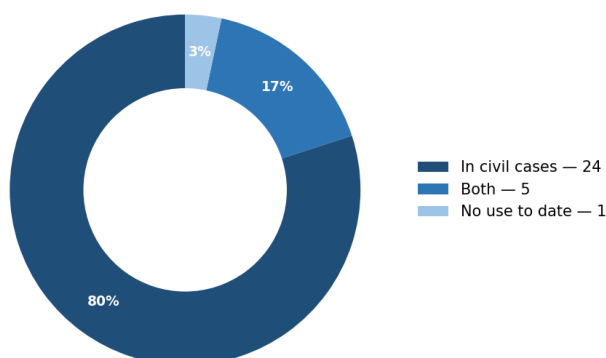
Strategic Link → Supports the need for transparency and admissibility frameworks in “Transparency: A Graduated Approach”.

Qualitative Signals

Use remains limited to informal or preparatory stages.

QUESTION 9 – Legal Context of AI Use

If you have used AI, in which legal context(s)?



Key Insight → AI is predominantly used in civil proceedings, with limited adoption in criminal contexts.

Implication → Adoption is influenced by the level of legal risk and evidentiary requirements.

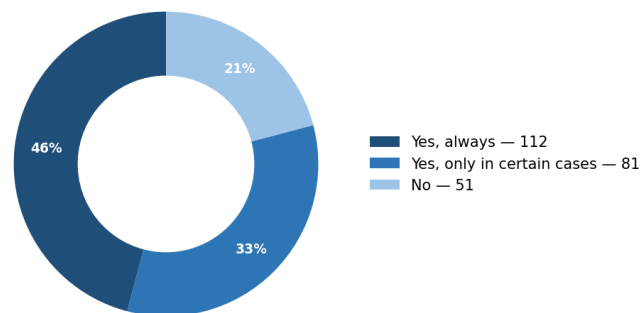
Strategic Link → Reflects the risk-based logic underpinning the EU AI Act framework.

Qualitative Signals

Use in criminal cases remains marginal, where the implications for individual rights demand a much higher standard of reliability and transparency and reflecting higher standards of proof and procedural safeguards

QUESTION 10 – Disclosure of AI Use

Do you think it is necessary to explicitly declare AI use in technical reports?



Key Insight → There is strong professional support for transparency in the use of AI.

Implication → A shared expectation of disclosure is emerging within the expert community.

Strategic Link → Directly supports the “Principle of Proportional Transparency”.

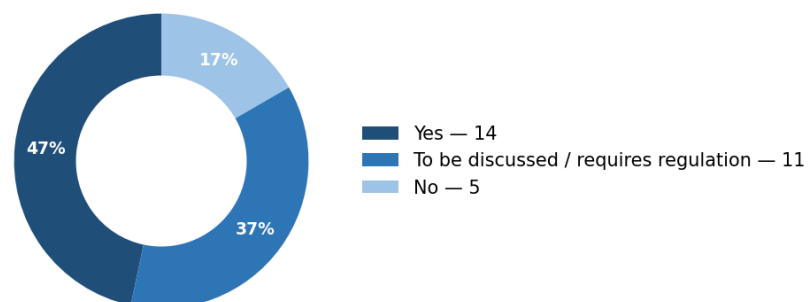
Qualitative Signals

Around three-quarters of respondents support disclosure of AI use.

Nearly half favour systematic or mandatory disclosure.

QUESTION 11 – AI in Criminal Cases

If used in criminal cases: do you believe AI could become essential in certain complex cases (e.g., processing thousands of documents)?



Key Insight → Experts recognise the strong potential of AI in complex criminal cases, particularly for handling large volumes of data, but stress that its use depends on prior regulatory safeguards

Implication → AI represents a high-value operational tool, requiring robust governance frameworks to ensure trust, legal compliance, and procedural reliability.

Strategic Link → Supports the need for reinforced governance frameworks developed in the Ethics & Legal section.

Qualitative Signals

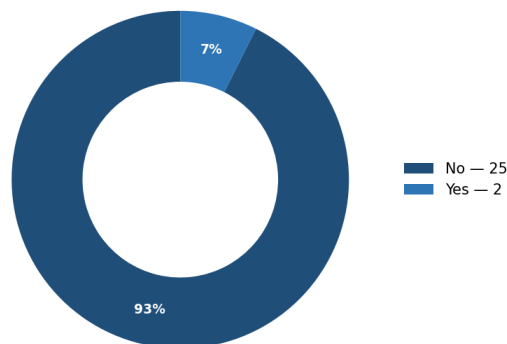
Respondents consistently express a cautious but positive stance, acknowledging AI’s added value while highlighting concerns related to regulation, risks, and oversight.

Operational Needs

- quality control mechanisms
- clearly defined role for IT specialists
- ethical and deontological guidelines
- targeted training and pilot projects
- mandatory human supervision

QUESTION 12 – Judicial Objections

If yes, have you ever received objections or requests for clarification from the judge or parties regarding the use of AI?



Key Insight → Judicial objections to AI use remain limited, likely due to low visibility rather than established acceptance.

Implication → Increased use is likely to lead to greater scrutiny and contestation.

Strategic Link → Highlights the importance of anticipatory transparency and documentation frameworks.

Qualitative Signals

Only a small number of experts report objections or requests for clarification.

This suggests that AI use remains largely implicit in current practice.

OVERALL RESULTS – SUMMARY

- AI usage is moderate but clearly present, mainly for text-related tasks.
- The main barriers relate to ethics, training, perceived reliability with system transparency and cost as secondary but non-negligible factors.
- The most commonly used tools (ref. Sept. 2025) are ChatGPT / Copilot / Claude.
- Integration remains experimental and rarely formalised.
- Transparency is widely considered necessary.

Analysis of the Information Collected

The diversity of respondents — in terms of jurisdictions, professional cultures and levels of digital maturity — influences the range of practices reported. Despite these variations, several recurring patterns emerge clearly, providing a sufficiently robust basis to identify common trends in the current use of AI by judicial experts who took part in this European survey.

The results obtained from the survey are consistent with broader international observations: across many professional sectors, AI is mainly used for supportive, low-stakes tasks. A key insight from the survey is that AI adoption remains primarily functional. These applications reflect a drive for efficiency and a reduction in workload. They demonstrate that artificial intelligence is currently being used to improve efficiency whilst taking care not to undermine the fundamental analytical functions of expert reports.

The integration of AI into expert workflows is still limited and largely informal, and the use of AI-assisted content in court remains rare. This cautious professional posture is shaped by the responsibility attached to expert conclusions, particularly in judicial contexts where reliability, explainability, and procedural guarantees are essential.

The obstacles mentioned by experts mainly relate to: ethical or deontological concerns; uncertainty regarding the reliability of the tools; and lack of training with system transparency and cost as secondary but non-negligible factors. These barriers are primarily organisational and skills-related, rather than strictly technological. At the same time, there is a broad consensus on the need for transparency, particularly when AI affects the substance of expert reasoning.

Adoption

The adoption of AI by judicial experts remains moderate. Around 40% of respondents use AI occasionally, while a smaller proportion uses it on a regular basis. This dynamic reflects an exploratory phase: AI is mainly used for occasional, supportive tasks rather than as a structured integrated component of judicial expertise workflows, with genuine curiosity but still limited uptake.

Barriers

The obstacles mentioned by experts mainly relate to: ethical or deontological concerns, uncertainty regarding the reliability of the tools and a lack of training with system transparency and cost as secondary but non-negligible factors. These barriers are primarily organisational and skills-related, rather than strictly technological. They are consistent with broader European findings: AI adoption progresses when clear reference frameworks, usage rules, and appropriate training are available.

