

Deliverable 2.3

Comprehensive report detailing findings, analyses, and recommendations

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Croatia	Pages: 19, 20, 21, 22, 24, 25, 26
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Background of the CREA3 project

The **CREA3 Project** (*Conflict Resolution with Equitative Algorithms*, Grant Agreement No. 101160564), addresses two central challenges in modern justice systems: the digitalisation of legal procedures and the application of predictive tools in dispute resolution. Focusing on family law in particular, CREA3 aims to support citizens, legal professionals, and judicial systems by introducing **AI-driven, game-theoretical (GT) algorithms** designed to facilitate equitable decision-making and enhance procedural efficiency.

At its core, CREA3 is a response to the increasing complexity and diversity of family law disputes within the European Union, especially in cross-border contexts. The project's ambition is twofold:

1. To promote **harmonised digital justice practices** across Member States; and
2. To ensure that the application of predictive technologies upholds **fundamental rights, procedural fairness, and access to justice** - particularly for vulnerable or digitally excluded populations.

A central reference point for the project is the forthcoming **Regulation on the Digitalisation of Judicial Cooperation and Access to Justice in Cross-Border Civil, Commercial and Criminal Matters**. CREA3 contributes to the implementation of this Regulation by developing technical and procedural strategies that support its operationalisation at national level.

CREA3 adopts an interdisciplinary approach that combines **legal research, empirical analysis, and text-mining techniques** to evaluate the readiness and adaptability of six EU legal systems (Belgium, Croatia, Estonia, Italy, Lithuania, Slovenia) in the digital transformation of family law proceedings - specifically, asset division in divorce and inheritance cases.

The project prioritises three practical needs identified as critical to digital justice:

1. **The use of e-communication and e-signatures** by all stakeholders, including courts, legal professionals, and citizens;
2. **The integration of videoconferencing systems** to enable remote participation in hearings and procedural steps;
3. **The provision of accessible justice services** for individuals who may lack the skills, resources, or capacity to engage with digital tools independently.

In addressing these areas, CREA3 does not operate in isolation. It builds directly upon the outcomes of the previous **CREA (G.A. 766463)** and **CREA2 (G.A. 101046629)** projects, which laid the groundwork for enhanced digital infrastructure and access to justice mechanisms across multiple EU jurisdictions. CREA3 serves as the natural progression of this work, extending its scope to include **predictive decision-support functionalities** and a **user-friendly web interface** tailored to the needs of diverse users.

The CREA3 Consortium also focuses on ensuring **interoperability of digital systems** across national jurisdictions, fostering **knowledge exchange** among legal professionals and researchers, and disseminating innovations such as the project's chatbot interface and algorithmic tools to wider European justice communities.

Introduction

This deliverable **D2.3 "Comprehensive report detailing findings, analyses, and recommendations"** - is produced within the framework of the **CREA3 Project (Grant Agreement No. 101160564)**, co-funded by the European Union under the call **JUST-2023-JACC-EJUSTICE**. CREA3 builds upon the experience and findings of the preceding CREA and CREA2 projects, continuing the strategic effort to enhance access to justice through digitalisation and the introduction of innovative algorithmic tools in family law contexts across the European Union.

In this context, D2.3 presents the main analytical output of Work Package 2. It maps and assesses asset division procedures in divorce and inheritance cases across six EU Member States, identifying procedural steps, opportunities, and bottlenecks. Based on national legal research and stakeholder interviews, the report offers comparative insights and actionable recommendations to support digital innovation and policy development in line with Regulation (EU) 2023/2844.

Objectives and scope of the deliverable D2.3

Deliverable D2.3 aims to provide a comprehensive analytical report on the current configuration and functioning of asset division procedures in family law across six EU Member States - Belgium, Croatia, Estonia, Italy, Lithuania, and Slovenia. It builds upon the data and insights collected under deliverables D2.1 and D2.2, and represents the culminating output of Work Package 2 (WP2) within the CREA3 project.

The deliverable's primary objective is to offer a structured, comparative understanding of the procedural steps, opportunities, and bottlenecks encountered in national divorce and inheritance contexts. It does so with a view to informing the design and implementation of digital justice tools - including the CREA3 platform, algorithms, and conversational interface - and ensuring that such tools align with both the operational realities of legal professionals and the broader imperatives of EU justice policy.

More specifically, deliverable D2.3 serves the following key functions:

- It *models and schematises* the relevant legal processes as they relate to the division and liquidation of assets in cross-border family disputes, identifying key decision points, procedural inefficiencies, and areas of institutional inertia;
- It *assesses potential opportunities* for streamlining or enhancing these procedures, especially through digital tools, videoconferencing, and remote document management, with attention to usability for vulnerable groups;
- It *analyses potential bottlenecks* and structural constraints, such as fragmented institutional competencies, digital infrastructure gaps, or resistance to innovation among legal actors;
- It *schematised evidence-based recommendations* for legal process improvements that can inform both national reform agendas and the implementation of the Regulation on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial, and criminal matters (Regulation (EU) 2023/2844).

Deliverable D2.3 is explicitly aligned with the strategic objectives of CREA3 and of the Justice Programme more broadly. It responds to the call's emphasis on improving access to justice, particularly

for vulnerable users, through digital transformation and cross-border interoperability. At the same time, the deliverable contributes to a growing body of empirical legal research that seeks to integrate legal design, stakeholder engagement, and technology assessment into the reform of civil justice.

This deliverable draws upon a diverse methodological base: qualitative interview data with over 60 legal practitioners (judges, lawyers, notaries, mediators); document and process analysis at national level; and a comparative legal mapping framework that ensures consistency and coherence across jurisdictions. It is structured to facilitate the transition from descriptive assessment to prescriptive insights, thus supporting the CREA3 project's overarching goal of piloting digital, AI-enhanced pathways for equitable dispute resolution in family law.

Structure of the deliverable D2.3

Deliverable D2.3 presents a comparative legal-empirical analysis of liquidation and division procedures in six EU Member States - Belgium, Croatia, Estonia, Italy, Lithuania, and Slovenia - focusing on the twin contexts of divorce and inheritance. Drawing on the qualitative and legal mapping work conducted in D2.1 and D2.2, the report identifies critical procedural sequences, evaluates the potential for digital innovation, and formulates grounded policy recommendations.

All six national reports adopt a harmonised analytical structure to facilitate cross-country comparison while preserving the contextual specificity of each legal system. Each report is organised around four interrelated dimensions:

1. Procedural framework and digital integration

This section reconstructs concisely the functional sequence of actions required to reach a final division of family assets after divorce or inheritance. It succinctly identifies the institutional actors involved (judges, notaries, lawyers, mediators) and the procedural stages. An overview is then provided of the degree of digitalisation within the procedure. The mapping highlights where procedural logic diverges across Member States, especially in the use of judicial versus notarial channels.

2. Opportunities

Each report examines how digital technologies - whether basic ICT systems or emerging technologies - could enhance efficiency, transparency, and participation at specific junctures in the procedure. Opportunities are assessed in terms of existing institutional capacity, legal openness to innovation, and the potential to support vulnerable or digitally excluded users. Special attention is paid to areas where automation or interconnectivity could reduce duplication, support coordination among professionals, or pre-empt dispute escalation.

3. Potential bottlenecks

This section identifies procedural inefficiencies, complexities, and digitalisation challenges in asset-division procedures. It documents professional resistance, infrastructural deficits, inconsistencies in data exchange, risks of exacerbating inequalities and the opinions of professionals on digital tools

and how they eventually exacerbate these bottlenecks. Where relevant, it links these bottlenecks to broader institutional concerns such as limited funding, lack of procedural clarity, or tensions between analogue and digital workflows.

4. Recommendations

Drawing from practitioner insights and procedural analysis, each country chapter concludes with a set of practical recommendations. These may involve legislative adjustments, investment in infrastructure or training, the development of interoperability standards, or enhanced coordination between actors. Recommendations are tailored to national legal settings but align with the broader objectives of Regulation (EU) 2023/2844 on digitalisation of cross-border judicial cooperation.

This uniform structure is grounded in extensive qualitative interviews with judges, notaries, lawyers, and mediators conducted in the national language of each Member State, supplemented by targeted legal research. The interview data provides a first-hand account of how digital justice tools are perceived, adopted, or resisted in practice, and what reforms are most urgently needed.

By integrating doctrinal mapping with empirical evidence, deliverable D2.3 offers a comprehensive and comparative understanding of how family asset-division procedures function in practice and where digital reform could bring the greatest procedural and societal benefit. This analysis lays the groundwork for the design of CREA3's pilot digital tools and supports evidence-based implementation of the EU's digital justice agenda.

Belgium

1. Procedural framework and digital integration

The course of the liquidation and division of assets - including its timing, complexity, possible court or notary involvement, and overall duration - depends on the *applicable matrimonial property regime* (mainly, the statutory regime or separation of property) and the chosen *type of divorce procedure* (divorce by mutual consent or by irretrievable breakdown). The matrimonial property regime defines the substantive entitlements (who gets what), while the divorce procedure dictates the timing of when the liquidation-division process occurs. Therefore, in inheritance cases - if the deceased was married, any matrimonial property must first be liquidated and divided. Parties can also enter into **inheritance agreements**, either global or specific, which must be executed by a notarial deed.

To ultimately achieve asset division under Belgian law, **both after a divorce and inheritance cases, three forms of asset liquidation-division are distinguished**: (1) **amicable division**, where the parties reach a (partial) agreement without court intervention. Such agreements are generally binding, even if oral, though a written contract is recommended for legal certainty, and a notarial deed is mandatory if immovable property is involved. (2) **Amicable division under judicial supervision**, which is required when minors or legally protected persons are involved to ensure their interests are safeguarded by a notary under the approval of the justice of the peace. (3) And **judicial division**, which is initiated through family court proceedings when the parties cannot reach an (partial) agreement. Regardless of the form, the division is guided by principles such as a preference for division in kind (i.e. actual assets such as a house) or in value (after sale and payment in cash). These three procedures are governed primarily by Articles 1205 to 1224 of the *Judicial Code* and Articles 4.66 et seq. *Juncto* Article 2.3.43, §2 of the *Civil Code*.

In the latter case of **judicial division**, the *judicial code* presents a flexible and well-ordered procedure that begins with a party summoning the other to obtain asset liquidation-division. The family court appoints a notary-liquidator who opens the proceedings and convenes a meeting within two months. An inventory may be conducted unless the parties explicitly waive the inventory. This period can be extended within a two-month interval between each session if needed. Valuations are conducted either by the notary or an appointed expert. Claims must be submitted within two months of the inventory or its waiver. Following that, the notary provides parties with an overview of the claims within another two months, then parties do have two months to exchange remarks on it. A liquidation statement and draft division plan are issued within four months. Thereafter, parties have one month to raise objections. If contested, the notary drafts an official report and refers the matter to the court, which either homologates or requires revision. It is important to note that even during these formal proceedings, parties can reach **interim agreements at any point**.

But to grant the parties greater control over the process of liquidating and dividing their assets, Belgium increasingly promotes the use of various **Alternative Dispute Resolution (ADR)** mechanisms: *Extrajudicial mediation* may be initiated anytime with a neutral mediator and can result in enforceable agreements through homologation or notarial deeds. *Judicial mediation* can be initiated by parties, proposed by the judge, or mandated by the court, with a six-month limit and possible extension. The *Chamber of Amicable Settlement* enables liquidation-division efforts even before proceedings commence, requiring parties to appear personally. Outcomes are formalised in enforceable judgments (if a case was already pending) or an official report of appearance (if there was no case pending).

Collaborative negotiations involve certified collaborative lawyers and proceed without court involvement unless agreement fails. These include service agreements, plenary sessions, and recorded minutes, producing non-enforceable agreements unless notarised.

Consequently, the division and liquidation of assets may **involve multiple actors**, each with specific roles. *Notaries* handle drafting, valuation, and mediation; a notarial deed is required for the division of immovable property, and notaries also conduct divisions when minors or protected persons are involved under supervision of the *justice of the peace*. The *family court* appoints notaries and resolves interim disputes, while the *court of appeal* intervenes when lower court decisions are challenged. *Court clerks* take on administrative tasks, *lawyers* provide representation and assist with negotiations, and *mediators* offer alternative dispute resolution, particularly in divorces by mutual consent. In complex cases, *experts* may be engaged to perform detailed valuations.

Finally, the **integration of digital tools** into the Belgian justice system reflects an ongoing digital transformation, driven by a series of legislative initiatives, aimed at modernising and streamlining legal procedures. The three **Digitalisation Acts of 29 December 2023 (I), 29 March 2024 (Ibis), and 28 May 2024 (II)** - introduced significant reforms by amending the *Judicial Code* and related legal frameworks, including the *Organieke Wet Notariaat*, to support innovations such as digital notarial deeds and electronic processes. The underlying objective of these measures is to make justice more efficient, accessible and effective for citizens, legal professionals and institutions.

Central to this transformation is **JustOnWeb**, the platform offering access to a wide range of **electronic services and central registers**. These registers include the civil status document database (DABS), the central register of marriage contracts (CRH), and the central register of inheritance (CER).

Electronic communication is further facilitated by services such as **My eBox** (an electronic mailbox), e-Deposit (soon to be renamed **JustDeposit**, an electronic filing platform for citizens, companies and lawyers), and **DPA-Deposit** (an e-filing system for lawyers). These tools enable the secure electronic exchange of documents between government departments, courts, lawyers, and citizens. When documents are electronically filed, they also automatically get a valid **electronic signature**. Lawyers can also use **DPA-Sign-a-Doc** for electronically signing procedural documents. Electronic signatures have been legally recognised in Belgium since 2000, following amendments to the *Civil Code*, and were further strengthened by the *2001 Signature Act (Handtekening Wet)*. This framework was later aligned with *EU Regulation 910/2014 (eIDAS)*, directly applicable to all member states and transposed into Belgian law through the *Act of 21 July 2016*, known as the “eIDAS and Electronic Archiving Act.” More recently, *Regulation (EU) No. 2024/1183 (the eIDAS II)* amended the original eIDAS Regulation, establishing a harmonised framework for secure electronic transactions and services across the European Union.

A crucial element of Belgium’s digitalisation strategy is the development of a digital repository for judicial decisions **JustJudgement** - under the *Act of 16 October 2022 establishing the Central Register of Judicial Decisions and regarding the publication of judgments*, all decisions must be drafted electronically and uploaded to the central register, which should serve as the authoritative source of record. JustJudgement is still under development and will be gradually rolled out from 2024, beginning with the Supreme Court decisions. It will feature both an internal section for professionals and an external section for the public, where judgments will be pseudonymised using **JustMask**, an AI-driven tool with human oversight. These initiatives are closely connected to projects such as **JustSign** and

JustSend, which aim to embed digital signatures into judgments and create an entirely digital flow of judicial documents.

Videoconferencing in legal proceedings has been formally regulated to expand remote participation possibilities. The Act of 25 April 2024 codified the *Judicial Code* (Artt. 763bis–763octies) allowing court hearings to take place online or in hybrid form, although physical presence remains the default and judges retain the final decision. A dedicated platform, **JustCourt**, is being piloted in several courts, while **Microsoft Teams** continues to be widely used. Consent remains central to the use of video hearings, ensuring that no participant is forced into a digital format against their will. In the notarial sphere, **e-Notariaat (e-Notary)** is a portal site that serves as a central hub for notaries and their staff. On this platform, they can find current legal information, details about all digital tools that FedNot launches or optimises for notarial offices and the ability to register for (online) sessions where new applications are explained. **Videoconferencing for remote deeds** has been permitted since the *Potpourri Act V of 2017* (see also Articles 5§1(2) and 18quinquies §2(1) of the *Organieke Wet Notariaat*), provided all parties agree and the process is duly authenticated. These procedures combine Belgian Notarial Network (BNN) - which is a secure, private digital network for inter-office document exchange, isolated from the wider internet. The BNN allowed notaries to execute deeds via videoconference - digital identification (eID or Itsme), and electronic signatures to ensure authenticity, though certain deeds such as wills and their revocation still require in-person execution.

Accessibility remains a priority, with Belgium maintaining hybrid systems to ensure vulnerable groups are not excluded, some courts providing public accessible **computers**. Platforms such as *Advocaat.be/Avocats.be* offer chatbots and online consultations, while the **DPA-BJB** system supports pro bono lawyers in managing cases. **Private platforms** like *StartMySuccession.be* and *ScheidenOnline.be* also provide tailored digital assistance for succession and divorce cases. Besides that there are also **specific digital tools** including **NABAN**, which serves as a repository for notarial deeds; **Izimi**, a secure digital vault for citizens to store notarial documents; and **Biddit**, an online platform for public auctions. Further innovations include **JustStamp** and **eLegalisation** for authenticating documents internationally.

Despite the legislative framework and the roll-out of numerous platforms and tools, the interviews made it clear that **adoption of digital justice practices in Belgium remains uneven**. For example, judges use *case management systems* like HBCA (used by the Court of Appeal) and BGC (used by the family court) to access digital case files (remotely). Each of the target groups reported using *Microsoft Office tools* such as Excel-sheets for calculations and valuations, while some judges also use *Excel* for scheduling notary appointments. *OneDrive* is commonly used as a cloud-based case management system or for general administrative organisation, such as storing judgments, judgment templates, etc. *Electronic signing* tools are widely used by nearly all interviewees and Itsme and eID serve as *electronic identification* methods for justice platforms and e-signatures. Additionally, all target groups reported making use of *legal databases* such as *Jura*, *Strada lex* and *LexNow* for research, while a considerable number of interviewees indicated that they had experimented with generative AI tools, including Copilot, ChatGPT, as well as AI functionalities embedded within the legal databases, to assist with document drafting and research. Most lawyers use *electronic filing* platforms like DPA-deposit and e-Deposit, with the latter also used by mediators and, to a lesser extent, notaries. However, much of notaries' work remains paper-based, particularly judicial correspondence, which is often submitted in hard copy. While progress is visible in the areas of document submission, authentication and digital databases, **practical challenges and delays in project implementation illustrate that the transition**

to a fully digital justice system is still underway. Belgium's approach, however, demonstrates a structured effort to balance innovation with accessibility, gradually building a framework in which secure digital processes can complement more traditional methods.

2. Opportunities

Based on the empirical data, respondents largely perceive digitalisation as an **opportunity to make procedures more efficient, transparent, and structured**. Therefore, the following improvements and innovations were addressed to enhance the liquidation-division procedure in Belgium.

To begin with, a secure **shared digital platform** is highly advocated as a central innovation, especially by *judges and lawyers*. This platform should ideally be accessible to courts, notaries, mediators and lawyers. The platform could outline procedural steps, set strict deadlines with automatic reminders (e.g. for uploading estate inventories) - offering a timeline view to **track responsibilities and progress** for each actor. The platform can enable high-volume document exchange, ensure correct metadata and **automatic assignment** to a particular file and judge, ensure **secure communication** (replacing insecure email between actors) and enable **digital file access** by all relevant parties, avoiding time-consuming physical visits to court registers and reducing the number of missing documents. A useful addition would be a **notification function** for file updates, informing users of new judgments, submitted documents, or relevant legal doctrine.

Another opportunity was seen by *judges*, who advocated for a **digital system for notary appointment** to assign notaries more equitably. They argued that this would address the issue of competent notaries being overburdened due to the lack of a fair appointment system. *Mediators*, in particular, advocated for more mediation during inheritance cases - as mediations are currently more common during divorces by mutual consent.

An additional opportunity lies in the **wider use of electronic signatures**, which would significantly streamline workflows. *Judges* viewed digital signatures as essential for removing redundant paper-based procedures and achieving a fully digital workflow, yet they emphasised that courts still lack the proper infrastructure to apply e-signatures to judgments. They also observed that e-signatures of (notarial) documents sometimes disappeared upon upload into court e-filing systems (e-deposit) - rendering the submission invalid due to the missing signature. This results in delays, as the procedure requires repeated back-and-forth communication to obtain a valid signature. Then, *lawyers* considered e-signing as efficient, secure, and necessary to streamline filings and agreements. Yet they also noted inconsistencies, such as the fact that some courts still require paper copies alongside electronic filings, and different practices between notaries, undermining uniformity. The interviewed *notaries* acknowledged the importance of electronic document signing but emphasised that notarial deeds and other official acts still cannot be executed entirely online, requiring either physical presence or reliance on powers of attorney. Several highlighted the absence of a clear legal framework for secure e-signatures and oath-taking, which hampers broader adoption. *Mediators*, on the other hand, recognised electronic signatures as a practical improvement that could streamline procedures. Nonetheless, some expressed concerns about accessibility for elderly or digitally illiterate parties, as well as potential risks to data security.

For cross-border or mobility-limited cases, **video conferencing** was several times mentioned as a tool that could enhance access to justice by removing the need for physical presence. This digital shift would allow for more remote work, leading to time savings, reduced travel, and improved focus for legal practitioners. *Judges, lawyers, notaries, and mediators* all acknowledged the efficiency gains of video

conferencing in that sense. However, they shared concerns about its ability to replace the human dimension in asset division cases. They stressed that in-person hearings remain essential in emotionally charged family matters, where non-verbal cues, persuasion, and trust-building are more effectively achieved face to face. *Notaries and Mediators* were more reluctant, noting that video conferencing hinders emotional assessment, may compromise privacy, accessibility for elderly or digitally illiterate clients, and the risk of miscommunication during remote sessions. Only one of the interviewed notaries allowed its use exceptionally, for instance when heirs live abroad. *Mediators* echoed this concern, underlining that mediation depends heavily on dialogue, empathy, and body language, which digital settings cannot fully capture, though they admitted video conferencing can facilitate access in cross-border or practical cases. While the *interviewed judges* were never involved in a remote hearing, some lawyers mentioned that some judges use video conferencing for non-contentious parts of proceedings. Nonetheless, both *judges and lawyers*, generally saw video conferencing as useful for procedural or technical matters - such as appointing or replacing notaries, expert consultations, or chamber hearings.

3. Potential bottlenecks

Despite the potential of digital tools, several barriers hinder the effective digitalisation of the Belgian liquidation-division procedure.

Procedure-related bottlenecks tend to concentrate in the preparatory phase of asset division, the liquidation phase, where most delays frequently occur. According to *judges and lawyers*, the most common delaying element is the fact that **notaries often miss statutory deadlines** - as these deadlines are not binding for them and carry no sanctions for non-compliance. Although a digital platform with strict deadlines and automatic reminders could help, the lack of a legal framework enforcing notary compliance means these tools alone are insufficient. Additionally, parties often have **limited knowledge of their asset composition**, leading to incomplete documentation and ensuing disputes. A commonly **suggested solution is a questionnaire-based or online dispute resolution (ODR) intake tool to collect relevant data early and enable more efficient proceedings.**

Interim disputes (e.g. Objections to the notary's liquidation statement, disputes over asset valuations or allocations, partial agreements, uncertainty regarding the composition of the estate, challenges related to evidence, etc.) are also considered as a significant cause of delay. These disputes require court involvement, which can push cases to the back of the court calendar, thereby prolonging the entire process and consequently the final asset division.

Furthermore, certain procedural aspects - such as oath-taking for not hiding any assets, appointment of experts, replacing notaries, procedural follow-up, setting mandatory deadlines - currently require in-person attendance, which often leads to delays, particularly when parties or practitioners face scheduling difficulties. *Judges, lawyers, and notaries* generally agreed that these aspects could be effectively managed via **videoconferencing**. By contrast, deeply human and emotionally sensitive aspects - such as disputes over the family home, inheritance conflicts between siblings, or mediation sessions that rely on empathy, trust-building, and non-verbal communication - are best conducted in person. In other words, **a flexible legal framework is needed that distinguishes between hearings suitable for digital formats and those that require in-person involvement to ensure meaningful and empathetic resolution.**

Besides the sensitive side, there is also a mathematical side to liquidation-division procedures where **calculation and valuation** of assets happen. These are typically done manually and are time-consuming using Excel tools like the *Casman Sheets*, which are limited to the *Vrije Universiteit Brussel* trained legal practitioners - and mainly geared toward divorce cases as inheritance matters are more complex due to multiple parties, interlinked property rights (usufruct, bare ownership...), and cross-border issues, etc. As a result, other legal practitioners often resort to developing their own Excel tools. Respondents advocate for **standardised tools** that can manage a range of calculations (*e.g. balancing payments, community contributions, gift comparisons or reductions, post-divorce payments, etc.*) - while also integrating bank data for precise asset tracking. **The tool should be able to generate simulations of division proposals using visual schemes supported by legal reasoning. In general, there is a need for uniform practices for calculating asset liquidation-division and more standardised templates.**

Some overarching bottlenecks to digitalisation are, to begin with, the inconsistent digital uptake. An example that often came up during the interviews was that notaries make too little use of e-filing systems compared to lawyers and mediators. Notaries still rely heavily on filing hard copies to courts. This inconsistency leads to **hybrid case files**, where neither the paper nor the digital version of the case is complete, creating confusion and increasing the risk of oversight. Documents are more likely to go missing, forcing judges to manually verify file completeness, conduct time-consuming double-checks, and ultimately delaying proceedings. The goal is for the **digital file to serve as the definitive and comprehensive record**, eventually linked to individuals via the national register, rather than just a scanned archive. **To address these issues and improve predictability, it is recommended to establish mandatory legal guidelines applicable across all family courts (regarding calculation, e-filing, e-signing etc.)**

Furthermore, **infrastructural and systemic limitations** present major challenges to the effective digitalisation of liquidation-division procedures. Existing court case management systems, such as HBCA and BGC, lack essential features - including the ability to copy text from scanned documents, convert PDFs to Word, perform searches, use hyperlinks for easier navigation in large files, and apply indexing tools to manage bulk submissions. Also, courts face limited access to modern hardware (*e.g. monitors*) and beyond office-hours technical support. Besides that, a *judge* mentioned that **some procedural steps are unnecessarily time-consuming and administratively heavy** such as scheduling hearings - where files go through various manual steps to only notify the parties by letter.

In addition, **systems used by different legal actors are not interoperable**. This fragmentation and lack of coordination mean that data does not flow seamlessly across stakeholders, reinforcing inefficiencies and organisational silos. Moreover, the high costs associated with advanced digital tools can disadvantage smaller offices and courts may **lack the financial resources** to implement or maintain technology, resulting in uneven access and reduced overall efficiency.

Digital literacy gaps and resistance to change among legal practitioners remain significant obstacles. Judges, who are already heavily burdened, tend to prioritise training in their legal expertise over digital training, which is often perceived as an added strain - especially in the absence of user-friendly or fully developed tools tailored to liquidation-division. To encourage adoption, **training on digitalisation** should be realistically embedded within practitioners' existing workflows and delivered in **practical, accessible formats** - such as short, targeted educational videos. At the same time, it is increasingly essential for practitioners to **possess adequate subject-matter expertise**, because without a solid legal foundation, the use of technologies like artificial intelligence could risk introducing more complications than solutions.

Bottlenecks related to the use of disruptive technologies such as artificial intelligence, online dispute resolution and blockchain are diverse. To start with, there are no specifically tailored **artificial intelligence** tools for asset liquidation-division in Belgium. *Judges, lawyers, notaries and mediators* all mentioned that AI tools are unable to recognise the unique aspects of each case or properly weigh legal objections appropriately and it struggles to differentiate between Belgian and Dutch law due to the shared language. Moreover, the effectiveness of AI in Belgium is also limited by the lack of digitalised legal materials and the absence of high-performance case law databases needed to train systems accurately on Belgian legal content. These are currently fragmented across journals and publishers with their own databases and high fees. For these reasons, predictive AI is seen as unfeasible or inappropriate at the moment. Additionally, Belgium lacks a robust legal and ethical framework to govern the use of AI in the legal sector. Despite these challenges, *they all* see significant potential in AI to enhance procedures at different phases. For example, *judges* advocated for AI tools that analyse lengthy written pleadings to identify the core legal questions that need to be answered. Or they suggested using AI to assess case complexity and assign cases evenly across judges. The different legal practitioners have cited the need for AI to become more interactive, such as giving feedback or updating stakeholders on new legislations, relevant case law or doctrine in the particular case. Interviewees also mentioned the need to develop an AI that supports complex calculations based on gifts, testamentary arrangements and prenuptial or inheritance agreements to ultimately ensure equitable division.

As for **online dispute resolution**, there was considerable scepticism among all legal practitioners about its suitability for emotionally charged liquidation-division cases. Many emphasised that the loss of key human elements - such as emotional expression, tone, and body language - limits ODR's effectiveness in resolving complex interpersonal conflicts. Despite these reservations, some respondents acknowledged the potential of ODR to empower parties to organise divisions themselves under professional supervision. They noted that ODR can streamline early document exchange and coordination, support structured decision-making with expert oversight, and encourage amicable settlements that result in partial or full agreements - ultimately saving time and reducing costs. *Mediators* even suggested that in high-conflict situations, ODR may provide a buffer that encourages reflection and reduces emotionally reactive confrontations, potentially leading to more objective and fair outcomes in the asset division process.

Finally, the opinions on **blockchain** were divided. Many respondents expressed limited familiarity with the technology and did not immediately perceive its relevance to specific liquidation-division cases. *Judges and lawyers* express limited knowledge, with some seeing potential benefits in improving file structure, evidence storage, and bringing certainty and predictability, but no clear consensus on its practical application. *Notaries* largely dismiss blockchain as "not suitable" for liquidation-division, finding it too rigid and unadapted to the legal and emotional complexities of such cases. However, some notaries acknowledge its potential for establishing authenticity of evidence and storing data immutably, such as property values, to avoid later disputes. *Mediators* also report limited insight, with some suggesting it could be useful for tracing proprietary rights or as a system to store data, while others don't see its relevance for their role.

4. Recommendations

Recommendations	Phase	Actors Responsible / Benefiting	Purpose / Expected Benefit / Justification
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Establish a secure shared digital case management platform, with authoritative <i>digital file</i> (enable notaries to e-file by default)	All phases ³	Federal Public Service (FPS) Justice, Federations, Tech companies / all actors ⁴	Ensures streamlined communication, reduced administrative burden, default e-filing by notaries, shortened procedures, improved transparency
Create enforceable deadlines for notaries	All phases	Legislator, Notary Federation / all actors	Improves accountability and expedites the liquidation-division process.
Improve case management platforms HBCA & BGC with search functions, PDF-to-Word converters, hyperlinking and indexing. Ensure interoperability between systems used by different stakeholders. Provide modern hardware and off-hours technical support in courts. Address manual, time-consuming tasks (e.g., physical hearing notifications).	All phases	FPS Justice, Federations, Tech companies / all actors incl. tech companies	Enhances efficiency, usability, and system compatibility while reducing manual workload.
Implement binding, national guidelines detailing what documents to file, how, in what format (e.g. minimum standards for calculations) Create procedural harmonisation across all actors (templates, workflows, checklists etc.) and cross-institutional coordination - align digitalisation initiatives. Increase funding for digitalisation.	All phases	FPS Justice, Federations, Legislator, Tech companies / all actors	Enhances consistency, legal certainty, efficiency across practitioners, reduces fragmentation, aligns digital reforms for maximum efficiency
Ensure interoperability between systems used by different legal actors	All phases	FPS Justice, Federations, Legislator, Tech companies / all actors	To overcome fragmentation and a lack of coordination, ensuring data flows seamlessly across stakeholders, reducing inefficiencies and organisational silos
Uniform e-signature standards (also during videoconferences)	All phases	Legislator, FPS Justice, Federations / all actors	Ensures legal validity and security of digital signatures, including in remote proceedings.
Promote videoconferencing for certain (interim) procedures. Allow videoconference for oath-taking. Create a flexible legal framework distinguishing between remote and in-person hearings.	All phases	FPS Justice, Federations, Legislator / all actors	Increases accessibility, reduces delays, faster scheduling, effectively manages procedural aspects via videoconferencing while ensuring deeply human and

³ Initiation, Negotiation, Finalisation

⁴ Judges, Lawyers, Notaries, Mediators, Citizens

			emotionally sensitive aspects are conducted in person.
Promote practical, embedded training (e.g., short videos) on digital tools for legal practitioners. Reinforce the need for legal expertise alongside digital skills to avoid misuse of emerging technologies.	All phases	Judicial Training Institute, Federations, FPS Justice / all actors incl. students	Strengthens digital competencies while preserving legal quality and mitigating tech misuse.
Establish data protection and cybersecurity protocols.	All phases	Legislator, FPS Justice, Tech companies / all actors	Safeguards sensitive information
Promote mediation in inheritance cases.	Negotiation	Legislator, Mediator Federation / all actors	Encourages amicable dispute resolution
Develop a fair and digital notary appointment system.	Initiation	FPS Justice, Notary Federation / Judges, Notaries, Citizens	Increases fairness, and transparency, reduce workload of notaries
Further develop a centralised legal database regarding liquidation-division, Avoid fragmentation for optimal AI output. Use AI as a support tool (see examples <i>supra</i> point 2. and 3.). Collect digitalise legal materials with only Belgian legal content (eventually specific for liquidation-division).	All phases	FPS Justice, Federations, Tech companies / all actors	Prevents fragmentation, enhances AI reliability, and centralises legal data.
Further research on the relevance of blockchain to the liquidation-division procedure.	All phases	FPS Justice, Federations, Legislator, Tech companies / all actors	create tamper-proof, searchable, and a permanent digital case with secure document preservation, authenticity verification, and conditional procedural automation.
Further research on using online dispute resolution for preparing an inventory (individually, and eventually with support of AI) but under human oversight.	All phases	FPS justice, Federations, Tech companies / all actors	Provides a flexible, efficient option for inventory preparation under controlled oversight.

Croatia

Please note that the provided answers are based on the feedback given during interviews with the identified key stakeholders - notaries, mediators, judges, and lawyers. Mediators are a specific category, as most of them are either judges or lawyers, and they tend to provide answers similar to their respective groups - on the other hand, mediators who are neither of those have no knowledge about the procedural aspects of asset division and liquidation, so they did not provide specific inputs. Therefore, only answers of the other three groups, if specific, will be highlighted.

1. Procedural framework and digital integration

In Croatia, the dissolution of co-ownership may occur through A) non-contentious proceedings, B) civil litigation in cases of dispute, or through C) mediation - and in D) inheritance matters, a specific form of non-contentious proceeding applies under the *Succession Act*.

A) Non-Contentious Proceedings

When there is no dispute, co-owners may initiate dissolution via a proposal to the municipal court or they can divide ownership informally, without engaging the authorities. The proposal can be submitted in writing - or electronically if the party has an obligation to submit the motions over e-Komunikacija. The court (or notary, if entrusted with the case - such as in inheritance proceedings) verifies the proposal and conducts all necessary steps. If all parties agree, a consensual partition may be approved. In case of dispute during the process, parties are redirected to contentious proceedings. The court manages the case through the e-Spis digital tool, assigning it to a specific judge - the judge may schedule hearings, to ascertain facts, hear arguments, examine documents, and encourage settlement. The court can also appoint an expert witness. A final decision confirms the division and is enforceable - this decision can have several different forms - such as settlement, notarial deed, resolution, etc. The court is obligated to forward the decision electronically to certain authorities (such as the land register, at the competent Municipal court, to carry out the registration of the change, or tax administration, etc.). Costs are generally borne by each party unless otherwise agreed by them or decided by the court.

B) Civil Litigation (Contentious Proceedings)

If disputes arise, proceedings follow the *Civil Procedure Act (CPA)*. The process starts with a lawsuit, followed by a response, a preparatory hearing, and a main hearing. The motions are usually submitted electronically, unless the party is not obligated to use the digital communication tool (e.g. physical person not represented by a lawyer). The court defines issues, examines evidence, and encourages settlement. Resolution can be reached by judgment or court settlement. Appeals and revisions are available, and decisions become binding upon finality. Similarly to the non-contentious proceedings, these decisions are then forwarded to certain authorities (such as the land register).

C) Mediation

Parties may opt for **mediation, either voluntarily or through a pre-existing agreement**. Initiated upon acceptance of a proposal, mediation is conducted by a registered mediator. If successful, it ends in a settlement agreement, which can be enforced similarly to court settlements.

D) Succession Proceedings- specific non-contentious proceeding

In inheritance matters, asset division is handled under *non-contentious rules* (with the application of some rules specific for the probate proceedings). If all heirs agree on partition, the court (or more often the public notary entrusted with the procedure) includes this in the inheritance decision, which becomes final and enforceable, and ensures updates in land and tax registries.

