

Strasbourg, 3 February 2026

## **CONSULTATIVE COUNCIL OF EUROPEAN JUDGES (CCJE)**

**Questionnaire for the preparation  
of the CCJE Opinion No. 29 (2026)  
on the use of artificial intelligence (AI)  
in judicial decision making**

*In your answers, please do not send extracts of your legislation or other legal texts or policies but describe the situation in a brief and concise manner, including briefly what is happening in practice.*

### **I. Legislation, rules of court or other official guidelines**

1. Do legislation, rules of court or official guidance provide a definition of artificial intelligence (AI) that applies to the judiciary? If so, in what terms?
2. Is AI used by the judiciary, including individuals who assist judges such as judicial clerks or judicial assistants? If so, for what purpose is AI used?

3. Is judicial use of AI, particularly where judicial decision making is concerned, regulated or subject to guidance? If so, what is the nature and content of any such regulation or guidance?
4. Is there any regulation or guidance on the use of AI by litigants, lawyers, and other participants in legal proceedings (for example, expert witnesses)? If so, what is the nature and content of that regulation or guidance?
5. Does any judicial or other body have oversight of the use of AI by the judiciary? If so, what is the body and what is the nature of its oversight responsibility?
6. Has the Supreme Court or Constitutional Court (as applicable) ruled on the appropriate use of AI by the judiciary? If so, what was the nature of the ruling?

## **II. The design, operation and management of artificial intelligence (AI) by the judiciary**

7. To what extent is the judiciary consulted, and if so, how, on the decision to design and implement AI tools for their use?
8. Where AI is used by the judiciary, who is responsible for its design and operation? To what extent, if any, are the judiciary involved in either of these tasks? What measures, if any are taken to ensure that the allocation of responsibility is consistent with judicial independence?
9. Where AI is used by the judiciary, how is it developed? For instance, what material is used to 'train' on AI tools used by the judiciary?

## **III. Use of artificial intelligence (AI)**

10. For what purposes is AI used by the judiciary, e.g., efficiency, consistency, workload reduction, access to justice. How are the necessity and proportionality of such use assessed?
11. Can judges incur liability for their use or misuse of AI in proceedings, including disciplinary or civil liability? If so, what is the nature of that liability?
12. Where AI is used what measures, if any, are used to protect fundamental rights, including data protection rights? What measures should be taken to secure such compliance?
13. Where AI is used, what measures, if any, are used to ensure its security and integrity?
14. Are there any transparency requirements concerning the use of AI by the judiciary? If so, what are they and how are they enforced?
15. Where AI is used, are any measures implemented to guard against over-reliance by the judiciary on the assistance that is given by the AI tool used thereby protecting judicial autonomy? Judicial autonomy should be understood as professional expertise and decision-making skills. If so, what are those measures?

16. Where AI is used, are judges given specific training in its use? If so, who provides that training? Can you outline, briefly, the nature of any such training.
17. Is fully-automated decision making in court proceedings by AI permitted? If so, on what basis is it integrated into the court process? If not permitted, is there any intention to introduce such processes and, if so, on what basis?