Tools

The most frequently mentioned tools are mainstream generative systems: ChatGPT, Copilot, and Claude. They are particularly appreciated for tasks such as drafting, rephrasing, document summarisation, and information retrieval. This predominance is explained by their accessibility, versatility, and ability to process natural language, which lies at the core of expert activities. It is also consistent with international trends: the early stages of AI adoption in knowledge-based professions tend to focus on low-risk, text-based applications.

Integration into Expert Procedures

The formal integration of AI into judicial expertise workflows remains limited. Most respondents report being in a testing or experimental phase, and only a few systematically incorporate AI into their procedures. Similarly, the use of AI-generated elements in documents submitted to the court remains rare. AI therefore occupies, for the moment, an auxiliary rather than evidentiary role. This limited level of integration is linked to: the absence of quality benchmarks; the lack of training; and experts' caution due to the responsibility attached to their conclusions.

Transparency

The survey highlights a broad and consistent consensus among respondents regarding the fundamental principles that must govern the use of artificial intelligence in judicial expertise. Regardless of the level of adoption or the specific tools used, experts emphasise that any use of AI must remain compatible with the core requirements of judicial proceedings and expert accountability.

The following principles emerge as non-negotiable foundations for responsible AI use in this context:

- Transparency: Any use of AI that has a material impact on the analysis, reasoning, or conclusions of an expert report must be disclosed in a clear and understandable manner.
- Auditability and traceability: The conditions under which AI tools are used must allow the reasoning process to be reconstructed, verified, and, where necessary, challenged by the parties and the court.

- Accountability and human oversight: AI tools must remain strictly subordinate to human judgement. The expert retains full responsibility for the content of the report and the conclusions presented to the court.
- Respect for adversarial procedure and fairness: AI-assisted content must not undermine the rights of the parties, the equality of arms, or the possibility of meaningful contradiction within judicial proceedings.

These principles constitute a common reference framework underpinning all subsequent observations and conclusions in this section.

General Conclusions

The findings can be summarised as follows:

- **A cautious and functional adoption:** AI is used mainly as a support tool, with limited impact on core expert reasoning.
- **Structural barriers to integration:** Adoption is constrained less by the technology itself than by gaps in training, the absence of clear frameworks, concerns regarding reliability, and, to a lesser extent, issues of transparency and cost.
- **Dominance of general-purpose tools:** The widespread use of generative AI reflects accessibility rather than sector-specific adaptation.
- **Limited procedural integration:** AI remains marginal in judicial expertise methodologies and court submissions.
- **Strong convergence on core principles:** Responsible AI use requires transparency, traceability, human accountability, and respect for adversarial proceedings.

Analytical Commentary on the Conclusions

The results highlight a sector in transition, characterised by a balance between openness to innovation and adherence to established methodological safeguards.

A functional, efficiency-driven use of AI

AI is currently used to optimise workflows rather than to transform expert reasoning. This reflects both a cautious professional approach and the absence of specialised tools adapted to judicial expertise.

A training and reliability gap as the main limitation

The primary constraints are structural: insufficient training, unresolved concerns regarding the reliability of AI outputs and, to a lesser extent, issues relating to transparency and cost. In addition, the strong support for a dedicated regulatory framework suggests that existing guidance is perceived as insufficient.

Technical limits of current uses

Certain widely reported uses of AI by experts require clarification due to their specific implications in judicial expertise:

- Drafting and rephrasing: AI can improve style and readability, but it cannot replace the expert's structured reasoning (observation → analysis → conclusion). The expert remains fully responsible for the coherence and validity of the argument.
- Document summarisation: Summarising large documents can be useful, but AI produces a thematic synthesis rather than a true summary and may omit details that are critical for identifying key technical or causal elements.

- Information retrieval: AI can function as an efficient exploratory tool, but its outputs must be systematically verified to ensure accuracy, relevance, and legal applicability.
- Document organisation
The structure of “expert reports” follows a basic framework common to all experts’ reports; AI adds limited value in this area.

These uses highlight a common requirement:

AI remains dependent on expert validation and control.

AI-assisted outputs must always be reviewed, verified, and aligned with the expert's reasoning.

Toward a more mature integration

The current phase reflects a transitional stage. According to the responses, further development will depend less on technical progress itself than on targeted training, clearer usage practices, reliability assurance mechanisms, and the development of specialised tools tailored to judicial expertise.

III. ETHICS & LEGAL

Identification of the Information Forming the Basis of the Opinion

Source of information: EEEI survey dated on 01/10/2025 – Ethical & Legal section.

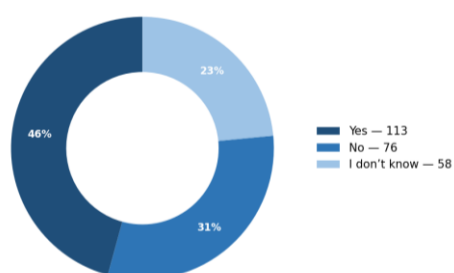
Summary of Information Obtained in EEEI Survey (01/10/2025)

The following European frameworks provided the normative context for analysis:

- European Ethical Charter on AI in Judicial Systems (CEPEJ, 2018): five guiding principles — respect for fundamental rights, non-discrimination, quality/security, transparency/impartiality/fairness, and user control.
- EU AI Act (2024): risk-based approach, obligations for transparency, documentation, human oversight, and governance.
- GDPR: principles of lawfulness, fairness, transparency, purpose limitation, data minimisation, integrity/confidentiality.
- CNIL Recommendations: practical guidance for compliance with GDPR in AI development.
- ISO/IEC 23894:2023: risk management framework for AI lifecycle.

QUESTION 13 – Concerns

Do you have concerns about using AI in your judicial expertise?



Key Insight → A plurality of experts express concerns regarding the use of AI in judicial expertise, the largest single group, while a significant share remains uncertain about its implications or report no concerns

Implication → The profession is not only cautious but also still exploring and structuring its understanding of AI use.

Strategic Link → Reinforces the need for structured reflection and guidance frameworks developed in this section, instead of spontaneous, unguided adoption.

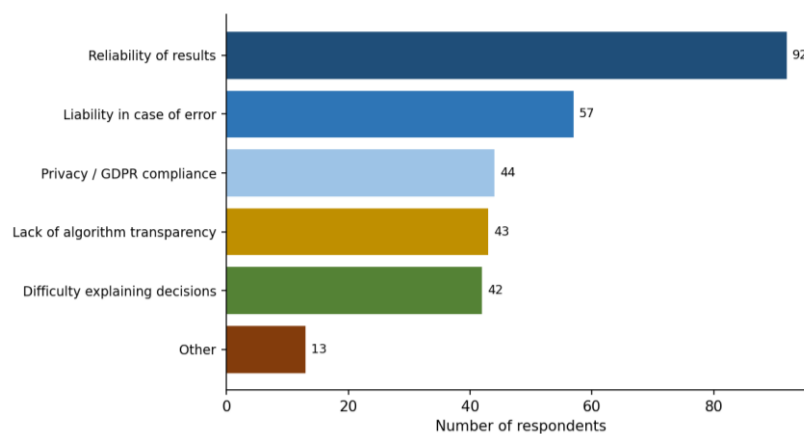
Qualitative Signals

Close to half of respondents report concerns about AI use, just under one in three express no reservations. A notable proportion, nearly one in four, selected “I don't know”, indicating that the issue remains insufficiently explored by many professionals.