The **use of digital tools** is partially embedded in each of these procedures. Digitalisation within the Croatian justice system has made notable progress, yet it remains partial and uneven. At the core of this transformation is **e-Spis, the national court case management system**, which serves as the central platform for managing cases and allocating them electronically. e-Spis is interoperable with several other digital tools, including **e-Komunikacija, which facilitates electronic communication** between courts and professionals such as lawyers, state attorneys, notaries, and expert witnesses. Through this platform, users can file motions, submit attachments, and receive notifications, with electronic submission being mandatory for state administrative bodies and legal entities. Also, the Joint Information System of **Land Registers and Cadastre (ZIS)**, which centralises land registry and cadastre data in the **Land Register Database (BZP)** - is directly linked to e-Spis. These platforms enable citizens to verify property information online and allow authorised professionals to file electronic motions for registry entries.

Complementing these systems are other specialised platforms, such as, the **e-Oglasna ploča**, which is the e-bulletin board where certain important court decisions and documents are published, particularly in bankruptcy and enforcement procedures. The **e-Ovrha** system on the other hand allows the submission of enforcement requests based on authentic documents. In addition, digital auctions of seized assets are carried out through **e-Dražbe**, providing greater transparency and accessibility in enforcement proceedings.

Documents signed with a qualified **electronic signature** carry the same legal weight as those signed in person. Croatia complies with the eIDAS Regulation (EU) No. 910/2014 as amended by No. 2024/1183, which sets out the framework for electronic identification and trust services across the European Union. The Croatian Act on the implementation of the amended eIDAS act II - *OG no. 62/17* - incorporates this regulation into national law, outlining the legal standards for electronic signatures and trust service providers.

In Croatia, remote participation in hearings is provided for in the justice system, particularly within court procedures, using audio-visual devices for hearings and evidence presentation. Before engaging in a remote hearing, the court is mandated to consult the parties, before scheduling remote hearings, and its decision cannot be separately appealed. If parties cannot participate remotely, they are obligated to attend in person at the court. This practice is regulated by specific legislation, primarily the *Civil Procedure Act (CPA) (Article 115, paragraph 3)* and detailed in the *Regulation on remote hearings (Pravilnik o održavanju ročišta na daljinu, OG, No. 154/2022)*. The latter provides detailed guidelines on conducting such sessions - including requirements for connection quality, avoiding interference, and ensuring the absence of unauthorised third parties during the remote hearing. Although the legal framework is in place, the practical implementation of remote hearings is still limited. Motions to conduct remote hearings are sometimes denied in practice due to a lack of technical equipment in some

courts (e.g., reliable internet connection, projectors, video conferencing equipment). Similarly, the *Civil Procedure Act*'s stipulation for regular recording of hearings is "very rare" in practice due to these insufficient technical prerequisites.

Despite these developments, the judicial process in Croatia is not yet fully digitalised or paperless. While filings, notifications, and access to documents are increasingly managed electronically, many procedural steps still rely on traditional methods. Sometimes the inefficiency of the systems themselves (i.e. during their maintenance or inaccessibility due to a malfunction) requires parties to submit documents manually. Automation remains limited, and only in specific circumstances - such as mediation or certain hearings - are proceedings conducted remotely via digital platforms. The broader vision for digitalisation is anchored in strategic documents, notably the **Strategy for Digital Croatia until 2032** and the **National Plan for the Development of the Justice System 2022–2027**. Oversight and implementation rest with the Ministry of Justice, Administration and Digital Transformation. Current efforts are focused on streamlining case management and improving communication, rather than introducing tools for highly specific judicial functions. For instance, in the context of asset division, no dedicated digital solutions exist; any improvements in efficiency are indirect, stemming from general modernisation and integration of digital platforms.

2. Opportunities

The digitalisation of the Croatian justice system, including the introduction of digital tools, is generally seen as a positive step and a valuable opportunity for improvement. While some resistance to the measures already implemented has been noted, such reactions are seen as a normal part of any reform process.

Judges would benefit most from digitisation efforts if it could relieve them of at least part of the burden. Suggestions on the possible improvement of the procedure include **providing a suitable setting for piloting new digital tools**. For example, digital tools can be first introduced within low-value claims proceedings, which have traditionally served as a testing ground for innovative solutions in the judiciary. It was in this context that mechanisms such as the payment order - which automates certain non-contentious procedures with low value - were first introduced. Judges also proposed **enhancements to existing digital tools - primarily eSpis**. In addition, they expressed interest in the development of judge-specific digital tools, such as **systems capable of analysing court practice** or **identifying and interpreting relevant legal regulations** applicable to a particular case. The latter was highlighted as especially valuable, given that determining the appropriate legal framework was described as one of the most complex and time-consuming aspects of judicial work. Regarding **electronic signatures**, judges are users of the e-Komunikacija platform, which facilitates electronic communication between courts and legal professionals, and eSpis for electronic case management. While some judges are **anxious to test new tools**, they also highlight existing issues with digital tools, such as problems with the introduction of voice recording, emphasising that some of the new technical solutions remain unusable due to their partial implementation or infrastructural insufficiencies. *Together with lawyers, judges* perceived the expansion of **remote hearings** as an opportunity to improve efficiency and reduce costs, especially for simpler procedures or those involving parties from different locations.

However, during the interviews, it appeared that *lawyers* were more hesitant to accept further digitalisation. A major obstacle highlighted by lawyers was the poor infrastructure, including abysmal internet connections, and the lack of essential courtroom ICT equipment such as USB hubs and

projectors, which makes even basic tasks like playing a video for evidence impossible. Lawyers also mentioned that parts of the procedure (in general) could be **further automated - such as certain phases of expert witnessing or awarding of the damages based on the existing orientation criteria** (in the case of the latter, this does not impact the asset division in divorce or inheritance proceedings). For **electronic signatures**, lawyers are obligated to use the e-Komunikacija platform when filing motions and attachments. They also use the Joint Information System of Land Registers and Cadastre (ZIS) and have access to eSpis to track the status of court cases. While acknowledging that **electronic filing** has increased speed and efficacy, they frequently encounter inefficiencies like the time-consuming process of electronically signing and verifying numerous attachments (e.g. a motion with 30 attachments can take an hour to submit). Furthermore, **system unreliability**, with e-Komunikacija often being offline for updates or due to high load, forces them to revert to physical document submissions, creating further complications.

Notaries generally hold a **positive view of digitalisation** and the use of **electronic signatures**, which they already apply in communication with institutions - for example, when electronically filing documents with land registries and other bodies through e-systems. They see an opportunity to further develop the digitalisation of land registers and cadastres and to improve the harmonisation of data between them. While the Land Data Base (BZP) already exists, one of the main challenges lies in the incomplete compatibility and connectivity of these registers with the eSpis system (a problem that judges have repeatedly raised). Addressing this issue would accelerate land-register renewal procedures and, in turn, speed up co-ownership partition proceedings. The mandatory **electronic filing of ownership-registration** applications, introduced in February 2023, has further reinforced the central role of electronic signatures in land-registry procedures. Notaries are also participating in a pilot project for **electronic document signing in a 'secure room,'** reflecting their interest in expanding **video conferencing** capabilities. They emphasise that electronic signatures ensure document authenticity and prevent alterations, which makes procedures 'easier and faster.' At the same time, they express **concerns about scanned documents certified by other notaries**, as they 'cannot be certain of their authenticity since the signature verification did not occur in our office, lacking full insight into the circumstances.' Another significant challenge relates to **accessibility: vulnerable individuals** without the necessary digital tools cannot execute electronic signatures, and the requirement for additional devices such as card readers for advanced electronic signatures creates barriers - particularly for older citizens, those with limited digital literacy, or individuals living in areas with unreliable internet access.

3. Potential bottlenecks

Currently, asset division-liquidation procedures have certain bottlenecks that have been identified during the interviews with the relevant stakeholders. But generally speaking, *judges* mostly emphasise that they are overburdened. Also, they frequently expressed concerns as to how the introduction of digital tools might complicate their job and add an obligation to them. Most of them do not see, at this point, how digitalisation could lead to more efficient asset division procedures, as the main problems they cite are **insufficient personnel, unnecessary or complicated disputes** that have to be settled before the division of assets.

Mirroring the responses of judges, lawyers also highlight significant delays in proceedings - particularly due to the **time it takes to obtain expert witness testimonies**. These delays are seen as a major bottleneck. While digitalisation could help reduce these delays, it would do so indirectly. This is because certain tasks - like **hearing evidence or conducting on-site inspections - cannot be replaced by digital**

tools and still require human involvement. However, if digitalisation improves efficiency in other areas of the justice system (such as resolving more cases through mediation or **online dispute resolution before they reach court**), it could free up time and resources. As a result, judges and expert witnesses could focus more on tasks that truly require their input, helping to reduce delays.

Notaries, from their point of view, mainly concentrate on non-contentious procedures of asset division - mostly in inheritance proceedings. Key bottlenecks they encounter are **issues with the public register** (e.g. when the data in the public register is not up-to-date or when cadastral and land register data are not harmonised). On the other hand, they emphasised that the **court asset division procedure is definitely longer lasting.**

Also, **parties themselves are identified as one of the causes for delays** - due to their conflict, they usually project their problems on every aspect of the procedure, making it unnecessarily long. From arguing about the value of each individual item, even if that value is trivial (in the case of a division of multiple movable assets simultaneously), to the use of various procedural authorities just to complicate the process for the other party. In rare cases, this problem could be solved by an efficient mediator - maybe, identifying the contentious issues from the point of initiation of the procedure and requiring the parties to sufficiently explain and support why something is contentious in the first place, could alleviate the problem. However, procedural costs are often driven up by the actions of the parties themselves - for example, when they choose to appeal decisions despite a low likelihood of success or propose unnecessary evidence solely to delay the proceedings. **Introduction of tools potentially predicting the success of the parties may demotivate some parties from initiating certain procedures (for example, contesting the co-ownership share).**

In regard to the bottlenecks found in specific asset division procedures, it has been claimed that the **division procedures following the divorce are far more complex** and require far more balancing and evaluation done by judges, in comparison to inheritance procedures - this is due to the various variables that must be taken into an account due to specific Family Law provisions that changed in the recent history. Therefore, it has been suggested that the **inheritance procedure divisions would be better suited for the introduction of digital tools.**

A technical barrier to digitalisation and automation seems to be IT infrastructure in courts - the state of **infrastructure varies greatly, from being satisfactory in larger population centres, to being absolutely abysmal in smaller courts.**

With respect to digitalisation initiatives, *several interviewees across all respondent groups* highlighted a recurring issue: implementations are often incomplete or undermined by **inadequate funding** - as exemplified by the case of *voice-to-text converters*, where insufficient financial support hindered effective deployment.

Regarding predictive justice, *some interviewees* have put forward an idea that **artificial intelligence (AI)** could be used for the analysis of the huge amount of data - in case there is a lot of documentation provided in the specific proceedings, or as a due diligence tool. An ICT law expert emphasised that simply developing a new tool based on a Large Language Model (LLM) would not be a wise investment. According to this expert, well-prepared prompts using existing LLMs can already be useful in legal contexts. The real added value would thus come from a tool that goes beyond general reasoning and is capable of applying legal logic - offering clear legal argumentation for how those results are reached. In

this context, the expert pointed out the importance of avoiding individual judge profiles within the tool. Creating separate profiles for each judge could risk reinforcing personal biases. Instead, a **centralised profile** - used by all judges - would promote consistency and fairness. Such a centralised system would be more useful for supporting judicial reasoning and ensuring uniformity across cases.

However, there was near-unanimous agreement that the role of a predictive AI tool should be strictly assistive in nature. Some experts have emphasised that the predictive justice tools are better suited for the common law system, with rigid application of precedents and high degree of uniform court practice, whereas in Croatian legal system, such high degree of harmonisation of court practice is **not that welcome**, as the practice changes, sometimes it is wrong, and the judges must have flexibility in the end.

All of the interviewees support the introduction of some kind of **preparatory tool** for the division of assets - something that would, perhaps, separate contentious from non-contentious issues in a certain case. For example, the introduction of **online dispute resolution tools** was welcomed (in general) by all of the groups. *Judges* stated that such a platform could serve as a starting point to separate contentious from non-contentious issues. For instance, once the litigation starts, and parties are faced in courts, in emotion-driven cases usually everything “becomes contentious”, so a pre-trial ODR-tool seems like a way to eliminate this issue. *Lawyers* also responded very well to the introduction of ODR tools, particularly in contexts where it enables parties to gain insight into the potential outcome of a procedure and the associated costs. However a part of the interviewees pointed out that in the end, such a tool has its limitations. Some point out the “carrot and stick” approach, claiming that any predictive justice tools may lead to increased referral to mediation once the parties realise how likely it is that they will lose the case, or if they are faced with potential costs of the procedure. *Mediators* mentioned using online tools when parties have residences outside of Zagreb and believe this should be introduced into court procedures as well. They find that these online tools “generate good outcomes and efficiencies” in their work. While the sources do not explicitly detail mediators' direct use or perception of electronic signatures within the mediation process itself, they note that if mediation leads to a successful settlement, it can take the form of a notarial deed or court settlement. Such documents, once in proper form, would then be handled using digital tools, implying indirect engagement with electronic signature mechanisms for their enforceability.

4. Recommendations

Recommendation	Phase	Actors (Implementing / Benefiting)	Purpose / Expected Benefit / Justification
Adequate judiciary infrastructure	All Phases	Government - Ministry in charge of justice	Prerequisite for any digitalisation or automation - current state of infrastructure is often evaluated as inadequate.

Introduction of an assistance tool for the analysis of the applicable regulation	Negotiation/ litigation phase	Judges	It is often pointed out that the real difficulty for the judges represents the research of the applicable regulation for the specific case- a “paralegal” tool that would perform such research would be as good (or maybe even better) than the tool searching the court practice.
Permitting finer research of the court practice on ANON system (properly labelling the decisions)	All Phases	Government - Ministry in charge of justice	Prerequisite for any introduction of AI that would feed on the ANON practice database- current labels of the court practice are often identified as too general.
Further develop the digitalisation of land registers and cadastres, improve the harmonisation of data between them and create better connectivity with e-Spis	All Phases	All actors	To accelerate land-register renewal and co-ownership partition proceedings by ensuring data consistency and addressing issues with incomplete compatibility and connectivity with the e-Spis system
Organising education and training in the use of digital tools	All Phases	All actors, especially judges Justice Academy, Lawyers Academy (at the Croatian Bar Association), Public notaries Academy (at Notaries Chamber)	All actors must be aware of the existence of the digital tools- they have to know how to use them, but also when to use them.
Pilot new digital tools within low-value claims proceedings	All phases	All actors	To test and introduce innovative solutions in a suitable setting, leveraging low-value claims as a traditional testing ground.
Predictive justice tool should not be just another LLM- the argumentation preceding the conclusion must follow the legal logic	Negotiation/ litigation phase	All actors	Some ICT law experts have warned that certain functions within the predictive justice concept could already be fulfilled by existing AI tools - new tools should be a departure from this, otherwise, it does not justify the investment. Examples: mechanism for identifying contentious issues early in the procedure and requiring parties to sufficiently



			explain and support their claims, to predict success rates.
Predictive justice tool should be just like a paralegal, or an assistance tool- it must not strive to harmonise the court practice	Passing the judgment	Judges	In connection to the recommendation No.2- the role of any new AI tool must be reserved to the “assistant” role- judges must have a possibility to depart from the current court practice.
Expand remote hearings (in a ‘secure room’ as is done for e-signatures)	Negotiation/ litigation phase	All actors	To improve efficiency and reduce costs, particularly for simpler procedures or cases involving parties from different locations. To enhance document authenticity, prevent alterations, and make procedures easier and faster by enabling secure video conferencing. Be careful with vulnerable groups.
Implement online dispute resolution tools	Initiation/Negotiation (pre-trial).	All actors	To provide a pre-trial resolution mechanism that can eliminate emotion-driven disputes, offer insight into potential outcomes and costs, and encourage referrals to mediation, leading to good outcomes and efficiencies.

Estonia

1. Procedural framework and digital integration

Before division of assets can occur, the matrimonial property regime must be clarified. Estonia applies a default regime of joint property, but prenuptial agreements or foreign matrimonial property rules may apply, particularly in cross-border settings. The identification and legal qualification of such arrangements often constitute a crucial early-stage decision point and may necessitate legal interpretation or translation.

Once the applicable property regime has been established, the actual division of assets depends on whether the parties can reach an agreement. **In divorce cases**, where co-owners **agree**, the joint assets are divided equally (50/50) in accordance with the *Family Law Act* and the *Law of Property Act*. Joint property is defined as ownership in undefined shares belonging to two or more persons concurrently. If spouses confirm that they have no disputes regarding divorce, a civil law notary is the competent authority to conclude a joint **property division agreement**. Such division can only take place before a notary where the spouses are in agreement, otherwise the matter proceeds to court. Alongside these primary acts, the *Notaries Act*, the *Notarisation Act* and the *Notarial Regulations* also apply. Since December 2024, the state portal *eesti.ee* has provided information on the divorce process, including asset division, and enables online filing of divorce applications and division of joint property where both spouses are registered in Estonia. If immovable property or jointly registered property is involved, the division must still be notarised.

Where **agreement is not reached**, a spouse may file a claim with the county court, either electronically via the e-File or in paper form. The claim must be in Estonian and include details of property composition, value, and proposals for division under the Code of Civil Procedure. Joint property is then divided according to the *Law of Property Act* by way of physical division, allocation of assets to one or more co-owners with financial compensation, or sale at auction. Supreme Court case law requires courts to apply the least burdensome method, taking into account the parties' requests, and may leave assets in common ownership if appropriate. Upon divorce, undivided joint property remains jointly owned and can only be disposed of jointly. If marriage ends in death, the deceased spouse's share forms part of their estate. In addition, the law provides for set-off of assets increment, where the spouse with fewer acquired assets may claim compensation. Fixed assets remain outside joint ownership, while acquired assets during marriage are balanced between spouses through inventory and valuation. Agreements on set-off must be notarised or judicially approved. Under the regime of separateness of property, assets are only divided if spouses are co-owners, in which case division follows the same principles as in community of property. If no jointly registered immovable property exists, spouses may divide assets themselves without a notarial authenticated agreement.

In Estonia, the **division of estate** is governed by the *Succession Act* (*Pärimisseadus* – hereafter *PärS*), particularly § 152-164, including the *Law of Property Act* § 77. The estate may be divided either by agreement among the heirs or through the court if no agreement is reached. Where several heirs have accepted the inheritance, the estate belongs to them jointly until it is divided, and the division may begin only once all successors are known. The estate is distributed according to the heirs' shares, based on the usual value of the objects at the time of division, although by agreement an item may be valued on the basis of a particular heir's special interest. Divisible property includes assets acquired through rights belonging to the estate or out of the estate, as well as compensation for damage to or loss of objects

forming part of it. If succession is based on a contract, a will, or intestacy, the rules of the respective regime determine the heirs and their shares, though where shares are unspecified, they are presumed to be equal. Specific provisions regulate situations where some shares are specified in a will, where they exceed the whole, or where relatives are nominated without detail, in which case the rules of intestate succession apply. In intestacy, succession proceeds in three orders, with second order heirs inheriting only in the absence of first order heirs, and third order heirs inheriting only in the absence of both. The surviving spouse or registered partner always retains certain rights, including a minimum share of one quarter when inheriting with first order heirs, one half with second order heirs, and the whole estate in the absence of heirs from the first two orders. The spouse may also request establishment of a real right over the common home to prevent deterioration of living standards, and in some cases receives a preferential share of household furnishings. In addition, compulsory portions may be claimed by the descendant, parents or spouse if disinherited by will or succession contract, the share being one half of what they would have received under intestacy.

If heirs **cannot agree on the division of the estate**, property may be divided by the court in accordance with the rules laid down in the Succession Act (§ 152 (3–4)) and the Law of Property Act (§ 77). The court determines the shares of the co-heirs based on the applicable basis of succession - contract, will, or intestacy - and applies the statutory provisions to ensure the estate is divided accordingly. In such cases, the same rules on equal or adjusted shares, intestate orders of succession, rights of the surviving spouse or registered partner, and the possibility of compulsory portions continue to govern the outcome, but the division is affected by judicial decision rather than by agreement among the heirs.

Estonia has one of Europe's fastest court proceedings, with an average disposition time of 158 days in civil-law cases - showing that Estonia largely embraces **digitalisation**, viewing it as an opportunity for innovation that has yielded significant benefits across various levels of the justice system. Central to Estonia's digital legal landscape are several key platforms and systems:

In the notarial sphere, the **e-Notary** self-service platform, became operational for citizens in 2020 following internal use since 2007. It facilitates remote *verification and authentication of most notarial acts via a video bridge*, with the exceptions of marriage and divorce. This system enables *electronic communication* between notaries, state institutions, and clients, allowing for *remote authentication via a video bridge* and *electronic signatures* from almost any location, including several Estonian foreign representations located in Helsinki, Stockholm, Brussels, Riga, and London. Its functionalities include acquiring data from sixteen state registers (such as the marital property registry, land registry, and succession registry), assisting in deed compilation, registering acts, calculating fees, digitally signing documents, sending transaction data to national registers, and maintaining a digital archive, all of which minimise paperwork and increase efficiency for notaries. The e-Notary system has a high user satisfaction rate, with 86% of users satisfied and 99% finding it functional and user-friendly. As of December 2024, an **e-divorce service** allows spouses registered in Estonia to file joint applications through the e-population registry online and make some marital property arrangements, though **dividing immovable or state-registered assets still requires a notary appointment**. In 2023, remote certifications constituted nearly a third of all certifications, and in the first quarter of 2021, 91% of e-residents' notarial acts were carried out through the e-notary service.

Also, the *Code of Civil Procedure, Section 350(1)*, permits **courts in Estonia to hold hearings with remote participation**, allowing parties, their representatives, or advisors to participate and perform

procedural operations in real-time from a different location. This feature ensures continuous legal proceedings even when physical presence is not feasible.

Next, the **e-File system (e-toimik)**, which allows for electronic submission of claims in contentious asset division cases, enabling all relevant stakeholders to access data and communicate digitally. Documents submitted electronically for certification can be **electronically signed** using various Estonian digital identification methods, including an ID card, digi-ID, mobile-ID, Smart-ID, residence permit card, or e-resident digital ID, all accessible through the self-service portal of the Chamber of Notaries (*iseteenindus.notar.ee*). These electronic signatures adhere to the requirements for a qualified electronic signature in terms of *Article 3 16 (c) of Regulation (EU) No. 2024/1183 (eIDAS II Regulation)*. A notarial notation itself can be issued in digital form, where the electronic signature replaces the notary's signature and coloured seal, although this applies only to digital documents. If an electronic signature is not executed in the notary's presence, the notary's role is to certify only its validity. The secure authentication provided by electronic signatures is a fundamental principle of e-Justice in Estonia, ensuring the secured exchange of information through the X-Road distributed information exchange infrastructure.

Additionally, the auction centre *oksjon.ee* serves as a **central online platform** for judicial officers to sell assets, significantly increasing the number of participants and often leading to higher purchase prices due to its global accessibility.

Estonia's e-notary and electronic filing systems are thus supporting **remote authentication, electronic signature, and automated document generation**, which together reduce the procedural burden for both professionals and lay parties. Importantly, their design includes safeguards for identity verification and cross-platform compatibility, thereby enhancing security while enabling interoperability with EU-level systems.

As for **predictive tools like X-Law**, their use in asset liquidation-division procedures in Estonia is limited and primarily regarded as preparatory aids rather than full predictive models. *Judges and mediators* report using tools like X-Law, which offers a coarse overview or acts as a preparatory tool rather than a full predictive model. Some *lawyers* have experimented with **generative AI** for scenarios but do not consider it predictive justice. The reasons for this limited use include the immature state of the technology, a perceived lack of relevance, the State's cautious approach to applying such software within serious matters of judiciary, and the expense and rapid development of technology, which prevents settled practices from emerging. Concerns about AI risks are prevalent, including over-reliance on tools, lack of transparency, limited litigant understanding, the potential for wrong or non-adaptive answers, the risk of losing control, data protection, cyber security (especially concerning server locations for court cases), and the trustworthiness of automated court decisions. *Notaries*, in particular, highlight that AI may struggle to distinguish separate property from joint assets not reflected in digital registries, underscoring the critical need for human oversight and specific individual evaluation. Despite current limitations, the AI working group of the Chamber of Notaries foresees future applications of AI in assisting notaries with money laundering prevention and international sanctions.

Overall, *judges* in Estonia find that digitalisation, including e-filing and e-notary, offers transparency and general efficiency as significant benefits in asset liquidation-division procedures. *Lawyers* report that e-filing and e-notary platforms are generally user-friendly and generally accessible also by vulnerable parties, who anyway often are assisted by family or friends in complex set-ups. *Notaries* have deeply integrated these tools, including video conferencing and electronic signatures, into their work

and generally perceive digitalisation as compulsory and very positive, although they note that some parties still prefer for example manual signatures. *Mediators* also view digitalisation positively, with e-filing and e-notary being standard practice in their legal work. However, **mediators, similar to judges and lawyers**, also point out that the development and maintenance of these state-provided digital systems are costly and resource-intensive. However, *judges, lawyers and mediators* also share concerns about the accessibility of digital tools for vulnerable individuals, such as the elderly, individuals with disabilities, or those with low digital literacy, and suggest that alternatives should be available.

2. Opportunities

Digitalisation is widely regarded as an opportunity for innovation and improvement in the asset division and justice processes, in Estonia, where the legal community strongly embraces digital tools.

One of the most impactful developments lies in the **real-time interconnection of databases**, which allows legal professionals to rapidly verify asset ownership, assess encumbrances, and confirm party identities. The integration of registries - such as the land registry, vehicle registry, and population registry - into notarial and judicial workflows ensures a high degree of transparency, speed, and data reliability. These systems also reduce duplication of effort by enabling professionals to work with authoritative, up-to-date information at each stage of the procedure.

Another notable area of opportunity is the increasing use of **digital auction platforms**, such as *oksjon.ee*, which facilitate the sale of divisible assets. According to stakeholder reports, the digitalisation of auctions has contributed to a measurable increase in asset recovery values - by as much as **30% above the starting price** - due to broader market visibility, automated bidding mechanisms, and improved participation. These platforms also enhance procedural transparency, reducing the risk of favouritism or collusion.

As already mentioned, emerging technologies such as **artificial intelligence (AI)** are also being explored as preparatory tools to assist legal reasoning. While AI is not yet deployed in decision-making roles, there is interest in its use for pattern recognition, document sorting, and preliminary legal analysis, all of which could accelerate case preparation and improve consistency. The Estonian legal ecosystem, already familiar with platforms such as X-Law, is well-positioned to experiment with more advanced functionalities in controlled and ethical ways.

Digitalisation also creates new channels for early-stage conflict resolution. While currently not too widespread, **online dispute resolution tools** are seen as the most promising tool for out-of-court conflict resolution, especially for digital court sessions. The potential to conduct virtual mediation sessions, submit documents electronically, and receive digital notifications could significantly lighten court workloads while facilitating party participation, particularly in geographically remote or emotionally charged cases.

Blockchain technology receives mixed views: While useful in theory for secure records and asset tracking, it is rarely used in practice. It can even hinder enforcement due to challenges in tracing virtual assets and a lack of regulation.

Finally, digitalisation also holds **potential for improving access for vulnerable or digitally excluded groups**, provided that supportive measures - such as assisted digital services or simplified user interfaces - are developed in tandem. Estonia's high baseline of digital literacy and existing investment in public

digital services (e.g. e-Residency, e-Government portals) offer a strong foundation for further inclusive innovation in family asset procedures.

3. Potential bottlenecks

Despite Estonia's advanced digital infrastructure, several procedural bottlenecks continue to affect the efficiency and consistency of asset division, particularly in complex or contentious cases:

A key issue concerns the **limited institutional capacity** within the judiciary. *Judges and court personnel* often face constraints in managing the volume and complexity of asset division cases, particularly when valuation disputes or cross-border elements are involved. Time pressures and limited resources can result in procedural delays, even when relevant data is technically available through digital channels.

One of the most persistent sources of **delay lies in the identification, classification, and valuation of assets**. While asset classification is generally straightforward when property is located in Estonia and properly registered, difficulties arise when documentation is missing, ownership is contested, or assets are held jointly or abroad. Disagreements over asset valuation - particularly concerning the choice of evaluators, methodologies, and associated fees - frequently complicate judicial proceedings. In amicable cases, *notaries* are often able to mediate these issues more efficiently, but in litigious contexts, valuation disputes remain a common procedural obstacle.

Although digital tools such as **e-filing, online registries, and auction platforms** have improved transparency and access, their benefits are **not evenly distributed**. **Vulnerable groups** - including the elderly, persons with limited digital literacy, or those without stable internet access - may struggle to engage with these systems. This creates a risk of exclusion or dependency on intermediaries, particularly where procedural steps are initiated online or require electronic authentication.

The **partial uptake of digital tools** further contributes to fragmentation. For example, while predictive systems like X-Law are used for preparatory legal analysis, they are not yet equipped to support decision-making in complex family or property contexts. Interviewees express caution about over-reliance on algorithms, especially when the underlying reasoning lacks transparency or when automated tools fail to reflect legal nuances, such as informal ownership arrangements or unregistered claims. Legal practitioners stress the need for human oversight, especially in complex family situations.

Finally, several structural limitations hinder full digital integration. These include the **cost of developing and maintaining IT infrastructure**, a **lack of training** for legal professionals, and instances of **cultural resistance**, particularly among older practitioners who remain more comfortable with manual or paper-based procedures.

4. Recommendations

Recommendation	Process Phase	Actors (Implementing / Benefiting)	Purpose / Expected benefit / Justification
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Provide targeted training on digital tools	Initiation, Negotiation	Judges, Lawyers, Notaries, Mediators / Professionals, especially older users	Professionals, especially older ones, struggle with digital systems.
Introduce digital assistants or support staff	Initiation	Judicial administration / Judges, Lawyers	Judges are overworked and unable to dedicate time to detailed case analysis.
Expand and integrate existing digital platforms (e.g., oksioon.ee, e-notary, registries)	Initiation, Finalisation	IT providers / All actors.	Platforms like oksioon.ee improve efficiency but are not fully integrated. Expansion would simplify asset processes.
Ensure alternative access methods for vulnerable groups	All phases	Court services, Notary offices / Elderly, digitally excluded individuals	Elderly and digitally excluded individuals struggle with digital tools.
Standardise evaluation procedures and digital tools for pricing	Negotiation	Courts, Legal professionals / Parties, Judges	Disputes over asset valuation cause delays. Standardised tools and protocols would reduce conflicts.
Promote early-stage mediation and online dispute resolution	Initiation, Negotiation	Mediators / Parties, Courts	Early dispute resolution reduces court burden and helps parties reach agreements faster.
Develop guidelines for responsible use of predictive tools	All phases	Ministries, professional organisations / All actors	Professionals warn against over-reliance on AI. Guidelines ensure ethical and effective use with human oversight.
Increase public awareness and education on digital justice tools	Initiation	Ministries, Educational institutions / General public, future users	Cultural resistance and lack of familiarity are barriers.

Italy

1. Procedural framework and digital integration

The Italian legal system provides **multiple procedural pathways for asset liquidation and division**, varying significantly between inheritance and divorce contexts and depending on whether the procedure is consensual or judicial. While the legal framework aims to balance efficiency with procedural guarantees, practical application often reveals significant complexity and delays.

Inheritance division begins with a series of mandatory steps. Heirs must file a declaration of succession (*dichiarazione di successione*) within 12 months of the estate opening, typically marked by the date of

the decedent's death. By contrast, the right to accept or renounce the inheritance expires after 10 years, a temporal discrepancy often cited as a source of uncertainty.

Once acceptance or renunciation is formalised, **three main procedural avenues are available:**

- **Contractual division** (*divisione contrattuale*) permits heirs to reach a private agreement on asset distribution. Where real estate is involved, the agreement must take the form of a notarial deed. Innovations such as online cadastral databases and digital deed submission have accelerated these processes and reduced clerical errors.
- **Division by joint application** (*divisione a istanza congiunta*) applies where heirs agree on their shares but not on the precise allocation of assets. A judge appoints an expert - typically a notary or lawyer—who prepares a division plan. If unchallenged within 30 days, the plan becomes enforceable. Digital filing has improved transparency and timing
- **Ordinary judicial division** is initiated when no agreement is possible. Following mandatory mediation, the court determines asset composition, quantifies shares, and allocates them. Where physical division is impracticable, assets are liquidated and proceeds distributed. This path is often slowed by delays in appointing experts, valuation disputes, and overlapping legal actions.

Alternatively, **testamentary division** occurs when the deceased specifies allocations through a will. While digital will repositories are emerging, notarial oversight remains indispensable to ensure legal validity and enforceability.

Asset division in **divorce proceedings** is contingent upon the matrimonial property regime selected by the spouses. Under the *comunione legale dei beni* (community of property), assets acquired during the marriage are subject to equal division. Under *separazione dei beni* (separation of property), only jointly owned assets are divisible. The procedure is governed by the *Italian Civil Code, particularly Articles 177–179, together with divorce laws under Law No. 898/1970 and subsequent reforms*. If no agreement is reached, the Civil Court (*Tribunale*) carries out the division separately from divorce proceedings, following the *ordinary judicial procedure for joint ownership*. Alternatively, since *Law No. 162/2014*, separation can take place out of court through assisted negotiation (*negoziiazione assistita*), initiated by a lawyer sending a certified communication to the other spouse. If the spouse accepts, both parties and their lawyers sign an agreement setting a timeframe for negotiation, which is then submitted to the Public Prosecutor via certified email. Where there are no minor or dependent children, the Prosecutor issues a clearance, allowing the agreement to be filed with the civil registry and CNF, whereas cases involving children require verification that the settlement protects their best interests. The agreement carries the same enforceability as a judicial order, and after six months the parties may proceed with a divorce application. At the conclusion of proceedings, the agreement is uploaded to the CNF official platform. **Where agreement fails, courts intervene using procedures similar to inheritance cases, taking into account matrimonial regimes and, where relevant, custody implications.**

In the Italian justice system, a variety of digital tools are currently employed, though their implementation and accessibility can vary across different professional roles and regions. A key overarching framework for digitisation is the **Telematic Civil Process (PCT)**, which is mandated for all divorce proceedings before the *Tribunale Ordinario* for filings, hearings, and case tracking. Civil

proceedings involving inheritance disputes are also subject to mandatory electronic filing via the PCT. Furthermore, **Certified Electronic Mail (PEC)** is widely used by lawyers for official notifications and communication between parties, enhancing speed and traceability.

A key regulatory aspect is that all documents submitted electronically must be digitally signed by lawyers or parties using a qualified electronic signature. **Electronic signatures** are governed by the *Digital Administration Code* (D.Lgs. 87/2005) and *EU eIDAS Regulation 910/2014 as later amended by the eIDAS II Regulation No. 2024/1183*- which is directly applicable in Italy. These frameworks provide a common legal framework for secure electronic interactions, enhancing the security and effectiveness of electronic services and e-business transactions.

The following provides a brief overview of the digital tools used in practice by each interviewed target group, including their experience with video conferencing and electronic signatures:

The interviewed *judges* frequently utilise the **Magistrate's console** to organise and carry out their work efficiently, especially for document filing. They also use systems such as **SICID** and **SIGP** and the **Giustizia Civile telematic system**. **Access to digital case files** helps in better preparation, **e-signature** for documents and orders has accelerated decision publication, **electronic payment systems** simplified court fees, and the **integration with cadastral databases** assists in quick property ownership verification. Despite these benefits, it is noted that the practice of holding **online hearings** has largely disappeared, reducing the flexibility and efficiency that digitalisation had temporarily introduced. Video hearings, while permitted under *Article 271-bis ("Hearings via audiovisual connections") of the civil procedure code*, are rarely used in civil asset division cases, though they are commonly adopted by supervisory judges in criminal cases. More specifically, *Article 127-bis of the Code of Civil Procedure* gives judges the discretionary power to hold hearings remotely through audiovisual links, provided that the physical presence of individuals other than legal representatives, the parties themselves, public prosecutors, and court auxiliaries is not required. Digital court platforms significantly improve hearing scheduling and calendar management, while online case tracking systems offer transparent monitoring of case progress. Videoconferencing tools, like *Teams*, have streamlined hearings, particularly for parties residing abroad. However, judges also observe that parties sometimes lack the necessary equipment or knowledge to effectively use these tools.

