



Strategy for the use of artificial intelligence (AI) at the Courts of Denmark

Introduction

The Courts of Denmark have defined a strategy for the introduction of artificial intelligence (hereinafter referred to as AI) based on the following vision:

The Courts of Denmark intend to use AI as a tool to – purposefully and responsibly – enhance quality, efficiency, and consistency in the task performance of the courts, with due regard to the expertise and independence of the courts.

This strategy sets the framework and direction for the work with AI at the Courts of Denmark in the period 2026-2029. The strategy has three main objectives:

1. Shorter and more uniform case processing times
2. Increased quality and efficiency
3. Enhanced user focus.

These objectives are based on the strategic objectives set by the Courts of Denmark for the period 2023-2027.

The current multiannual financial agreement for the courts will expire in 2027. The introduction of AI-based tools is not included in this agreement, which restricts the scope of potential initiatives in the current term. Therefore, the AI strategy is divided into two phases:

1. Phase 1: Focus on introducing and disseminating the knowledge of AI technology, including its features and risks, in the form of competency development, training, and small-scale pilot projects. The experience acquired during this period forms the basis for planning phase 2.
2. Phase 2: An increased focus on implementing specific tools with high expected business value as well as on enhancing and advancing tools introduced in phase 1.

The specific planning of phase 2 depends on the outcome of the upcoming negotiations on the financial agreement for the courts from 2028, as the strategy for introducing AI at the Courts of Denmark will be reviewed in the light of the financial framework for the Courts of Denmark as a result of a new multiannual agreement.

Why AI?

Over the last three to four years, a significant development in AI has emerged, including especially generative AI. Across public and private sectors, there is an increasing implementation of solutions, which rely on AI technology to varying degrees. This development is expected to continue, creating new opportunities and new challenges for the courts, which necessitates a strategic focus on AI from the Courts of Denmark.

Adjudication, the core task of the courts, must be carried out by court staff. The expertise, judgement, and integrity of the staff constitute the foundation of the high level of trust in the courts and the legal community of Denmark. In order to handle this task as efficiently as possible, in an increasingly complex and digitalised reality, it is also crucial that staff members have access to up-to-date and effective assistive devices. In the view of the Courts of Denmark, AI can serve as such a tool.

Consequently, targeted and responsible use of AI will provide the courts and other institutions under the Courts of Denmark with better opportunities to focus on the core task and thus advance the achievement of the strategic objectives of user focus, short case processing times, consistency, quality, and efficiency.

The use of AI also entails significant risks of a security, legal, and ethical nature, which are imperative to take into account. With the technology still being relatively new, there is also uncertainty regarding the legal framework for the use of AI in public sectors, meaning that the specific scope of application for AI cannot be determined with certainty at this stage.

The purpose of the strategy is thus to establish a framework for how the Courts of Denmark can utilise the AI potential while respecting security, legal, and professional/ethical aspects associated with the use of AI in public sectors and the legal system. This strategic investment is made in the expectation that expanding the capacity and competencies of the Courts of Denmark in the field of AI will have a positive impact on productivity and quality of task execution. To meet this expectation, all staff members at the Courts of Denmark, including court lawyers and administrative staff, are given the opportunity to gain experience with AI-based tools and thereby explore new ways to solve their tasks using such tools within the legal framework for the use of AI.

Objectives

Three objectives have been set for the Courts of Denmark in their work with AI, aligned with the overall strategic objectives for 2023-2027.

- 1. Shorter and more uniform case processing times.** A key objective is to reduce case processing times by using AI. Thus, AI offers productivity-enhancing features, which may have implications for several tasks within the Courts of Denmark, including written communication or identification and compilation of key data in large files. This can help reduce the time spent on drafting explanations, case summaries, decisions, etc.
- 2. Increased quality and efficiency.** AI shall be utilised to support the high-quality and highly efficient execution of tasks across the Courts of Denmark. This applies not least to administrative tasks and IT development tasks where applying AI offers significant potential, e.g. through enhanced search functionalities in internal systems and documents, legal databases, or programming.
- 3. Enhanced user focus.** Through the utilisation of AI, the Courts of Denmark will enhance the accessibility and quality of their services and thus better meet the demands and expectations of users. For example, this can be done through interactive assistance to find forms, guides, and other information on the Courts of Denmark portal domstol.dk, greater user-friendliness in self-service solutions, or improved telephone guidance. However, user-oriented solutions will not be given the highest priority in the current strategy period, see 'Approach and prerequisites' below.

As part of the ongoing implementation of the strategy, specific key performance indicators (KPIs) can be set up to assess the achievement of objectives.

Fields of application

The Courts of Denmark have identified several potential applications for AI technology. These can be categorised into the following main groups:

1. **Productivity tools:** These include AI assistants that can help with writing, information retrieval, and document summarisation. These tools can potentially streamline many processes across the Courts of Denmark.
2. **Specialised chatbots:** These systems can be designed to support specific work processes with access to relevant specialised systems. An example is a chatbot that can answer common questions about case processing or help find relevant case law. In the long term, wider fields of application can also be envisioned, including the creation of cases from templates.
3. **Speech-to-text services:** Among other things, such tools are expected to contribute to reducing the time spent preparing minutes of meetings and statements from court hearings, e.g. in the form of transcription or combined with a summary function if the latter is requested. This has the potential to make documentation work more efficient.
4. **Translation services:** This may be particularly relevant in cases with parties or witnesses who do not speak Danish.