QUESTION 14 – Nature of Concerns

If YES, which ones? (Multiple answers allowed) -

NOTE: If response was “NO” or “I DON'T KNOW”, no other questions for this section.



Key Insight → Reliability of results (the top priority), accountability (liability in case of error, a clear second), followed by the Privacy-GDPR/ lack of algorithmic transparency/explainability group (comparable, but trailing behind).

Implication → These concerns reflect not resistance to AI, but a demand for trustworthy and accountable integration within judicial expertise.

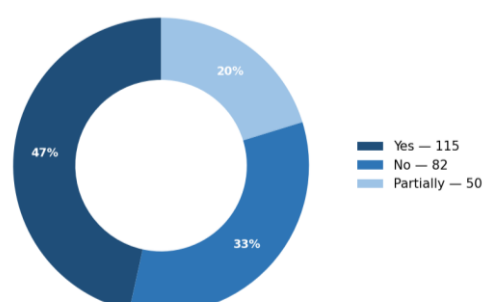
Strategic Link → Directly aligns with the requirements set out by the EU AI Act and CEPEJ principles.

Qualitative Signals

Reliability of results is the dominant concern, cited far more often than any other issue. Liability concerns in case of error is strongly present, ahead of transparency-related concerns.

QUESTION 15 – Personal Rules

Have you set any rules for yourself?



Key Insight → The use of AI by experts is governed by uneven personal rules: just under half of respondents (47%) report having set clear, but personal, rules and a significant proportion of professionals having no clear framework in place, highlighting a highly heterogeneous landscape without a shared standard

Implication → The absence of shared standards leads to inconsistent practices and variable levels of control.

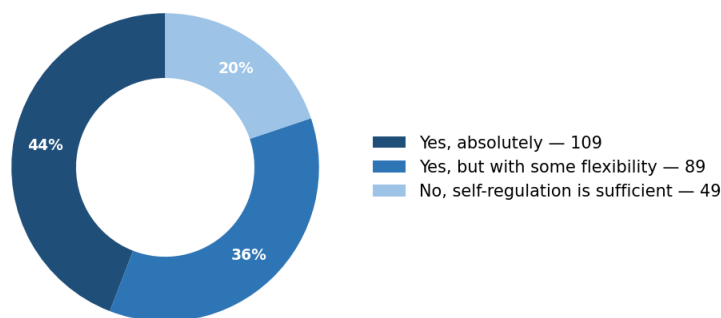
Strategic Link → Supports the need for a harmonised ethical and professional framework discussed in this section that ensure consistent and accountable AI use across the expert community

Qualitative Signals

Just under half of respondents report having established personal rules. A significant proportion, about one in five, rely only on partial guidelines. About one third indicate having no rules at all.

QUESTION 16 – Regulatory Framework

Do you think a specific regulatory framework (e.g., European AI Act, CEPEJ guidelines, updated code of ethics) is necessary to govern the use of AI by judicial technical experts?



Key Insight → There is a strong and clear consensus among experts in favour of establishing a dedicated regulatory framework for AI use.

Implication → The profession is not only receptive to regulation but actively expects specific structured governance.

Strategic Link → Directly aligns with the integration of EU AI Act and CEPEJ principles.

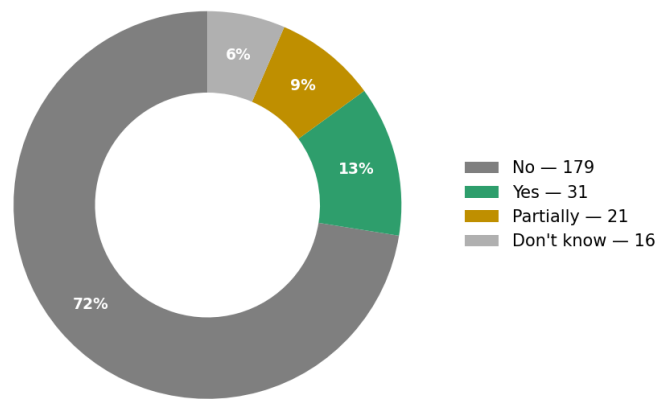
Qualitative Signals

A large majority of respondents support regulatory frameworks, while only a minority consider self-regulation sufficient.

This indicates a clear demand for institutional guidance rather than individual approaches.

QUESTION 17 – Familiarity with EU Legal & Ethical Frameworks

Are you familiar with the European legal and ethical frameworks governing the use of AI, including Regulation (EU) 2024/1689 (AI Act) and CEPEJ Guidelines on AI in the judicial field?



Key Insight → Knowledge of European AI legal and ethical frameworks remains very limited among a majority of experts.

Implication → Given that these frameworks directly govern high-risk AI applications — which which uses within judicial expertise may qualify as — this gap represents a clear mandate for targeted training and dissemination.

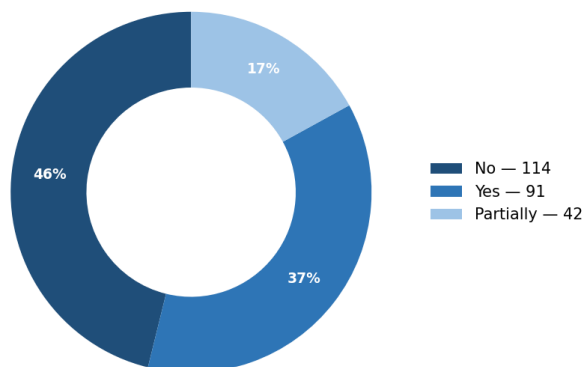
Strategic Link → Supports the need for dissemination and structured training in “EU-Wide Modular Training Programme”.

Qualitative Signals

Survey responses reveal a widespread shared knowledge gap with these regulatory frameworks across jurisdictions and professional profiles, rather than a mere disparity: nearly three in four respondents report no familiarity at all.

QUESTION 18 – Information about Use of AI

Do you inform the parties and magistrates about this use?



Key Insight → Disclosure of AI use remains inconsistent in practice despite strong support in principle.

Implication → There is a clear gap between professional stated values and actual practices.

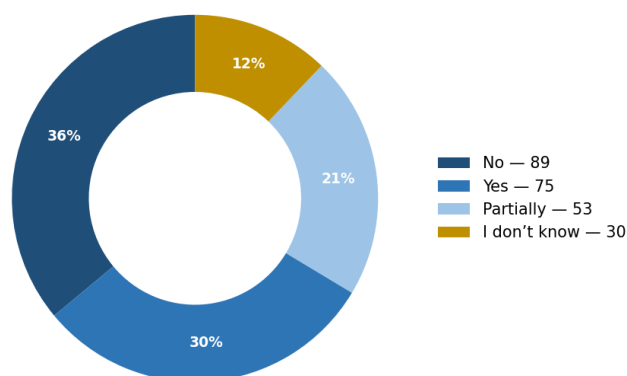
Strategic Link → Reinforces the relevance of the proportional transparency approach.

Qualitative Signals

A large proportion of experts report not informing parties or judges about AI use, or doing so only partially. This contrasts with the strong support for transparency expressed elsewhere in the survey.

QUESTION 19 – AI & Experts' Role / Responsibility

Do you think the use of AI challenges your role or responsibility as an expert?



Key Insight → AI introduces a significant but nuanced level of uncertainty regarding the role and responsibility of judicial experts.

Implication → While human responsibility remains central, its articulation in AI-assisted contexts is not yet fully stabilised.