For *lawyers*, beyond the PCT and PEC, **videoconference** platforms are employed for assisted negotiation processes, allowing remote meetings, digital signing, and secure document exchange, in line with legislative reforms like **Riforma Cartabia**. Lawyers also access public records via the **Agenzia delle Entrate** website and the **online Catasto system** for property searches and cadastral data. Some use specific tools such as **MoCam** in Florence for quantifying divorce maintenance payments, and **ReMIDA Famiglia** for calculating spousal/child maintenance allowances, which could also be adapted for co-heir shares. Specialised legal software like *"Onelegale"* and *"Cassazione Net"* offer AI-powered functionalities, and advanced tools include **Large Language Models integrated with proprietary legal databases** from publishers such as *Giuffrè* and *Wolters Kluwer* for sophisticated legal research. Other platforms like *"Avvocato Andreani"* or *"AppAvvocati"* assist with arithmetic calculations for division. For lawyers, the implementation of **electronic signatures**, alongside online filing platforms, is identified as a major benefit of digitalisation, enabling parties to share and execute agreements remotely, thus saving substantial time and effort. Lawyers also use electronic signatures within assisted negotiation processes to facilitate remote document exchange. Law firms utilise non-paper document systems and electronic signatures as part of their basic digital infrastructure, and electronic signatures are also part of early legal training.

Notaries regularly use the **digital land registry (SISTER)**, **succession declaration software**, and the **Agenzia delle Entrate succession portal**. They also utilise remote **video authentication**, **electronic signature platforms**, and **real-time inheritance tax calculators**. The **Notartel portal** and various property databases are essential for their daily work. Italian law, *specifically L. 124/2017 and notarial regulations*, allows notaries to draw up digital deeds and handle successions using **e-notary platforms**, such as *Rete Unitaria del Notariato*. Remote identification for notarial acts is also permitted via **SPID/CIE**. Digital transmission of deeds and access to online cadastral data are noted for reducing delays and errors.

Mediators make extensive use of digital tools in their work. They rely on **e-filing platforms** and **online court portals**, as well as **electronic signature services** that speed up the exchange and finalisation of documents. **Video conferencing** tools like *Zoom* are widely used, often together with **shared document repositories** and **specialised online mediation platforms**. **Digital case management** systems are common too, combining both government and private platforms. **Online conciliation and mediation** - essentially a digital version of traditional conciliation - has become widespread. Dedicated platforms exist in consumer law and through Chambers of Commerce, such as the *RisolviOnline* system of the Milan Chamber of Arbitration and the *Concilia Online service* by Unioncamere **Toscana**. **Some Independent Authorities also run their own Online Dispute Resolution (ODR) platforms**. Despite this broad use of technology, there are still **no institutional platforms specifically designed for dividing property and assets** in divorce or inheritance cases. Some private initiatives, such as *Di Visioni*, do provide mediation support in these contexts. In 2024, the official CNF platform⁵ was introduced to **deposit agreements** reached in assisted negotiations. However, it functions mainly as a case management tool for the final stage of mediation. More **generic tools also exist, like Spliddit**, which uses equitable algorithms for asset allocation. Yet, these are not tailored to the Italian legal system and face limits due to local laws and practices.

2. Opportunities

Italy's asset division procedures have witnessed significant digital progress, particularly through the introduction of instruments such as the Telematic Civil Process (PCT), Certified Electronic Mail (PEC), qualified electronic signature and magistrates' consoles. These technologies have contributed to greater efficiency in document filing and case tracking. Nonetheless, a structural limitation persists: the absence of dedicated digital systems expressly designed for the division of assets in inheritance and divorce proceedings. At present, the **available platforms - such as the PCT - are conceived for civil proceedings in general and therefore lack the degree of specialisation required** to support the complex processes of identifying, valuing, and allocating assets between heirs or separating spouses. Therefore, a frequently cited avenue for further digitalisation concerns the identification and valuation of assets, which currently depend on court-appointed experts and often result in significant procedural delays. The **development of automated valuation systems, interconnected with real estate databases and market data**, could substantially accelerate appraisal activities while reducing reliance on judicial experts.

Moreover, while existing digital tools have improved transparency in document management and communication, integrating them with **division planning software and intelligent document extraction** tools could further accelerate processes and minimise manual effort.

⁵ <https://negoziazione.consiglionazionaleforense.it/>

Also, an improved **video conferencing** systems and virtual participation options could help reduce delays in scheduling and hearings, benefiting parties residing abroad and supporting rural clients by keeping procedures on schedule

Another opportunity lies in creating an **integrated platform with real-time updates and synchronised workflows**, which could directly tackle fragmentation and inefficiencies caused by limited coordination among courts, notaries, mediators, and tax offices, while enhancing both speed and consistency

And as for emerging technologies, **Artificial Intelligence (AI)** offers the most promise. AI can assist in generating equitable division proposals, analysing portfolios, referencing legal precedents, and even predicting likely case outcomes. When combined with digital asset inventories and valuation tools, AI could help co-heirs or divorcing spouses navigate complex allocations more fairly and efficiently. A **significant gap** across all professions is the limited use and immaturity of artificial intelligence applications, particularly predictive models, in family property law. *Judges, lawyers, and notaries* report little to no practical experience with these models specifically tailored for Italian family law cases, often encountering only theoretical exposure or general-purpose AI tools that produce unreliable outputs or "hallucinations". Reasons for this limited adoption include the immature state of the technology, a lack of specific regulations or official guidance, cultural resistance, distrust towards algorithmic decision-making, and concerns that AI may devalue the professional's role or compromise human judgment. Significant risks associated with AI are over-reliance, lack of transparency in algorithms, reinforcement of historical biases, loss of individual discretionary power, and the potential for dehumanisation in sensitive family matters.

Blockchain also holds potential, especially in securely documenting asset histories and ownership - an essential element in contested inheritance scenarios. *Mediators* are already beginning to adopt this approach to ensure traceability and prevent disputes.

Online Dispute Resolution platforms, though currently focused on consumer law, could be expanded to handle asset division. Their success in Italy suggests untapped potential, particularly in underused mediation processes. However, accessibility remains a concern, especially for older individuals or those with limited digital literacy. Simplified interfaces, multilingual tools, and assisted access services are necessary to ensure inclusivity. The CNF platform is a step in this direction, though still limited in scope. Ultimately, the development of Italy-specific platforms that align with national legal frameworks and integrate with existing systems (like the SISTER land registry and tax portals) could dramatically enhance both efficiency and fairness. Measuring success through time savings, cost reductions, error minimisation, and user satisfaction will be crucial to ensuring digital transformation delivers tangible value across all asset division procedures.

3. Potential bottlenecks

Italy would benefit from efficient digitalisation to address the following specific challenges.

Delays often begin at the initiation stage, where petitions or applications must be submitted and all relevant parties (heirs, spouses, notaries, and mediators) must be notified. This is particularly problematic in complex cases involving numerous or uncooperative heirs, where locating and serving

all **stakeholders can be time-consuming and inefficient**. **Mandatory mediation**, while designed to reduce court involvement, frequently introduces further delays, especially when parties are unwilling to negotiate seriously. The **collection and verification of required documents**, such as wills, property titles, or marriage agreements, is another source of delay. In the **absence of standardised digital repositories**, this task remains manual and prone to omissions or inconsistencies. Once proceedings enter the judicial phase, delays stem from **limited judicial resources and overloaded dockets**. The sequential nature of filings and hearings means that any disruption - such as **contested valuations** or **missing documentation**- can significantly extend timelines. When physical division of assets proves unfeasible, court-ordered auctions become necessary, often leading to further steps and reduced asset values.

Many digital platforms used by *courts, notaries, and mediators* are **not interoperable**, creating duplication of effort and increasing the risk of error. Incomplete digitalisation means that key steps - such as notarisation or physical inspections - **still require in-person processes, limiting overall efficiency gains**. Additionally, many users, particularly the elderly or those with limited digital skills, struggle to engage with online procedures, raising **concerns around accessibility and fairness**. The digital divide risks excluding vulnerable users from access to justice. Resistance among legal professionals, often due to **lack of training or concerns about workload during the transition**, further complicates adoption. Regulatory and **technical fragmentation**, and the need to localise systems to Italian legal terminology and cultural expectations, remain critical hurdles. **While digital innovation continues to reshape procedural aspects, the underlying legal structure remains largely unchanged.**

4. Recommendations

Recommendation	Phase	Actors (Implementing / Benefiting)	Purpose / Expected Benefit / Justification
Centralise and digitalise document collection, notifications, and case management	Initiation & Management	Notaries, Lawyers, Court Staff / All Parties, Citizens	Eliminate fragmented information systems, reduce procedural delays, and bridge the digital divide by creating a unified portal for document management and communication
Integrate digital platforms across courts, mediation, and notaries	All Phases	Ministry, IT Departments / Mediators, Judges, Notaries, other legal Professionals	Prevent data duplication and procedural errors while improving overall system efficiency through seamless platform interoperability and standardised data formats
Enhance digital support and accessibility for vulnerable users	All Phases	Court Staff, Universities, Support Services / Vulnerable Parties, Elderly, Low-income Citizens	Ensure equitable access to digital justice services by providing comprehensive support mechanisms and preventing digital exclusion of vulnerable populations

Standardise and digitalise asset valuation and auction procedures	Finalisation	Judges, Expert Valuers, Auctioneers / Creditors, Debtors, Asset Buyers	Accelerate finalisation processes, prevent asset devaluation, and reduce procedural errors through digital templates and online auction platforms
Continuous digital skills training and localisation of digital tools	All Phases	Universities, Ministry, Training Providers / Legal Professionals, Court Staff, All Users	Overcome resistance to digital adoption and ensure tools are culturally and legally aligned with Italian context through ongoing education and localisation
Assess and upgrade IT infrastructure; strengthen data security and privacy	Pre-implementation/Ongoing	Ministry, Data Protection Officers, IT Specialists / All Stakeholders, Citizens	Ensure system reliability, GDPR compliance, and public trust in digital justice services while preventing security vulnerabilities and data breaches
AI-Assisted Simulation and Negotiation Platform	Mediation & Negotiation	AI Developers, Legal Tech Companies / Co-heirs, Divorcing Spouses, Mediators	Enable real-time simulation of division scenarios with tax impact analysis and net value calculations, reducing expert appraisal needs and facilitating informed decision-making
"Digital Twin" of Assets	Asset Identification & Valuation	Tech Companies, Cadastral Offices / All Parties, Valuers, Legal Professionals	Create comprehensive digital representations of assets integrated with cadastral data and transaction history, minimising valuation disputes and eliminating repeated physical appraisals
Gamified Mediation Services	Mediation	ODR Platform Developers / Parties in Dispute, Mediators	Make mediation more engaging through gamification elements, boosting collaboration and serious negotiation while reducing resistance to the mediation process
Smart Contracts for Division Execution	Post-Agreement Implementation	Blockchain Developers, Legal Tech Companies / All Parties, Notaries	Automate execution of division agreements through blockchain technology, reducing post-agreement bureaucracy time and costs while increasing trust between parties

Specialised Digital Navigation Helpdesk	All Phases	Court Administration, Support Services / Less Tech-Savvy Users, Vulnerable Parties	Provide personalised assistance for navigating digital platforms, ensuring full participation and understanding regardless of technical expertise
Best Practice Forum for Professionals	Ongoing Professional Development	Professional Associations, Ministry / Notaries, Lawyers, Mediators	Foster continuous learning and standardisation through anonymous case sharing, reducing knowledge fragmentation and procedural inefficiencies
Integration with Post-Division Services	Post-Division Management	Registry Offices, Tax Authorities, Property Management / All Parties, Property Owners	Extend platform integration beyond division to include property registration, expense apportionment, and ongoing asset management, providing complete lifecycle support
Increase the use of video conferencing and online hearings in civil asset division cases	Negotiation, Finalisation (for hearings and meetings).	Ministry, IT Departments / All Parties	To reintroduce the flexibility and efficiency that digitalisation temporarily offered, reduce delays in scheduling, and facilitate participation for parties residing abroad or in rural areas, countering the observed disappearance of online hearings in these specific cases

Lithuania

1. Procedural framework and digital integration

Asset liquidation-division after **divorce** - including its timing, complexity, possible court or notary involvement, and overall duration - depends on the applicable matrimonial property regime (mainly, the statutory regime or separation of property) and the chosen type of divorce procedure (divorce by mutual consent or by dispute). Depending on whether the case is contentious or not, the process can branch in different directions, e.g. *contentious divorce* is to be handled by the court in a disputed procedure. *Non-contentious divorce* can be handled either by a notary public (if certain conditions are met) or by a court; it also depends on whether the divorce is asked for by both of the parties or one of the parties. The matrimonial property regime defines the substantive entitlements (if the parties have not entered into a pre-marital or post-marital agreement, the presumption is equal parts- common joint ownership; if the parties entered into the agreements thereof, then it is the agreement that should dictate the division of assets).

Asset liquidation-division in **inheritance**, it also depends on whether the case is analysed in a *disputed proceeding* (e.g. challenging a last will and testament) or in an *undisputed procedure* (Lithuanian *ypatingoji teisena*). The division of assets is determined either in accordance with the provisions of a valid will or, in the absence of one, based on the rules for asset distribution set out in the *Civil Code*.

A **disputed procedure, both for divorce and inheritance** - where there is no agreement between the parties - starts with filing a statement of claim (no procedural deadline, the party submits it under his/her decision, minding statute of limitations (if applicable)). The case then proceeds following the *Civil Procedure Code* (CPC): the judge manages the procedure, sets the deadlines for procedural documents. In contentious divorce cases, judges have the power to set a period of up to 6 months for parties' conciliation. In both divorce and inheritance proceedings, **the court or notary typically relies on the official asset valuations recorded in the registry**, although these often do not reflect current market value. Alternatively, a formal valuation may be initiated - either by the court or at the request of one of the parties. It is up to the court/notary to collect information from the registrar, banks, etc. Therefore, if the parties are unwilling to cooperate or intend to hide assets, the procedure can be significantly hindered.

An **undisputed divorce procedure** starts with filing a joint application to the court of the notary (if there are no minors and other conditions are met). The court/notary then checks the content of the agreement between spouses, whether there are more assets than the spouses identified in the agreement, etc., and if no issues arise, then the marriage is terminated quite quickly (there is a 30-day deadline to appeal the decision). In the **undisputed inheritance procedure**, the interested person is to file a request to the notary of the district where the deceased lived, informing of his/hers will to inherit and accept the inheritance. The notary must then verify whether a last will and testament exists, identify the assets of the deceased, and proceed with the division of the estate.

Alternative dispute resolution mechanisms are strongly encouraged in Lithuania. *Extrajudicial mediation* may be initiated anytime with a neutral mediator and can result in enforceable agreements certified by the court. Mediation is mandatory in family disputes except in cases where one of the parties is a victim of domestic abuse. In a contentious divorce, a judge can set a mandatory period for reconciliation. *Judicial mediation* can be initiated by parties, proposed by the judge, or mandated by the court. The mediator then manages the proceedings as he/she sees fit.

Several actors can play a vital role in the assets division-liquidation procedure: notaries (drafting, valuation, decision making in non-contentious divorce - if the criteria are met - or inheritance), courts (drafting, valuation, decision making), court clerks (administrative coordination), lawyers (representation), and mediators (conflict resolution). Experts may be retained.

Lithuania's justice system is undergoing **digital transformation**, aiming to modernise procedures like case filing, electronic communication, electronic case management, e-notary, etc. In Lithuania, the digitalisation of asset liquidation-division procedures is largely integrated within the broader framework of *general civil procedure rules, as there are no specific regulations exclusively for asset division*. This means that the established digital processes for civil cases, such as case e-filing, electronic communication, electronic case management, e-notary, etc. which also apply to asset liquidation-division matters.

The following tools are considered to be affecting the civil procedure the most:

Documents to the court can be submitted through **the e-filing subsystem EPP** (Abbreviation of Lithuanian words meaning portal of electronic service, *Elektroninių Paslaugų Portalas*), which is interconnected with the internal **courts' case management system LITEKO**. The documents submitted by the parties in EPP appear in e-case in court in the LITEKO system; the courts e-manage the case file and communicate with the parties from the side of LITEKO; the documents and information are then received by the parties from the EPP side. Although the parties can file documents in paper format, usually such documents are later digitalised: courts have a statutory obligation to digitalise such documents within 3 business days (exceptions related to non-digitalisation are applied in very rare situations, e.g., for protection of state, commercial secrets, etc.). State clerks operating digitalisation have to **certify digitalised copies of documents** with their e-signatures. **Courts send documents to the parties to the dispute via e-system** (court performs actions in LITEKO, but the parties received it in EPP in their account), in cases where the parties or their representatives do not use e-filing system, courts send paper copies of main documents, and also encloses information on getting access to all exhibits and other procedural information, inviting parties to login into the e-filing system, giving guidance and instructions. **Submission of digital documents via email or fax is not considered proper under the CPC.**

Documents submitted through the e-filing system are electronically signed with a built-in qualified digital signature. When *attorneys-at-law file documents via this system*, no additional certification is required, as submission itself is deemed to certify the document with the integrated e-signature. However, if *documents are filed outside the e-filing system by an attorney*, they must be certified either by an attorney-at-law or by a notary. A qualified e-signature is recognised as a valid alternative to a wet-ink signature. System access is available online through a qualified e-signature or other secure authentication methods provided via the e-government portal, such as bank authentication services, Mobile ID, or Smart ID. Users may also log in with a username and password, which can be created after secure authentication through one of the above methods or by presenting an ID in person at the court. Court staff access their system using a username and password. As for electronic signatures, Lithuania follows the *eIDAS Regulation (EU) No. 910/2014 as amended by Regulation No. 2024/1183 (eIDAS II)*, which is directly applicable. To support the implementation of eIDAS at the national level, Lithuania adopted the *Law on Electronic Identification and Trust Services* in 2018, providing a legal basis for electronic signatures and trust services, and ensuring their secure use and cross-border validity within the EU internal market.

The *Civil Procedure Code* permits the use of **video conferences and teleconferences for court hearings**, with the court retaining discretion to organise them. Courts commonly use platforms like Zoom Professional for fully remote or hybrid hearings, ensuring reliable identification of participants and objective recording of data. The links are distributed by court clerks to the parties. During remote court hearings, the court usually asks the party to the dispute to show their ID to the camera or, in rare cases, to upload a copy of the ID to the e-case file.

Since July 2021, *notaries* also have the capability to provide remote services using systems like **eNotaras**, which includes AI-powered facial recognition for client identification, and the **Meet app** for confirming asset division remotely. Just like during an in-person visit to a notary's office, during a remote meeting, the notary clarifies the person's intentions and explains the consequences of the act. Notaries prepare divorce settlement agreements using the **NETSVEP** platform, which includes digital data transfers to relevant registries. **Communication with courts primarily occurs through the e-filing system, while notaries often communicate with clients via email or in person.**

There are currently no dedicated digital tools specifically designed for the asset liquidation-division. However, existing state databases managed by institutions like the Centre of Registers (**Registrar**), at the request, provide information on registered assets such as immovable property, vehicles, and guns, aiding in their identification and inventory. The information about these assets can be accessed digitally in the registrar by a court, a notary, or an attorney-at-law (attorneys cannot access vehicles and guns registries by login into the system, instead, formal application has to be submitted to access this data - in comparison, attorneys can gather information on real estate or companies simply by login into the system (following all formal requirements, such as existing cause, etc.)). Applicable arrests (to seize the assets) are also available in the Registrar. While the Registrar offers estimated market prices for real estate, these values are often significantly lower than actual market prices. *Lawyers, judges, and mediators* frequently use general office software like *Excel* spreadsheets for managing asset data, calculations, and property division.

Lastly, predictive artificial intelligence (AI) applications in asset liquidation-division cases are currently not being used - or if used, then it is only used on an individual basis and only to a limited extent.

2. Opportunities

Legal professionals in Lithuania generally view digitalisation as a significant opportunity for innovation. They believe it can enhance efficiency, accelerate processes, reduce bureaucracy, and improve transparency and accessibility.

The *judges* identified the following areas that might mostly benefit from digitalisation:

- i. Automation of creating a balance of the assets to be divided;
- ii. Automation of gathering information from the public registries and transposing it into the redactable formats;
- iii. Comparison of parties' positions on certain assets (ownership, value, etc.);
- iv. Evaluation of assets;
- v. Coordination and hearing using e-filing systems and online videoconferences;

A minority of judges identified prognostic justice as an area that would benefit from digitalisation.

Similar aspects were highlighted by *mediators and lawyers*, focusing more on the **asset evaluation**. *Lawyers* also raise the possibility of **predictive justice** (the possibility of simulating a decision using the data that has been collected). Lawyers also make frequent use of remote **video conferencing** applications like *Microsoft Teams* and *Zoom* for client meetings and negotiations related to asset division. The use of **e-signatures** is standard for submitting procedural documents, with attorneys certifying documents using an in-built e-signature in the e-filing system. The e-filing system itself requires a qualified e-signature or other secure authentication via the e-government portal (at least for the first time: after a secure login, a user can create a login username and password).

The *notaries* identified similar aspects as previous stakeholders, highlighting the possibility of receiving data in a centralised way and in redactable formats. *Notaries* can conduct most notarial actions remotely via the **eNotaras** system, which includes client identification supported by AI, and confirm asset division using applications like **Meet**. However, on top of that, notaries also identified **issues related to e-filing, e-case management, and auto-fill of relevant data, as well as auto-fill function for relevant**

data and draft agreements. This can be explained by the fact that the courts and lawyers communicate via the e-filing system, while notaries do not have analogous systems.

Mediators tend to use **public databases** such as the Centre of Registries for information gathering. Some occasionally use *Excel* or similar programs for **asset calculations**. Similar to other professionals, they observe that **online access to information is not sufficiently user-friendly**.

Furthermore, while digitalisation in the justice system, is widely seen by stakeholders as a way to improve efficiency and reduce errors, it also creates serious accessibility challenges for vulnerable groups - especially the elderly, people with disabilities, and those with low digital literacy - who often cannot use digital tools independently due to barriers like lack of e-signatures, online banking, digital IDs, or acceptance of foreign documents. As a result, interviewees emphasise that **digital literacy is the biggest obstacle**, and there are also concerns about whether certain processes, like mediation, should even be digitalised, given their deeply human and emotional nature.

Stakeholders also mentioned the **risks related to confidentiality** in regards to digitalisation of asset liquidation-division procedures, particularly when using advanced digital tools like AI. These kinds of procedures inherently involve highly personal and financial data, as well as moral and non-material rights, making the potential for data protection and privacy violations a major concern among *judges, lawyers, and notaries*. Specifically, *lawyers* cite their confidentiality obligations as a constraint, preventing full disclosure of case details to AI systems, which in turn limits AI's understanding and accuracy. While the court's e-filing system (EPP) and internal case management system (LITEKO) are generally secure and monitored, there is a noted **absence of specific rules for sensitive financial information that does not qualify as commercial secrets**. The perceived lack of robust confidentiality safeguards and clear legal regulation also contributes to a general lack of trust in digital tools and limits the adoption of AI applications, reinforcing the need for human verification of all AI outputs to mitigate risks like data leaks and the generation of inaccurate or biased information. In that sense, **the stakeholders do not consider transferring the decision-making power to the AI and identify that the following steps should be taken in order to support digitalisation:**

- i. Providing learning opportunities for the stakeholders, maybe even mandatory learning courses, on technologies, their risks and risk management (e.g., how to use publicly available tools safely);
- ii. Educating the public about the digitalisation of proceedings, especially if such digitalisation is AI-based;
- iii. Creating infrastructure, e.g., platforms which would allow to collect information from registries, get a valuation of the assets, etc.;
- iv. Alter legal regulation so that it would allow digitalisation and especially the use of AI-based tools;
- v. Alter legal regulation and differentiate between cases where there are minors involved and where there are none;
- vi. Providing detailed drafts of the documents for the parties.

It is to be noted that *all stakeholders* identified the same areas.

All of the stakeholders identify two technologies as being the most effective- **online dispute resolution** platforms enabling online dispute resolution, and application of **artificial intelligence**, for tasks like

data analysis, asset valuation, and predicting outcomes, particularly by lawyers. Only a *couple of respondents in each stakeholders group* could discuss **blockchain** technologies and their added value, such as ensuring transparency, accuracy, and invariability (although those were mentioned only briefly, stating that it might be appropriate; however, some of the respondents said that the added value is questionable). The *majority of these respondents* noted that they do not have sufficient knowledge of the practical application of blockchain technologies in asset division.

3. Potential bottlenecks

Although the respondents used different examples, the analysis of the information received allows to conclude that all of the stakeholders (*judges, notaries, mediators, lawyers*) identify the following parts as least effective:

- i. Identifying the assets to be divided, especially if some of the assets are located in foreign jurisdictions. There are also assets in foreign jurisdictions that have no equivalents in national Lithuanian law, especially related to business management and offshore companies (e.g., various trusts, etc.)- this raises the problem of how to collect this information if one of the parties is unwilling to disclose it or is willing to hide it and how to interpret whose ownership is that;
- ii. Identify the value of the assets to be divided;
- iii. Creating a joint balance of the divisible assets (both positive and negative). Respondents identify that they either do not use any tools, or use quite primitive tools, such as *MS Excel*.

When asked about the use of digital tools, *many of the respondents in each stakeholder group* noted that either there are none or they identified usual apps as digital tools, e.g., MS Excel for creating a joint balance of the divisible assets. Therefore, **the non-existence of specific asset liquidation-division tools** add to the bottlenecks.

All stakeholders identified the **difficulty in gathering information from various registries**. Thus, although it is an important step that information is stored in a digital register and can be accessed by judges or lawyers digitally (without paper inquiries), the data has to be collected manually from different registries. There is no system that would provide the list of all registered assets of the person. Also, there is a difficulty in obtaining information on shares, which has to be done manually, and there is no tool that would enable getting information about assets in foreign jurisdictions.

Only a *minority of respondents in each stakeholder group* identified having tried predictive justice. The *judges* identified a lack of trust in AI as a barrier to increasing digitalisation. Using AI led to the necessity to re-check everything by hand. AI-bias was also identified as a risk related to confidentiality. *Notaries (as well as judges)* identified the sensitive nature of the family disputes; thus, any risks related to a lack of transparency or a non-confidential nature should be eliminated before using any AI-based tool. *Mediators* identify hallucinations and the lack of accuracy of AI as a barrier to using AI-based tools more. *Lawyers* mostly identify confidentiality issues, not being able to fully trust AI, as well as blindly over-trusting the tool.

All in all, Lithuanian civil procedure is benefiting from digitalisation quite intensively, and the existing bottlenecks are mostly related to larger reforms (e.g., automatisisation of collecting information) requiring significant investment. On the other hand, Lithuania is usually quite receptive to the reforms related to digitalisation (the level of conservatism is not too high), and thus, the required legal framework related

to digitalisation is often created without unnecessary delay (subject to that there is a political will as well as the required financial funds). However, some of the bottlenecks could also be eliminated by creating user-friendly tools (e.g., in order to create a joint balance from the information already gathered, autofill, etc.).

4. Recommendations

Recommendation	Phase	Actors (Implementing / Benefiting)	Purpose / Expected Benefit / Justification
Providing constant learning opportunities (possibly mandatory) for the stakeholders on the development of technologies, using existing technologies, its risks and risk management.	All phases	Ministry of Justice; National Court Administration (for judges), Chamber of Notaries (for notaries), Chamber of Mediators (for mediators), Bar Association (for Lawyers).	<p>Provide awareness on the existing tools, ensure that the existing tools are used safely, and provide confidence for the stakeholders.</p> <p>Even currently available online tools might be used, if used ensuring safety of data, e.g. AI tools such as ChatGPT, could be used for data analysis or grouping or drafting, however, the user has to know the risks associated with using these tools and how to minimise it.</p> <p>This step is recommended before introducing any new tool or digitalisation in order to overcome organisation or cultural obstacles.</p> <p>One of the barriers might be associated with finances and funding. Another obstacle might be fear of technology (fear of the unknown, unwillingness to learn).</p>
Educating the public about digitalisation of proceedings, especially if such digitalisation is AI based.	All phases	Ministry of Justice; National Court Administration (for judges), Chamber of Notaries (for notaries), Chamber of Mediators (for mediators), Bar Association (for Lawyers).	This step is recommended before introducing any new tool or digitalisation in order to overcome public scepticism.
Substantially invest in IT equipment and systems across the judiciary, registrars, etc.	All phases	Ministry of Justice; National court Administration (for judges), Ministry of Communications	Improve efficiency, reliability, provide foundations for further digitalisation

Creating infrastructure, e.g. platforms which would allow to collect information from registries, get a valuation of the assets, etc.	All phases	Ministry of Justice; Ministry of Communications	<p>The Center of Registry has all the data, however, it is distributed through various divisions of the registrar. Allowing to collect data from the national Registrar by clicking a few buttons would save time and manual effort. Only judges, notaries and lawyers can access the registrar- the party without a lawyer faces difficulty to do that. The data is not free for lawyers.</p> <p>If any of the platforms could be introduced, then thorough training in advance would be beneficial</p>
Alter legal regulation so that it would allow digitalisation and especially the use of AI-based tools.	All phases	Ministry of Justice; Parliament; National court Administration (for judges), Chamber of Notaries (for notaries), Chamber of Mediators (for mediators), Bar Association (for Lawyers).	Provide legal grounds for legal innovations.
Alter legal regulation and differentiate between cases where there are minors involved and where there are none.	All phases	Ministry of Justice; Parliament	Provide legal grounds for legal innovations and differentiation between cases where minors are involved and are not
Providing detailed drafts of the documents for the parties (E-filing system EPP can be adapted and used if more detailed drafts were prepared).	All phases	Ministry of Justice; Parliament; National court Administration (for judges), Chamber of Notaries (for notaries), Chamber of Mediators (for mediators), Bar Association (for Lawyers).	Increase user-friendliness and access to justice.

Slovenia

1. Procedural framework and digital integration

The division of property in Slovenia, whether through amicable or judicial proceedings, is primarily governed by three key statutes:

- *Family Code (DZ)*
- *Inheritance Act (ZD)*
- *Non-Contentious Civil Proceedings Act (ZNP)*

Property division may arise in two principal legal contexts: either in the course of divorce proceedings governed by the *Family Code (DZ)*, or as part of estate distribution pursuant to the *Inheritance Act (ZD)*. Both are substantive legal Acts regulating the rights and obligations of legal subjects.

Overall, Chapter 5 of the *Non-Contentious Civil Proceedings Act (ZNP)* articles 155 et seq. deals with the division of community property. **Where the parties are unable to reach an agreement** on outstanding issues, the ZNP refers them to litigation proceedings governed by the *Civil Procedure Act (ZPP)*, which is the principal statute regulating contentious civil proceedings in Slovenia. In such contentious cases, judges are the legal practitioners involved in property division proceedings. If there is **no dispute** about what property is to be divided and how large each person's share is, the court can handle the division in *non-contentious proceedings (ZNP)*.

Parties can also reach an agreement on property division. Such agreements must be concluded in specific forms, where notaries and mediators play a distinct role. **Mediation** in family matters is governed by Article 205 of the *Family Code (DZ)*. This article specifically allows for the mediation process to be introduced at various stages: at the outset, during the ongoing proceedings, or after the conclusion of the court case. An agreement reached through mediation has the enforceable nature of a notarial deed. For a **consensual divorce**, spouses must submit an agreement on the division of community property, which must be concluded as an enforceable notarial deed. Mediators assist spouses in regulating their personal and property relations, enabling them to reach such an agreement, which must afterwards be formalised. Mediators aim to contribute to a successful consensual divorce petition, which must include an agreement on the division of community property. In property division proceedings, notaries draw up agreements in the form of a notarial deed. Article 97 of the *Family Code* prescribes that if spouses agree on the division of community property, they are to request a notary to draw up a notarial deed of the spouse agreement on divorce.

Under the *Inheritance Act (ZD)*, heirs can request the division of the inheritance. They are **free to agree on both the division and the method of division**. If all heirs **amicably** present a proposed division and method of division during inheritance proceedings, the court will formally record this agreement in the probate order. If there is **no agreement** on the division of community property, the court will decide on the division in *non-contentious proceedings*, provided there is no dispute regarding the assets to be divided or the size of the shares. The court will direct parties to litigation if they disagree on whether a specific piece of property forms part of the inheritance or if there is a dispute over the size of shares in the division of community property. A notarial deed is a mandatory form for specific contracts concerning matrimonial property relations, which can indirectly impact inheritance.

In Slovenia, **electronic filings** in property division cases - including those related to divorce or succession - are allowed on condition that all formal requirements are met. These typically involve submission through the judiciary's e-Justice IT system. Documents submitted through e-Justice must adhere to **specific formats**, such as PDF/A and be accompanied by **secure electronic signatures**. These signatures must be uniquely associated with the signatory, securely verify their identity, and be generated with tools under their exclusive control (such as a qualified certificate). A **certified timestamp** is required when the timing of a document is legally significant, ensuring it holds the same legal validity and evidentiary weight as a paper document.

The use of e-signature is governed by the eIDAS Regulation (EU) No. 910/2014, as amended by Regulation (EU) No. 2024/1183 (eIDAS II), which is directly applicable. At the national level, electronic signature is addressed by the *Act on Electronic Business and Electronic Signature (ZEPEP)*-establishing the legal framework for electronic trust services and electronic signatures in the country, while also setting rules for data retention and safeguards against unauthorised access, ensuring both traceability and the detection of alterations.

The system of **electronic communication** with the courts is formally operational, but remains fragmented, as not all mechanisms introduced at the legislative level have, to date, been fully implemented in practice, particularly concerning their corresponding e-Justice portal functionalities. The eJustice portal enables secure document exchange, whereas ordinary email lacks legal effect due to the absence of a secure mailbox. Engagement with third parties, such as banks and tax administration, largely remains **non-digital**, often requiring physical court orders with processing times of up to 30 days. Most court files are still physical, and electronic views may not reflect all updates from **paper submissions**, causing parties to contact courts to verify filing status frequently. There is a **lack of a centralised, legally recognised platform** accessible to all stakeholders to track document flow and ensure timely submissions. *Notaries* efficiently communicate electronically with the Financial Administration of the Republic of Slovenia (FURS) and administrative units for tax and divorce matters. Tax records (eDavki, FURS) are effectively managed digitally, alongside other specialised information systems, such as SPOT. Additionally, **specific regulations for the secure transmission of sensitive financial information shared electronically are also lacking**.

Remote participation in hearings via video conferencing is legally permissible in Slovenian civil proceedings, including family and property law cases, under the *Civil Procedure Act (ZZP)*. *Article 114a ZPP* explicitly authorises courts to allow remote participation for parties and legal representatives, provided audio-visual communication is maintained. This applies to various evidentiary acts, such as witness examination and expert testimony. Its use is also permissible in *non-contentious proceedings*, like community property division and succession, as ZPP provisions apply subsidiarily. **However, video conferencing is infrequently used in family and property law cases.**

While the widespread use of **electronic land registers (e-ZK)**, **court/business registers (AJPES)**, **geodetic register (GURS)**, and **digital cadastres** streamlines information access, the particular access to property data is limited. Judicial staff have electronic access to certain source registers, such as the Central Population Register and FURS, but not to GURS or banks for civil proceedings, which means parties often collect data manually. Real estate valuations provided by GURS are generalised and usually insufficient for litigation, leading courts to appoint costly expert valuers. Furthermore, access to financial data of ex-partners is restricted by General Data Protection Regulation (EU) No. 2016/679, requiring formal court orders that add administrative burden and delays.

Overall, the capability for automatic data retrieval from various registers stands as a significant advantage, and videoconferencing facilitates hearings and consultations, significantly reducing logistical burdens. Lawyers act as advisors and authorised representatives, guiding clients through the entire process and safeguarding their legal interests against opposing parties and the other professional groups described above.

2. Opportunities

By adopting modern technological solutions, the judiciary in Slovenia can move beyond outdated methodologies and establish a **more streamlined framework** for the administration of justice. This can enhance the efficiency of legal proceedings.

Interviewees proposed the **development of a comprehensive digital platform** that would grant parties **access to updated case information, allow real-time progress tracking, and consolidate all documents within a single secure system** - eliminating the need for paper archives. Beyond case management, this principle extends to administrative functions: **automating procedural costs** would ensure accuracy and consistency, while a **robust system for electronic submissions and enhanced notifications could transform communication**. Automating procedural steps, such as **issuing notices and scheduling hearings**, would also unburden court personnel, allowing them to focus on more complex matters. A user-friendly portal would foster a more transparent and responsive relationship between the judiciary and stakeholders - speeding up communication, reducing paperwork, and improving coordination between parties and institutions.