For all fields of application, the selection of ready-to-use AI tools that can be implemented without customisation or further development is expected to increase in the coming years. Therefore, a key effort in the strategy will be to continuously monitor the market for solutions that can meet some of the needs of the Courts of Denmark.

Regardless of the method of procurement, the use of AI at the Courts of Denmark is subject to legal frameworks, including the Law Enforcement Act, the EU AI Act, the General Data Protection Regulation, etc.

Approach and prerequisites

General principles

The Courts of Denmark will adopt a responsible and cautious approach to the use of AI, meaning that AI solutions in the courts shall not make judicial decisions. In all processes that may involve AI, a human will have to make the decision. Thus, the use of AI in phases 1 and 2 will focus on applications characterised by the following:

1. Using AI solely as an auxiliary tool for the staff rather than a replacement
2. Responsible and secure processing of sensitive data
3. A general approach to data processing that involves limited risk to individuals and their rights.

This approach allows the Courts of Denmark to build experience through internally focused solutions with lower risk.

The specific choice of solutions and applications will be based on individual assessments of business value creation, aligned with the overall strategy of the Courts of Denmark. These assessments will be conducted in close collaboration with court staff.

It is a specific consideration that the chosen solutions can be rolled back or phased out again, if necessary. By default, AI solutions at the Courts of Denmark should operate as independent layers rather than integrated core components. This ensures that removing AI does not disrupt essential business processes. To ensure the possibility of rolling back or phasing out, it will always be a priority to preserve and document workflows from before AI implementation.

It will be an essential focus area to ensure that staff members at the Courts of Denmark are able to maintain and develop their professional competencies, including in areas where AI tools may support task performance in the future.

As part of the strategy implementation, guidelines must be established for when and how the use of AI should be declared.

Inspiration will continuously be sought from international experiences, notably from the courts in comparable countries, including our Nordic neighbours.

Implementation prerequisites

It is crucial that the Courts of Denmark invest in organisational capacity and competency development to fully utilise the potential of AI. This involves targeted, mandatory training programmes for all staff members, focusing on AI technologies and their application within the legal system. By building internal expertise, the Courts of Denmark must ensure that AI is used effectively and ethically, while enhancing quality and efficiency of case processing.

The approach to the use and dissemination of AI focuses on supporting the utilisation of AI's potential within the framework of the specific ethical and legal considerations associated with the use of AI at the Courts of Denmark, including the AI learning requirements described in Article 4 in the EU AI Act. In this context, it will also be necessary to determine how the courts can best handle their training responsibilities for deputy judges and acting judges in a reality where AI tools have become integrated into daily life.

Subsequently, the introduction of AI at the Courts of Denmark will take place with a focus on the following three competencies:

- 1. Mastering AI tools:** Including knowledge of basic AI concepts, familiarity with different applications of AI at the Courts of Denmark, and the ability to use AI tools as value-creating auxiliary tools, e.g. through prompting techniques.
- 2. Ethical data processing and use:** Including knowledge of the key legal and ethical implications regarding the use of AI at the Courts of Denmark, critical thinking with the ability

to identify the limitations of using AI, including risks and consequences of specific applications, as well as data hygiene, knowledge of data ethics, requirements for data minimisation, etc. This also includes knowing the limitations of AI tools to prevent errors and maintain the quality of written work.

- 3. Innovative competencies:** Including the ability to identify new uses and cross-functional collaboration in identifying and developing new applications.

Supporting the development and maintenance of these competencies is expected to be included in the ongoing budgeting and monitoring. The aim of this is to prevent the actual costs of procurement and maintaining AI tools from reducing the necessary budget for training, courses, and supporting staff at the Courts of Denmark in responsible use of AI tools.

Procurement

As with other IT solutions, the introduction of AI-based tools will require several considerations and trade-offs during the procurement process, including as regards price, flexibility, data security, maintenance, and data sovereignty. Different technical solutions entail different strengths and risks, and the choice can impact implementation, operations, as well as long-term resource consumption. As part of the implementation of AI at the Courts of Denmark, it must be ensured that the general procurement approach supports their needs – technically, financially, and legally.

Organisation and governance

To create a robust framework for developing AI solutions that address key business needs in a secure manner and within a reasonable timeframe, a governance and organisational structure must be established to ensure the work incorporates relevant considerations regarding utility, sufficient execution power, user involvement, and lawfulness. In determining this, the basis will, as far as possible, be existing models for project work, collaboration, and involvement across the Courts of Denmark.

As part of the organisation and governance setup, decisions also need to be made regarding the specific supervisory task that follows from the EU AI Act, among others.

Resources and competencies

Implementing AI at the Courts of Denmark requires the development of business and technical capabilities. The Danish Court Administration will strategically focus on building and retaining in-house competencies for tasks that require insight into the specific conditions of the courts.

For tasks that do not require the same level of internal insight, and where it can be difficult to recruit and retain resources, the Danish Court Administration will purchase external assistance. This applies especially to selected technical development projects where the market is developing fast.