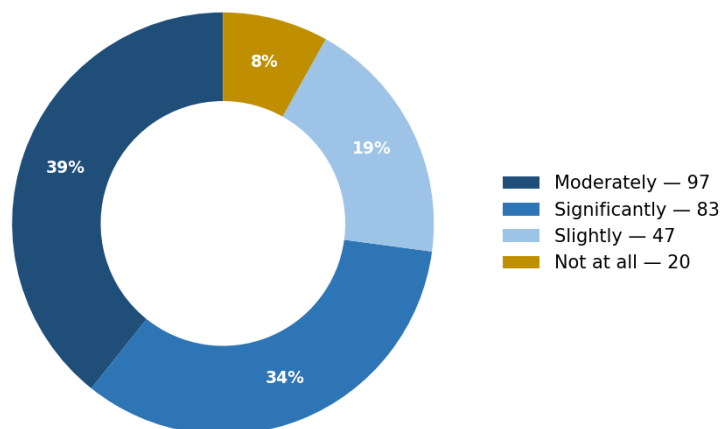
Strategic Link → Aligns with the principle of exclusive human responsibility reaffirmed in the paradigm section.

Qualitative Signals

Responses are divided: “No” is the most common single response (36%), though not a majority, rejecting a fundamental challenge to their role, but over half expressing partial or full concern. This reflects a tension between continuity of professional identity and emerging uncertainties.

QUESTION 20 – Future Improvements Driven by AI Use

To what extent do you think AI will improve the quality of technical judicial expertise in the next 5 years?



Key Insight → Experts broadly expect AI to improve the quality of judicial expertise in the coming years.

Implication → Forward-looking confidence coexists with current concerns and structural limitations.

Strategic Link → Supports the gradual and controlled adoption strategy proposed by EEEI.

Qualitative Signals

A large majority anticipate moderate to significant improvements, while only a small proportion expect no impact.

This forward-looking confidence coexists with the concerns expressed earlier — suggesting reservations are not rooted in scepticism about AI's capabilities, but in the absence of frameworks and safeguards needed to harness them responsibly

METHODOLOGICAL NOTE

- Quantitative analysis of closed questions (use/non-use of AI).
- Qualitative analysis of open responses referring to ethical, legal, or deontological concerns (themes: transparency, responsibility, confidentiality, reliability, accountability).

Analysis of the Information Collected

Ethical and deontological concerns emerged as a significant factor across all groups. Among non-users, approximately 38% cited ethical or deontological reasons as a primary obstacle to adoption (33 of the 87 respondents who reported not using AI), ahead of lack of training and perceived low reliability. Notably, ethical concerns were not confined to those who abstain from AI use: 45% of regular users also reported reservations despite their active engagement with the technology.

The specific issues raised recurrently across the respondent population, among those who reported concerns, centred on four main areas: a perceived insufficiency of reliability in AI-generated outputs, lack of transparency in AI systems, liability in case of error, and risks to confidentiality.

The major obstacles — ethical uncertainties, doubts about reliability, and lack of training — confirm that the difficulties encountered are structural rather than technological.

This finding highlights the need for:

- clearer governance;
- harmonised guidelines;
- accessible and appropriate training;
- validated tools that are better integrated into the European legal framework.

At the same time, the strong support for transparency in the use of AI reflects a solid professional commitment to the fundamental values of expertise:

- impartiality,
- accountability,
- explainability,
- procedural fairness.

Overall, the results show a sector ready to evolve, but one that has not yet reached the level of maturity required for high-value or conclusion-impacting uses of AI. The current context is characterised by: an experimental phase, increasing professional awareness and the need for

structured support at the European level, so as to enable a progressive, reliable, and legally secure integration of AI into the daily practice of judicial experts.

Professional and Legal Considerations

The ethical considerations identified primarily concern: the integrity of expert reasoning; compliance with professional and deontological duties; the protection of sensitive data; the risk of dependency or over-reliance on AI tools; and the need for clear guidelines defining acceptable uses of artificial intelligence.

Ethical Considerations

This section presents the main ethical and legal issues raised by the use of artificial intelligence in judicial expertise. The points addressed reflect the concerns expressed by the experts surveyed, as well as the potential implications for the quality, accountability, and transparency of judicial expertise.

General Conclusions

The ethical and legal issues identified through the survey primarily concern the reliability of AI outputs, expert liability in case of error, procedural transparency, legal certainty, and the need for a clear and operational framework governing AI use in judicial expertise.

The results indicate that concerns regarding the reliability of AI outputs and the allocation of responsibility in case of error are paramount for judicial experts. Transparency and disclosure remain essential complementary safeguards, contributing to legal certainty, procedural fairness, and confidence in expert evidence. This approach is closely aligned with existing European frameworks, including the CEPEJ Ethical Charter and the EU AI Act, which establish human oversight, explainability, and procedural safeguards as core requirements for high-risk AI uses.

In this context, transparency obligations constitute not an additional burden, but a necessary condition for legal certainty and trust. They provide the ethical and legal foundation for the graduated disclosure framework further developed in Section 3.2.

Analytical Commentary on the Conclusions

Theme	CEPEJ	EU AI Act
Expert liability	Human decision-making remains paramount	Mandatory human oversight
Transparency	Fair and adequate information to the parties	Disclosure of AI-generated content
Explainability & Traceability	Respect for fundamental rights	Security and risk management
Data protection	Prevention of discriminatory outcomes	Mandatory detection and mitigation
Bias & Non-discrimination	Prevention of discrimination	Harmonised European framework
Legal certainty	Regulated and cautious use	Harmonised European framework
Adversarial principle	Possibility for understanding and challenge	Sufficient information to assess AI use

Theme	CEPEJ	EU AI Act
Gradual adoption	Phased introduction of tools	Risk-proportionate approach
Tool reliability	Required quality and security	Enforced robustness and accuracy
Training	Continuous training	Mandatory user competence

Alignment of CEPEJ Principles and EU AI Act Requirements

The ethical and legal principles governing the use of artificial intelligence in judicial expertise are already largely aligned at European level. Both the CEPEJ Ethical Charter and the EU AI Act affirm that AI systems must remain strictly subordinate to human judgement. Judicial experts retain full responsibility for their reasoning, conclusions, and reports submitted to the court.

Key shared requirements include transparency regarding the use of AI, explainability and traceability of AI-assisted processes, protection of fundamental rights, prevention of discrimination, and respect for adversarial proceedings. The EU AI Act further operationalises these principles through mandatory documentation, risk management, and human oversight obligations. This convergence provides a solid normative foundation for the responsible, proportionate and legally secure integration of AI into judicial expertise across Europe.

Overall Conclusion

The results of the Ethics and Legal section highlight a professional community that is both aware of the potential of artificial intelligence and firmly attached to the foundational requirements of judicial expertise.

Ethical and legal concerns expressed by respondents do not reflect opposition to AI as such, but rather a legitimate demand for safeguards ensuring that its use remains compatible with principles of independence, explainability, accountability, and procedural fairness.

The rapid expansion of AI-based solutions reinforces this demand. As AI tools become increasingly embedded in expert workflows, the absence of clear governance frameworks, shared standards, and recognised training pathways becomes a critical vulnerability rather than a transitional issue.

The survey results therefore underline the need for a structured and coherent approach to AI integration in judicial expertise, grounded in European legal and ethical frameworks and capable of ensuring legal certainty, professional responsibility, and trust in expert evidence.

This confirms that ethical and legal considerations are not peripheral constraints, but central conditions for any credible and sustainable use of AI in judicial contexts.