Interviewees predominantly believe that **digitalisation could positively impact data collection and exchange**. Centralised digital platforms could enable automated **collection and organisation of property data from various registries**, such as cadastral and land registries or central securities depositories. *Judges and mediators* further highlighted the potential of digitalisation in **asset valuation and share calculation**: automated systems could **track value changes during proceedings**, generate updated appraisals, and support complex calculations and simulations of different division scenarios, taking into account tax obligations and sale-related costs. **Online auctions** were also seen as a way to broaden the pool of potential buyers and often achieve higher sale prices.

Digital tools for searching case law, academic literature, and legal commentary make legal research faster and more accessible. Digitalisation could further benefit inflexible procedures, with particular emphasis on digitalised processes for undisputed agreements between spouses or heirs. For instance, **video conferencing** could remove logistical barriers, allowing hearings and mediations to proceed without requiring physical presence. While remote testimony is more common in criminal cases, the potential of remote hearings to reduce delays, improve access, and lower costs in civil proceedings remains largely untested, due to limited routine use and a lack of official statistics. *Lawyers and judges* have voiced concerns about its effectiveness in assessing credibility, the procedural complexity it introduces, and technical reliability issues during video conferencing, often preferring in-person appearances for crucial discussions and efforts to reach consensus. *Mediators*, by contrast, have shown greater openness to digital solutions, with some actively conducting online dispute resolution through video conferencing and even reporting high success rates in family mediation. Many of these mediators also provide training, emphasising the advantages for geographically distant parties and noting that online platforms can enable quicker and more cost-effective dispute resolution. Nonetheless, even

proponents note the need for a secure and sophisticated platform for online mediation to address concerns about privacy and ease of use.

With regard to **electronic signatures**, *Notaries* use them to submit documents through portals such as SPOT (Slovenian Business Point). They are preparing for the introduction of remote notarial services, though some technical conditions remain unresolved. There are, however, notable exceptions: land registration permits for ownership transfer or the creation of rights in rem over immovable property are only valid in electronic form if notarised, and testamentary transactions cannot be carried out electronically. However, electronic filing is already in use for enforcement and land registry procedures, with notaries submitting a substantial share of land registry applications digitally. *Lawyers* also reported using electronic signatures in corporate liquidation proceedings and in daily corporate practice, finding it invaluable for increasing efficiency and storing signed documents.

In conclusion, the strategic adoption of these digital enhancements could mark a significant evolution for the Slovenian legal system, enabling it to achieve a new standard of operational excellence.

3. Potential bottlenecks

The inefficiencies of procedures and sources of delay are diverse. Yet, the opinions of judges, lawyers, mediators, and notaries mostly overlap. The inefficiencies are particularly linked to **experts and valuations**, such as the determination of increased property value by experts, the slow work of experts, and lengthy deadlines for obtaining opinions, as well as the determination of contribution amounts and shares in community property.

Another significant issue concerns **document and data management**, including the collection and servicing of documents, access to information on unregistered assets (e.g., cryptocurrencies), and inefficient document handling, such as verification of completeness. Gathering individual asset data is often hindered by disconnected databases and differing criteria. Additional obstacles include identifying assets owned by Slovenian citizens abroad, weak inter-institutional links for document acquisition, and disorganised or incomplete documentation. The two-stage procedure (litigious and non-litigious) for determining the scope and shares of community property adds further complexity and time.

Judicial and administrative inefficiencies further delay asset division procedures. Court processes are frequently prolonged due to repeated postponements, lengthy wait times for hearings, case backlogs, and slow overall case handling. Staff shortages, procedural formalism, and continued dependence on manual document processing exacerbate these delays. Also, the need to obtain approvals or documentation from administrative bodies - such as local administrative units, relevant ministries, and the Financial Administration of the Republic of Slovenia - can cause additional delays.

The **behaviour of the parties themselves** also contributes significantly to inefficiency. Disputes are particularly delayed when there is no agreement on how to divide the assets, especially if one or more parties act obstructively or if experts are unavailable. **Emotional dynamics** are especially influential in family law cases, where resentment, animosity, and lack of trust between parties can hinder both mediation and other procedures. **Unrepresented parties** often struggle with the legal framework, which further complicates and slows down the process. Courts offer only basic technical support for the e-Justice portal, addressing login or submission issues rather than providing procedural explanations or assistance with applications. This means individuals without digital skills or qualified digital certificates

remain excluded, often requiring costly legal assistance. Without targeted measures and inclusive interface design, digitalisation risks exacerbating existing inequalities.

It is already known that **artificial intelligence (AI)** tools can support legal practitioners in tasks such as legal research, case analysis, summarising complex texts, and drafting legal documents. In Slovenia, for example, *Judges* use AI to search for foreign case law, summarise judgments, and gather relevant information and *Lawyers* rely on it to analyse court files, prepare client interview questions, understand the nature of disputes, draft parts of pleadings or contracts, translate legal texts, and conduct legal research. Notwithstanding the foregoing, stakeholders anticipate, or have already been confronted with, various risks and impediments arising from the advancement of digitalisation. Risks associated with AI and predictive models include over-reliance on tools, hallucinations and factual errors, lack of transparency (the "lack box" effect), data bias, and concerns about data security and privacy, including the risk of cyberattacks, unauthorised access, misuse, or data loss. Questions of legal responsibility and the danger of standardising complex cases further complicate the use of such tools. Secondly, blockchain technology offers potential for enhancing security, traceability, and data protection, as well as for use in timestamping. However, most stakeholders admitted being unfamiliar with it or voiced doubts about its immediate relevance to these proceedings. **Online Dispute Resolution (ODR)** platforms, on the other hand, have the potential to facilitate faster and more cost-effective dispute resolution by eliminating the need for in-person court hearings and offering greater flexibility. However, their limited in Slovenia presents a bottleneck.

Generally, **the impact of existing digital tools on procedural efficiency is twofold**. On the one hand, they offer clear potential to **reduce inefficiencies**; on the other, they can also **contribute to delays**, particularly when implementation is incomplete or poorly managed. However, there are currently no comprehensive studies or calculations on the quantitative efficiency or return on investment of the digital system in Slovenia. Electronic filing for family and inheritance cases has only been possible since January 2024, so relevant statistics are not yet available. The Ministry of Justice anticipates that digitalisation will streamline administrative procedures, reduce burdens, lower operating costs, and increase the speed of proceedings, particularly by reducing expenditure on mailing, printing, and physical handling. Although digital tools have not significantly reduced the need for experts, legal representatives, or physical meetings, which remain the primary cost drivers in proceedings. **The overall effectiveness of digitalisation is limited because many digital tools remain isolated and do not involve all key stakeholders**. User satisfaction and the impact on dispute outcomes are also difficult to quantify due to a lack of systematic feedback mechanisms.

The pursuit of a modernised and efficiently digitalised judicial system in Slovenia is hindered by a **confluence of systemic, legal, and operational challenges**. A primary impediment lies in the prevailing **"hybrid" model of case management**, whereby, although electronic submissions are legally permissible, they are frequently printed and subsequently filed in physical form. Such a practice, rather than alleviating the administrative burden, compounds it and generates additional operational costs, thereby frustrating the very objective of digitalisation. It is observed that it is often more practical to proceed by non-digital means, given that digitalised procedures are typically hindered by technical complexity and the immature state of the relevant tools, which are often only underdeveloped and conceptually ill-designed.

This state of affairs is the culmination of decades of political neglect of the judiciary, which is reflected in inadequate remuneration policies, **a deep-seated bureaucratic mindset, and insufficient**

investment in both physical and digital infrastructure. A clear example of this is the continued daily physical transport of voluminous case files, which highlights the archaic nature of the system.

Furthermore, general obstacles to digitalisation are pervasive. Legal and regulatory barriers pose a significant issue, as existing **legal frameworks often fail to anticipate digital procedures.** Requirements for a physical presence or notarial certification are not easily replaced by digital alternatives, and there is a lack of clear legislation and guidelines for the use of digital tools and artificial intelligence. Organisational and infrastructural issues also pose challenges. Courts often **lack the necessary technical infrastructure, and systems across institutions are inconsistent or incompatible.** There is a shortage of qualified IT professionals, high initial implementation costs, institutional rigidity, and a persistent bureaucratic mindset.

A pervasive distrust of external service providers contributes significantly to the **slow pace of progress.** This distrust stems from security concerns, such as the **potential for unauthorised access,** and the judiciary's **financial constraints in procuring complex IT solutions.** Operational inefficiencies also abound, including limitations on file sizes and systemic failures that result in documents being sent but not uploaded or received by the intended party. From a user's perspective, the current digital framework can be marked as unfriendly. The mandated use of technically demanding formats like PDF-A for legal professionals renders the system impractical and, in some cases, more costly than traditional paper-based processes. A complete transition to digital operations also remains unfeasible, necessitating the continued provision of traditional access methods and paper-based filing for individuals who lack the digital literacy or tools to engage with the system. Traditional approaches within the legal profession persist, and digital literacy among staff and professionals is often insufficient. **Scepticism, unfamiliarity with tools, fear of new technologies, and concerns about human displacement are common.**

The core of the problem is the dysfunctional state of the judicial information support systems. Complaints are relatively common, regarding outdated operating systems, incompatible video conferencing platforms, the manual dictation of court minutes, frequent system crashes, and protracted processing times. A significant challenge also emerges in establishing an equally reliable digital identification of parties as is achieved in the physical world, particularly concerning remote notarial services.

In essence, the path to a genuinely efficient and modernised judicial system is obstructed by a complex interplay of outdated practices, political and financial neglect, a lack of trust in external partners, and fundamentally flawed and user-unfriendly technological infrastructure. Addressing these interconnected issues is paramount to unlocking the full potential of digital transformation in the legal domain in Slovenia.

4. Recommendations

Recommendation	Phase	Actors (Implementing / Benefiting)	Purpose / Expected Benefit / Justification
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Establish a unified, secure, and interoperable digital platform connecting courts, notaries, lawyers, judicial appraisers, and public registers	Initiation	Courts, notaries, lawyers, appraisers, registry operators (e.g., land, cadastre, banking, tax, AJPES)	Automated data retrieval, shortened procedures, lower costs, improved transparency
Transition to digital court files (e-files) and mandatory e-service for all submissions and documents	All phases	Courts, lawyers, parties, court staff	Streamlined communication, reduced administrative burden
Substantially invest in IT equipment and systems across the judiciary	All phases	Judiciary, court IT departments	Improved efficiency, reliability
Streamline and standardise organisational processes within judiciary, including hybrid working opportunities	All phases	Court administration, judiciary leadership	Improved internal efficiency, reduced administrative hurdles
Implement systematic and continuous digital training for legal professionals	All phases	Judges, lawyers, notaries, mediators, students	Competence in digital tools, reduced resistance to change
Establish strict data protection and cybersecurity protocols in digital systems	All phases	Judicial system, IT providers	Safeguard sensitive information, build public trust
Ensure AI models used are transparent and explainable	All phases	AI providers, courts, regulators	Accountability, increased legitimacy of using AI
Increase funding for digitalisation and recruit qualified IT staff	Systemic	Government, judiciary	Alleviate backlogs, modernise systems
Ensure inclusion of vulnerable groups by maintaining traditional methods and offering support (advice centres, digital assistants, help desks)	All phases	Legal aid services, public institutions	Equal access to justice, no exclusion due to digital divide
Increase and improve the routine use of remote participation (video conferencing).	Initiation/ Negotiation	Government, judiciary, notaries, lawyers, parties	Reduce delays, improve access to justice, lower costs

Comparative section

1. Comparative analysis: Procedural framework and digital integration

1.1 Overview of procedural and digital justice architecture

Across Belgium, Croatia, Estonia, Italy, Lithuania and Slovenia, the procedural framework for dividing family assets in divorce and inheritance follows a bifurcated model - amicable versus contentious. Amicable settlements are typically brokered by authorised mediators. Judicial pathways share core phases - initiation, evidence gathering and valuation, attempted conciliation where applicable, adjudication, and finalisation - although scope, sequencing and thresholds for escalation differ across jurisdictions.

Digital integration ranges from highly advanced to notably fragmented. Estonia leads with a tightly coupled ecosystem - e-Notary and e-File enable remote authentication, qualified e-signatures and real-time registry access - yielding streamlined workflows and high user satisfaction, notwithstanding persistent concerns for vulnerable users. Italy and Lithuania also display substantial progress. Italy's Telematic Civil Process is mandatory for court filings, lawyers widely use Certified Electronic Mail, and notaries and mediators extensively deploy e-signatures and online platforms. Lithuania's e-filing system (EPP) embeds qualified digital signatures for attorneys, and notaries use sophisticated remote services via eNotaras; however, the absence of asset-division-specific tools and professional caution about AI due to confidentiality obligations are noted. Belgium and Croatia pursue digitalisation with uneven outcomes: Belgium's e-Deposit (JustDeposit) is significant, yet uptake is inconsistent, notaries often revert to paper for judicial correspondence, and courts face gaps when applying e-signatures to judgments. Croatia relies on e-Spis and e-Komunikacija, but infrastructure quality varies and legacy practices endure. Slovenia presents the most fragmented picture: the e-Justice system operates within a hybrid model where electronic submissions are frequently printed; strict, user-unfriendly technical requirements and the lack of a unified platform are compounded by infrastructural deficits, bureaucratic inertia and limited funding.

1.2 Digital Justice Regulation: focus on electronic signature and remote hearings

The integration of **electronic signatures** into asset division procedures is largely underpinned by the eIDAS Regulation (EU) No. 910/2014, as amended by No. 2024/1183, which ensures the legal equivalence of qualified electronic signatures to wet-ink signatures. Estonia stands out for its deep integration, with e-Notary and various digital IDs widely used and high user satisfaction, though concerns for vulnerable groups persist. Italy also demonstrates widespread adoption, with electronic signatures mandated for lawyers' and parties' electronic filings in civil and divorce proceedings, and extensively used by notaries and mediators for agreements and deeds. Lithuania features a built-in qualified digital signature within its e-filing system (EPP), which attorneys utilise for procedural documents, while notaries leverage remote services like eNotaras. However, Lithuanian lawyers raise concerns about confidentiality obligations limiting AI's use with sensitive case details. In Croatia, while electronic signatures carry the same legal weight and are mandatory for lawyers in e-Komunikacija, and used by notaries for institutional communication, issues regarding the authenticity of scanned documents and accessibility for the elderly or digitally illiterate persist. Belgium has legally recognised electronic signatures since 2000, but judges report a lack of proper infrastructure for applying them to judgments, and inconsistencies in requirements, with signatures sometimes disappearing upon upload into court systems. Slovenia's system, though formally operational, remains fragmented, with strict format requirements, and ongoing reliance on physical files, alongside legal and regulatory barriers that necessitate physical presence for certain notarial and testamentary acts, limiting overall digital efficiency and posing user-friendliness challenges. Common challenges across several states include insufficient technical infrastructure, inconsistent implementation, and significant accessibility issues for vulnerable populations.

The integration of video conferencing into legal and notarial procedures for asset division is legally permissible, yet its practical adoption and effectiveness vary considerably. Estonia and Lithuania stand out for their advanced and widespread use, with both countries extensively utilising video conferencing for court hearings and remote notarial acts; Estonia's e-Notary platform enables remote verification and authentication from various locations, while Lithuania employs *Zoom Professional* for court hearings and its eNotaras system for notary services, often incorporating AI-powered facial recognition for

identification. Lawyers and mediators in these countries frequently leverage platforms like *Microsoft Teams* and *Zoom* for client meetings and negotiations. Conversely, in Belgium, Italy, and Slovenia, the practical implementation of remote hearings for asset division remains notably limited, despite the existence of legal frameworks. Belgian judges, while acknowledging the efficiency gains, report a lack of infrastructure for such applications and concerns about the "human dimension" in emotionally charged family cases. Similarly, in Italy, video hearings are rarely used in civil asset division due to a preference for in-person interactions and parties sometimes lacking the necessary equipment or knowledge. Slovenian civil proceedings also see infrequent use of video conferencing, with judges and lawyers expressing concerns about assessing credibility and technical reliability. However, in both Croatia and Slovenia, mediators show greater openness to online dispute resolution via video conferencing, reporting positive outcomes and efficiencies. Across all states, common hurdles include insufficient technical infrastructure, the perceived inability of digital formats to fully capture the emotional nuances of family disputes, and significant accessibility challenges for vulnerable individuals.

1.3 Key decision points and institutional roles

Several critical decision points are recurrent across jurisdictions. First, the characterisation of the legal regime governing matrimonial or inherited property - whether community or separate - shapes both substantive entitlements and procedural trajectories. Second, the determination of procedural track (amicable vs. contentious) frequently hinges on the existence and formalisation of agreement among parties. Third, the appointment of experts - especially for asset valuation - and the homologation of settlement agreements represent decisive procedural junctures.

Institutional actors play distinct yet often overlapping roles. Notaries are central in Estonia, Lithuania, Belgium, and Slovenia, where they exercise quasi-judicial functions, especially in succession cases. Courts dominate the contentious track across all jurisdictions, assuming responsibility for procedural control, expert appointments, and dispute resolution. Lawyers act as procedural intermediaries in both tracks, while mediators are involved in amicable procedures. Court clerks and administrative staff are essential in facilitating digital communication, registry updates, and hearing coordination.

1.4 Interdependencies and sequencing

The procedural sequencing in judicial pathways generally follows a structured order -. typically including asset inventory, valuation, draft division proposals, and periods for objections - though the degree of formality and rigidity varies. In Belgium, for example, judicial liquidation-division proceeds through a clearly delineated timeline with defined intervals for each procedural step. Other jurisdictions, such as Croatia and Slovenia, permit more flexible scheduling, particularly in non-contentious proceedings.

Digital tools are increasingly embedded in these procedures, though their implementation and integration differ substantially across Member States. For instance, Estonia exhibits advanced digital infrastructures, particularly in the notarial sector, with routine use of electronic registries, remote authentication, and qualified e-signatures. Slovenia and Italy demonstrate consistent use of e-filing platforms, especially in court-managed cases. By contrast, digitalisation remains uneven in Belgium and Croatia, where certain actors - notably notaries - still rely heavily on paper-based exchanges and in-person meetings, limiting procedural efficiency and coordination.

1.5 Comparative observations on divergence and delay

Three main points of divergence can be identified. First, the prominence of notaries differs significantly: while Estonia, Lithuania, and Slovenia place notaries at the procedural centre, Croatia and Italy tend to involve courts more frequently. Second, mediator's role ranges from systemic and mandatory (e.g. Lithuania) to discretionary or underused (e.g. Croatia and Estonia), impacting pre-litigation settlement potential. Third, the formalism and granularity of judicial procedures vary. For example, Belgium's sequenced deadlines in contrast with the more discretionary timelines in Croatia and Slovenia.

2. Comparative analysis: Opportunities

2.1 Areas of procedural digitalisation

Across all six Member States, there is broad consensus that digitalisation offers a significant opportunity to enhance the efficiency, transparency, and coordination of family asset division procedures. The most immediately impactful areas of innovation concern the automation of routine tasks, interconnection of public registries, and digitisation of procedural interactions.

Real-time access to authoritative asset data emerges as a cornerstone of procedural improvement. Estonia's seamless integration of land, vehicle, and population registers into judicial workflows enables expedited asset verification, a model echoed in Slovenia and Lithuania, where stakeholders call for similar inter-registry coordination. In Italy and Lithuania, proposals to automate asset valuation and enable digital balance sheets suggest a shared ambition to reduce procedural delays linked to expert assessments.

Digital filing systems are another area of near-universal relevance. Belgium, Slovenia, and Italy highlight the transformative potential of integrated case management platforms that provide synchronised access to court files, secure document exchange, and real-time procedural updates. Similarly, Estonia's e-notary and e-filing systems are presented as benchmarks, already delivering high procedural transparency and efficiency.

Emerging technologies such as AI are cautiously welcomed for supportive functions. Lithuania and Croatia anticipate AI's utility in legal research, asset comparison, and procedural simulation. Italy suggests its use in equitable division proposals and precedent analysis. However, stakeholders in all jurisdictions emphasise that AI should remain assistive and not decisional, reflecting widespread concern about legitimacy, bias, and transparency - especially in highly emotional and often legally complex cases such as asset division.

2.2 Institutional and legal readiness

Institutional and legal readiness for digital transformation varies across jurisdictions - there is generally a sceptical optimism. Estonia already benefits from a digitally mature ecosystem, including platform-independent identity verification and widespread public trust in e-government services. Belgium, Italy, Lithuania, and Croatia show a moderate level of readiness. Despite strong stakeholder interest, their legal frameworks still need to be adapted to enable the use of emerging technologies and fully digital workflows. Additionally, fragmentation across sectors and insufficient investment in asset-related infrastructure continue to pose challenges. In Slovenia, while the legal environment is open to

innovation, operational capacity has yet to catch up - especially regarding registry interconnectivity and the implementation of dynamic valuation tools.

2.3 Support for vulnerable and digitally excluded Users

All six Member States recognise the risk that digitalisation could exclude vulnerable populations - particularly older users, individuals in rural areas, or those with low digital literacy. Estonia and Italy stand out for actively integrating support measures, such as simplified interfaces and assisted digital access. All Member States propose training for legal professionals and public education campaigns to foster informed adoption of digital justice tools. However, significant gaps remain in designing inclusive services; few jurisdictions report comprehensive strategies to ensure universal usability or linguistic accessibility.

2.4 Cross-jurisdictional opportunities for innovation and coordination

Opportunities for cross-border innovation emerge clearly in areas such as secure communication, interoperable case management, and electronic notarisation. Belgium's proposal for a shared digital platform connecting courts, notaries, and mediators aligns with Estonia's proven model and could be adapted for broader EU use. Similarly, online dispute resolution tools - highlighted in Belgium, Lithuania, Italy, and Estonia - offer a scalable solution for early conflict resolution, particularly where physical co-presence is impractical.

The cross-jurisdictional integration of public registries and development of EU-level standards for AI deployment in civil justice could further harmonise and accelerate family asset division procedures. Ensuring that innovations remain legally compatible and procedurally interoperable across Member States will be critical for maximising the Regulation (EU) 2023/2844's transformative potential.

3. Comparative analysis: Potential bottlenecks

3.1 Procedural inefficiencies and institutional frictions

Across the six Member States under analysis, procedural inefficiencies persist at various stages of family asset division. Common bottlenecks include protracted valuation disputes, delays in expert appointments, and document-related inconsistencies. In Belgium, non-binding statutory deadlines for notaries, interim disputes and incomplete asset knowledge regularly push cases down court calendars, especially when court intervention is required. Similarly, Slovenian stakeholders identified expert valuations and the determination of property shares as major delay factors, compounded by the complexity of their two-stage litigious and non-litigious procedures.

Judicial backlogs and resource constraints are recurrent themes. Member States cite limited personnel and high caseloads as core impediments. Estonia, despite its advanced digital ecosystem, also suffers from limited judicial capacity, particularly in cross-border or complex valuation cases. In several countries, the behaviour of the parties further complicates proceedings. For example, Croatian and Slovenian interviewees describe obstructionist tactics, emotional dynamics, and the absence of legal representation as factors that exacerbate delays - or Italian practitioners similarly highlight uncooperative heirs and documentation gaps as contributing to procedural stagnation.

3.2 Digitalisation challenges and professional resistance

While all countries have initiated digitalisation measures, partial and inconsistent implementation continues to hinder procedural streamlining. In Belgium and Italy, fragmented uptake among professionals- notably notaries- leads to hybrid case files and procedural duplications. Croatia and Lithuania report infrastructural disparities, particularly between courts in the urban and rural areas. Resistance to digitalisation among legal professionals is a widely reported constraint. Judges in Croatia and Belgium expressed reluctance to engage with new tools, citing workload concerns and a lack of intuitive digital interfaces. Similarly, Slovenian and Lithuanian stakeholders noted limited digital literacy, especially among older professionals. The emotional and interpersonal character of family disputes was cited across jurisdictions- particularly in Belgium and Croatia- as a reason for favouring in-person interaction over fully digitised hearings.

3.3 Infrastructure, data flows, and inequality risks

Interoperability deficits and fragmented data environments are structural impediments to digital transformation. Lithuania and Slovenia both suffer from disjointed registries, necessitating manual cross-checks and prolonging asset identification. Belgium, too, reports non-integrated systems among courts, lawyers, and notaries, exacerbating risks of data loss and inconsistency. Italy and Croatia experience similar challenges in ensuring consistent information exchange among actors.

The digital divide raises concerns about equitable access. Estonia, despite its digital maturity, acknowledges that elderly users and persons without stable internet access risk procedural exclusion. Italy and Lithuania echo these concerns, with vulnerable parties often dependent on intermediaries to navigate digital systems.

3.4 Cross-jurisdictional patterns and structural constraints

Several systemic patterns emerge across the six Member States. First, the valuation of complex or foreign-held assets represents a cross-cutting bottleneck, particularly in inheritance cases with international dimensions (noted in Estonia, Lithuania, and Slovenia). Second, the lack of standardised calculation tools and the reliance on ad hoc solutions (e.g. MS Excel) reduces efficiency and increases the risk of inconsistency (e.g. Belgium, Lithuania). Third, while there is generally a positive view on online dispute resolution, its implementation remains limited - with stakeholders in Croatia, Slovenia, and Belgium acknowledging its potential for pre-trial filtering of contentious issues but warning against over-reliance in emotionally charged contexts. Fourth, although artificial intelligence is cautiously welcomed for document analysis or case sorting, its integration is hampered by legal uncertainty, lack of transparency, and ethical concerns across all Member States.

Finally, legal and regulatory frameworks often lag behind technological advances. Several countries- notably Slovenia, Italy, and Belgium- lack clear procedural mandates for digital steps, contributing to institutional ambiguity and legal conservatism. These factors, combined with funding constraints, institutional rigidity and unfinished ICT initiatives - continue to limit the realisation of coherent, accessible, and streamlined asset division mechanisms across the Member States.

4. Comparative analysis: Recommendations

4.1 Strategic priorities for reform

Across the six Member States examined, a shared strategic orientation emerges toward the digital transformation of family asset division procedures. While contextual nuances shape national priorities, the overarching aims include procedural streamlining, enhanced transparency, and improved user access - especially for vulnerable populations. Nearly all countries advocate the integration of digital tools and platforms to simplify interactions between courts, notaries, lawyers, and registries. Belgium, Italy, and Slovenia, for example, call for unified digital infrastructures to support coordination across professions. Croatia and Lithuania, though at different stages of digital maturity, similarly stress the need for foundational legal and infrastructural conditions to enable responsible innovation, particularly in AI and data integration.

Notably, recommendations frequently address procedural fairness and legal certainty, including enforceable deadlines (Belgium), differentiated regulation in sensitive cases (Lithuania), and safeguards ensuring human oversight in AI-supported processes (e.g. Croatia, Estonia, Slovenia). Italy for instance goes further trying to embed transformative innovations such as smart contracts and asset "digital twins" into its vision for reform, suggesting a more ambitious and experimental policy trajectory.

4.2 Institutional and infrastructural investments

Robust infrastructural investment is uniformly acknowledged as a precondition for meaningful reform. Belgium, Croatia, Lithuania, and Slovenia identify the upgrading of judiciary IT systems and hardware as an urgent requirement, often accompanied by explicit recognition of the resource constraints and systemic delays caused by current deficiencies. Belgium and Italy recommend interoperability upgrades and modernisation of existing platforms, while Slovenia and Estonia emphasise secure, integrated access to registries and case data.

Several Member States propose institutional mechanisms to enhance data coordination and reduce fragmentation. For instance, Belgium advocates for a centralised legal database to optimise AI reliability, while Lithuania seeks to streamline access to registry data currently siloed across institutional divisions. These initiatives align closely with the EU's goal of building interconnected justice systems capable of supporting cross-border cooperation.

4.3 Digital standards and professional capacity-building

Training and digital literacy are recurrent themes, reflecting a consensus on the need to equip legal professionals with the requisite competencies for engaging with evolving digital ecosystems. Estonia, Lithuania, and Slovenia prioritise continuous and inclusive digital training, particularly for older or less tech-savvy professionals. Italy complements such efforts with proposals for a specialised helpdesk and professional forums, facilitating peer exchange and standard-setting. Belgium similarly advocates practical, embedded training formats that balance technical proficiency with legal rigour.

Data protection and cybersecurity are explicitly addressed in Belgium, Italy and Slovenia, reflecting rising concerns over trust and compliance in digital environments. Additionally, public education and transparency (notably in Lithuania and Estonia) are seen as essential to overcome cultural resistance and foster acceptance of AI-based tools.

4.4 Scope for cross-jurisdictional convergence

While implementation contexts differ, there is substantial convergence on core priorities - particularly the need for integrated digital infrastructures, harmonised procedural standards, and ethically grounded use of emerging technologies. This alignment creates favourable conditions for transnational policy learning and potential future coordination under Regulation (EU) 2023/2844.

5. Shared priorities and policy pathways for digitalised asset division

5.1. Thematic clusters of operational reform

The comparative analysis across Belgium, Croatia, Estonia, Italy, Lithuania, and Slovenia identifies four cross-cutting reform clusters essential to advancing the digitalisation of family asset division procedures: (i) Interoperability and data integration; (ii) Governance of emerging technologies; (iii) Professional capacity and institutional coordination; and (iv) Digital accessibility and safeguards.

(i) Interoperability and data integration. All six Member States stress the need for interoperable digital infrastructures enabling real-time, secure data exchange among courts, notaries, lawyers, and other relevant legal practitioners. Fragmented or siloed systems - particularly in Belgium, Italy, and Lithuania - impede coordination and delay proceedings. Estonia provides a working model, integrating population, land, and asset registers. Priorities include unified case management platforms, registry synchronisation, and standardised formats to support cross-professional cooperation and facilitate the recognition of foreign-held assets.

(ii) Governance of emerging technologies. While artificial intelligence and automation are welcomed as support tools (e.g. for asset valuation, case triage, or procedural guidance) - there is consensus that such technologies must remain assistive, transparent, and subject to human oversight. Croatia, Lithuania, and Slovenia call for clear legal frameworks and ethical safeguards; Belgium proposes validated legal databases to ensure algorithmic reliability. Responsible deployment requires clarity on permissible functions, auditability, and data quality.

(iii) Professional capacity and institutional coordination. Digital reform hinges on institutional readiness and workforce competence. Training needs are pronounced across jurisdictions, especially among older professionals or those unfamiliar with digital workflows. Estonia, Slovenia, and Lithuania recommend sustained digital literacy programmes; Belgium and Italy propose structured forums and helpdesks to support cross-professional knowledge exchange. Coordinated implementation - across courts, registries, and other legal practitioners - is critical to ensure coherence and prevent hybrid practices.

(iv) Digital accessibility and safeguards. Without adequate safeguards, digitalisation risks entrenching exclusion. All jurisdictions recognise that vulnerable users (e.g. the elderly, digitally illiterate, or rural residents) may struggle to access digital justice tools. Estonia and Italy have introduced assisted services and simplified interfaces; Lithuania proposes public education campaigns. Yet, comprehensive accessibility strategies remain limited. Inclusive design must be embedded in all tools and processes to uphold the right of access to justice.

5.2. Regulatory and strategic alignment

These reform clusters align closely with the objectives of Regulation (EU) 2023/2844, particularly its commitment to seamless digital communication, user-friendly online services, and effective cross-border cooperation. Interoperable case management, trusted AI tools, and accessible platforms are central to both the Regulation's operational logic and the strategic vision of the CREA3 platform.

The CREA3 platform's goal of enabling streamlined, fair, and digitally supported family asset division is advanced by these shared national priorities. Unified registries, secure data exchange, and ethical digital assistance not only reduce procedural burdens but also lay the groundwork for harmonised practices across Member States.

5.3. Phased implementation: Immediate measures and innovation trajectories

To unlock the potential of digitalisation, several steps are essential. A **technical audit** should assess existing infrastructure to support integration of future platforms like CREA3. **Digital tools must be inclusively designed** with support systems for less experienced users. Legal professionals and court staff should be **trained** and actively involved in transition planning. **Strong data protection protocols** must underpin all new systems, and **platforms must be tailored to each of the countries their legal context** for maximum adoption and effectiveness. This analysis confirms that while digitalisation offers clear benefits, its success in asset division procedures depends on carefully managed, inclusive, and context-specific implementation.

Short-Term implementable measures

In the immediate term, Member States are encouraged to focus on foundational investments that enable near-term procedural gains:

- **Legal and procedural clarity** on digital steps, particularly concerning the use of AI and admissibility of digital evidence, as called for in Belgium, Slovenia, and Lithuania.
- **Basic interoperability upgrades**, including the connection of existing registries and the harmonisation of document formats across courts and other legal practitioners.
- **Professional training programmes**, with tailored formats for older or digitally inexperienced users, as proposed in Estonia and Slovenia.
- **Assisted digital access and simplified portals**, ensuring procedural participation by vulnerable populations, following the models emerging in Italy and Estonia.

These measures are technically feasible, relatively low-cost, and politically viable in the short run.

Medium- to long-term innovation pathways
Over a longer horizon, more ambitious reforms should be pursued, aligned with the technological roadmap of Regulation (EU) 2023/2844:

- **Cross-border interoperable platforms**, enabling joint access to case information, registry data, and procedural milestones across Member States.
- **Standardised valuation and simulation tools**, possibly incorporating AI, to assist in equitable distribution scenarios and reduce expert reliance, as envisaged in Italy and Lithuania.

- **Online dispute resolution systems**, particularly for early-stage or in uncontested asset division (e.g. to help create inventories), with multilingual and culturally adaptive interfaces.
- **Regulatory sandboxes** or pilot schemes for emerging technologies (e.g. blockchain, smart contracts, predictive analytics), under institutional oversight to ensure ethical compliance and iterative learning.

The realisation of these trajectories requires coordinated investment, shared governance frameworks, and EU-level facilitation. However, they represent a coherent response to both current deficiencies and future demands.

Conclusion

Deliverable D2.3 provides a comprehensive and empirically grounded analysis of family asset division procedures across six EU Member States - Belgium, Croatia, Estonia, Italy, Lithuania, and Slovenia - focusing on both divorce and inheritance contexts. Its objective has been to model national procedural architectures, identify critical steps and decision points, and assess both the opportunities and bottlenecks arising from ongoing digitalisation efforts, as well as existing procedural delays and inefficiencies. Rather than offering a mere descriptive account, the report translates procedural insights into strategic guidance for the future development of the CREA3 platform, while situating its findings within the broader framework of Regulation (EU) 2023/2844 on the digitalisation of judicial cooperation.

What emerges across jurisdictions is a broadly shared procedural structure, characterised by a bifurcation between amicable and judicial tracks. In all six Member States, amicable divisions - usually administered by notaries or facilitated through mediations - are procedurally distinct from contentious cases that proceed through judicial adjudication. Common across both tracks, however, is the centrality of asset identification and valuation, which not only shape substantive entitlements but often serve as bottlenecks that delay resolution.

Despite this structural commonality, the report highlights considerable divergence in institutional roles, legal cultures, and levels of digital readiness. Estonia offers an advanced example of integrated digital infrastructure, where interoperable registries, electronic notarial services, and remote authentication are standard features. Conversely, jurisdictions such as Croatia and Belgium continue to rely heavily on hybrid procedures, where paper-based practices coexist with isolated digital tools, often resulting in fragmented case management and inefficiencies. Italy and Slovenia reflect transitional systems, with promising digital infrastructures hampered by uneven adoption, professional resistance, or institutional inertia. These contrasts underscore the importance of tailoring digital justice interventions to the specific legal and infrastructural context of each Member State, while preserving a shared European commitment to efficiency, transparency, and accessibility.

At the same time, deliverable D2.3 points to a series of cross-border opportunities that align closely with the aims of Regulation (EU) 2023/2844. The potential for interoperable case management platforms, real-time access to registry data, and standardised tools for valuation and simulation represents a coherent response to the Regulation's mandate for procedural interoperability and digital cooperation. The report also documents growing professional interest in the use of assistive technologies, such as AI

for document classification or procedural guidance, particularly in jurisdictions where institutional workloads are high and expert resources limited. However, stakeholders across the board emphasise that such technologies must remain firmly subordinate to human judgment, reflecting concerns about legitimacy, explainability, and bias - especially in emotionally charged or legally complex family disputes.