Ethical Tension	Key Question	Operational Safeguards
Opacity of AI models vs accountability	How to reconcile black-box models with duty to explain?	Full traceability, audit logs, documentation, robustness tests, mandatory human review.
Disclosure of AI use	Should AI use be mentioned in expert reports?	Standard disclosure clause, description of assisted tasks, controls applied.
Responsibility and liability	Who is liable if AI contributes to an error?	Clarify roles, maintain evidence, conduct DPIA for high-risk uses, peer review.

Ethical Tension	Key Question	Operational Safeguards
Data confidentiality	How to preserve judicial data confidentiality?	Secure channels, encryption, anonymisation, EU-only processing, contractual safeguards.
Bias and non-discrimination	How to prevent bias affecting fairness?	Bias testing, documented datasets, fairness audits, controlled updates.

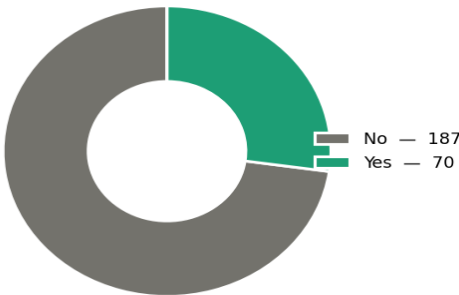
IV. TRAINING & SUPPORT

Identification of the Information Forming the Basis of the Opinion

Source: EEEI survey dated 01/10/2025 – Training & Support section.
The data in this section come from EEEI survey dated 01/10/2025 – Training & Support section. They detail the level of initial training, the identified needs, and the expectations of experts regarding support and skills development.

QUESTION 21 – Training Attendance

Have you already taken a course on artificial intelligence applied to your field of expertise?



Key Insight → The vast majority of experts have not received formal training on AI in their field of expertise: the profession faces a significant preparedness gap.

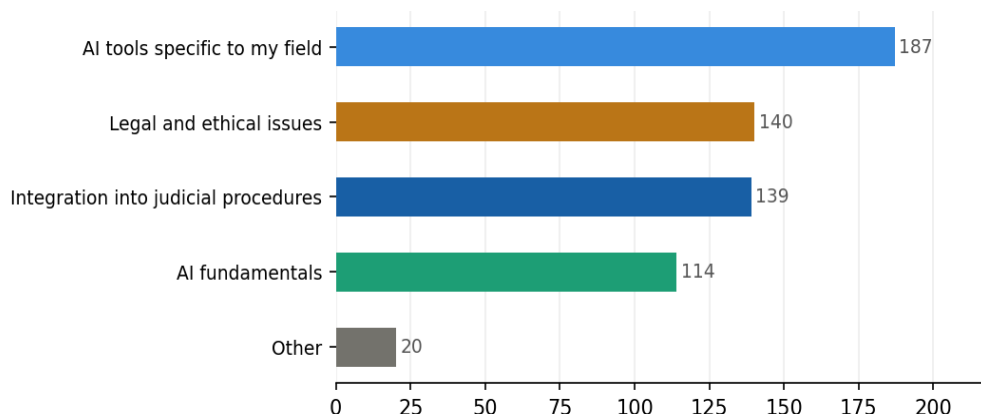
Implication → Current AI use largely takes place without a structured knowledge base, increasing the risk of inappropriate or unreliable use.

Strategic Link → Underpins the need and priority for structured training programmes at European level.

Qualitative Signals Only around 27% of respondents report having received AI-related training. This gap limits advanced uses, carries methodological and ethical risks and reinforces uncertainty and perceived risks among experts.

QUESTION 22 – Interest in Training

Would you be interested in training on: (Multiple answers possible)



Key Insight → There is strong demand for practical, profession-oriented AI training among experts, with a clear focus on applied use.

Implication → Experts seek controlled and reliable use of AI tools aligned with judicial expectations, rather than technical specialisation.

Strategic Link → Supports the development of applied and modular training programmes tailored to expert needs.

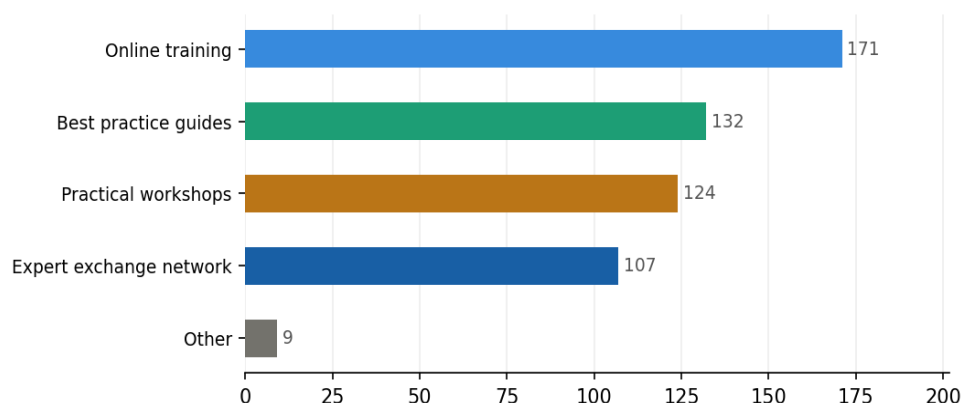
Qualitative Signals

Priority is given to specialised tools and to legal and ethical aspects of AI use.

Interest in “fundamentals” reflects a need to understand how tools function, without necessarily aiming for advanced technical level of expertise.

QUESTION 23 – Training Type

What types of resources or support would be useful to you?



Key Insight → Experts favour flexible and blended training formats combining online learning, practical application and peer exchange.

Implication Training must be accessible, practice-oriented, and embedded in professional communities to be effective.

Strategic Link → Aligns with the proposed EU-wide modular and hybrid training approach.

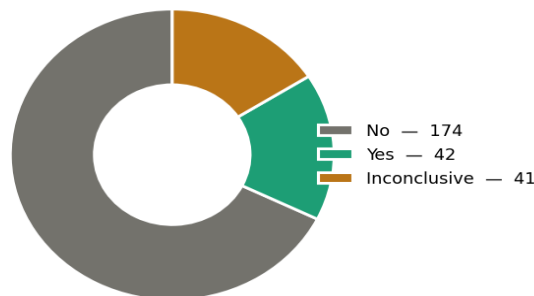
Qualitative Signals

Online training is the most requested format, reflecting the practical constraints of busy professionals who need flexible, self-paced learning options

Strong interest in expert networks highlights the importance of peer learning alongside formal training and highlights the importance of a shared framework that ensures coherence and quality.

QUESTION 24 – Interaction with AI

Have you ever encountered systems that use artificial intelligence in the course of your activities?



Key Insight → Direct interaction with AI systems within judicial expertise environments remains limited.

Implication → AI use is still largely driven by general-purpose tools, with limited integration into structured professional systems and workflows.

Strategic Link → Supports the need for pilot projects and dedicated AI environments for judicial expertise.

Qualitative Signals

Only around 16% of respondents report direct interaction with AI systems in a professional context.

A notable share of responses is inconclusive, suggesting partial or unrecognised exposure to AI-driven tools.

This indicates that judicial expertise remains only partially equipped with advanced digital solutions, with current use largely relying on mainstream tools such as LLMs.

General Conclusions

The main findings are as follows:

- The level of training is insufficient, but experts show a strong motivation to develop their skills.
- Expectations focus primarily on certified tools, legal frameworks, and understanding of ethical issues.
- The preferred training model is hybrid, combining theory, practical application, and feedback.
- Actual exposure to AI in expert practice remains low, which reinforces uncertainty and methodological hesitation.

Analytical Commentary on the Conclusions

The results confirm that judicial expertise is currently in a pre-adoption phase: experts do not reject AI, they clearly identify its potential, but they lack infrastructures, reference frameworks, and certified training to progress.

The lack of specialised tools is a major obstacle: experts mainly rely on general-purpose AI systems (LLMs) because there are no solutions specifically designed to meet the technical, legal or ethical requirements of their disciplines.

This situation highlights the need for:

- a European-level training programme;
- a clear usage framework;
- validation procedures for tools;
- structured support (competence centres, guidance, sharing of best practices).

It also confirms the fundamental role of human oversight, which remains at the heart of expert assessment and must guide any use of AI. These findings directly inform the guidance and responses proposed by EEEI in Section 3, particularly with regard to training, support structures and governance mechanisms.

V. WHO ARE YOU & SUGGESTIONS

This section brings together qualitative responses and open questions expressed by experts. It is not intended as an analytical synthesis, but as a structured inventory of concerns, expectations and proposals informing EEEI guidance.

PHASE 1: BEFORE USE – Framework and Preparation

Regulatory and Normative Framework

Key questions raised by experts included: Are you aware of any rules or laws in your country concerning the use of AI by expert witnesses? To what extent do you think the use of AI in judicial expertise should be regulated, and who should be responsible for such oversight?

Respondents noted the current absence of specific case law, a wave of emerging lawsuits concerning AI technology companies, and the need for clarity on the professional context — particularly in jurisdictions where judicial expertise is not yet strictly regulated.

Training and Required Skills

Experts raised questions about: what specific skills and tools judicial experts will need in order to identify incorrect or misleading arguments produced by AI used by parties in judicial proceedings; whether experts should have access to specific AI models trained by other experts in the same field; and whether the use of specialised software in expert work or engineering activities is necessary.

Decision to Use AI

Respondents distinguished two dimensions of intended use:

- Choice A – Scope of application: documentation only; decision-making process only; or both.
- Choice B – Nature of assistance: operational support (translation, proofreading, repetitive tasks); influence on substantive content; or generation of documents and support sources.

An important distinction was raised: it is only necessary to report the use of AI when it directly concerns the expertise itself. If AI is used merely to improve text accessibility or to create summaries, this is not materially different from using autocorrect. This distinction is rarely made in the public debate on the topic.

Place of AI in the Legal Nature of Expertise

Fundamental questions addressed by respondents included: Does AI have a place in the legal nature of expert evidence, where it is expected that an expert will provide an opinion free from external advice or assistance? When could AI tools be useful in reducing legal and professional costs? What is the maximum level of AI support allowed in expert work?

PHASE 2: DURING USE – AI Production

Transparency and Explainability of the System

Respondents raised questions about: how AI tools can be used most effectively in judicial expertise; how AI is currently used in practice; and what form of control is applied. They also noted an interest in whether practical examples in the specific field of judicial expertise would be useful.

Control and Verification of Results

Experts emphasised systematic verification of AI-generated content, and affirmed that if AI tools provide an analysis or draft expert report, the judicial expert must remain fully responsible for verifying the accuracy and relevance of the results. As one respondent noted: 'the key point is not disclosure itself, but the expert's clear understanding that accountability always remains with them.'

Error Detection and Correction

Types of errors observed in AI-generated content include: incorrect references; outdated regulatory frameworks; lack of knowledge in certain specialisations; erroneous interpretations; and unfounded answers. Experts raised questions about how to proceed if an AI-generated error is discovered after submission of an official report.

Criteria for Accepting Results

Experts described validation criteria as follows: the AI output must be true, fair, verifiable, and reliable. Acceptance requires assessing whether the answer is lawful, correct, and applicable to the specific case.

PHASE 3: AFTER USE – Transmission and Accountability

Disclosure of AI Use

When is it necessary to report the use of AI? Respondents identified the following positions:

- Only when it directly concerns the expertise itself.
- For any use, including autocorrect.
- Never if it is only for text improvement.
- Depending on context and impact on conclusions.

Acceptance by Judicial Institutions

Respondents raised questions about why courts doubt the validity of expert opinions produced with AI assistance, and whether the judiciary has the tools to evaluate whether the use of AI in expert reports leads to a fair outcome. There was general agreement that AI systems must undergo rigorous, third-party testing for accuracy, fairness, and reliability before deployment.

Verification by Parties

How can the use of artificial intelligence by the judge or the opposing parties in proceedings be verified? This question of adversarial control was raised as a key challenge for the integrity of judicial proceedings.

Legal Responsibility and Allocation

Safeguards should be implemented to clearly define the legal responsibility of the expert and the judge when using AI tools. Responsibility must be allocated between human experts and AI systems when

errors or biases occur in AI-assisted activities within judicial expertise. Respondents affirmed that AI cannot approve a report or adjudicate between competing expert analyses.

Protection of Fundamental Rights

Respondents addressed the question of whether the use of AI respects: the right to defence; privacy; non-discrimination; equality before the law; and the presumption of innocence.

Synthesis and Cross-Cutting Questions

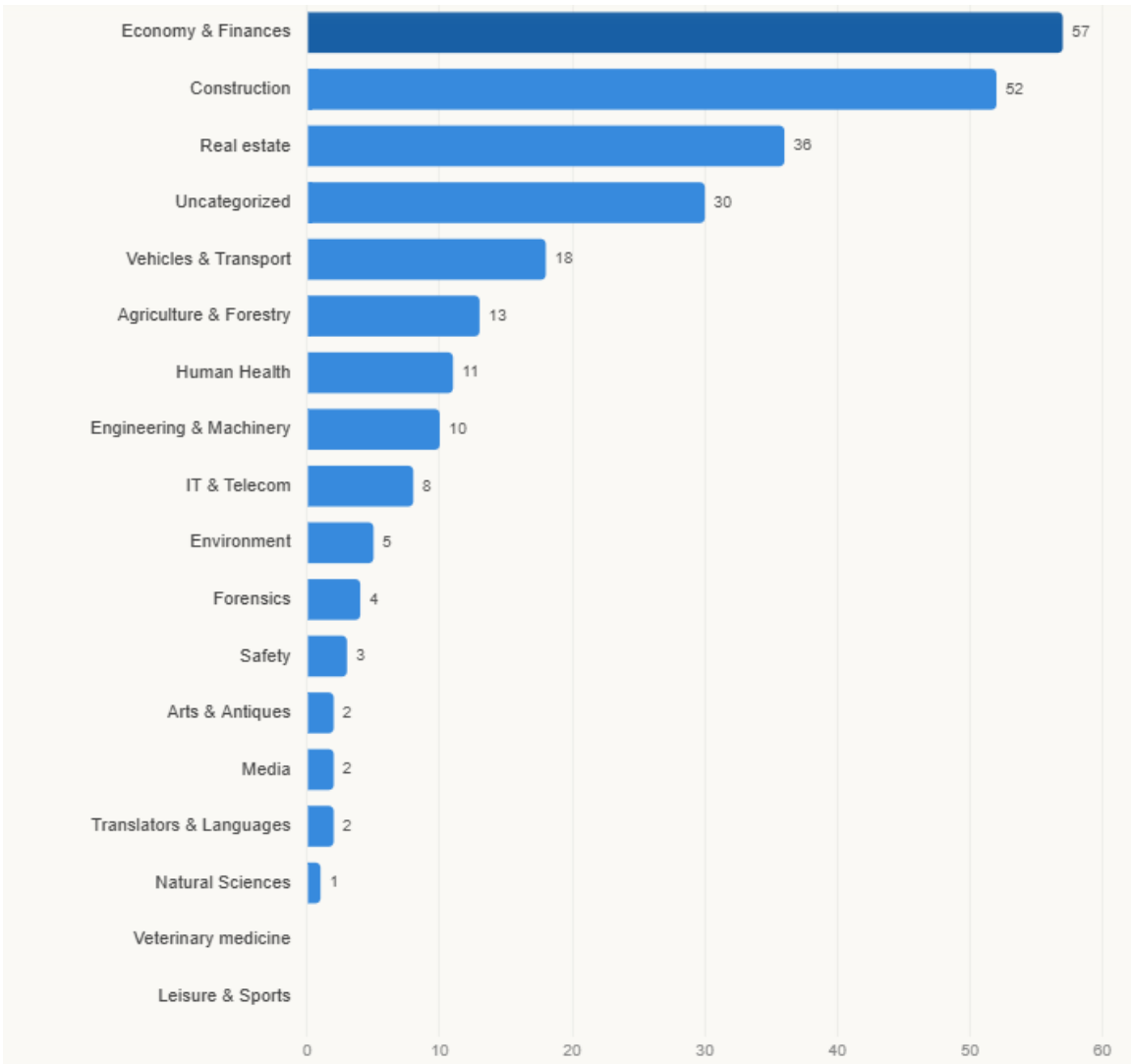
As one respondent summarised: 'We must remember that the final decision always belongs to the AI user, not the other way around. Therefore, using AI in any profession does not diminish the expertise or prestige of the user. It is merely a much more advanced tool.'