These findings carry direct implications for the next phases of the CREA3 project. The procedural models developed in this deliverable offer a robust foundation for algorithmic design, enabling the CREA3 platform to simulate and support the navigation of real-life legal procedures. By incorporating structured decision points, actor interdependencies, and procedural contingencies, the platform can assist users - both lay and professional - in understanding and managing complex division processes. Interface design will likewise be informed by the empirical insights gathered here, particularly with regard to transparency, emotional sensitivity, and the needs of digitally excluded users. Features such as multilingual support, interactive timelines, secure document exchange, and guided intake questionnaires are likely to enhance procedural usability and fairness.

Nevertheless, several operational risks remain. Persistent disparities in digital infrastructure, legal fragmentation across actors, and resistance to change - especially among older professionals - may complicate CREA3's implementation. Moreover, while there is cautious optimism around the use of AI, legal uncertainty regarding its admissibility, accuracy, and ethical safeguards persists in most jurisdictions. These concerns, clearly articulated in the national reports and echoed in the comparative section, point to the need for careful piloting, strong legal oversight, and participatory design in subsequent work packages (WP). In particular, WP3 and WP4 will need to address not only the technical integration of digital tools, but also their normative legitimacy and institutional embedment.

Annex I - CREA3 Interview sheets

Project Name: **Conflict Resolution with Equitative Algorithms (CREA3)**

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Duration of the project: **24 months**



Introduction

This annex presents the records of the qualitative interviews conducted in the six Member States covered by the CREA3 project: Belgium, Croatia, Estonia, Italy, Lithuania, and Slovenia. Interviews were carried out with judges, lawyers, notaries, and mediators, selected to capture a range of perspectives within each national legal system.

All interviews followed a semi-structured format, based on nine guiding questions grouped into four overarching thematic categories:

- 1. Targeted legal processes**
- 2. Opinions on technology readiness**
- 3. Views on the implementation of digital technologies**
- 4. Perceptions of risks related to artificial intelligence**

This categorisation was applied consistently across countries and professions, allowing for both flexibility in the interview process and coherence in comparative analysis. Responses are organised by professional groups within each country, maintaining a standardised structure while reflecting the specific institutional and procedural context in which each participant operates.

The material is presented in an accessible and consistent format that preserves the integrity of individual contributions. Personally Identifiable Information (PII) has been removed to minimise the risk of attribution. Nonetheless, each respondent is assigned a stable identifier (e.g. Respondent 1), enabling the tracking of individual perspectives across thematic categories and national contexts. Although grounded in diverse legal traditions and institutional frameworks, the interview data also reveal recurring challenges, opportunities, and areas of convergence. These insights inform the comparative analysis and policy recommendations developed in deliverable D2.3.

Terminological Clarifications

To promote conceptual consistency across jurisdictions, interviewers applied a shared set of working definitions. Where appropriate, these were explained or read aloud to respondents during the interview process:

- *Digitalisation of justice* refers to the integration of digital tools - such as electronic case management systems, e-filing platforms, online dispute resolution mechanisms, videoconferencing, automated case allocation, and AI-assisted legal services - into judicial and extrajudicial procedures, with the aim of enhancing efficiency, accessibility, transparency, and cost-effectiveness.
- *Predictive justice* is understood as the use of artificial intelligence and data analytics to support legal professionals by identifying patterns, relevant jurisprudence, or potential outcomes. It is conceived as an aid to legal reasoning, without displacing professional discretion or decision-making authority.

These definitions draw on the analytical framework developed in deliverable D2.1 and operationalised in the fieldwork phase of deliverable D2.2, and serve as a reference point for the interpretation of interview responses throughout this annex.

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CREA3 - Belgium Interview Sheet

Belgium - Judges

Category 1: Targeted legal processes

Question

1

Which aspects of the asset liquidation-division procedure (amicable and judicial) do you believe are the least efficient or cause the most delays?

N	Answer
1	Once the liquidation is over, the partition phase itself should go smoothly, so delays are mainly incurred during the liquidation phase. But one of the big legal questions that comes up very often at the division level is in terms of the family house, the preferential allocation of immovable property - What happens to it? Is someone going to get the property, take it over or are we going to sell it (publicly)?
2	The liquidation phase is generally more problematic than the division itself due to interim disputes and the non-binding nature of statutory deadlines. Progress depends heavily on how efficiently the notary works, with replacement being the only remedy. Objections to the liquidation-division statement can push cases to the back of the court calendar. If perjury arises, parallel criminal proceedings can further delay matters. Notaries should be able to submit their case files digitally by default. Currently, they only do so upon request from the court registry, leading to disputes over missing documents. If key materials are absent, the court cannot proceed. The digital file must represent the complete case record.
3	There are numerous factors. First, because there are simply many different proceedings within the overall procedure of liquidation-division: potential preliminary disputes under Article 1209 during the appointment phase. This may concern several interim disputes that arise in the context of the liquidation-division. There may be replacement of notaries, the appointment of experts, for example, where the court of first instance appoints a notary, and an appeal is lodged against the appointment judgment—then the case reaches the Court of Appeal, and the appointed notary is temporarily suspended. These are all delaying elements that prevent the matter from progressing to the actual division. We also face a shortage of judges, which leads to long delays between the filing of documents at the Court of Appeal and the eventual hearing date. Additionally, the conclusion deadlines between parties may also contribute to delays.
4	Liquidation-division is among the most complex procedures, with few notaries or lawyers truly proficient—resulting in errors and delays. Competent notaries are overburdened, others disengaged, and no uniform appointment system or practice exists. Files are often incomplete or poorly drafted, forcing me as judge to finalise unfinished notarial work. Statutory deadlines are not binding, often too short for a complex asset division case, and the process lacks structure and legal consistency. Everyone is doing its own thing, all family courts should have one guideline with what is expected from lawyers, notaries etc. such as how a notary should submit the state of liquidation-division. Or written pleadings are too long and the essence, legal question, is not clear.

5	Most delays arise in the liquidation phase, not the division itself. Amicable proceedings stall if parties refuse cooperation or distrust the notary, sometimes preferring court-appointed experts. Lawyers occasionally lack the necessary expertise, and missing estate inventories create later disputes. A proper inventory is essential—without it, asset allocation becomes contentious.
6	I believe the issue lies in the timely and efficient formulation of claims and the collection or consolidation of evidence supporting those claims. Suppose during the liquidation-division of an estate, a handwritten gift surfaces—after 20 years, for example, proving its content may be difficult because the document may no longer be legible.
7	It is the phase before the notary that does not proceed smoothly: files remain pending for a long time, asset sales discussions, interim disputes arise that prevent the notary from continuing. Notaries have no time limits and thus face no sanctions if the procedure takes too long. The division itself is less problematic because the actual delay is caused by waiting for the liquidation-division statement. If this statement were established sooner, the division could also proceed faster. At the level of the courts, there are no delays—at least not in our experience—but parties need time to draft pleadings, which can slow down the procedure.
8	Judges are bound by statutory deadlines, but notaries are not and face no sanctions for delays. Many notaries avoid liquidation-division due to its time-consuming nature and low compensation. Those who are competent become overburdened, leading to new delays. A fairer, digital distribution system for notary appointments is urgently needed.
9	We have no oversight over the amicable division unless it is challenged a posteriori—because someone was poorly informed and later feels disadvantaged. We call that a transactional division: a liquidation-division concluded by way of settlement. In summary, the legislator has restricted the grounds for challenging such agreements, but if they pass the admissibility threshold, the procedures are burdensome. Experts may be required to assess the extent of the harm, potentially leading to judicial liquidation-division. This mainly occurs in cases with objections or interim disputes about the liquidation statement, or when parties arrive unprepared at the opening of proceedings and are unaware of their own estate composition.
10	Statutory deadlines under the Judicial Code are meant to accelerate liquidation-division, but they are not-binding for notaries. Notaries often avoid liquidation-division cases due to their time-intensive and low-profit nature, and no standardised templates exist.

Question

2

Which aspects of the asset liquidation-division procedure benefit the most from digital transformation or digitalisation?

N	Answer
1	The preferential allocation decision of immovable property can be digitalised. There should be more legal predictability at the notary level. This would give enormous relief to the judiciary, far fewer aspects would go to court, proceedings could be faster with fewer disputes at first instance and even fewer at second instance. There would be far fewer objections formulated against the state of liquidation-division. Given my previous experience in the court of first instance, I believe digitalisation would be more effectively implemented at that level—or even earlier, with the notary, who essentially acts as the 'first judge'. The sooner digital tools are integrated into the process, the better. At the Court of Appeal our role is limited to resolving specific legal disputes, primarily assessing whether the notary correctly applied the relevant rules

2	The notarial process must become more digital, especially regarding court filings. Notaries should be able to submit full files digitally, even when dealing with large files exceeding 300 pages. Any future platform must be capable of handling high-volume case files. Digital infrastructure should match practical workload needs.
3	Notaries still file in paper, while lawyers file digitally—two disconnected systems that must be aligned. Digitalisation may reduce costs, but is it efficient for complex liquidation-division cases? We frequently revisit claims and objections dating back ten years. Endless scrolling through 100+ pages pleadings per party strains the eyes and impacts judges' mental health in an already sedentary role.
4	I work with both digital and paper case files, yet neither is complete. The digital platform (BGC) is inefficient—documents are not auto-assigned, and I must verify their completeness manually. Due to lack of screens, I prefer reading paper bundles; I cannot copy paste out of scanned attachments. Too much time is lost retyping content, and we must email “Brussels” just to enable a word from the pdf file to be able to copy-paste.
5	We need a shared platform between courts and notaries outlining each liquidation-division step. Each step should include strict deadlines with automatic notifications, like uploading the estate inventory by date X. This system would increase transparency and improve compliance. A timeline view would help track progress and responsibilities.
6	The appointment of a notary could be digitalised. These are standard judgments where no pleadings take place; we do ask the parties whether certain notaries must be excluded. So, , this can be done digitally, unless there are points of contention that prevent the notary from proceeding—for instance, a dispute over the validity of a will. In such a case, we retain jurisdiction to resolve the issue before appointing the notary, if still necessary.
7	We have a digital file, lawyers almost always file their pleadings digitally, which is helpful when we want to copy and paste aspects of the pleadings into our judgment. Some notaries also file their documents online but not all of them yet. At various times during liquidation-division, notaries need to be present in court (not a public hearing), this should be made possible via videoconferencing. For example, think about appointing an expert, requesting a replacement, setting mandatory deadlines. Also appointing a notary, is a simple judgment that could be digitalised.
8	We need a tool for equitable notary assignment, as current Excel tracking is outdated and unreliable. Such a platform should include appointment dates and case statuses, allowing notaries to signal availability. Digital tools are also helpful for listing claims and calculating asset division. Automation would reduce inefficiency and workload imbalance.
9	It is important to digitalise as much as possible at the start of the procedure. We must know as soon as possible what each party is ultimately to receive. The tools must be capable of performing calculations, considering all gifts, the dates of those gifts, whether there was a testamentary arrangement, etc. - in order to divide the estate as equitably as possible. Parties must be better prepared for the opening of the proceedings; they should know the estate’s composition, with assistance from their lawyer.
10	While in the court of first instance, we had a system for digital storage of all minutes (proces-verbaal/procès-verbal) and documents. Notaries were asked to submit files digitally via e-Deposit, but often only minutes were uploaded—not full court bundles. A shared system between courts and notaries would prevent document loss and reduce interim rulings. We have no such system at the Court of Appeal. Notary replacement and procedural follow-ups should also be managed digitally.

Category 2: Opinions on technology readiness

Question

3

What digital tools do you currently use in asset liquidation-division procedures?

If these tools are also used by the parties themselves, do you find that they are sufficiently accessible to vulnerable individuals (such as the elderly, people with disabilities, or those with low digital literacy)?

N	Answer
1	All parties submit their court bundles of documents digitally via DPA. The entire case file from the first instance is also digitalised. At the Court of Appeal, we use HBCA to consult files. However, I still prefer working with paper, as the digital system is not yet fully refined - for example, I find it difficult to view document 3 and document 27 side by side (which is possible when printed), or some documents appear upside down and I cannot rotate them; I do read the pleadings digitally, but I draft my judgment based on the printed materials.
2	We use e-Deposit and DPA for digital submission of pleadings and supporting documents. Legal databases include Jura, Strada lex, LexNow, and Jurisquare. We should have a centralised database containing judgment templates. This would allow us to adjust and legally substantiate them according to the case. Such a system would save time and improve consistency. We use BGC as a case management system, but files are often merely scanned paper documents. True digitalisation remains insufficiently implemented. Notaries, like lawyers, should be able to submit digital case files from the outset through e-deposit - this is currently not done enough by notary. This would allow for a unified digital file. For efficiency, certain elements—such as the bundle of documents—may still be filed on paper. This combines digital accessibility with practical usability for the judge.
3	We work with HBCA, at home we can access this file management system with a VPN connection by entering the cause-list number. Digitalisation did allow us to work more from home, which is convenient. But one drawback is that pdf files of different quality are submitted. With no bookmarks and no copy-paste function possibility - this would however be easy for typing judgments. If we want to convert a pdf to Word, we send an e-mail to 'Brussels' and get a Word version within a minute, which is an automatic system. The problem is that these conversions are not always accurate, some letters are replaced by a number or a character.
4	We maintain digital case files through the BGC system. The court sitting in chambers can be done via videoconferencing - for instance, when deciding on notary replacement. This would improve flexibility and reduce scheduling delays. Digital hearings could streamline procedural matters.
5	Notaries still file in paper; lawyers file digitally via e-deposit or DPA into the BGC. I appreciate the ability to copy from lawyer submissions directly into my judgment- but it is not always possible in scanned documents. Personally, I prefer paper and avoid bringing a laptop to hearings for fear of seeming disengaged as a judge. I've never participated in a video hearing.
6	Electronic filing of submissions, evidence, etc. I have never had to conduct a videoconference. The court registry sometimes emails the lawyers to inform them that the judge handling the hearing requires the client to be physically present for an interactive debate.

7	Everyone—both lawyer and notary—should be able to submit a digital case file. Currently, we use different case management systems, but JustCase is to be rolled out in January 2026. The court registry has kiosk PCs for parties who may need them.
8	We lack electronic signature capacity for family court rulings. Our case files, managed via BGC, are often scanned case file—not digital case file—making them unsearchable and unstructured. Documents submitted in bulk cause navigation issues; hyperlinking and indexing would help, or a notification function that there is an update regarding the file would be useful. Even when notaries sign digitally, their e-signatures vanish when uploaded into our system.
9	Court bundles of documents and written pleadings are submitted digitally, but we still require physical copies. We do not yet have a complete or refined case management system at the level of the Court of Cassation. Most communication still occurs via email.
10	At the Court of Appeal, only e-Deposit is used by lawyers; notaries still file in paper form, leading to hybrid files. Documents are later scanned and digitalised. OneDrive is used to save templates, though I prefer email for requesting them from colleagues. Digital bundles are cumbersome—poor structure, difficult navigation—and internal judicial communications still rely on email.

Question

4

How is the digitalisation of asset liquidation-division procedures perceived by you personally and by your professional legal community involved in these procedures?

Do you see digitalisation in the justice system, and especially in asset liquidation-division procedures, more as an opportunity for innovation or as a challenge to existing roles and practices?

(If you perceive it as an opportunity): What legal, organisational or cultural obstacles do you see as hindering the introduction of digital tools in asset liquidation-division procedures?

(If you perceive it as a challenge or risk): Which are the main risks you foresee?

N	Answer
1	Digitalisation leads to time savings, brings calm and renewed motivation to work; I notice that I am more focused—whereas previously we often had to go to an overcrowded court registry and move stacks of files to another room in the court in order to prepare for a hearing. Now, I can consult a case file digitally the day before the hearing, from my office, without having to travel to the Court.
2	Digitalisation brings both challenges and opportunities. Large, unstructured PDFs remain difficult to manage and extract text from for judgments. Integration of a well-functioning search engine in a digital file system could improve organisation and prevent document loss. But how do we store and structure hundreds of uploaded pages efficiently? What if something goes wrong? technical problems occur? Scheduling a hearing is unnecessarily time-consuming and administratively heavy—the file goes through various manual steps, from the court registry to my office and back - only to notify the parties by letter. I believe it could be handled far more efficiently and entirely digitally.

3	<p>The judiciary remains a craft-based profession. I still work with templates of judgements - I have my own library and look for a case that closely resembles the present one, then adapt the template with the correct names and legal arguments. I do not know how we could further innovate in that aspect. The search function of Jura is a very useful digital tool for quickly consulting legal books or journals. So that is indeed a great added value when drafting judgments. I am unsure whether a digital tool could assist me in reading lengthy pleadings. Whether reading digitally or on paper—you still need to take time to work through hundreds of pages of submissions and determine: what is relevant? What is redundant? What can I disregard? What is a pertinent argument requiring further examination or research?</p> <p>I do not believe digital tools are capable of taking over our work, so I do not consider it a challenge—mainly because I do not know whether such a tool could even write a judgment.</p>
4	<p>Digitalisation offers potential, but only if needs are assessed, a clear plan is developed, and testing precedes implementation. We're already overworked and lack time for training—learning must be realistically integrated. A helpdesk must be available beyond office hours to resolve urgent technical issues because we work in the evening and in the weekends too. Support and time are essential for adoption.</p>
5	<p>Digitalisation is both an opportunity and a challenge. It helps summarise lengthy pleadings, but current tools are often clunky and disorganised. We can use it to copy-paste aspects of the pleadings.</p> <p>I also see it as a challenge because we do eventually have to learn to work with these tools like AI. Sometimes it's just too much scrolling - and I find it confusing to find the right document in the court bundle. Besides, I also have doubts whether the tools that exist now are 'good enough' because it is also important that we learn to ask the right questions to these tools.</p>
6	<p>It may be an opportunity to avoid unnecessary travel and reduce time loss. But I also see obstacles for liquidation-division cases, as in-person meetings often have the advantage of encouraging parties to reach an agreement, or at least a partial settlement. The dynamic of a court hearing remains different from that of an online environment. You can interact more effectively with parties and lawyers, and as a magistrate, you can better assess people in person.</p>
7	<p>I see it as an opportunity for innovation. It would be great if we could copy and paste from digital files into our judgments. Digitalisation could bring more structure into liquidation-division files, which are often complex and voluminous.</p> <p>The challenge is that there's still much resistance—we still print, then scan, then insert into the correct folder. We definitely need training, but only once the tool is good enough—we currently lack the time.</p> <p>We must focus on all links in the chain—everyone must keep up, not only lawyers and notaries, but also the courts must be equally digitalised. We need a good communication platform; information must flow more efficiently. The risk is that paper files are easier and quicker to read—I can scan the document for detail. In contrast, in digital files, I use CTRL+F to find a detail, but may miss surrounding information that I would have noticed in a paper file. The digital and paper files are not fully equivalent—it's more of a hybrid. This can be confusing and requires judges to double-check more often, increasing the risk of oversight.</p>
8	<p>There is potential, but the current system is deeply flawed. Lack of automation, inconsistent naming of files, and excessive manual work create inefficiency. Judges cannot correct document metadata - relying on overburdened clerks delays matters further. Digital filing is still too dependent on human input and lacks usability.</p>

	<i>Because when something is filed digitally, the registry has to give a correct name to the document and then put it in the right file. But a lot of mistakes still happen there: wrong names such as decision defendant while the defence is from the plaintiff or instead of conclusion, document is written - the judge cannot correct these names himself - we have to send an e-mail to the registry for that but they don't have time. So that is kind of inconvenient and inefficient.</i>
9	Both an opportunity and a challenge. It is an opportunity because we can work faster and gain more background in less time. But the entire justice system must be innovated, but the audience is difficult—there is still much resistance to what is new and unfamiliar. We are all quite disillusioned—so much has been promised, so much invested, and we are almost nowhere. At the Court of Cassation, too much still functions manually. We still have five people working full-time transporting files between chambers. These roles must be reoriented, because once all files are digital and judicial bodies increasingly work digitally, we must protect existing staff.
10	Digitalisation offers both opportunities and challenges. It can improve time efficiency and document traceability. However, lacking hardware like large or dual screens limits a digitalised courtroom. A well-organised digital case system is needed for effective comparison of parties' submissions.

Category 3: Opinions on how to implement digital technologies

Question

5

What changes in training, infrastructure, organisation, or regulation do you consider essential for successful digitalisation of family property law cases; particularly in asset liquidation-division procedures?

N	Answer
1	I view digitalisation as an opportunity for the future of the judiciary. Identifying the essence/the legal question within lengthy written pleadings filled with mutual reproaches is often time-consuming. A system that could analyse written pleadings of the lawyers, summarise the case, and identify the legal question that needs to be would be highly efficient and could potentially be integrated into HBCA, which many magistrates would welcome. However, the cost of such a system remains a concern, and I believe digitalisation would be of greater benefit at the notarial and first instance levels, where the core of liquidation and partition issues arises.
2	We lack awareness of what technology can offer, so training and information sessions are essential. Better hardware—like more monitors—is needed to work effectively with digital files. Procedural rules should allow judgments to be digitally signed, eliminating redundant paper steps. Infrastructure and legal reform must evolve together.
3	We are overworked and only attend training to refine our legal expertise—digitalisation training is seen as additional and time is lacking. IGO courses are too basic; I do not attend them.

	AI must detect legal inaccuracies, since not all legal submissions are correct, lawyers and notaries can refer to wrong articles and laws that a judge should detect and I don't know if AI can detect these mistakes that are sometimes not clear - if not we risk building judgements upon wrong reasoning. If a system could assess case complexity and distribute files evenly across courts, it would save significant time Federal public service of Justice must foresee in infrastructure, which is currently hindered by financial constraints.
4	We need a pool of competent notaries who are willing to handle liquidation-division matters. There should be one 'complete' file per case—preferably digital, with paper bundles of documents only if no screens are available. For people that are not digital literate, they can submit one complete physical file. A central platform can be developed and should collect all documents and include a “legal question” field for judicial clarity- so the essence of the pleading is clear. Such platform would be timesaving. AI training should only be given once tools are tested and functional. Now we are not going to IGO due to lack of time. Mandatory legal guidelines must promote uniformity between notaries and lawyers.
5	Tools must be user-friendly—some legal databases are too complex. Training should be localised: one team member trains in Brussels, then guides colleagues in-house. This promotes internal expertise and avoids reliance on external help desks. Efficiency hinges on accessibility and knowledge transfer.
6	That is a difficult question... for instance, appointing a notary could be done digitally if there were a legal framework allowing it.
7	Good software that is above all user-friendly. Training to convince people and address security, to avoid misuse of data stored in or used to train the tool. A legal framework must be established for digital hearings in specific situations—such as chamber procedures (e.g. notary replacement)—known as procedural hearings.
8	Structural and organisational reforms are necessary. ICT support must be improved, and the digital file should become the authoritative file, not just a scan archive. Case files should link to individuals via the national register. True digitalisation requires robust systems and proper infrastructure.
9	People must be willing to cooperate, as many judges, notaries, and lawyers involved in liquidation-division still show resistance. We should run a campaign to promote digitalisation—provided, of course, that good tools are made available to these actors.
10	Older judges show more resistance to digitalisation than younger ones. Adoption requires a reliable system that proves its time-saving potential. Support services like an ICT helpdesk and digital training are essential. Education and clear demonstration of benefits are key to engagement.

Category 4: AI risks perceived

Question

6

Have you encountered or tested predictive models?

If so, how accurate or useful were they in reflecting the outcomes you would expect from a human decision-maker?

N	Answer
1	No not used yet but a nice idea. The only thing I did use was Hobin's Excel sheets to calculate maintenance contributions.
2	I have tested AI by asking legal questions I already knew the answer to. The tool failed to distinguish Belgian from Dutch law, undermining my trust. Still, I see potential in using AI to draft structured legal arguments from bullet points. I have not yet tested this application method, but I remain cautiously open.
3	No never tried.
4	I have no experience using AI tools. I have not tested them due to lack of time.
5	We use Copilot in court—I've used it to summarise academic literature and analyse author perspectives. It's helpful for initial research and structuring reasoning. Practical applications are emerging, but use remains cautious. It's a supportive tool, not a substitute.
6	No, only for private purposes.
7	No, not yet used.
8	I once tested ChatGPT for a legal question, but the response was incorrect and cited non-existent articles. Hallucinations pose a risk, especially in legal drafting. AI remains unreliable for precise legal referencing. Verification is always required.
9	Yes, I have used the Strada lex AI tool. Some answers are perfect with exact source references, others are disappointing—but of course, it is still under full development.
10	I have not used AI as a magistrate.

Question

7

What risks do you foresee in using predictive models in family property law; including, but not limited to, over-reliance on these tools, lack of transparency, or limited litigant understanding? Or do you see other risks?

N	Answer
1	Judges have a duty to motivate. If we should use such models in our court, I fear it would not be 'cassation-proof' due to lack of reasoning. In that sense, having 'undue reliance' is related to the duty to motivate. But then also, digitalisation could promote unity of case law (eenheid in rechtspraak/ unité de jurisprudence), e.g. in exactly the same case, could obtain exactly the same decision in all Courts of Appeal.
2	We lack clarity on who controls AI data, raising concerns over confidentiality and professional secrecy. Overreliance is risky, especially with limited legal knowledge in liquidation-division.

	The judge remains the final decision-maker—AI should serve as a support, not a substitute. A reliable tool would need deep integration of legal sources and reasoning patterns.
3	Liquidation-division is complex, we cannot base cases in a few parameters on to be able to make predictions because that would lead to wrong jurisprudence. Sometimes lawyers and notaries make a lot of mistakes, and the magistrate needs to recognise and correct them to make just decisions. The legal world is a human science and not a zero and one system. <i>For example, can AI recognise that a bill of sale is actually a concealed gift (vermomde schenking/donation déguisée) - regardless of what is written in the written pleadings?</i> It violates professional secrecy: AI gets access to the file, personal data- but who is the unknown third party who developed the AI? Who is behind the robot? I wonder what the role of the judge will still be when AI starts making predictions, what about justice?
4	Liquidation-division is highly human and case-specific - AI risks flattening judicial nuance. Like a judge, any tool must remain impartial and context-aware to avoid bias. Jurisprudence evolves the law - AI must support, not freeze, this dynamic. Loss of depth in decision-making would be a serious concern
5	We must remain critical when using AI, especially under time pressure. Judges face mounting expectations for speed, particularly at first instance, which increases risk of error. Legal reasoning should not be delegated blindly. Critical thinking must remain the jurist's core function.
6	An AI tool must definitely be capable of accounting for the nuances of the files, otherwise it cannot make predictions. Parties have limited procedural understanding of liquidation-division, so if they use AI, their submissions can be full of errors—we judges must be able to recognise these errors, and for that, expertise is essential. We must remain the specialists in the matter, even when lawyers and notaries make mistakes.
7	Liquidation-division cases are inherently full of legal questions. Sometimes we receive dozens of pages full of accusations and objections—so the question is how AI can grasp the uniqueness of a file? I think liquidation-division is one of the most difficult branches to predict outcomes for.
8	Liquidation-division cases require nuance, contextualisation, and legal judgment. AI lacks the capacity to evaluate the relative weight of objections or determine fairness. Judges in this area must be specialists, or they risk failing to detect AI errors. Confidentiality and data protection remain significant concerns.
9	There is a risk that a magistrate might base a decision on incorrect or unjust legal arguments without verification. We all risk becoming too attached with these tools, potentially fostering laziness among judges. Human oversight remains essential. The tools are not yet optimal, but AI is evolving rapidly, so improvement is expected.
10	I've seen pleadings filled with hallucinations—AI use by lawyers must be verified. Otherwise, it creates extra work for the magistrate to verify what's valid. There's a risk that judges may grow complacent if reliant on AI outputs. We must not base decisions on unchecked errors, or we risk systemic degradation.

Question

8

A survey on the digitalisation of asset liquidation-division procedures suggests that AI tools, blockchain technology, and online dispute resolution (ODR) platforms are seen as the most useful innovations.

Which of these technologies do you find most relevant or applicable, and why?

N	Answer
1	AI tools especially as I said, summaries of claims and maintenance contribution decisions. For simple cases, at first instance, a tool could be used that writes judgments but then always checked by the judge.
2	AI could be useful in my judicial role, but liquidation-division is emotionally and technically complex. The court remains essential for rendering objective rulings in emotionally charged contexts. AI cannot yet accommodate such nuance.
3	Blockchain is useful for evidence and data storage but little knowledge about it. AI can help summarise huge and long conclusions and extract the essence.
4	Blockchain may improve file structure, but I lack sufficient knowledge to evaluate it fully. AI appears more promising, but only if designed specifically for liquidation-division.
5	AI can summarise 30+ page pleadings, which helps under judicial time pressure. I prefer AI tools that could interact with me, offering potential to navigate legal sources better than keyword-based search. This potential isn't realised yet, but the future is promising. AI could eventually outperform traditional databases in usability.
6	I think of ODR—it could promote amicable consultation between parties. We could at least reach a partial agreement, which would be a valuable outcome - far better than the judge having to carry out the division instead of the parties themselves. Amicable procedures should simply be encouraged.
7	ODR and AI. Parties can run probability analyses and are more likely to reach agreements—e.g. on real estate valuation disputes. AI/ODR can help with choices such as whether to sell publicly or privately, who will take over, and at what price.
8	I have no knowledge of blockchain. I doubt ODR's effectiveness for emotionally charged liquidation-division matters—real-life contact fosters compromise. AI could be useful for generating standard text while drafting judgments or appointment orders. It supports routine tasks but not sensitive negotiations.
9	No tool is yet sufficiently applicable for magistrates. AI still makes too many errors—for a magistrate, it is still dangerous territory. Compare it to a teacher and a student: the student (i.e. the lawyer, the notary, the parties) may use AI to draft submissions and make mistakes, but the teacher (i.e. the magistrate) must always perform flawlessly—there is no room for imperfection.
10	Blockchain may help establish permanent, searchable case files with document preservation. ODR might work for amicable divorces or parties abroad, but not in highly emotional cases like those in higher courts. Face-to-face interaction remains more conducive to compromise. Digital negotiation lacks real-world dynamic and empathy.

Question

9

The survey shows that AI applications for predicting outcomes in asset liquidation-division cases are currently used only to a limited extent.

Do you believe this is due to their unavailability, lack of relevance, the immature state of the technology, or are there other reasons?

N	Answer
1	In practice, they are non-existent, or I think they are at least in their infancy. We don't use predictable AI applications now.
2	There is little transparency, limited accuracy, and low trust in current AI systems. Most importantly, no specific AI tool exists for liquidation-division.
3	The risks are huge right now because the technology is underdeveloped for liquidation-division cases.
4	Standardising liquidation-division for AI prediction is difficult—each case requires refinement. Humans must remain specialists and retain control over the tools and their outputs. Training is vital to ensure we know how to assess and apply AI results. Due to time pressure, lower court decisions often lack depth, unlike appellate rulings.
5	Federal public service Justice is developing a central judgment database, still in its infancy. Law evolves constantly—over-standardising via AI could freeze legal development. Legal reasoning must remain adaptive and progressive. Rigid AI decisions risk stagnating jurisprudential growth
6	Due to the complexity and dynamic nature of liquidation-division, combined with the procedural dynamics involving the notary, the judge, and the lawyer... I believe AI will not be able to understand this complexity and dynamic interplay.
7	I think predictive models exist but not specifically for liquidation-division. At this stage, I cannot see how predictive models could help me, because the subject of liquidation-division lies in the details.
8	No AI tool is currently available or secured for use in courts, particularly in liquidation-division cases. There are too many nuances, and confidentiality risks remain high. The legal field lacks a trusted, specialised AI framework. Until these issues are resolved, use is inappropriate.
9	An AI capable of predicting liquidation-division outcomes does not exist. There are tools that allow legal questions to be asked, and they are usable—but certainly not optimal.
10	I do not have sufficient knowledge of AI but I think it is non-existent for liquidation-division. I also think it could be relevant, but it is not yet developed enough to make judgements about liquidation-division. I do wonder if AI can apply a rule as equitable and reasonable as human judges can to specific scenarios... of course, jurisprudence is also very subjective: one judge says: law is law and another says yes, the law is law but I still see some room for exercise somewhere.

Belgium - Lawyers

We conducted collective interviews (focus groups) with lawyers, and there was often a clear consensus among them — as can be seen in the tables below.

Category 1: Targeted legal processes

Question

1

Which aspects of the asset liquidation-division procedure (amicable and judicial) do you believe are the least efficient or cause the most delays?

N	Answer
1	Delays stem from interim procedures and strict deadlines. Not only do parties slow things down, but courts also cause holdups. The legal process is often slowed structurally and intentionally.
2	Court procedures are very outdated, with rigid timelines and delays built into the system. Notarial processes especially are time-consuming. There is clear room for improvement and modernisation.
3	In amicable procedures, the focus is on reaching agreements and strategies which takes time. In judicial ones, coordinating with all parties, including busy notaries, causes major delays. Collaboration takes up a lot of time.
4	The inventory of assets and collaboration between parties, especially for asset division and general communication, take up a lot of time. Appointing a notary can also be delayed depending on the family court, which causes significant scheduling issues.
5	LAWYERS in consensus: The judicial procedure is consistently the slowest, especially the delay between the final court ruling and the notary's statement. Notaries rarely adhere to the 4-month deadline. Additionally, communicating with as well as coordinating all parties involved often causes further delays.
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9	LAWYERS in consensus:

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12	LAWYERS in consensus: The judicial procedure is consistently the slowest, especially the delay between the final court ruling and the notary's statement. Notaries rarely adhere to the 4-month deadline. Additionally, communicating with as well as coordinating all parties involved often causes further delays.
13	Opening of proceedings is a critical phase: <ul style="list-style-type: none"> • A lot can go wrong here. • Clients are sometimes poorly prepared. • The notary plays an important role in guiding and triggering the right steps and expectations. Emotions must make room for clarity and structure.
14	Legislation is very detailed and complex, with many pitfalls. Lack of knowledge of these pitfalls leads to mistakes. Amicable settlement is much faster and always tried first.
15	In amicable procedures, progress depends entirely on party cooperation, as legal deadlines are non-binding. In judicial cases, delays arise from missing documents, agenda availability, and interim disputes that must be referred to the court. Notaries face no strict deadlines and may be replaced, though this also causes delay and inefficiency as the new notary has to familiarise himself with the case.
16	As a lawyer, I must guide my client through the liquidation-division process, especially during the inventory of the estate led by the notary. Delays occur due to incomplete or dishonest asset disclosures, making it unclear what constitutes the estate. I often postpone my client's oath to avoid triggering strict deadlines before full asset information is obtained. Moreover, some practitioners lack expertise and engagement, leading to errors and procedural delays—hence the need for specialised jurists.
17	If parties don't agree on amicable deadlines at the start of proceedings, statutory deadlines under the Judicial Code apply. For lawyers, these are binding deadlines, but not for notaries, who often receive a second chance even when failing to comply. A new notary must re-familiarise themselves with delayed files, causing more inefficiency. Lawyers must strictly respect deadlines for objections—late submissions are inadmissible.

18	I believe that interim disputes during the liquidation-division phase are the main source of delays in final asset distribution. Appeals against the liquidation-division judgment may further postpone execution. In general, the division itself proceeds without difficulty unless problems arise with public sales for example. In inheritance cases, more parties are involved than in divorces, increasing the likelihood of conflict and judicial escalation.
19	In principle, the division phase proceeds without difficulty; delays arise mainly in the liquidation phase due to notaries not respecting the deadlines. Although they must prepare the liquidation-division statement within four months, this is rarely respected. Such delays prolong the process unnecessarily. The legal framework exists, but compliance is lacking in practice.
20	Most delays arise in the liquidation phase due to disputes and the lengthy drafting of the liquidation statement. Once rights are established, the division phase proceeds faster, though disputes may still arise over allocation and balancing payments. If objections to the division arise, proceedings reset, leading to significant delays. Amicable liquidation-division is far quicker—sometimes resolved in under six months.
21	I find the liquidation phase the most demanding due to emotional disputes and valuation challenges. Clients often struggle to grasp the reasoning behind certain outcomes, such as why an asset is awarded to one party - leading to delays and disputes. But VUB's Excel sheets help visualise liquidation logically. Amicable liquidation-division proceeds much more smoothly than court proceedings. But in both proceedings, it is not easy for both the parties and legal advisers to determine exactly what is in the assets, how to assign value to emotionally charged assets; how to divide assets. We should structure the procedure into closed subphases with finality to improve clarity and procedural efficiency.
22	After the estate inventory, parties must swear an oath—yet they often lack clarity about their own assets, risking perjury. Legal deadlines for finalising liquidation-division are never respected, and notaries face no sanctions. When proceedings drag on, notaries lose motivation, and files stagnate. Each legal professional applies their own methods, creating inconsistency and inefficiency.
23	All the calculations leading up to the division of assets take a lot of time.
24	Scheduling meetings where all parties can attend is often difficult and causes delay. Interim disputes or necessary investigations—like asset or property valuations—also prolong the procedure. Inheritance cases are more complex due to multiple parties. Divorce-based liquidations tend to proceed faster as parties wish to move forward with their lives.
25	In amicable proceedings, success depends on the goodwill of parties—one uncooperative party can cause significant delay. Organising the sale of immovable property is time-consuming, whether via Biddit or public auction. Interim disputes may arise and complicate progress, especially when judicial and amicable paths intertwine. Some parties begin in court and then switch to amicable solutions, requiring court re-engagement mid-procedure.
26	Deadlines for lawyers are binding, but not for notaries—who often exceed the four-month term without consequence. This causes long delays in drafting the liquidation-division statement, sometimes extending for years. While lawyers are equally busy and deal with the same complex cases, they still meet deadlines. Not to mention getting a hearing session day at the court to discuss the unreasonableness of deadlines exceeds the unreasonable deadline itself.
27	Absence of transparency on the calculations and lack of uniformisation of the software used by the courts and/or professionals. Both can cause delays in the procedure.

28	Due to work pressure, files remain pending for a long time. For example, determining a hearing day takes a long time, the notary does not have binding deadlines, people discuss long about emotional value of assets, etc.
29	Notaries are not bound by binding deadlines, unlike lawyers, causing excessive procedural delays. Collecting documents is not always obvious either. Sometimes they are no longer legible, unclear, invoices are lost etc. On a state of liquidation-division, the parties have a month to formulate objections. Then the notary minutes on that, then goes to court, parties then get conclusion periods when that was not actually the intention of the 2012 legislature - and so you are off again for a long time. As a result, the process restarts and drags on unnecessarily.
30	Most delays arise at the notary-level; they are less used to tight deadlines. Court procedures are also slow, often taking 1.5 to 2 years. Practical delays occur too, like aligning all parties for real estate liquidation.

Question

2

Which aspects of the asset liquidation-division procedure benefit the most from digital transformation or digitalisation?

N	Answer
1	The imposed amount is often calculated with tools like Excel, but results differ depending on the tool used. More uniform, standardised digital methods are necessary to improve accuracy and trust.
2	Digitalisation could greatly help with all mathematical aspects like invoice calculations. Automating access to case law and legal doctrine would also save time and increase consistency.
3	The initial procedural phase could be digitalised to reduce tension; for example, via a secure Teams-like platform that allows notetaking. Early meetings often feel awkward, so a digital environment could ease communication and hence help parties feel more at ease.
4	Tasks like drafting liquidation/division deeds, calculating assets, and creating inventories would benefit greatly from digitalisation to enhance accuracy and reduce time spent.
5	LAWYERS in consensus: The formation of lots is a key area needing digitalisation. Notaries each use their own methods, often relying on Excel sheets, which calls for a standardised, reliable calculation tool. Full digital submission would improve efficiency, but notaries haven't fully embraced this yet.
6	LAWYERS in consensus: The formation of lots is a key area needing digitalisation. Notaries each use their own methods, often relying on Excel sheets, which calls for a standardised, reliable calculation tool. Full digital submission would improve efficiency, but notaries haven't fully embraced this yet.
7	The biggest benefit from digitalisation lies in forming lots, as notaries follow varied calculation methods, often using Excel. A standardised, solid digital tool is essential, especially since lawyers' roles are mostly advisory and the notaries sometimes don't fully perform their duties.
8	LAWYERS in consensus: The formation of lots is a key area needing digitalisation. Notaries each use their own methods, often relying on Excel sheets, which calls for a standardised, reliable calculation tool. Full digital submission would improve efficiency, but notaries haven't fully embraced this yet.

9	<p>LAWYERS in consensus:</p> <p>The formation of lots is a key area needing digitalisation. Notaries each use their own methods, often relying on Excel sheets, which calls for a standardised, reliable calculation tool. Full digital submission would improve efficiency, but notaries haven't fully embraced this yet.</p>
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13	<p>Use of secure tools to communicate with the court.</p> <p>Proposal: expand this to include notaries so they can also communicate securely with courts and each other.</p> <p>Email is too insecure; there is a need for a secure and accessible platform for all involved parties.</p>
14	<p>There is a digital tool called 'Divide,' useful for initial calculations in divisions.</p> <p>Advantage: gives parties an initial idea of the division.</p> <p>Disadvantage: very static system, allows no internal adjustments (also got taken off the market).</p>
15	<p>Digitalisation is needed at the notarial level, where inconsistent working methods make case outcomes unpredictable. There is a shortage of legal professionals with deep expertise in liquidation-division. This gap undermines efficiency and consistency across proceedings. Specialisation in this domain remains limited.</p>
16	<p>As lawyers, we master the legal theory of liquidation-division—such as restoration (<i>inbreng/apport</i>), reduction (<i>inkorting/réduction</i>), and usufruct—but translating that into practical calculations proves difficult due to the lack of reliable tools and guidance. I use my own Excel sheets, but would benefit from access to VUB models, which, although helpful, still require manual legal research and lack certainty. This creates frustration, especially when clients seek amicable settlements to avoid notarial proceedings. The process demands a human, case-specific approach, yet predictability is low due to inconsistent notarial practices and calculation errors, making it hard to anticipate outcomes and requiring time-consuming, uncertain research.</p>
17	<p>I use the VUB Excel tools for divorce-based liquidation, but no equivalent exists for inheritances. I built a basic Excel model myself, but it lacks reliability. Such a tool could help index gifts over time. I also use ChatGPT as a legal search engine.</p>
18	<p>For liquidation-division after divorce, we use Casman's Excel. Or we use Hobin's Excel sheets to calculate maintenance contributions. So in this, I think the liquidation phase benefits more from digitalisation than division phase.</p> <p>As for estates, no such excel exists, maybe it is a good idea that such a tool is yet to come. I have little experience with inheritances.</p>

	I think we should also have a tool that can estimate/calculate the contribution to the community, which takes into account all types of efforts (going to work, taking care of the children, household etc.) and thus actually estimates the burden of marriage.
19	I do not know, because we can submit our file digitally at the court. We make appointments with the notary through e-mail and send documents through WeTransfer... that in itself is all well digitalised.
20	I believe a balance to equalise shares (<i>opleg/soulte</i>) could be calculated through digital processes, then it could be checked by a notaries. Or a tool that helps plot formation with equal goods of the same value to each party. Then again, that is slightly relevant to the liquidation phase but that is because liquidation and distribution are closely linked. But a digital tool around imposition is a bit more for the distribution phase. Liquidation and distribution after an estate has opened and after a divorce - run similarly. But as for the overlay, that often occurs in divorces, in estates, there is going to be distribution such that no overlay has to be paid.
21	We need valuation tools, be able to work in partial aspects/defined subcomponents and definitively close each discussion per subcomponent. We also use VUB's excel sheets. We need a solution that determines what should be distributed, actively and passively, and explains why an asset is distributed in a certain way. However, this tool should start from law and be legally based. Then we can translate this tool to the client with tangible elements.
22	I propose a legally grounded "liquidation-division platform" with shared access for notaries and lawyers, centralising all documents and procedural steps. so, a system where you can track who exchanged what when or made a change to the file. As a solo practitioner, I lack case management software and rely on scanning to submit via e-Deposit and DPA but these tools have limited upload capacities, forcing me to compress or split large files, which is inefficient. A unified system would vastly improve workflow and transparency.
23	A tool should be developed to address the collation and reduction of gifts within inheritance proceedings. There is simply a need for more instruments to enable accurate division of complex inheritance cases. Such tools must take into account who the heirs are, the number of heirs, their age at the time of the gift, the date the gift was made etc. Furthermore, the tool must be primarily grounded in Belgian succession law.
24	Liquidation-division is primarily a notary's job, notarial practice remains largely undigitalised We still too often work in person or by unsecured e-mail. Actually, there should be a shared platform where the lawyer and client compile the assets so that the notary can draw up the state of liquidation-division more quickly and so we do not have to wait very long for the state. Also, there should be a liquidation-division tool for inheritance cases but these things are very complex - so that would be very useful.
25	Digital meetings with the notary are feasible, though they may lack the persuasive atmosphere of in-person sessions. Key procedural steps, such as scheduling and inventory decisions, could be handled digitally. There should be a shared platform with the notary that outlines all steps and stores relevant documents and emails. This would ensure transparency and streamline collaboration.
26	Video meetings should be used more, especially for scheduling discussions that don't require physical presence. For example, the first meeting at the notary's office is often about setting deadlines, for which the parties do not need to move I think. This could take place through secure platforms like Webex proved helpful during COVID.

	Excel tools like Casman or Hobin are underused due to limited training; we need more accessible education for all legal professionals regarding the use of these tools, everyone should be to use these tools. Such tools make complex patrimonial decisions easier by translating legal principles into understandable figures.
27	It could be useful if the parties interested could visualise the on-going procedure's documents and calculations in real time on an online platform. This could improve the sentiment of justice and transparency, as well as avoid delays caused by having to send documents between the parties and the court.
28	Videoconferencing in court should be a possibility. This would be a huge time saver for every actor involved in the case although physical meetings are also still important for lawyers. It is just different in real-life.
29	Justice wants to digitalise but it just runs deficient. On the one hand, we have to file our case via e-deposit and on top of that, some courts require a hard copy version but others do not. No uniformity. Actually, we need a platform where we can see all liquidation-division steps per file by means of a timeline. Then each party can submit the right documents within a certain bounded time when it is their turn. This platform would also allow all communication between all the stakeholders within liquidation-division: the lawyer, notary, court.
30	The most challenging from this angle is the mathematical side of liquidation: interest, division percentages, and calculations. It could benefit significantly from automation and digital support.

Category 2: Opinions on technology readiness

Question

3

What digital tools do you currently use in asset liquidation-division procedures?

If these tools are also used by the parties themselves, do you find that they are sufficiently accessible to vulnerable individuals (such as the elderly, people with disabilities, or those with low digital literacy)?

N	Answer
1	Uses ChatGPT for drafting and research guidance, especially to determine where to begin. Still learning how to prompt effectively. Also uses e-filing (TOGA) and online databases, though accessibility can be limited even for lawyers.
2	Uses legal databases, but these are not accessible to average citizens. Occasionally uses ChatGPT for research, though accuracy varies hence prefers to do research herself. Her office is developing AI tools that protect confidentiality and store old legal drafts in order to improve efficiency.
3	Clients don't access the legal databases or digital tools he uses. He uses ChatGPT for non-confidential matters and is exploring AI tools to improve efficiency. Still, for lay clients, in-person meetings and explanations remain crucial to clarify complex procedures.

4	Communication is mostly digital now, especially since COVID. Tools like email and e-filing save time, though e-filing is not accessible to clients. Online communication has significantly replaced in-person interactions.
5	LAWYERS in consensus: We primarily use email and PDFs for communication, with occasional video calls, though these are rare. Each office has its own case management system. Digitalisation is minimal, especially in family law procedures as it is a very complex procedure.
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12	LAWYERS in consensus: We primarily use email and PDFs for communication, with occasional video calls, though these are rare. Each office has its own case management system. Digitalisation is minimal, especially in family law procedures as it is a very complex procedure.
13	LAWYERS in consensus: Digitalisation of justice is considered deficient. Despite digital systems, lawyers often still have to print everything, causing frustration and extra work. There is a gap between the digital discourse and daily practice. Consensus LAWYERS + NOTARIES: Each office or professional sector uses its own CMS. Videoconferencing is rarely used: preference for in-person meetings due to the importance of non-verbal communication and emotional assessment. Use of Excel Tool is well established as a practical digital tool (especially for calculations and divisions).

14	<p>LAWYERS in consensus: Digitalisation of justice is considered deficient. Despite digital systems, lawyers often still have to print everything, causing frustration and extra work. There is a gap between the digital discourse and daily practice.</p> <p>Consensus LAWYERS + NOTARIES: Each office or professional sector uses its own CMS. Videoconferencing is rarely used: preference for in-person meetings due to the importance of non-verbal communication and emotional assessment. Use of Excel Tool is well established as a practical digital tool (especially for calculations and divisions).</p>
15	<p>Submission of documents, written pleadings is done digitally and sometimes on paper depending on the court. No video conferencing, I prefer to meet in person with people, notaries, lawyers... of course also e-mail/telephone/in person contact with the client. It is also important to respect the adversarial principle. I've already had a client who doesn't have a computer. Then you have to print everything out and send it by post. Or I once had a customer who could not read, then you call the customer on the spot and read everything out loud.</p>
16	<p>I communicate with clients by email, phone, Teams, or in person, notaries only by email or physical meetings. I rely on legal platforms, especially Jura, for my legal library. For large files, I use WeTransfer, and I also utilise e-Deposit and DPA for digital filings to the court.</p>
17	<p>We digitally sign and email our notes and written pleadings to the notary as PDFs. We only use e-Deposit for filing documents with the court. We store files via cloud-based software and conduct most client meetings in person; Teams is used less frequently. Jura supports our legal argumentation. A dedicated platform for lawyer-notary communication would accelerate liquidation-division.</p>
18	<p>I use e-Deposit (not DPA) to file submissions, pleadings, and supporting documents with the court. Occasionally, I conduct Teams meetings with clients or allied counsel, but not with opposing parties. For liquidation-division matters, I meet with the notary in person, sometimes exchanging emails for practical coordination.</p>
19	<p>We use WeTransfer for large files and videoconferencing with clients abroad. e-Deposit is preferred for filing court documents as it is free, whereas DPA requires payment. DPA is, however, obliged to do searches in the national register, for example. Communication with notaries happens via email or in person, which fosters reconciliation better than video calls. Physical meetings preserve the human element necessary for amicable resolution. We currently do not use legal software but plan a transition in summer 2025, keeping paper files while adding digital storage. Paper remains efficient for quick access and presentation in court. For those with cognitive disabilities or no digital skills, we rely on postal exchanges.</p>
20	<p>I use Excel for liquidation-division calculations, including equalisation. I rely on legal search engines like Jura and communicate with notaries via email. Submissions to court are made through e-Deposit. These tools are practical, though not centralised or uniform.</p>
21	<p>Courts are not fully digital—e-filings via DPA are standard but not universally used. Many courts still request hard copies. Communication remains largely email-based. We use VUB's Excel tools, digital meetings with clients (efficient but less personal), and suffer from poor document quality from mobile uploads. Access to financial institution data would help track asset value shifts over time—critical for fair division.</p>

22	We use e-Deposit and DPA to initiate cases, but judges still prefer paper files for deliberation, as they are easier to navigate. Communication with notaries and parties is largely via email or in person. I still work manually—no Excel tools or similar; all calculations are done by hand. My approach remains traditional but effective.
23	We use all office tools such as Teams for video conferencing with clients who are often abroad. Classic excel documents for calculations. File management system through Office e.g. our outlook is connected to IManaga where emails and email chains go straight into the right file. We use 'DocuSign' for digital signatures.
24	We file digitally via DPA and use legal databases like Jura and Strada lex, alongside an internal AI tool. We rely on Casman Excel but it needs refinement—ideally with AI integration for inheritance. We manage files securely via iManage, with restricted access for involved staff. Most of our international clients meet us over Teams, and we use Webex with notaries for remote sales and digital mandates.
25	I use Excel for calculations. Teams for client meetings, not with notaries unless for remote property sales via digital proxies. Our office uses iManage, which syncs with Outlook to automatically file emails and documents. All documents are now digitally managed and signed electronically. We use e-Deposit and DPA for court filings, and occasionally submit physical files if required by the judge.
26	Client communication is digital except for first consultations or when asked for in-person contact (maybe due to vulnerabilities for example). We meet with notaries and colleagues by video when useful. We use a digital case management system and submit court bundles via e-Deposit or DPA. However, court hearings are still not conducted digitally.
27	Not a lot of experience with digital tools because they stopped practicing in these specific procedures before they became more popular. But they do not believe that digital tools are accessible to vulnerable individuals.
28	We have some kind of cloud file management system where our files, e-mails, etc comes in and through which we plan our calendar. We also use Office tools. Digital meetings with clients if they ask for it, but has been reduced after COVID e-deposit/DPA to file documents etc. - we use our lawyer's card and Itsme or eID to log in, this is a sufficient method of identification so we don't have to sign electronically again. But otherwise, we do use an e-sign software.
29	We work with a digital file management system, kind of like Dropbox, each file has a file number, so the client remains pseudonymised. We still have a hard copy of our file. We use as I said WeTransfer for large files e-deposit/DPA for depositing briefs and bundles at court. With clients, we sometimes have videoconferences if they wish With the notary, correspondence has to be adversarial, the parties have to be present for the notary to maintain his impartiality. So we email the notary to schedule a meeting, but the actual meeting takes place in person. We use e-sign to sign documents such as a partial agreement between parties.
30	Doesn't use many digital tools beyond the Excel-tool or interest calculators. Tools depend on case type. His current practice doesn't involve vulnerable groups, so limited opinion on that.

Question

4

How is the digitalisation of asset liquidation-division procedures perceived by you personally and by your professional legal community involved in these procedures?

Do you see digitalisation in the justice system, and especially in asset liquidation-division procedures, more as an opportunity for innovation or as a challenge to existing roles and practices?

(If you perceive it as an opportunity): What legal, organisational or cultural obstacles do you see as hindering the introduction of digital tools in asset liquidation-division procedures?

(If you perceive it as a challenge or risk): Which are the main risks you foresee?

N	Answer
1	She sees AI as useful support due to complex content, especially to orient oneself in procedures. Professionally, reactions are mixed: skepticism out of ego and fear of being replaced, but also due to doubts about reliability.
2	Sees legal data as an opportunity, though adoption is slow, especially among older notaries. Few lawyers fully master the complex liquidation procedures, making system-wide change difficult.
3	He supports digitalisation but stresses the importance of critical engagement. Traditional practices can be accelerated digitally, but some older colleagues are still reluctant to fully embrace tech.
4	The legal profession, especially the OVB, is actively pushing for digitalisation to make processes smoother and more transparent. Still, digital tools must remain supportive, never replace the lawyer.
5	Digitalisation offers a clear opportunity, especially for calculations to reach concrete results. While early phases require physical contact for emotional reasons, later stages could become more digital to boost efficiency and speed.
6	It's a good opportunity, mainly for calculations, but digital transformation demands significant investment. The challenge is balancing these costs with the benefits of increased efficiency.
7	LAWYERS in consensus: Digitalisation is promising, especially for calculations that yield concrete outcomes. However, lawyers need specialised knowledge of this niche procedure before full digital adoption can succeed.
8	LAWYERS in consensus: Digitalisation is promising but challenging. It progresses quickly, forcing lawyers accustomed to traditional methods to adapt, which can be difficult due to the procedure's complexity.

9	Digital transformation is valuable, especially for calculations. Yet there's a risk that clients might feel more distant from their case, which is fundamentally a human and emotional process.
10	Digitalisation is a great chance, particularly for calculations. There is room for improvement but also risks like information bias from AI and challenges around confidentiality.
11	Digitalisation mainly helps calculations, providing useful opportunities. However, challenges include handling unverifiable sources and hallucinations in AI-generated content.
12	Digital transformation seems more challenging than beneficial. The interviewee sees few advantages and doubts its overall value in this context.
13	LAWYERS in consensus: Digitalisation = OPPORTUNITY: Great opportunity to make procedures more efficient, transparent, and structured. Everyone acknowledges the potential of Digitalisation in practice. But: there are obstacles to overcome (1) Improve digital literacy: Not all actors (including clients) are equally familiar with digital tools. There is a need for training and support. (2) Dependence on internet connection: If the Wi-Fi fails, work stops. Need for stable and secure IT infrastructure.
14	LAWYERS in consensus: Digitalisation = OPPORTUNITY: Great opportunity to make procedures more efficient, transparent, and structured. Everyone acknowledges the potential of Digitalisation in practice. But: there are obstacles to overcome (1) Improve digital literacy: Not all actors (including clients) are equally familiar with digital tools. There is a need for training and support. (2) Dependence on internet connection: If the Wi-Fi fails, work stops. Need for stable and secure IT infrastructure.
15	An opportunity, to bring more uniformity in the way documents have to be prepared. A better access to the digital file so that we do not have to go to the registry every time and consequently wait there for a long time before finally being able to access the case file.
16	Although I lack deep tech knowledge, I view legal tech as a potential opportunity if used in secure, non-open-source environments. It must specialise in legal content to be relevant. I fear rigid automation might replace human judgment and cost jobs, though legal expertise remains a key asset. Tools lacking contextual evaluation are ill-suited for nuanced matters like liquidation-division.
17	I see this as an opportunity. Jura is highly efficient for accessing legal doctrine and jurisprudence. Excel tools are useful but must be refined—especially one tailored to inheritances. We need better file-sharing tools; current upload limits on e-Deposit and WeTransfer are too restrictive. Handling large document bundles remains a technical hurdle.
18	I see it more as an opportunity. Actually, one should examine what can be standardised within family law with certain criteria and what cannot. Everything that cannot be standardised are the decisions that have a patrimonial impact. For example, I also think that case law is not standardised enough to use AI, whereas case law is a building block to create law.
19	I see it as an opportunity. Should there be a similar digital system like the Central Register of Protection of Persons (CRBP) but for settlement distribution files, it would certainly be an opportunity. CRBP works very well, I have not heard any administrator complaining. Through this platform, we can submit all kinds of documents like papers, petitions etc to the peace court and also the peace court communicates with the parties through this platform.

	I don't see any obstacles. If CRBP succeeds legally then surely it should also succeed for a similar tool with the family court. Organisational or cultural obstacles I wouldn't know... ultimately you access these digital platforms via eID or Itsme app so in itself there are a number of digital tools that can help make digitalisation accessible to parties.
20	An opportunity. I do think that this digitalisation can be an opportunity to make procedures more efficient and faster. For our profession, I don't really see a challenge, because it's not us ruling on the division. I only need to defend against it if there is a problem. One obstacle that could hamper digitalisation is fear of becoming less important themselves or perhaps afraid of change. Along the other hand, our profession does remain a Human Science, it seems difficult to accept that robots or computers would take over the profession. Perhaps also a financial barrier, we need to have the resources to be able to innovate - in Belgium, I mean.
21	For me, an opportunity, absolutely. Yes, undeniably an opportunity. I think one obstacle that hinders digitalisation is the archaic nature of the courts and also of the legal profession. Maybe we should dare to push hard into that? Socio-culturally, we need to be able to bring everyone along digitally. If you then improve such a procedure and make it more efficient, it has to benefit EVERYONE and not just those who have access to all possible digital tools. So that will be the challenge to find a solution for that. There is certainly no need for more legislation, but existing laws could be rewritten to simplify procedures even more.
22	I do see it as an opportunity somewhere. Within the broader platform DPA that we use as lawyers, another tool can be developed for liquidation-divisions so that it becomes more transparent. The barrier to digitalisation is that we are “creatures of habit”, people are quick to show resistance in the beginning until they get used to it.
23	Both. A lot of things are going to change anyway, from research work to writing. It can save time, but the difficulty of liquidation-division lies in the human aspect. The AI, for example, still has to evolve in that area, recognising nuances, specific digital tools for liquidation-division are the Excels but they are then also limited to divorces. Another obstacle is ensuring confidentiality of the file.
24	Both. It saves time, we can process files faster what can save costs for the client. The added value of the lawyer can be questioned by it though, we are going to have to constantly innovate, life also goes much faster what we used to send by Fax and we waited a week - we now send with a few clicks within 24 hours - it is also required that everything goes faster. Another obstacle is that all the digital tools together can cost a lot - especially for smaller offices.
25	AI offers innovation—templates, calculations—but must be used with caution and critical oversight. Justice is underfunded: judges lack basic tools like dual screens, undermining digital procedures. Without full-scale digitalisation across all actors—lawyers, notaries, courts—the system cannot progress effectively. Technological imbalance hinders uniform reform.
26	Both. Opportunity because the now very long procedure could possibly be more efficient through incorporating digital tools like videoconferencing. But it is also a challenge because I still notice many professionals are afraid of change. To digitalise, everyone has to be on board and involved, not just the lawyer but also the notary that act as the first judge, the court and the clients themselves. The obstacle to more digitalisation are the vulnerable groups, some professionals are not familiar with digital working methods, but also infrastructurally we need to have a stable Wi-Fi connection otherwise we will have a lot of technical problems.

27	Digitalisation can be an opportunity. First, in order to introduce it successfully, the tools should be economically accessible for every professional and be validated and uniformised by an institution. A solution could be that members of the bar association can access a list of validated tools via a subscription. Second, some of these tools could challenge the transparency and comprehension of the decisions by individuals.
28	Opportunity because currently too much time is lost to procedure due to lack of innovation. But I think an obstacle of digitalisation, for example, would be the idea in society that the lawyer will no longer work on the case in a personal way, or that the faster processing of cases would seem like we are not paying much attention to the case...
29	Opportunity for lawyers, we have no choice but to innovate. I think in general in liquidation-division we still have to do too much manually, think for example of scanning with a printer. This should be much more efficient via mobile phone: an app that allows us to scan immediately. The challenge is that various stakeholders are involved in liquidation-divisions and good digitalisation requires the whole legal network to be involved.
30	He is highly in favor of digitalisation. Routine tasks should be automated; up to 70–80% could be standardised. It's not just a chance but a societal necessity for public interest and efficiency, in the end lawyers and mediators serve the people.

Category 3: Opinions on how to implement digital technologies

Question

5

What changes in training, infrastructure, organisation, or regulation do you consider essential for successful digitalisation of family property law cases; particularly in asset liquidation-division procedures?

N	Answer
1	Trial-and-error is common; clearer rules could help broader adoption. Organisationally, a system accessible per profession would be useful. However, tools shouldn't be client-facing; risks arise when clients come with biased, AI-derived assumptions.
2	Lawyers and notaries need true specialisation in this niche area. Without deep content knowledge, digital tools won't be reliable; human expertise is a prerequisite for their success.
3	A shared digital tool for statements within the procedure, where all parties can comment and take notes, would streamline the process. Centralising everything digitally would make each step clearer and more accessible for everyone involved.
4	Regular training is essential so all legal professionals can use digital tools efficiently. Organisations like the OVB already provide such courses to help practitioners stay up to date.
5	All procedural steps should be digitalised for parties, lawyers, and notaries, but only for factual matters. Discussions involving emotions must remain face-to-face.

6	Notaries expect much from lawyers, who are sometimes “lazy.” Everyone must align on the process. Emotional parts should remain physical, emphasising personal contact.
7	There is a clear need for specialised training of this procedure itself before digitalisation can start. Lawyers need to be fully informed and educated on this complex procedure, emotional and complex discussions should remain in-person; digital tools support only technical tasks.
8	Lawyers need more education about this specific procedure before digitalisation is feasible. Emotional, human parts must stay physical.
9	Emotions are crucial, so discussion phases should remain physical. Digitalisation is suitable for administrative and calculation stages.
10	Emotions play a big role and require physical presence. Digital tools can assist factual, procedural steps but cannot replace human judgment.
11	Clients often have preconceived ideas due to the internet or use of AI tools, so digitalising some parts risks complicating matters. Emotional phases should stay physical.
12	No strong opinion; generally skeptical about digitalising this process.
13	<p>LAWYERS consensus: Lack of evidence in estate cases: In practice, there is sometimes simply no evidence available. Digitalisation cannot fully solve this; it remains a fundamental legal challenge.</p> <p>Many people are unfamiliar with digital tools like LLMs or ChatGPT-like systems.</p> <p>Tools can increase efficiency by making legal information more accessible to citizens, but there is a need for:</p> <ul style="list-style-type: none"> • Education and guidance • Awareness of existing tools • Better interoperability between systems
14	<p>LAWYERS consensus: Lack of evidence in estate cases: In practice, there is sometimes simply no evidence available. Digitalisation cannot fully solve this; it remains a fundamental legal challenge.</p> <p>Many people are unfamiliar with digital tools like LLMs or ChatGPT-like systems.</p> <p>Tools can increase efficiency by making legal information more accessible to citizens, but there is a need for:</p> <ul style="list-style-type: none"> • Education and guidance • Awareness of existing tools • Better interoperability between systems
15	<p>An opportunity. In liquidation-division, a lot of calculations have to be done. so, it would be very useful if we have a tool that can do this for us. So I am not against digitalisation as far as it is practical.</p> <p>The challenge in using technology is that we definitely need to think about vulnerable groups.</p> <p>For example, if you have to succeed another lawyer in a case you have to consult the civil file - sometimes the previous lawyer has more info for you but otherwise you have to go to the registry to get access. So as lawyers, we do submit documents and written pleadings digitally but to see the civil file we have to go to the registry, we then sometimes have to wait for 3 quarters of an hour to see the file which of course also takes time... all a waste of time, actually we should be able to consult a file online. An important criterion for me is that digitalisation should be able to save time, if I lose time with it then I don't want to use it. Above all, there is a practical added value for notaries.</p>

16	I do not know, maybe lawyers should also be able to access the excel sheets, or there should be such a unified system so that liquidation-division becomes a little more predictable - and we as lawyers can estimate what the outcome might be - matter of being able to better guide our clients.
17	Training is necessary—both in using new tools and mastering Excel for financial calculations. The Flemish Bar Association is active in providing AI guidance, including webinars and manuals. Still, there are financial and organisational concerns: who pays, who maintains the tools? The cumulative cost is burdensome for legal practitioners.
18	I think of training. We need to know what technology can and cannot do/ I think that in liquidation-division, notaries in particular benefit from digitalisation, and so they should also receive the necessary training to work with it. I also think of infrastructure that the federal public service of Justice should be able to make available, because I think technology is only acceptable if we can work in a protected environment where we don't have to worry about privacy, for example.
19	I think infrastructure is lacking, everyone also makes do according to the resources they have. Some offices are more digitised than others. But if digital tools are deployed, I think there should be training on how to use them. Instead of lecture days, maybe make pre-made short videos so that we can decide within our own schedule when to watch the videos or short lecture notes. For CRBP such videos were made, and were useful.
20	If more digitalisation were to take place, we would also have to provide training at universities or through continuing education on how to use such tools in our work. We lawyers have to obtain 20 pints a year of training organised/recognised by the Order of Flemish Bars. But certainly, no more regulation.
21	There should be more training. Lawyers need to learn to work with objective tools because we are not technicians. In terms of infrastructure, I think the judiciary in particular will have to dare to think more innovatively. Everyone must be able to participate in the digitalisation process, which also requires good organisation and common sense. And above all deregulate, adapt existing laws
22	Humans are “creatures of habit”, especially the legal profession is so crafty that we are often resistant to innovation and change. We are distrustful and somewhere afraid of change. The step from a very manual process to a digital one is a big one. As a small office, I am overasked, there are long waiting times, I lack time for additional training. Better infrastructure and tools as I mentioned under question 2, also the upload volume I mentioned needs to be higher.
23	No idea, within our office we get plenty of training on how to use AI since we have one for ourselves.
24	Everyone should just be able to work with Excel to begin with. In addition, we should also be able to work with AI - how to use it, what are the pitfalls, etc. I see junior colleagues tend to take AI's output as true more quickly. They can no longer write texts themselves and lose that skill. There is a risk of people becoming too dependent on AI.
25	Training is needed to understand how digital tools function, where they help, and where caution is needed. Legislation should allow procedural steps like the opening of proceedings and digital signing of agreements.
26	As I said, everyone knows the excel tools but few can work with them, this needs to change in order to get more predictability and reach a solution faster. Moreover, liquidation-division is not a simple matter but also involves, for example, contract law, company law, etc. we as professionals need to keep monitoring these insights and keep developing ourselves. Older professionals also need to be digitally trained.

27	First, it is essential that digitalisation is understood as a right and not an obligation: since it is not indispensable for each dossier, individuals should have the right to opt-in/out (for example concerning the online submission of documents). Second, since it is a right, professionals should undergo training and have access to a number of necessary tools.
28	regulation should encourage digitalisation of procedures, it should facilitate digitalisation. Organisationally, all actors should work together: the FPS, federation of notaries, the Bar association(s) - especially the notary most involved in liquidation-division should digitalise. Everyone now has their own digital tools or are developing them - but everything should actually be more aligned instead of investing in 1001 tools, that way we achieve more uniformity. Infrastructure-wise, lawyers and notaries normally do have the resources to digitalise.
29	As lawyers, we are very dependent on the notary and on the court. So achieving efficiency should be a common goal. It is normal that there are different opinions about digitalisation of justice and that some show resistance to it but the actors must be aligned, there must be a certain minimum standard/minimum digitalisation. <ul style="list-style-type: none"> - For example: the notary is appointed by the court, then the parties have to sue the notary based on the appointment judgment - I think that is an unnecessary intermediate step. Once there is an appointment judgment, the notary should just be notified immediately and within two weeks confirm or not confirm the application depending on how busy he is - without any loss of time. - Another example: for the opening of the proceedings, some notaries require a certain amount of preparation, others do not - however, it would be very convenient to always go to a meeting prepared otherwise (1) it just costs a lot of money for the client - we charge an hourly fee and (2) we have moved around unnecessarily when I could make better use of that time. The way notaries work should just be standardised - the requirements should be fixed as being 'by this date I need this and that. - Yet another example: hearings are fixed at 9 AM, while my file does not appear until around 11 AM - through digitalisation, hearings can be better organised.
30	Main problem isn't the tools, but lawyers' and mediators' lack of deep procedural knowledge. Tools require solid legal foundations. Lawyers and mediators must fully understand the underlying material before using AI. In any case, humans must stay smarter than machines.

Category 4: AI risks perceived

Question

6

Have you encountered or tested predictive models?

If so, how accurate or useful were they in reflecting the outcomes you would expect from a human decision-maker?

N	Answer
1	No

2	No personal experience with automated judgments; feels it's still far off and not yet relevant to her practice.
3	No. AI tools lack sufficient understanding of Belgian family law, which is very niche. There's a high risk of pulling inaccurate info or using sources from the wrong jurisdictions.
4	No, AI tools are currently used, except some basic calculation/negotiation software for mathematical aspects. However, these tools are abstract, so critical human oversight is always necessary.
5	Not really. Recognises the difference between general and specific questions, but hasn't used AI much.
6	Tried AI once; it gave a perfect answer but only based on publicly available info. It summarised well but has clear limits.
7	Yes, AI is helpful for research and saving time if given lots of context. Uses paid versions that can handle large amounts of info. Also as the lawyer using it, need to use your own critical vision to guide it in its application.
8	No. I think AI sometimes hallucinates and gives answers based on unreliable info.
9	No
10	No
11	No
12	No; believes human creativity and innovation surpass AI in this field.
13	<p>LAWYERS in consensus:</p> <p>Current limitation: legal material not sufficiently digitalised</p> <ul style="list-style-type: none"> • Judgments and rulings are not sufficiently digitalised. • Therefore, there is not enough structured data for AI systems to be fully effective. • Judges also often lack an overview of all jurisprudence, so the knowledge base is fragmented and hard to centralise. <p>AI = useful for knowledge-based support, not for predictions</p> <ul style="list-style-type: none"> • AI tools can/will be used for knowledge-related questions (e.g., standard procedures, checklists, legal explanations). • Predictive AI is seen as unfeasible or inappropriate at this time, due to:

	<ul style="list-style-type: none"> o Lack of sufficiently reliable data o Complexity and nuance of individual cases, especially in estate-settlement procedures
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15	No, have not presented any cases yet but have asked a legal question once. I had a case where 2 Germans were married, EU officials living in Belgium, the wife had fled the house to Germany, the property in Belgium had to be liquidated and then I asked some questions about this situation on German matrimonial property law in the early 1980s (because they were married then). It's definitely useful, it provides wayfinding and structure but provided you always verify the result. I always verify by using online legal databases or by going to the Bar library.
16	I have used AI to draft letters or emails, or retrieve factual data where legal analysis is unnecessary. I have also used it to organise legal arguments and refine them using trusted sources like Jura. However, when prompting in Flemish, ChatGPT output is based on Dutch law rather than Belgian law. I also noticed hallucinated references, making it unsuitable for authoritative research.
17	I tested free ChatGPT at a Antwerp bar association congress and asked a simple legal question. The answer was correct but incomplete, failing to account for a recent legal reform. This highlights the tool's limitations for current legal accuracy.
18	Yes, I once used it in a liquidation-distribution case to know whether statutory interest is not abusive compared to bank interest. And I was satisfied with the answer.
19	I tested ChatGPT but the result was not good. Because I asked my legal question in Flemish and ChatGPT gave me answers in Belgian and Dutch law. I also tried LexNow's AI tool and there the answers were better. I think maybe because the output is based on the content of the legal database.
20	I use ChatGPT to explore unfamiliar topics or structure arguments, which I find helpful. It provides direction but lacks reliability in legal citations or statutory references. It performs better on factual queries than legal doctrine. It's useful as a starting point, not as a legal source.
21	I tested AI and found it accurate and helpful, though human refinement is still needed. A lawyer must enhance and validate any prediction AI generates. It is a learning tool that still relies on human intelligence. AI should assist—not replace—professional expertise.