"WHO ARE YOU" Responses

The "Who Are You" responses were organised according to the Find an Expert nomenclature.

In the following graph "Who Are You" responses organized according to the [Find an Expert nomenclature](#).

The "Find an Expert" nomenclature has been [simplified](#) by the group members to facilitate analysis.



NOTES:

- The **Economy & Finance** category showed a total of 0 in the header, but the sum of the subcategories (Economics 13 + Accountancy 43 + Insurance 1) gives 57 — I have used the actual value.
- The **Veterinary Medicine** and **Leisure & Sports** categories have 0 experts and do not appear in the bars.

PART B - Guidance and Responses Proposed by EEEI

This section presents the orientations proposed by EEEI based on the conclusions of the "AI & Expertise" survey.

These recommendations form part of a controlled approach to modernising judicial expertise in Europe, integrating the opportunities offered by AI while preserving the fundamental principles of expertise: independence, accountability, transparency and traceability.

VI. REDEFINING THE AI-USAGE PARADIGM IN EXPERTISE

EEEI proposes a clear paradigm:

- AI is a professional assistance tool,
- it can never be considered a co-decision-maker,
- it is never a subject of responsibility.

Responsibility remains entirely human, both in method, reasoning and conclusions.

Two usage configurations must be distinguished:

a) Use of an LLM to analyse or improve a preliminary report

The expert conducts their full analysis, then uses AI to: proofread, rephrase, and check the coherence of the text.

This approach is comparable to editorial quality control.

Responsibility, methodology and conclusions remain entirely those of the expert.

b) Use of an AI tool within the expert assessment process itself

Examples include: analysis of large volumes of data, automated processing of images or documents and extraction of technical elements.

In such cases, it is essential to determine who is actually performing the analysis: if the tool carries out a substantial part of the reasoning, reinforced methodological safeguards must be implemented.

OVERALL CONCLUSION: The use of AI must never blur the attribution of expert responsibility nor compromise the expert's control over the reasoning process.

VII. TRANSPARENCY: A GRADUATED AND CONTEXTUALIZED APPROACH

The use of artificial intelligence in judicial expertise raises a central requirement: transparency. However, transparency must be understood as a **graduated and proportional obligation**, aligned with the nature and impact of AI use on the expert's reasoning.

EEEI therefore recommends avoiding two symmetrical risks:

- **Over-disclosure**, which would require declaration of trivial or purely technical uses (e.g. spelling correction, stylistic rephrasing), creating unnecessary procedural noise;
- **Opacity**, where AI tools materially influence the analysis, structure, or conclusions of the expert report without disclosure.

Principle of Proportional Transparency

Transparency obligations should be triggered **by the substantive impact of AI use**, not by the mere presence of a digital tool.

Accordingly, AI use should be disclosed when it:

- influences the substance of the expert's reasoning;
- contributes to the analysis, interpretation, or prioritisation of evidence;
- affects the methodological construction of the opinion;
- plays a role in technical assessments, modelling, or data processing integral to the conclusions.

Conversely, disclosure is generally **not required** when AI is used exclusively for:

- language correction,
- formatting, or stylistic improvement
- summarisation or document organisation without analytical contribution
- purely administrative or preparatory tasks.

Objectives of Disclosure

When required, disclosure serves clear procedural and ethical purposes:

- enabling adversarial scrutiny by the parties;
- ensuring accountability and auditability of expert reasoning;
- preserving trust in judicial expertise;
- allowing the court to assess the role and weight attributed to AI-assisted elements.

Disclosure does not transfer or dilute responsibility.

The judicial expert remains the sole legal author of the report and fully accountable for its content.

Operational Guidance

EEEI recommends the development of a practical European guide entitled: "Declaring the Use of AI in Judicial Expertise: When, How and Why". This guide should:

- provide standard disclosure clauses;
- distinguish substantive from non-substantive uses;
- include concrete examples drawn from different fields of expertise;
- align professional practices with the CEPEJ Ethical Charter and the EU AI Act.

VIII. ETHICAL AND DEONTOLOGICAL FRAMEWORK FOR AI & EXPERTISE

EEEI suggests developing a dedicated framework built around:

- respect for fundamental rights;
- control and traceability of the reasoning process;
- systematic human oversight;
- fair and transparent information provided to the judge;
- full consideration of the adversarial nature of the proceedings.

This framework could form the basis of a future EEEI Code of Conduct on the use of AI.

Legal and Ethical Framework for Responsible AI Use

Adopt EU guidelines ensuring:

- Transparency, explainability, and accountability of AI systems;
- Protection of data privacy and procedural integrity;
- Clear boundaries between AI assistance and human decision-making.

IX. DATA SECURITY AND TOOL CONTROL

For uses involving sensitive, confidential or expert-protected data, priority should be given to solutions ensuring a high level of legal, technical and organisational data control, particularly regarding:

- hosting conditions,
- access and authentication modalities,
- processing traceability,
- confidentiality and oversight guarantees.
- validation and reliability testing of AI outputs before their integration into expert reasoning.

The approach is risk-proportionate and consistent with applicable European requirements, without rigid technological prescriptions.

X. TRAINING TO SECURE PRACTICES

EEEI suggests investing in structured, progressive and tailored training:

a) Foundational modules (for all experts)

- principles of responsible use,
- data protection and confidentiality,
- risks and biases of AI systems,
- limitations of generative models.

b) Advanced modules (depending on the field)

- use of specialised tools,
- integration of AI into expert methodology,
- verification and validation of results,
- methods for testing, verifying and documenting the reliability of AI-generated outputs.

c) Progressive approach

Given the rapid evolution of technologies, EEEI recommends starting with core foundational modules, then deploying specialised training once tools are reliable and validated.

A Gradual and Domain-Sensitive Approach to Training

Given the rapid evolution of technologies, EEEI recommends: starting with foundational ("core") training modules, then deploying specialised training programmes once tools are reliable and validated.

EU-Wide Modular Training Programme

Develop a single European curriculum on AI for judicial experts, including:

- Fundamentals of AI as a working tool;
- Ethical and legal compliance modules;
- Sector-specific applications for different types of expertise;
- Good practices and case-based learning.