22	No. But I did discuss and debate it with other lawyers - we should give it a try. I have heard that these tools can give a good basis but are not yet sufficiently accurate. AI does evolve quickly so I they do make me use it in six months or a year - if the model improves. Then maybe it will also be more accessible in terms of price because now it is quite expensive.
23	yes, we have set up our own ChatGPT. I only use it for translating, writing emails or asking legal questions that I know the answer to. I find that the output is not reliable because if you challenge these tools in their reasoning - they are not stable, in the sense that if you ask further questions, you get a completely different answer. I find it lame that AI cannot immediately say 'I don't know' or just 'pretend' it knows what it is saying but then adjust its reasoning depending on how you ask the same question. It also knows no distinction between Belgian law and Dutch law, so you get wrong answers.
24	I haven't used AI to predict outcomes in liquidation-division cases. I've posed legal questions, but ChatGPT's responses lack accuracy. It fails to distinguish between Belgian and Dutch law. The results are too general for nuanced practice as liquidation-division.
25	I only use AI for drafting emails and translations. I tested a question on an in-house AI tool and found the result broadly accurate. It lacked nuance, but I also withheld detailed case information. Overall, it was useful for basic queries.
26	No because it is still dangerous to our professional secrecy at this point.
27	No.
28	Yes, tested. AI tries to make predictions based on what it finds online and the data it is trained with. I do think it is useful to highlight things you didn't think of at first, but it is sure not accurate yet, we still need to steer and refine too much.
29	Yes, answers are too basic to accept as legally thorough. I do believe in the relevance of these tools in the future.
30	No, though he occasionally tests himself to see if he's still smarter than the AI.

Question

7

What risks do you foresee in using predictive models in family property law; including, but not limited to, over-reliance on these tools, lack of transparency, or limited litigant understanding? Or do you see other risks?

N	Answer
1	The biggest risk is people playing lawyer themselves. It's not just lawyers but also courts that may overly depend on tools. Human input remains crucial for case-specific justice.
2	Risks include lawyers becoming less critical or relying blindly on tools. Legal accuracy must be maintained, and more training is needed to use AI while preserving public trust.
3	It's not straightforward: Belgian case law isn't always publicly available, and it evolves constantly. For an AI tool to remain accurate, all judgments and rulings would need to be made accessible, in other words this is a data availability problem.

4	A major risk is overreliance: using AI models as a replacement for legal expertise. These tools can't understand the full context, which makes blind trust in them dangerous.
5	Main risk is unreliable, unverifiable sources causing hallucinations; AI outputs may reflect unsubstantiated opinions.
6	A divide between large and small firms exists; big firms afford better tools, small ones fall behind, creating inequality.
7	Parties often have strong preconceived opinions about their position, making the process harder and complicating AI use.
8	Inequality between firms and their means to invest in such tools as well as and parties' fixed opinions both make AI adoption tricky.
9	Inequality between firms and their means to invest in such tools as well as and parties' fixed opinions both make AI adoption tricky.
10	Issues with professional secrecy, how can this be guaranteed when using these tools? Information bias in AI, which isn't neutral and can be risky and cause problematic outcomes.
11	Problems include unverifiable sources and hallucinations in AI, making it risky.
12	Believes humans are the best version of a lawyer and no AI should be involved.
13	<p>LAWYERS in consensus- RISKS of digitalisation and AI:</p> <p>Structural risks:</p> <ul style="list-style-type: none"> • Limited understanding of legal context remains a persistent problem, even with digital tools. • Cybersecurity: risk of data leaks or cyberattacks is real. • Manipulability: external influence on digital systems is a concern. <p>Risks for citizens:</p> <ul style="list-style-type: none"> • Blind trust in output: citizens may cling to incorrect interpretations or incomplete AI output. • Focus shifts to what <i>they</i> find important, not necessarily what is legally relevant. <p>Risks for professionals:</p> <ul style="list-style-type: none"> • Loss of finesse: <ul style="list-style-type: none"> o Procedures like estate settlement and division require sensitive, case-specific handling. o Digitalisation risks leading to a kind of "one-size-fits-all," losing nuance. o Human interpretation and tailored approach remain crucial.
14	<p>LAWYERS in consensus- RISKS of digitalisation and AI:</p> <p>Structural risks:</p> <ul style="list-style-type: none"> • Limited understanding of legal context remains a persistent problem, even with digital tools. • Cybersecurity: risk of data leaks or cyberattacks is real. • Manipulability: external influence on digital systems is a concern. <p>Risks for citizens:</p> <ul style="list-style-type: none"> • Blind trust in output: citizens may cling to incorrect interpretations or incomplete AI output. • Focus shifts to what <i>they</i> find important, not necessarily what is legally relevant.

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15	Critical thinking must prevail. Clients sometimes believe AI blindly, even when its output contradicts Belgian law. We must educate users to trust legal professionals over general tools. AI's legal accuracy remains limited.
16	Digitalisation could lead to too much automatism, it is based on statistics which makes me fear that it does not think enough, lacks interpretation and simply cannot see 'the bigger picture' that does matter in settlement-distribution cases. Furthermore, I think users of these models are not yet sufficiently trained to 'control' the system and its output. Therefore, I think it is very important that people still remain involved and make judgments about the outcome.
17	We must keep monitoring how ChatGPT reasons and ensure oversight. It may assist with calculations related to liquidation and division. However, it's not suited for answering nuanced legal questions.
18	AI outputs often lack the nuance inherent in judicial reasoning. Parties misuse tools like ChatGPT as if it were Google and rely on oversimplified results. Fortunately, we can explain to clients why such answers lack legal validity. I also think we have limited access to legal literature, it depends from publisher to publisher. They then also have some kind of struggle among themselves to publish case law on their platforms. In such cases, we also always have to think about personal data, what happens to it? How are individuals anonymised?
19	<p>We always have to double-check the result through law articles, legal theory, etc. so that is double work for us. We have to do the exercise again ourselves to know whether AI was correct. There is no tool yet that can understand the nuance of liquidation-division, every file is unique, I am suspicious of AI's reasoning, he understands Dutch as a mix of Belgian and Dutch law...</p> <p>AI may be relevant to make calculations with, liquidation of assets or an AI version of the excel sheets we use like Casman, Hobin...</p>
20	It does bring efficiency and convenience but is a danger to our critical thinking. A big risk is going to be that all parties lawyers, notaries, judges are going to be less critical and would dare to take what AI says more for granted and indeed that would also lead to less understanding among the parties involved, more discussions may arise because of this. If everything has to be done quickly and efficiently, it might be at the expense of quality. And by always using AI to work faster, critical thinking towards things may also fall into disuse, and we forget how to be critical.
21	<p>Ultimately, the human thought process is not transparent either, so I don't expect that from an AI tool either. It just remains important not to overly rely on the tools, that we still remain critical and think for ourselves in a file.</p> <p>The lack of IQ or the lack of 'being better' than the system can be a risk. Because that is how we start leaving important decisions to a system that can also make mistakes. We should avoid becoming lazier with these tools. The system is objective but at the same time takes out the subjective. You are still dealing with people. Their liquidation-division is often a very emotional event after all, death or divorce and so are going to objectify that completely in models. It would widen the gap between the citizen and judiciary though.</p>

22	These tools ‘interpret’ things, so the danger is that we are more likely to take AI interpretations as true without thinking critically ourselves. We also do not know how these tools reason and arrive at a particular interpretation. Moreover, people are also becoming empowered and may think these tools mean they will no longer need a lawyer which could be a danger to the profession.
23	The challenge is that there are a lot of AI tools out there, everything has a price and is therefore not equally accessible to all lawyers. Moreover, human oversight must remain important, and the output must be reviewed. If we fail to do so and place premature trust in the outcome, we risk unlearning our own profession.
24	Overreliance is a concern—AI hallucinates and uses overly elaborate language. Privacy risks are high due to data breaches, making secure document handling critical. Still, AI offers a useful foundation to build upon with expert input. Caution and discretion remain essential.
25	AI could summarise notes and written pleadings if key elements are extracted correctly. Overreliance is a risk, especially given AI’s tendency for hallucination. Critical thinking is essential at all times. Blind trust in machine-generated reasoning is dangerous in legal work.
26	Liquidation-division is tailored-made, these are emotional matters and you have to imagine that in a moment of crisis, clients communicate in a very unstructured and not clear way - they tend to want to hear/read only what they want to hear/read - but then the lawyer has to be able to figure out what the client really needs. We need to ‘give voice’ to what the client wants. But my question is whether AI could do this too? Will it recognise people's emotions but at the same time be able to figure out what they really ‘need’ which does not always match what they ‘ask’ for?
27	First, limited comprehension of predictive models’ functioning by professionals. Second, unreliable decisions, notably because the model’s database, the model’s construction or who is in charge of preparing the model. Predictive justice models should undergo regular control by the civil society, experts, researchers etc.
28	We don't know what is behind it, how does it reason? In any case, we need sufficient knowledge of liquidation-division to understand AI's reasoning and detect errors.
29	People want more predictability in the sense of ‘am I entitled to...’ but AI is now unable to answer such statements, it is not sufficiently nuanced in its answers, makes misinterpretations, lacks Belgian legal knowledge... AI is currently good as a first form of information gathering.
30	Risk: users might get intellectually lazy and rely too heavily on the tools. Since humans program the tools, legal content must remain of the highest quality and be continuously updated.

Question

8

A survey on the digitalisation of asset liquidation-division procedures suggests that AI tools, blockchain technology, and online dispute resolution (ODR) platforms are seen as the most useful innovations.

Which of these technologies do you find most relevant or applicable, and why?

N	Answer
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1	ODR improves clarity and speeds up settlements. Mediation, in particular, saves time and money and offers greater flexibility than traditional routes.
2	AI tools can help with preparation and structure, like building arguments or doing recurring research in terms of jurisprudence and case law. Still, in-person discussion remains crucial, especially in complex procedures like asset division.
3	AI can be a real asset for improving speed and efficiency in legal work. It should be seen as an assistant, not a decision-maker.
4	Blockchain might be useful for conditional (“if-then”) scenarios, but he doesn’t really have a firm opinion on its application in practice yet.
5	AI can be very efficient as a support tool. Physical presence remains crucial in these procedures, limiting ODR’s role.
6	AI is useful, especially as a data resource. Physical interaction is essential, so ODR is limited.
7	AI helps a lot, but ODR is problematic; physical contact is vital. Does not see the relevance or relevant use of blockchain technology
8	Supports AI use but finds ODR problematic given the importance of physical interaction.
9	AI is efficient but physical presence is crucial, making ODR difficult.
10	AI frees lawyers’ time for important tasks, they have more time for more impactful stages of the procedure; ODR’s physical element is critical.
11	AI is helpful; ODR cannot replace the needed physical interaction.
12	No value seen in any of these three tools
13	<p>LAWYERS in consensus:</p> <p>ODR:</p> <ul style="list-style-type: none"> • Very useful for amicable settlements. • Can help resolve conflicts more quickly, cheaply, and accessibly. <p>Blockchain:</p> <ul style="list-style-type: none"> • Not suitable for estate settlement and division. • Too rigid and not adapted to the legal and emotional complexity of such cases. <p>AI tools:</p> <ul style="list-style-type: none"> • Citizens place great value on having control over their file. • Digital tools can support that, but must be well-guided to avoid misunderstandings or oversimplification.
14	<p>LAWYERS in consensus:</p> <p>ODR:</p> <ul style="list-style-type: none"> • Very useful for amicable settlements. • Can help resolve conflicts more quickly, cheaply, and accessibly. <p>Blockchain:</p> <ul style="list-style-type: none"> • Not suitable for estate settlement and division. • Too rigid and not adapted to the legal and emotional complexity of such cases. <p>AI tools:</p>

	<ul style="list-style-type: none"> • Citizens place great value on having control over their file. • Digital tools can support that, but must be well-guided to avoid misunderstandings or oversimplification. <p>AI tools can only function effectively when sufficient accurate input is provided, particularly case law in the field of liquidation and division. At present, digitalisation is still lacking. Despite initiatives being taken, there is still no high-performance database of case law rendered by the various courts. In legal journals, mainly judgments that stand out or are of major significance are published. For reliable AI results, a large amount of input from various courts is required — not only from the Courts of Appeal or the Court of Cassation / Constitutional Court.</p>
15	AI tools could assist in internal case management by cross-referencing similar files and outcomes. A searchable internal system would increase legal efficiency. Such tools support lawyers in preparing arguments and identifying patterns. Personal use of archived cases could enhance consistency.
16	I am not that creative in terms of the possibilities of digitalisation. I think perhaps blockchain could bring more certainty and predictability in liquidation-division or Excel sheets with AI could also be an example that could be relevant in practice.
17	An AI to collect all case law and legal doctrine would be a useful basis for writing pleadings and notes. This would be a kind of AI search engine. NABAN, for example, is a tool that also stores deeds in it - something like this in blockchain form could emerge to store 'also' private deeds in it because we also have to take that into account when we want to divide an asset - but just that we don't always know because parties don't declare it or don't remember. ODR is good but not for liquidation-division, personal contact remains important. Behind a computer, people would be much harsher towards each other while in person there is sometimes more room to talk to understand each other and sometimes even come to an amicable agreement after all.
18	I see potential for AI in legal information management. I do not believe in Online Dispute Resolution— if real-life communication is hard, digital tools won't improve it. Blockchain may serve as a means of storing evidence, but people rarely think to use it that way and they will lose track. The issue is often not preserving proof, but the lack of standardised legal formats. I think AI tools for information management.
19	Blockchain may be useful for storing information if fully secure. ODR seems implausible, as AI lacks empathy and cannot weigh legal interests. I am uncertain about AI's exact utility in this domain. AI could highlight certain aspects within a case that might make the case more likely to succeed. I do not really know how or for what I could use AI.
20	AI tools can guide legal reasoning and support Online Dispute Resolution in amicable cases. ODR could improve accessibility and help parties reach agreements faster. I'm unfamiliar with blockchain, but open to new tools that support early-stage resolution. Digital facilitation can increase clarity and cooperation.
21	Now the monopoly of authentication lies with the notary. Blockchain can be useful to give some kind of authenticity to evidence. So in that respect, that's a good one. For example, we have two valuation moments during liquidation-division division to be able to then divide the asset with its current value. Blockchain could store values of homes, art etc and help objectify the process. In that respect, blockchain could help objectify the process though.
22	I have no opinion on blockchain; AI may be useful, but I doubt its relevance for complex, unique liquidation-division matters. ODR could be promising if parties input their data online, with a final check by lawyers. This would streamline the entire chain of liquidation-division. Efficiency gains would be substantial.

23	I think AI is especially useful for lawyers - we could process a file much faster. I also do consulting work within our legal consultancy office for wealthy individuals. AI can then help with start-up of file, analyse and summarise all documents, we can ask legal questions based on these documents, propose a report to the client - if we have a go from the client we make the draft agreement for example. AI can also help for writing conclusions.
24	AI to make calculations, find case law, legal doctrine and legislation or to support positions in conclusions and form stronger arguments - so it can also help with drafting conclusions and notes. Such a tool would be useful but we should not forget to keep developing ourselves, our knowledge must be sharp to detect AI's mistakes.
25	I was sceptical of ODR, since human understanding matters, but studies show people are willing to engage with AI. ODR may be useful, though the role of the lawyer remains unclear. Predictive AI may help, but outputs must be verified and privacy must be safeguarded. Caution and review remain essential.
26	AI, ODR and Blockchain all seem useful to me. But anything that requires interpretation should be done by a human because I am worried about the quality of the output. AI can be an easy calculation tool, or help with legal research, my employees also told me it can interrogate your knowledge etc. Blockchain would be useful as a system to store data immutably to avoid later discussions in liquidation-division. ODR would be useful as a tool that clients can work with and take control of their own liquidation-division, but with us doing the final check on legal correctness and sufficiently nuanced interpretation tailored to the case.
27	Not comfortable enough with these technologies to choose one. Could notably see why it is useful to submit courts' documents online.
28	AI as of 'ODR' - that the liquidation-division would be done online as a kind of shared platform between all actors: lawyers, notaries, courts, etc. this ODR platform should allow for better communication, document exchange, more uniformity, downloadable templates etc. now each stakeholder has its own way of working and systems/tools they use and this apparently works very inefficiently.
29	I wonder if liquidation-division should remain centralised at the notary? Can ODR play a role in that? It is generally known that notaries are not as keen to do liquidation-division. AI, I think, would be useful for simpler liquidation-divisions that are not complex and involve smaller assets. Blockchain I don't know well but could be useful for information storage.
30	ODR is less relevant to him. Blockchain could automate procedures step-by-step. But AI errors are riskier; a small mistake can be massively amplified due to the uniform application of AI decisions. In real life human mistakes can be dealt with ad hoc, that is not so considering the widespread nature of AI.

Question

9

The survey shows that AI applications for predicting outcomes in asset liquidation-division cases are currently used only to a limited extent.

Do you believe this is due to their unavailability, lack of relevance, the immature state of the technology, or are there other reasons?

N	Answer
1	Tools are not yet widely available, and resistance remains, especially from older professionals and notaries. There's concern over losing control to a system that is not fully understood yet.

2	There are very few tools that sufficiently respect professional secrecy. She's cautious about using AI due to legal confidentiality and doubts whether such complex procedures can be translated properly into AI.
3	These tools don't exist yet for family law. Also, current AI isn't accurate enough due to immature technology and a lack of accessible, relevant legal data.
4	AI tools are not yet well known or widely used in the legal sector. Most are still in early stages and not fully relevant to legal practice yet.
5	The procedure is very complex, especially judging different phases. Digital tools could help with calculations and managing stages efficiently
6	Very complex. Pure calculations could benefit from digital tools, but the overall process is intricate.
7	Procedure and phase assessments are very complex. Digital tools help mostly with calculations, not the nuances.
8	Complexity is high. Digital support is limited to calculation aids; legal judgment remains essential.
9	Highly complex; digital tools can assist in calculations, but human insight is critical.
10	Very complex; AI could help with probability calculations, but critical legal judgment remains necessary.
11	Very complex procedure; digital tools help with calculations but can't replace human evaluation.
12	No strong opinion but skeptical about AI's usefulness
13	No AI tool exists for liquidation-division
14	Moreover, AI requires a well-crafted prompt. Knowledge of AI's capabilities is currently insufficient. AI can only serve as a supplement, not a replacement, since liquidation and division are matters of legal tailoring. Individuals seeking justice often only accept the outcome if they feel their needs have been heard.
15	Still non-existent or perhaps in its infancy. I think people are simply not yet familiar with this way of working, have no confidence in what it will deliver, since it is not yet sufficiently accurate then they do not want to invest time in it either. Lawyers are very critical and often have a resistance to evolution.
16	There is a lack of confidence in terms of output because it is not accurate. Moreover, I also find it not easy to work with, it takes me time and energy to learn it while it is not on point for the legal sector. So as long as it is not 'that's it', then I also do not want to participate in trial-error sessions due to lack of time/energy. I don't want to change from, say, Jura to Strada lex because I am just familiar with Jura.
17	Currently, no AI tool exists for liquidation-division.
18	Not available or in its infancy. For example, Casman's excel is mainly available in Flanders and not in Wallonia. It also only covers divorces and not estates.
19	Not available from AI for liquidation-division specifically. But I believe in its relevance. There is also, I think, still a lot of suspicion among the parties.
20	To my knowledge, no AI model for liquidation-division exists in Belgium. If a reliable tool were developed, I would be open to using it. However, the legal complexity of these cases demands high accuracy and robustness. The technology must first prove itself suitable for the task.
21	Non-existent in Belgium, then of course I am not talking about the tools that allow us to find theory, case law and the law such as private legal search engines.
22	I think specific liquidation-division AI does not exist at present. So we are "creatures of habit", there is resistance and especially when it comes to complex branches of law like this. So I think professionals above 35 lack knowledge about the possibilities and what AI can do in liquidation-division.

23	Not available, especially for smaller offices I think - we do have our own ChatGPT but it is not fully focused on liquidation-division. Overall, this technology is still in its infancy as it is also evolving very quickly.
24	Every actor in the justice system must engage with digitalisation. I still see hesitation from notaries and financial constraints within courts. The lack of systemic alignment impedes consistent progress. Digitalisation must be collective to be effective.
25	I was unaware AI could predict liquidation-division outcomes. At present, such tools are either non-existent or undeveloped. Even if they exist, their capabilities are not yet widely known or reliable. Technology is not yet mature enough for this legal application.
26	I want to contradict the lack of relevance because I think AI can certainly be relevant, even more so - we lawyers work with humans and that requires an open mind - so I advocate being open to AI/digitalisation as well. But I am not sure how accurate AI is to make predictions at the moment. Surely the input has to be filtered and trained well enough before we can get an accurate output so I think AI is still in its infancy- or I don't really know because I am not familiar with it. Overall, we certainly want to achieve more efficiency with digitalisation but we should not forget that excessive speed will also lead to “victims”.
27	First, economic accessibility of the AI tools. Second, absence of pertinence of the solution proposed (notably because they consider that it would be extremely challenging to predict a decision in this context and that it could discourage individuals to access justice).
28	In its infancy, AI is not yet used structurally due to lack of transparency, lack of trust...
29	I don't think there is a specific tool for liquidation-division and the general tools like ChatGPT are not accurate because is not trained on Belgian legal sources. This is another problem, as we do not have a centralised platform with relevant legal sources - so how can AI ever make relevant predictions?
30	Resistance doesn't stem from ideology, but from lack of accessible, high-quality data to train the tools. The technology exists, the problem is the availability of usable legal data.

Belgium - Notaries

We conducted collective interviews (focus groups) with notaries, and there was often a clear consensus among them — as can be seen in the tables below.

Category 1: Targeted legal processes

Question

1

Which aspects of the asset liquidation-division procedure (amicable and judicial) do you believe are the least efficient or cause the most delays?

N	Answer
1	Problems with correctly compiling the file. Older, inaccurate methods of estate description are inefficient. Fear of modernisation plays a role, but digitalisation is suggested as a solution.
2	Estate description is inefficient and identified as the biggest issue. Twofold difficulty: Discovering the facts and assets and determining why these facts/assets are relevant to the settlement. Lack of clear guidelines/tools for parties to provide information. Settlement is the most problematic aspect, rather than the division.
3	An amicable procedure is preferable to a judicial procedure: simpler and faster. Judicial procedure is slower, often more difficult to reach a solution. Hope for agreement is crucial: parties search for solutions together, which is more efficient.
4	Procedure is not simple; many actors don't know what exactly is expected of them. Incorrect or poorly aligned timelines cause extra confusion.
5	As a notary, it's difficult to correctly interpret the wishes of parties. Lawyers often translate the client's intentions, which can cause interference. Quick identification of what a client really wants leads to faster translation into a legal solution. Delays in division mostly occur when parties want the same thing (e.g., the family home). Key point: finding out what the parties truly want is essential.
6	Procedures often face delays due to: <ul style="list-style-type: none"> • Parties not responding. • Lack of information. • Difficult-to-reach participants. Organisation of the procedure becomes complex and slow because of this.
7	Identifies healing problems in the division phase; both phases influence each other.

8	I often encounter issues in cases where a partial agreement is reached, particularly when one party is to acquire immovable property and the other suddenly obstructs. In such situations, I am compelled to initiate an interim dispute before the court, which is often a tactic to delay proceedings. This occurs both in inheritance and divorce contexts. I find it burdensome and procedurally inefficient.
9	Various phases of the procedure can be difficult, particularly before drafting the liquidation-division statement. In divorce, parties are often mentally prepared, but confusion over common vs personal assets and complex interest calculations can cause delays. In inheritance matters, parties hold divergent views, and emotional expectations often clash with legal reasoning. Amicable settlements often occur under pressure, as judicial division is a less desirable alternative.
10	In my experience, the final division generally proceeds smoothly, unless objections arise or judicial homologation is required. The challenges primarily occur during the preparatory phase leading to the liquidation-division statement, particularly with immovable property. Although parties may reach amicable arrangements, financial constraints often alter their implementation in practice. Delays frequently stem from the need to update liabilities and secure documentation, which is not always timely provided. Divorces tend to be more straightforward. inheritance division becomes more difficult to achieve consensus among all stakeholders. As a result, these proceedings are lengthier, though not necessarily judicial in nature.
11	To even talk about division, we must first know 'what' is to be divided, and this is not always clear. About what does undividedness exist? If there is no agreement on the mass, then you simply cannot proceed as a notary - you have to go to the judge who has to decide.
12	I find that the primary difficulties emerge during the liquidation phase rather than the division itself. The partition is merely the implementation of the patrimonial determination already made during liquidation. After all, the content of the assets is determined during the liquidation. Consequently, the division proceeds almost automatically from that determination.
13	The inconstancy of the parties. Sometimes we reach a partial agreement between the parties and for the other points we then have to go to court but then they are not sure whether or not they want to start legal proceedings to reach a whole agreement on liquidation-division. I also find that sometimes lawyers also lack file knowledge, they are then unprepared for a meeting.

Question

2

Which aspects of the asset liquidation-division procedure benefit the most from digital transformation or digitalisation?

N	Answer
1	Everything involving numbers should be a digital process. Digital tools can serve as guides, provided they are properly programmed. Efficiency through Digitalisation in numerical aspects.
2	Digitalisation offers flexibility: numbers can be used to compare various hypotheses and make assessments. Benefits especially in analysing and simulating scenarios.
3	Consensus with other answers

4	Consensus with other answers
5	Digital tools are useful for professionals, for example, to create diagrams via an LLM or similar systems. However: control must always remain with the notary or lawyer; digital tools should not decide everything automatically.
6	Consensus with other answers
7	Suggests a system that analyses marriage contracts and offers distribution options to inform citizens.
8	I am unsure, but I believe digitalisation could assist in determining ownership structures more efficiently, a tool that could determine devolution and value usufruct among other things taking into account the '20-year ageing rule/fictitious ageing' if stepchildren are involved. For instance, I recently handled an estate case where one heir died during proceedings, resulting in three additional parties and exacerbating an already complex asset division situation.
9	A simulation tool for liquidation-division would be useful, especially in judicial contexts where objectivity prevails. However, in amicable divisions, such tools may fail to account for emotional or psychological aspects. Simulation requires flexibility, which AI lacks when dealing with sensitive negotiations. Still, judicial applications based on case law and doctrine may yield viable predictions.
10	Filing with the court should be made possible digitally, as it is currently still paper-based. Documents may get lost despite registered delivery, requiring complete reinitiation of the procedure. This is inefficient, particularly in protracted cases where structural coherence is essential. Digitalisation could thus preclude such procedural inefficiencies.
11	I am uncertain, but digitising the inventory process may be beneficial. A system incorporating financial documents, title deeds, and related data could construct a comprehensive snapshot of the estate's assets. Such a tool would enhance procedural efficiency.
12	I believe the Excel-based calculations could be further digitised and automated. The calculation tool should incorporate interest-bearing patrimonial elements. Given our frequent use, automation would significantly improve efficiency. All computational aspects should be digitally supported.
13	I exceptionally allow videoconferencing for heirs residing abroad, for instance at the opening of proceedings. The heir may grant a power of attorney to their lawyer present in Belgium, who may then conclude an agreement on their behalf, recorded in the official report. In future, all parties may sign digitally via screen-sharing; however, the oath at the end of the inventory must be taken in person, potentially before a consul abroad via video conferencing. The consul have notarial powers.

Category 2: Opinions on technology readiness

Question

3

What digital tools do you currently use in asset liquidation-division procedures?

If these tools are also used by the parties themselves, do you find that they are sufficiently accessible to vulnerable individuals (such as the elderly, people with disabilities, or those with low digital literacy)?

N	Answer
1	<p>NOTARIES in consensus:</p> <p>Excel tools are widely used. Each office or professional sector uses its own CMS. Videoconferencing is rarely used: preference for in-person meetings due to the importance of non-verbal communication and emotional assessment. Use of Excel Tool is well established as a practical digital tool (especially for calculations and divisions).</p>
2	<p>NOTARIES in consensus:</p> <p>Excel tools are widely used. Each office or professional sector uses its own CMS. Videoconferencing is rarely used: preference for in-person meetings due to the importance of non-verbal communication and emotional assessment. Use of Excel Tool is well established as a practical digital tool (especially for calculations and divisions).</p> <p>The interviewee adds:</p> <p>A comprehensive questionnaire should be made available for parties.</p> <p>Goal: parties indicate in advance what they know or can provide.</p> <p>Would increase efficiency by allowing more targeted work based on their input.</p>
3	<p>NOTARIES in consensus:</p> <p>Excel tools are widely used. Each office or professional sector uses its own CMS. Videoconferencing is rarely used: preference for in-person meetings due to the importance of non-verbal communication and emotional assessment. Use of Excel Tool is well established as a practical digital tool (especially for calculations and divisions).</p>
4	<p>NOTARIES in consensus:</p> <p>Excel tools are widely used. Each office or professional sector uses its own CMS. Videoconferencing is rarely used: preference for in-person meetings due to the importance of non-verbal communication and emotional assessment. Use of Excel Tool is well established as a practical digital tool (especially for calculations and divisions).</p>
5	<p>NOTARIES in consensus:</p> <p>Excel tools are widely used. Each office or professional sector uses its own CMS. Videoconferencing is rarely used: preference for in-person meetings due to the importance of non-verbal communication and emotional assessment. Use of Excel Tool is well established as a practical digital tool (especially for calculations and divisions).</p> <p>The interviewee adds:</p> <p>The notary world is highly digitalised, more so than the courts. Each notary office has its own digital archive, but not truly interoperable between offices. Videoconferencing does not work well in notarial procedures: it discourages emotional assessment, which is important in disputes or negotiations. CMS systems (Case Management Systems) are in place — different models, but they function mostly in the same way.</p>
6	<p>NOTARIES in consensus:</p>

	Excel tools are widely used. Each office or professional sector uses its own CMS. Videoconferencing is rarely used: preference for in-person meetings due to the importance of non-verbal communication and emotional assessment. Use of Excel Tool is well established as a practical digital tool (especially for calculations and divisions).
7	No specific answer given.
8	Excel sheets taught at VUB also give an idea how to value usufruct. e-notary to value usufruct, works reasonably well but does not consider the “20-year ageing rule” (fictitious ageing - <i>de 20 jaar instantveroudering van de langstlevende plusouder</i>) for example. In addition, I also use video conferencing via Webex. I think it's just the problem with this digitalisation, that it excludes the elderly and people who are not digitally literate. For instance, I had to draft a will for a partially deaf 90-year-old lady via videoconference, which compromised both <i>privacy</i> because you don't know who's in the room and <i>communication</i> with a partially deaf person.
9	The Casman Excel tool should be improved, as it is not always accurate and excludes inheritance cases. Digitalisation of core calculation methods is urgently required. We need a tool that constructs a financial estate for division. The notarial practice remains excessively paper-based, hindering efficiency.
10	I employ VUB Excel sheets for calculations and primarily communicate with lawyers via email. Meeting invitations, however, are still issued with a letter. Engagement with parties and lawyers occurs by telephone, email, or in-person. We do not conduct digital meetings.
11	Much of the work remains paper-based or conducted in person. I communicate with lawyers via email, yet judicial correspondence must still be submitted in hard copy.
12	We currently operate within a paper-heavy practice, with minimal digitalisation. Interactions continue to occur in person. No structured digital communication systems are in place. All matters proceed in the traditional, analogue manner.
13	I operate entirely with digital case management systems and file electronically before the courts. I request digital mandates, conduct videoconferences, though certain matters necessitate in-person presence. Email and phone remain vital for direct party contact.

Question

4

How is the digitalisation of asset liquidation-division procedures perceived by you personally and by your professional legal community involved in these procedures?

Do you see digitalisation in the justice system, and especially in asset liquidation-division procedures, more as an opportunity for innovation or as a challenge to existing roles and practices?

(If you perceive it as an opportunity): What legal, organisational or cultural obstacles do you see as hindering the introduction of digital tools in asset liquidation-division procedures?

(If you perceive it as a challenge or risk): Which are the main risks you foresee?

N	Answer
1	<p>NOTARIES in consensus:</p> <p>Digitalisation = OPPORTUNITY: Great opportunity to make procedures more efficient, transparent, and structured.</p> <p>Everyone acknowledges the potential of Digitalisation in practice.</p> <p>But: there are obstacles to overcome (1) Improve digital literacy: Not all actors (including clients) are equally familiar with digital tools. There is a need for training and support. (2) Dependence on internet connection: If the Wi-Fi fails, work stops. Need for stable and secure IT infrastructure.</p>
2	<p>NOTARIES in consensus:</p> <p>Digitalisation = OPPORTUNITY: Great opportunity to make procedures more efficient, transparent, and structured.</p> <p>Everyone acknowledges the potential of Digitalisation in practice.</p> <p>But: there are obstacles to overcome (1) Improve digital literacy: Not all actors (including clients) are equally familiar with digital tools. There is a need for training and support. (2) Dependence on internet connection: If the Wi-Fi fails, work stops. Need for stable and secure IT infrastructure.</p>
3	<p>NOTARIES in consensus:</p> <p>Digitalisation = OPPORTUNITY: Great opportunity to make procedures more efficient, transparent, and structured.</p> <p>Everyone acknowledges the potential of Digitalisation in practice.</p> <p>But: there are obstacles to overcome (1) Improve digital literacy: Not all actors (including clients) are equally familiar with digital tools. There is a need for training and support. (2) Dependence on internet connection: If the Wi-Fi fails, work stops. Need for stable and secure IT infrastructure.</p>
4	<p>NOTARIES in consensus:</p> <p>Digitalisation = OPPORTUNITY: Great opportunity to make procedures more efficient, transparent, and structured.</p> <p>Everyone acknowledges the potential of Digitalisation in practice.</p> <p>But: there are obstacles to overcome (1) Improve digital literacy: Not all actors (including clients) are equally familiar with digital tools. There is a need for training and support. (2) Dependence on internet connection: If the Wi-Fi fails, work stops. Need for stable and secure IT infrastructure.</p>
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6	<p>NOTARIES in consensus:</p> <p>Digitalisation = OPPORTUNITY: Great opportunity to make procedures more efficient, transparent, and structured.</p> <p>Everyone acknowledges the potential of Digitalisation in practice.</p> <p>But: there are obstacles to overcome (1) Improve digital literacy: Not all actors (including clients) are equally familiar with digital tools. There is a need for training and support. (2) Dependence on internet connection: If the Wi-Fi fails, work stops. Need for stable and secure IT infrastructure.</p>

7	Supports digitalisation but emphasises it can't replace human nuance; emotions are critical. There is a strong need for a case-by-case approach and feeling, something that also requires human involvement.
8	I view digitalisation as an opportunity. I hope it can help us, but now I see more challenges, as liquidation-division is exceptionally complex. Each case is fundamentally unique, making automation difficult. Until six months ago, I had no exposure to AI, yet I am now astonished by its capabilities. Still, I find it difficult to comprehend how AI verifies the legal reliability of its sources.
9	It presents both an opportunity and a challenge. AI may assist with legal interpretation and function as a calculator, expediting the liquidation process. However, users must remain critical, questioning both their own reasoning and that of the AI. Critical, empathic thinking is essential due to each case's unique legal and factual elements.
10	I perceive it as an opportunity for notaries to be enabled to submit case files digitally. A timeline-based platform tracking each party's procedural steps would increase transparency towards the parties. Digital meetings with lawyers are feasible in my view. Then there is the matter of signing documents, such as notarial deeds, records of commencement of proceedings, or settlement agreements within deeds. These cannot yet be signed digitally, so powers of attorney must be used instead. Obstacles include the difficulty of obtaining signatures during digital meetings.
11	No idea, we have to innovate and keep up with the times anyway. But I can also perhaps see the risk of using AI without sufficient control, which could lead to wrong decisions.
12	Both. I think we cannot dismiss notaries in the process, they are important for applying laws and situations that AI is not good at the moment. We really need sufficient knowledge in the matter to check the accuracy of the output. Because if we train professionals who are not knowledgeable enough, the technology would just create more problems than it would make our lives easier. Also, I think citizens might think of 'what is still the value of legal advice' - and be less inclined to go to the legal professional with their legal questions, which could affect their rights.
13	I regard digitalisation as an opportunity, though many notaries perceive it primarily as a challenge. I can understand the benefit of Face-to-face meetings often yield unforeseen partial agreements. Formal components—such as objection reports—could proceed fully digitally. However, statutory limitations and concerns for vulnerable populations hinder full digital adoption.