Accreditation and Certification System for AI Training

Introduce EU-level accreditation for AI-related courses in judicial expertise, ensuring:

- Uniform quality standards;
- Mutual recognition between Member States;
- Transparent monitoring of competence levels.

XI. EEEI PROPOSAL: SUPPORT & ACTION LEVERS

European Observatory on AI and Judicial Expertise

EEEI recommends the establishment of a European Observatory on AI and Judicial Expertise, operating as a light and collaborative structure dedicated to monitoring practices, collecting experience, and supporting the progressive integration of AI into judicial expertise across Europe.

These proposals are constructive yet cautious, acknowledging both the opportunities of AI and the structural limitations identified by the Mapping AI exercise. Their objective is to support judicial experts in using AI tools safely and responsibly, without imposing additional institutional burdens.

Its objectives would be to:

- observe the development of AI practices in judicial expertise across Europe;
- identify and disseminate good practices;
- collect anonymised experiences, feedback and incidents related to AI-assisted expertise;
- build a shared knowledge base for judicial experts;
- support the exchange of information between experts and relevant stakeholders;
- contribute to the definition of future standards and guidance based on practical experience;
- monitor the impact of AI on the quality, efficiency and reliability of judicial expertise;
- provide access to guidance documents, methodological resources and relevant information on AI tools and risks.

Given the absence of an officially recognised EU-level community of judicial experts, the Observatory could maintain a shared European knowledge platform, hosted or facilitated by EEEI, providing:

- guidance documents and methodological resources;
- information on AI tools, opportunities, and risks;
- updates regarding legal, ethical, and data protection developments;
- references to relevant national initiatives and best practices.

The purpose of this Observatory would not be regulatory, but supportive and informative. Its role would be to foster learning, consistency, and professional confidence while preserving the diversity of national judicial systems and avoiding unnecessary institutional burdens.

At this stage, priority should be given to observation and learning rather than additional regulation. By collecting experiences, good practices, and incidents across Member States, the Observatory could contribute to the development of future standards grounded in operational reality rather than theoretical assumptions alone.

European AI Support and Competence Centre for Judicial Expertise

Establish a centralised EU hub offering:

- Technical assistance and consultancy on AI integration;
- Access to shared resources, datasets, and software tools;
- Helpdesk services for national expert communities;
- Guidelines for ethical and lawful AI usage.

EU Community of Practice for AI in Judicial Expertise

Create a collaborative network connecting experts, judges, and developers to: exchange real-case experiences and methodologies, share validated AI tools and best practice libraries and promote peer learning and continuous professional development.

Interoperable National Pilot Projects

Encourage Member States to launch pilot programmes testing AI applications in: report drafting automation, document analysis and comparison, data extraction and case management and predictive analytics supporting judicial expertise.

Referencing AI Tools for the Justice System

EEEI proposes establishing an evolving list that includes: tools considered sufficiently safe for certain tasks, tools presenting significant risks and recommendations based on the sensitivity level of the data.

The objective is not to prescribe, but to inform and guide.

Identification of Safe and Unsafe AI Tools

Given the rapid proliferation of AI applications — many of which lack adequate security or data-handling guarantees — experts require clear orientation. In collaboration with competent European technical authorities, a regularly updated list could be produced highlighting:

- considered sufficiently safe for specific activities within judicial expertise,
- tools that raise significant confidentiality, privacy, or reliability concerns,
- specific risks associated with cross-border data processing.

This would not constitute endorsement, but rather risk-based guidance.

Development of Dedicated AI Tools for Expert Workflows

EEEI recommends supporting the development of tools specifically designed for judicial expertise, such as: discipline-specific specialised models; secure document-analysis tools; systems for organising expert case files; and instruments to assist with synthesis or information extraction.

Production of Operational Guides and Tools

Proposals:

- a guideline on the disclosure of AI use;
- an ethical and deontological framework;
- methodological tools for experts and judges.

Adopt EU guidelines ensuring:

- Transparency, explainability, and accountability of AI systems;
- Protection of data privacy and procedural integrity;
- Clear boundaries between AI assistance and human decision-making.

General Orientation

Across all its recommendations, EEEI promotes a coherent and consistent approach to the use of artificial intelligence in judicial expertise, based on the following guiding principles:

- human-controlled use of AI systems;
- transparency and traceability of AI-assisted processes;
- data security and protection of sensitive information;
- risk management, in line with ISO/IEC 23894;
- continuous and role-appropriate training;
- the establishment of a harmonised and reliable professional environment.

Strategic Objective

EEEI proposes a realistic, progressive, and coherent strategy aimed at regulating and developing the use of artificial intelligence in judicial expertise, while preserving the foundations of the profession, the quality of expert reasoning, and the trust of the courts.

"NOT A FINAL WORD"

This report does not represent the end of an initiative, but rather a structured starting point for a shared and ongoing dialogue between experts, judges, courts, professional associations and European institutions with the aim of supporting an ethical, transparent and effective adoption of AI in judicial expertise.

GLOSSARY AI – AI Act & CEPEJ Compliant Version

This glossary brings together the main technical terms related to artificial intelligence and judicial expertise, in accordance with the definitions and principles of the EU AI Act (2024) and the CEPEJ Ethical Charter (2018).

TERM	DEFINITION
AI System (AI Act)	A system based on algorithmic, statistical, or logical models, designed to generate predictions, recommendations, or decisions that influence a real or virtual environment.
General-Purpose AI System (GPAI)	A versatile AI model capable of performing a wide variety of tasks. GPAI may be classified as presenting systemic risk under the AI Act.
LLM (Large Language Model)	A type of GPAI designed for natural language processing. Subject to transparency, documentation, and risk-management obligations set out by the AI Act.
NLP – Natural Language Processing	A set of techniques enabling an AI system to understand, analyse, and generate human language.
Generative Tool	An AI system capable of producing content (text, images, code). The AI Act establishes transparency obligations for certain AI-generated or AI-assisted content depending on the applicable legal context.
Transparency (AI Act + CEPEJ)	Obligation to explicitly inform users about the use of an AI system. CEPEJ requires fair information; the AI Act requires disclosure of AI-generated content.
Human Oversight	Principle requiring a qualified person to supervise, correct, or stop the system. The human user always retains final decision-making authority (CEPEJ).
Traceability	Ability to document the steps, data, and operations of an AI system to allow later verification.
Auditability	Possibility for an authority, judge, or party to verify the functioning and use of an AI system.
Fairness / Adversariality	Principle requiring that parties be able to know and challenge the use of AI in judicial proceedings.
Probative Function	Role an element may play in producing evidence. Neither CEPEJ nor the AI Act recognises an autonomous probative function for AI.
Algorithmic Bias	Distortions in AI outputs due to training data. The AI Act requires mitigation and control mechanisms.
Reliability	Capacity of a system to generate robust, consistent, and reproducible results.
CEPEJ Ethical Framework	The five principles: fundamental rights, non-discrimination, quality/security, transparency/impartiality, user control.
AI Governance Framework	Set of rules ensuring safe use: risk management, human oversight, documentation, data security.

TERM	DEFINITION
Observatory / Monitoring	Structure responsible for monitoring use, detecting risks, and disseminating best practices.
Specialised AI Tools	AI systems designed for a specific technical domain (finance, construction, healthcare).
Data Confidentiality	Legal obligation to protect sensitive data used or generated by an AI system.
ISO/IEC 23894	International standard for AI-related risk management, consistent with AI Act principles.
Self-Declaration	Data reported directly by respondents in a survey; the AI Act recommends distinguishing perception from empirical reality.