Category 3: Opinions on how to implement digital technologies

Question

5

What changes in training, infrastructure, organisation, or regulation do you consider essential for successful digitalisation of family property law cases; particularly in asset liquidation-division procedures?

N	Answer
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1	<p>NOTARIES in consensus:</p> <p>Lack of evidence in estate cases: In practice, there is sometimes simply no evidence available. Digitalisation cannot fully solve this; it remains a fundamental legal challenge. Many people are unfamiliar with digital tools like LLMs or ChatGPT-like systems. Tools can increase efficiency by making legal information more accessible to citizens, but there is a need for: education and guidance, awareness of existing tools, better interoperability between systems.</p>
2	<p>NOTARIES in consensus:</p> <p>Lack of evidence in estate cases: In practice, there is sometimes simply no evidence available. Digitalisation cannot fully solve this; it remains a fundamental legal challenge. Many people are unfamiliar with digital tools like LLMs or ChatGPT-like systems. Tools can increase efficiency by making legal information more accessible to citizens, but there is a need for: education and guidance, awareness of existing tools, better interoperability between systems.</p>
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7	<p>Advocates for government budget allocation, court involvement, and training for a unified system including interoperability between the different actors.</p>

8	I have never attended any training around digitalisation, there are some but not enough. It will be important to be able to learn to work with such tools, to learn 'what' we can do with it and 'how' it works. In any case, the tool must be able to present objective legal doctrine and jurisprudence while it itself verifies that these sources are correct. AI must use and verify legally accurate sources. Otherwise, there is a liability risk, as illustrated in the U.S., where a lawyer relied on erroneous AI-suggested case law and was held accountable. Anyway, as a notary, you have to be able to do the final check then it can rely on AI and say 'he told me that, that came out and I did the check' while on the other hand, the developer can also show or confirm that 'our tool said this and the notary did his check'
9	Proper legal education must precede digital training—too many practitioners lack fundamental liquidation-division knowledge. AI is a risk where users lack expertise and trust it blindly. We need a legal search engine that justifies simulations with case law and doctrine in real time. Simulations should integrate bank data to detect asset shifts and achieve fairer divisions.
10	There is a need for training or manuals to effectively work with digital tools. We must be instructed on proper document uploading procedures to ensure universal usability. Videoconferencing infrastructure requires further development in secure environments. Federation for Notaries could install such a platform within the VPN network.
11	We are going to have to master theory better to detect mistakes. And we need to have 'concrete defined steps' that we discuss with the parties and don't revisit once an agreement is reached. Because liquidation-division is often very difficult, because people are very emotional and then start unstructured telling who got or did what and who is entitled to what etc. Only two moments require physical presence: opening and claims. The rest can be done digitally.
12	I exercise strict caution concerning GDPR and the handling of personal data. Confidential documents should not be casually uploaded into AI systems. Moreover, AI tools are trained on our input, posing significant risks for our professional secrecy. And not all legal offices can bear the financial burden of these technologies.
13	Notaries possess the necessary resources and infrastructure to implement digitalisation. The primary issue lies in the insufficient legal support at legislative level. Without a proper legal framework, digitalisation remains constrained in application. We are technically prepared but legally under-supported- think of oath-taking by videoconference for heirs abroad.

Category 4: AI risks perceived

Question

6

Have you encountered or tested predictive models?

If so, how accurate or useful were they in reflecting the outcomes you would expect from a human decision-maker?

N	Answer
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1	<p>NOTARIES in consensus:</p> <p>Current limitations are that judgments and rulings are not sufficiently digitalised. Therefore, there is not enough structured data for AI systems to be fully effective. Judges also often lack an overview of all jurisprudence, so the knowledge base is fragmented and hard to centralise.</p> <p>AI is useful for knowledge-based support, not for predictions: AI tools can/will be used for knowledge-related questions (e.g., standard procedures, checklists, legal explanations). Predictive AI is seen as unfeasible or inappropriate at this time, due to lack of sufficiently reliable data and complexity and nuance of individual cases, especially in estate-settlement procedures.</p>
2	<p>NOTARIES in consensus:</p> <p>Current limitations are that judgments and rulings are not sufficiently digitalised. Therefore, there is not enough structured data for AI systems to be fully effective. Judges also often lack an overview of all jurisprudence, so the knowledge base is fragmented and hard to centralise.</p> <p>AI is useful for knowledge-based support, not for predictions: AI tools can/will be used for knowledge-related questions (e.g., standard procedures, checklists, legal explanations). Predictive AI is seen as unfeasible or inappropriate at this time, due to lack of sufficiently reliable data and complexity and nuance of individual cases, especially in estate-settlement procedures.</p>
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	AI is useful for knowledge-based support, not for predictions: AI tools can/will be used for knowledge-related questions (e.g., standard procedures, checklists, legal explanations). Predictive AI is seen as unfeasible or inappropriate at this time, due to lack of sufficiently reliable data and complexity and nuance of individual cases, especially in estate-settlement procedures.
7	No predictive tools mentioned.
8	I have used ChatGPT in recent months but often received incorrect results due to the complexity of the subject matter. I did learn that the way you formulate a prompt is very important and even then I would expect ChatGPT to give me critical feedback or correct me, I don't think it does that enough. Maybe I am expecting much from ChatGPT.
9	I have not used AI for liquidation-division purposes yet. However, I have read about its application in legal contexts.
10	I do not apply AI in liquidation-division cases as each matter is uniquely complex. To me, ChatGPT resembles Google—insufficiently legally literate to provide reliable output. I find Jura's search function superior to that of Stradalex. I have yet to test their AI tools due to associated costs.
11	I employ AI to verify responses to known legal questions. While the output is moderately accurate, it requires continual verification. Presently, no AI system is tailored to the nuances of liquidation and division procedures.
12	We use co-pilot, I find it quite accurate but of course we have to remain critical. It does help get to certain information faster.
13	I do not yet utilise AI, though peers attempt to persuade me. I believe it may assist in drafting and structuring legal texts. However, it still demands excessive human oversight in my view which is time consuming. I am presently at a critical juncture regarding adoption.

Question

7

What risks do you foresee in using predictive models in family property law, including, but not limited to, over-reliance on these tools, lack of transparency, or limited litigant understanding? Or do you see other risks?

N	Answer
1	<p>NOTARIES in consensus:</p> <p>Structural risks: Limited understanding of legal context remains a persistent problem, even with digital tools. Cybersecurity: risk of data leaks or cyberattacks is real. Manipulability: external influence on digital systems is a concern.</p> <p>Risks for citizens: Blind trust in output: citizens may cling to incorrect interpretations or incomplete AI output. Focus shifts to what <i>they</i> find important, not necessarily what is legally relevant.</p> <p>Risks for professionals: Loss of finesse - Procedures like estate settlement and division require sensitive, case-specific handling. Digitalisation risks leading to a kind of "one-size-fits-all," losing nuance. Human interpretation and tailored approach remain crucial.</p>

2	<p>NOTARIES in consensus:</p> <p>Structural risks: Limited understanding of legal context remains a persistent problem, even with digital tools. Cybersecurity: risk of data leaks or cyberattacks is real. Manipulability: external influence on digital systems is a concern.</p> <p>Risks for citizens: Blind trust in output: citizens may cling to incorrect interpretations or incomplete AI output. Focus shifts to what <i>they</i> find important, not necessarily what is legally relevant.</p> <p>Risks for professionals: Loss of finesse - Procedures like estate settlement and division require sensitive, case-specific handling. Digitalisation risks leading to a kind of "one-size-fits-all," losing nuance. Human interpretation and tailored approach remain crucial.</p>
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6	<p>NOTARIES in consensus:</p>

	<p>Structural risks: Limited understanding of legal context remains a persistent problem, even with digital tools. Cybersecurity: risk of data leaks or cyberattacks is real. Manipulability: external influence on digital systems is a concern.</p> <p>Risks for citizens: Blind trust in output: citizens may cling to incorrect interpretations or incomplete AI output. Focus shifts to what <i>they</i> find important, not necessarily what is legally relevant.</p> <p>Risks for professionals: Loss of finesse - Procedures like estate settlement and division require sensitive, case-specific handling. Digitalisation risks leading to a kind of "one-size-fits-all," losing nuance. Human interpretation and tailored approach remain crucial.</p>
7	Warns of inequality in access. As some people might have the financial means to afford more advanced tools compared to their opponent. Additionally, AI tools run the risk of hallucinations. This might result in misinformation.
8	I believe AI removes the human element and leads to errors, resulting in liability risks. If computers handle everything, it seems as though notaries are unnecessary. These tools must, therefore, include a disclaimer affirming that ultimate responsibility remains with the notary.
9	These tools must clearly justify their conclusions to prevent misuse by over-reliant practitioners. Many notaries and lawyers lack sufficient knowledge in this field, leading to uncritical acceptance of AI outputs. Students must be taught foundational knowledge early to assess AI results properly. Continuous evaluation of the tool and one's reasoning throughout the procedure is essential.
10	I question to what extent AI can genuinely account for the unique character of a case. As a notary, I must substantiate positions based on all elements present in the matter. Yet can AI truly incorporate all such nuances? If its output leads to objections, it merely prolongs the proceedings—legal disputes are never static or black-and-white.
11	My primary concern pertains to privacy using sensitive personal data into AI platforms, which constitutes a breach of data protection obligations.
12	We must not lose touch with the matter. Liquidation and division remains a very emotional and human issue.
13	I ask myself questions like 'isn't it going to make us all far too lazy' or 'I'm scared we'll lose our critical spirit'.

Question

8

A survey on the digitalisation of asset liquidation-division procedures suggests that AI tools, blockchain technology, and online dispute resolution (ODR) platforms are seen as the most useful innovations.

Which of these technologies do you find most relevant or applicable, and why?

N	Answer
1	<p>NOTARIES in consensus:</p> <p>ODR: Very useful for amicable settlements. Can help resolve conflicts more quickly, cheaply, and accessibly.</p>

	<p>Blockchain: Not suitable for estate settlement and division. Too rigid and not adapted to the legal and emotional complexity of such cases.</p> <p>AI tools: Citizens place great value on having control over their file. Digital tools can support that, but must be well-guided to avoid misunderstandings or oversimplification.</p>
2	<p>NOTARIES in consensus:</p> <p>ODR: Very useful for amicable settlements. Can help resolve conflicts more quickly, cheaply, and accessibly.</p> <p>Blockchain: Not suitable for estate settlement and division. Too rigid and not adapted to the legal and emotional complexity of such cases.</p> <p>AI tools: Citizens place great value on having control over their file. Digital tools can support that, but must be well-guided to avoid misunderstandings or oversimplification.</p>
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	I find this difficult to answer, as I lack in-depth knowledge of such technologies. However, I recently heard a judge warn that AI-generated pleadings may become excessively long and burdensome to review. While seemingly useful, there is a risk that lawyers become less concise, overloading the judiciary with unnecessary content. This could increase workload due to overly verbose, machine-generated texts.
7	Believes ODR can help with document filing and management as well as gathering party input.
8	I do not find ODR suitable for liquidation-division, as the process is too complex and human. Blockchain poses risks to the notary's role; it cannot establish authenticity as a notary can. AI may be useful if the notary can critically assess its information. A tool that notify me with jurisprudential updates per case file would be extremely valuable.
9	The tool should be seen as an application, not a solution—merely an aid for legally trained professionals. Public officers like notaries must still authenticate acts; this task cannot be delegated to AI.
10	AI may prove beneficial if properly trained, as it could assist in supporting legal positions with pertinent legal doctrine and case law. It would also enhance the efficiency and speed of legal research involving statutes, articles, academic writings, and jurisprudence.
11	I mainly think of AI tools as 'support' for the notary. I am convinced it can help both the notary and the client. Then there is still the possibility to refine what AI says. So working with AI can lead to better solutions. Whereas if we are going to rely purely on ODR, a robot that would conduct liquidation-division - then we have a problem because I don't think it can adequately mediate between parties, or help with reconciliation. Blockchain I don't know.
12	I remain sceptical of ODR, particularly without human supervision. Liquidation and partition are too human to be entirely robotised. I am not sure how that will come across to citizens... Are they going to feel heard? I think AI in particular is useful because you can use it for more things, it's widely applicable, I see the most opportunities in that.
13	I lack practical experience with AI in my professional domain. Accordingly, I am unable to offer a substantiated opinion.

Question

9

The survey shows that AI applications for predicting outcomes in asset liquidation-division cases are currently used only to a limited extent.

Do you believe this is due to their unavailability, lack of relevance, the immature state of the technology, or are there other reasons?

N	Answer
1	AI is still in its infancy and, in particular, the knowledge and use of AI is still limited among legal professionals. Notaries are already moving into the digital space because the guidance in that area is available from Fednot but not yet for creative use. The tools are not quite ready and user-friendly and legal professionals are not technologically savvy. So there is still some work here in terms of training, academic and technical, as well as guidance (from the federation of notaries?).

2	CONSENSUS with respondent 1, 6 and 7: they agreed that while notaries are gradually embracing digital tools - mainly guided by Fednot -creative applications of AI remain rare due to a lack of clear guidance and user-friendly systems. Legal professionals are generally not tech-savvy which highlights the need for targeted training and support. They believe the core issue lies in the absence of a comprehensive, integrated system to support complex processes like liquidation and division, and that any AI implementation should begin with a careful assessment of legal needs and tool capabilities.
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6	I attribute the issue mainly to the lack of a comprehensive system. There are digital tools available—like the usufruct calculator on e-Notariaat and the CRH register—but these are limited in scope. Such tools are helpful but do not offer a full, integrated solution for liquidation and division. A complete system is needed to support the process from start to finish.
7	Recommends assessing AI tool capabilities and consulting legal needs before implementation.
8	no predictive tool for liquidation-division currently exists. The complexity is too high, and AI is insufficiently trained on legal sources such as case law and doctrine.
9	AI in this domain remains in its infancy and is not yet operational for legal practice. No specific tool exists for liquidation-division proceedings. The current state is non-functional for practitioners. Thus, legal utility is still theoretical.
10	I believe AI does not yet have access to sufficient legal information to be deployed on a broad scale. As such, it is currently non-existent in Belgium to base decisions on it. However, Jura could evolve—rather than relying on keyword-based search criteria - it could implement AI-driven prompts to enable more specific and targeted legal research.
11	AI remains in its infancy. While it may grasp fundamental principles, it lacks mastery of the intricacies inherent in liquidation-division. Furthermore, it does not possess sufficient command of Belgian jurisprudence.
12	I observe that AI and predictive justice tools currently lack public trust. People are unsure what to expect from their application. Their use remains embryonic at this stage. There is a need for awareness-building and professional training.

13	Whatever tool we use, it must be reliable: it must be within a secure environment, based on reliable sources, a tool that helps us stay critical, is transparent in its reasoning or at least based on what sources it arrives at its output etc. at the moment, I think AI is still underdeveloped
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Belgium - Mediators

Category 1: Targeted legal processes

Question

1

Which aspects of the asset liquidation-division procedure (amicable and judicial) do you believe are the least efficient or cause the most delays?

N	Answer
1	I observe that the requirement of in-person oath-taking upon inventory composition severely delays proceedings when a party resides abroad. The oath may not be administered by proxy or remotely, necessitating cross-border notarial cooperation, certified translations, and legalisation. Additionally, parties often lack prior knowledge of their own assets, impeding procedural efficiency during the “opening of proceedings”. Their lawyer could help with this, so the notary can deliver faster results.
2	One challenge is collaboration with notaries. Clients often choose the notary, meaning the mediator must adapt to unfamiliar working styles. This complicates task division and in turn takes more time. Calculations are also difficult within mediation due to the lack of (or freedom of) a fixed structure, unlike in court procedures.
3	Disagreements often arise over the valuation of certain assets, especially when emotions or personal interpretations are involved. The process becomes even more complex when a company or business is part of the estate.
4	Understanding the full family situation; children, finances, context, takes time and differs case by case. Each case needs personalised attention to grasp what’s required.
5	Communication in asset division remains slow, even with digital tools, due to inefficient platforms and inconsistent practices. A major issue is the lack of standardisation across systems like e-Deposit. Differences in document submission methods cause delays. Improved efficiency and financial support are still needed.
6	Currently, document sharing lacks uniformity, leading to unclear communication. A standardised method is essential for consistency and efficiency. In the distribution phase, delays are usually minimal since major issues are resolved earlier. Streamlined communication would make this phase even smoother.
7	I do not actually handle inheritance files, but I do deal with many divorces by mutual consent (EOT) cases. I have the impression that discussions regarding immovable property tend to last longer. The notary is, in any case, involved where immovable property is concerned. He then draws up a deed of renunciation and sends it back to me so that I can file it with the court.

8	I observe that the principal challenges arise during the liquidation phase, not the division itself. Greater cooperation and alignment among parties would materially expedite the proceedings. Inheritance disputes are often protracted due to perceived inequalities among different parties. Many people feel unequally treated by the parents so these children can also delay proceedings due to many discussions.
9	I typically handle divorce by mutual consent (EOT) cases, which are resolved amicably in approximately four sessions. Asset appraisal, particularly for immovable property, may necessitate a court-appointed expert, thereby delaying proceedings by up to two months until we get a report.
10	The emotionally charged nature of asset liquidation and division procedures tends to slow down the process, affecting decision-making and communication between parties.

Question

2

Which aspects of the asset liquidation-division procedure benefit the most from digital transformation or digitalisation?

N	Answer
1	I firmly advocate that oath-taking should be permissible via videoconference. Such procedural reform would expedite judicial liquidation-division and enhance access, particularly in cross-border and mobility-limited contexts.
2	There aren't really specific tools in mediation, but they could be useful; for instance, tools for calculating child support.
3	Digitalisation is especially useful for calculations and mathematical aspects. However, notarial documents and digital platforms should also become more accessible and transparent through further digital transformation.
4	Legal overviews and calculations (short and long term) can be digitalised. Still, the human aspect in mediation/legal advice can never be fully replaced by digital tools.
5	Optimal digitalisation improves both calculations and document sharing, especially through tools like Excel and sharing platforms. Visual schemes help clarify client intentions and set realistic expectations. As a mediator, the focus is on informing parties so they can decide freely. This offers a broader approach than traditional procedures.
6	Emphasises emotional versus financial values in settlement discussions; dialogue is key between the actors involved in the process but also the parties.
7	I would suggest that mediators be granted direct access to notarial deeds, thereby relieving citizens from the burden of personally obtaining such documents.
8	Digitalisation could especially help with calculations such as the excel sheets to compile the assets to be divided, questions around how the community is composed could be resolved, or what claims each party have could be calculated. Next, a digital tool can try to form similar parcels. When the assets to be divided consist of artworks and more than one house, lotting is done. Then a digital tool can also help with lotting. But of course, regular people do not have such large assets.
9	The procedure concerning immovable property, in which the notary is involved, could perhaps be digitalised. Currently, we must send the agreement to the notary, who incorporates it into his notarial deed, after which the file returns to us and we file it with the court via e-Deposit. If I could be certain that notaries could submit the file themselves, I would feel reassured, but I have already experienced a case where a notary left the file unattended, so I eventually had to request the deed myself and file it personally.

10	The use of digital tools may help reduce emotional involvement, enabling parties to approach asset division more objectively and rationally.

Category 2: Opinions on technology readiness

Question

3

What digital tools do you currently use in asset liquidation-division procedures?

If these tools are also used by the parties themselves, do you find that they are sufficiently accessible to vulnerable individuals (such as the elderly, people with disabilities, or those with low digital literacy)?

N	Answer
1	I utilise digital mandates, if the proceedings are amicable, we file via e-deposit. Judicial liquidation-division is filed in paper at court, and case management systems such as “Septe Super Medewerker” and “ActaLibra” which facilitate access to procedural templates. The court websites also provide useful forms, and I employ OneDrive for secure file storage and document organisation.
2	She doesn’t use digital tools or platforms. She only provides her own digital document to help guide clients through the mediation process.
3	She uses tools like Excel for financial calculations. As a mediator, she doesn’t have as much access to advanced digital tools as lawyers or notaries, which creates some inequality in practice.
4	She personally doesn’t use many digital tools. In her view, digitalisation risks narrowing down the range of possible solutions. But it’s helpful for making checklists.
5	Points out digital exclusion risks for vulnerable groups.
6	States that anyone with Itsme can access e-deposit.
7	Files are submitted via e-Deposit, with videoconferencing used when parties reside abroad or upon request. I electronically sign everything and ask the parties to do the same as scanning documents can affect the quality of it. Excel is used as a calculation tool, and OneDrive facilitates shared document drafting while screen sharing when parties are present is convenient.
8	We currently operate in an artisanal manner, relying on Excel, email, and in-person meetings. I do not employ videoconferencing, as personal contact remains vital especially in early phases of the procedure.
9	e-Deposit is useful if you know how to work with it. For example, parties may also use e-Deposit to file something with the court, but they often do not know what formal requirements a document must meet. I also conduct online mediations via videoconferencing using Zoom or Teams. For instance, I find screen sharing very relevant. I also use Google and Microsoft applications. On scheidingsconsulenten.be you can calculate the contributions of partners in the family home. Or on www.notaris.be there is a tool to consult notarial deeds, provided we have the parties’ consent.

10	They currently use (1) digital tools for asset division (2) generative AI tools (like ChatGPT/Google AI) for preliminary legal research, always followed by expert verification. They do not believe that these tools are accessible for vulnerable individuals, notably for the elderly.

Question

4

How is the digitalisation of asset liquidation-division procedures perceived by you personally and by your professional legal community involved in these procedures?

Do you see digitalisation in the justice system, and especially in asset liquidation-division procedures, more as an opportunity for innovation or as a challenge to existing roles and practices?

(If you perceive it as an opportunity): What legal, organisational or cultural obstacles do you see as hindering the introduction of digital tools in asset liquidation-division procedures?

(If you perceive it as a challenge or risk): Which are the main risks you foresee?

N	Answer
1	Both. I believe both junior and senior practitioners may benefit from digitalisation, although digital illiteracy among senior professionals poses challenges. Also, it remains particularly challenging for elderly parties who are not digitally literate. The main obstacle is organisational: in case of technical failure, not all legal professionals possess the skills to resolve it. I am unaware of any cultural or legal barriers.
2	She finds e-deposit useful but is sceptical about digitalisation, especially AI. Though she doesn't use such tools yet, she sees potential in applying them for objective calculations, like valuing assets, rather than for the emotional aspects and conversations that need to take place.
3	She sees digitalisation as both a chance and a challenge. It requires continuous learning. Tools like ChatGPT are not always accurate, and misinformation can mislead clients or increase polarisation in conflicts.
4	Non-legal professionals often welcome digital tools to compensate for their lack of legal knowledge. But that's a problem if it replaces actual understanding. Lawyers-mediators need both legal and conflict-resolution training, understanding human conflict-behaviour is essential.
5	Digitalisation offers opportunities: faster workflows, reduced repetition, and more time for client-focused work. Professionals must remain advocates, not just technical facilitators. Not everyone can adapt to digital thinking, though its benefits are clear. For mediators, digitalisation is harder, as emotional and human aspects are difficult to capture digitally.
6	Supports digitalisation with caution; each case must be treated individually. There needs to be sufficient nuance.
7	The potential for procedural harmonisation is significant, as asset division practices currently vary among actors. There is no uniformisation in asset division practices. The system should evolve from mere electronic submission to allowing online consultation of case files.

8	I perceive digitalisation as both an opportunity and a challenge. My function is inherently communicative and interpretative, especially in sensitive cases. Excessive digital abstraction risks disengaging parties and impeding settlements. A machine cannot supplant the nuanced human judgment required in liquidation-division proceedings.
9	I regard digitalisation as an opportunity, particularly for simulating division proposals, although unique cases pose difficulties. A tool enabling the calculation of lump-sum versus periodic post-divorce payments would be valuable.
10	They perceive the digitalisation of asset liquidation-division in a positive way, but they think that there is a notable resistance from a part of the professional legal community (notably, older professionals). A possible obstacle is the lack of necessary training to master digital tools .

Category 3: Opinions on how to implement digital technologies

Question

5

What changes in training, infrastructure, organisation, or regulation do you consider essential for successful digitalisation of family property law cases; particularly in asset liquidation-division procedures?

N	Answer
1	I consider current training insufficient. Structured e-learning or workshops—particularly concerning e-Deposit—are essential. Presently, I must call the court a couple every time to confirm document receipt, reflecting a procedural inefficiency.
2	More training should be offered so mediators can access tools used by notaries and lawyers. Still, it is important to remember these tools only provide indications; mediation remains flexible and unstructured.
3	Education is key, especially regarding what AI can or cannot deliver. Legal frameworks, especially on privacy and anonymity, are crucial. There must also be clear rules to manage the differences between strong and weak AI systems.
4	We must continuously train in conflict management alongside digital developments. Ongoing learning is crucial to remain effective in their roles.
5	Calls for uniform usage guidelines across actors and improved transparency.
6	Advocates for infrastructure and coordination across judicial actors.
7	Procedural uniformity in liquidation-division remains lacking. There is a clear need for specialised training on the technical use of AI in such matters, as current offerings are insufficient.
8	I observe a lack of shared infrastructure among stakeholders in liquidation-division matters. The Ministry of Justice (which lacks financial sources) and the notarial federation that must jointly invest in secure digital systems. I think there could be more training on the risks of digital tools such as hallucinations, bias, GDPR etc. It is still early days to invest too much in paying platforms and it does not yet work properly in terms of liquidation-division cases.
9	I propose promoting mediation in inheritance cases, which often drag on for over a decade, rendering data retrieval problematic. In an EOO file (<i>i.o. divorce on the ground of irretrievable breakdown of the marriage</i>), I was consulted after 12 years due to stalled liquidation and division before the notary. At that

	point, we lacked access to key data such as past bank statements. The original financial “snapshot” from the time of divorce had become unclear after a decade. A centralised platform for secure long-term data storage would significantly enhance procedural efficiency.
10	Training should be available for every professional to master the digital tools. There should also be consensus on which tools are reliable for use in asset liquidation procedures.

Category 4: AI risks perceived

Question

6

Have you encountered or tested predictive models?

If so, how accurate or useful were they in reflecting the outcomes you would expect from a human decision-maker?

N	Answer
1	I have employed ChatGPT extensively over the past six months. I primarily use it to brainstorm communication strategies, summarise client queries, and draft emails based on the character of each party. Its effectiveness is compelling and can become habit-forming.
2	No.
3	She hasn't used predictive models professionally yet, but she's slowly transitioning. Instead of searching on Google, she now uses ChatGPT more often, indicating a personal shift in information-seeking behaviour.
4	No AI tools are used.
5	No predictive tools mentioned.
6	No predictive tools mentioned.
7	I tested AI tools, but not in liquidation-division cases. I applied it summarising facts, communication strategies, and asking for the essence of all the emails that were sent in the case, yet it always requires human refinement.
8	I have not yet utilised AI professionally, though I have employed it for translations. Premium platforms such as Strada lex appear more effective than free tools. If I then ask a legal question, the result is impressive. I would rather pay for a legal AI that is based around good legal datasets than having to enter all the data myself. I remain open to using AI, provided it enhances efficiency rather than impeding it.
9	I have not yet employed any digital tools specifically aimed at liquidation and division of assets.

10	They used generative AI tools for legal research and to try to predict a decision, and they found it useful to give a general context to the questions they had to answer.

Question

7

What risks do you foresee in using predictive models in family property law; including, but not limited to, over-reliance on these tools, lack of transparency, or limited litigant understanding? Or do you see other risks?

N	Answer
1	I apprehend that artificial intelligence may lead clients to undervalue legal expertise, assuming such matters can be resolved without professional intervention.
2	She fears clients might rely too heavily on predictive tools, arriving with a fixed belief about what's 'right' and therefore sabotaging the process. This undermines mediation as it undermines the conversational and flexible nature of mediation.
3	In mediation, AI can currently be risky. It might reduce complex issues to oversimplified conclusions and lacks the crucial human interaction needed for effective and empathetic conflict resolution.
4	There's a risk with overuse of models: the whole context might get lost. Users must understand all factors. Clients relying on tools like ChatGPT often lack the capacity to interpret that information correctly.
5	Questions transparency and control in AI systems; stresses need for accountability. If you disagree with a decision, it's often unclear where and how to file an objection.
6	Highlights lack of nuance in AI systems.
7	Belgium is one of the few countries where mediators do not provide legal advice. However, I believe that mediators who use these tools may have a tendency to give legal advice. But as mediators, we more often start from a psychological perspective, it is never black and white, but rather very human and emotional. Like: what makes this person want the immovable property? Why does someone persist in a certain position? Etc."
8	Many notaries are reluctant to handle liquidation-division cases due to the involvement of difficult individuals, contentious lawyers, and complex situations. Nevertheless, we are mandatorily appointed by the court. As a result, such cases are sometimes assigned to notaries lacking sufficient expertise, leading to miscalculations or other errors. Due to time constraints and limited knowledge, they may be more inclined to use ChatGPT—posing risks of injustice, distortion of legal development, and increased litigation.
9	I perceive minimal risk: AI lacks psychological competence for agreement-building. Mediators do not make decisions; we only simulate division proposals, but final decisions rest with the parties. Additionally, AI often fails to distinguish Belgian legal systems and The Netherlands legal system.

10	Over-reliance on AI tools by professionals who may lack the skills to independently resolve legal issues. A lack of transparency and accountability: it remains unclear who is responsible for decisions based on AI output and who programs the underlying algorithms.
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Question

8

A survey on the digitalisation of asset liquidation-division procedures suggests that AI tools, blockchain technology, and online dispute resolution (ODR) platforms are seen as the most useful innovations.

Which of these technologies do you find most relevant or applicable, and why?

N	Answer
1	I find blockchain suitable for tracing proprietary rights. ODR platforms may empower parties to self-structure divisions, with our check in finalisation. AI holds promise, though current performance remains questionable.
2	The respondent has little insight into this. The respondent opposes ODR; emotions and body language are essential in mediation and get lost in digital settings. Emotional expression is not given enough space within these tools/platforms.
3	Respondent doesn't have a firm stance but tends to be sceptical. Still, the respondent acknowledges that ODR might be helpful in high-conflict cases by allowing time for reflection rather than emotional confrontations.
4	Tools are useful but general. Legal professionals must always ask "yes, but..." despite what tools suggest. Since both law and context evolve, technology must be critically assessed and kept up-to-date.
5	No relevant input provided.
6	No relevant input provided.
7	ODR, in my opinion, cannot "hear" the parties, while people really have a need to be "heard". I think that blockchain may be more relevant for notaries, I do not know what we as mediators could do with it. In general, I think AI tools can be useful to explain a situation, remind us of an unanswered email for which the AI then makes a summary, tips and tricks around communication with the parties as an intervention technique, writing agreements, success rate estimations, etc.
8	I think AI is beneficial for structuring and guiding complex casework. I don't know blockchain technology. I doubt the suitability of Online Dispute Resolution in emotionally charged partitions. Effective communication is important and best achieved in physical presence.
9	I believe none. The human aspect in liquidation and division is too important for any robot to take over or replicate. Certainly not with regard to the psychological dimension of our profession. Perhaps AI could be useful for the legal side of our job, such as assisting in the drafting of agreements.
10	AI tools and everything that can help calculate in an asset liquidation-division procedure.

Question

9

The survey shows that AI applications for predicting outcomes in asset liquidation-division cases are currently used only to a limited extent.

Do you believe this is due to their unavailability, lack of relevance, the immature state of the technology, or are there other reasons?

N	Answer
1	Everything is still very raw and in its infancy, as far as specifically liquidation-division is concerned, it is even non-existent.
2	There are no suitable tools; mediation revolves around conversation, and such (adequate) tools simply don't exist for that.
3	She believes AI is still too unreliable for accurate outcome predictions. It can be a useful support tool for now, but she expects it will inevitably play a more significant role in the future.
4	Notaries already use digital tools extensively. Lawyers and mediators are not quite there yet. AI is useful, but humans must constantly verify and stay ahead of the technology through critical thinking and learning.
5	Notes a complete lack of such tools in Belgium but sees potential if tied to law and jurisprudence. But again, transparency and human intervention are paramount.
6	Asserts that predictions are less important to lawyers than aligning with client needs. Hence the legal theory needs to be adapted to what the client needs.
7	Access to AI tools is unevenly distributed: larger firms benefit from superior resources, whereas smaller offices rely on limited free versions such as I do, and I have restricted functionalities.
8	Non-existent. General-purpose models such as ChatGPT lack domain specificity and GDPR compliance. But specific AI tools like Strada lex's are impressive. But either way, the tools need to be GDPR proof before we can use them otherwise risk professional secrecy.
9	It does not yet exist for mediators, but if it did, it would be more relevant for the notary, as they are frequently involved in liquidation and division- and for lawyers once the liquidation statement has been drawn up, in order to protect their clients' interests.
10	Lack of AI tools specifically designed for asset liquidation-division procedures. Resistance also persists among certain professionals (notably notaries) who may perceive digital tools as a threat to their roles.

CREA3 - Croatia Interview Sheet

Croatia - Judges

Category 1: Targeted legal processes

Question

1

Which aspects of the asset liquidation-division procedure (amicable and judicial) do you believe are the least efficient or cause the most delays?

N	Answer
1	The inefficiencies in contentious procedures are caused by the need to present evidence (often numerous- such as witness hearing, parties' hearing, hearing of expert witnesses), when the co-ownership shares are disputed.
2	Asset division following a divorce is an especially complicated and difficult procedure- they are often rife with disputes, not based in arguments, but in emotions- which leads to significant delays. Sometimes parties lie, some evidence must be carried out- like forming an expert opinion. There are just too many variables.
3	I think the probate procedures are, generally, resulting in the most number of disputes- this should be simplified, and the Inheritance Act must be modernised.
4	Court procedures take a lot of time- judges are overburdened and cannot be faster than they are- if the parties initiate disputes, that prolongs the whole procedure. The parties are the cause of delays. AI cannot evaluate evidence, AI cannot perform an expert on-site investigation, and form an expert opinion.
5	Most delays and inefficiencies are caused in case of dispute on the size of ownership share- usually, such disputes are not driven by reason or logic, and it takes a lot of time and energy to determine all the facts. Also, we are sometimes burdened by a huge load of material that must be analysed.
6	Asset division procedures are usually hard to generalise and have to be decided on a case-by-case basis- this takes a lot of time.
7	The least efficient procedures are the ones with a lot of participants, and whenever on-site investigation is needed.
8	It's when the parties start to argue- the underlying cause of dispute is usually not the disagreement on something particular- it's usually years and years of unsolved problems- so once the procedure starts, each party tries to contest everything the other party does, just out of spite. I once had an asset division procedure in which the party contested the value of forks found in the kitchen. So the main problem is projecting dissatisfaction to legal questions.
9	The judges are overburdened, that's the main reason for inefficiencies. Currently, I am deciding on the appeal against a lower court judgement in which it is claimed that a year of hiatus between the actions of a judge on a case represents a failure to do the judge's duty- how can I say that it is so, if that judge handles 800 cases?

10	The procedure is slow because there is a lot to do for the judges- they are swamped with cases. The parties are not helping either, sometimes due to their own stubbornness and sometimes due to bad advice given by attorneys, they overwhelm the courts with unnecessary evidentiary suggestions or tons of documentation and material, and seem to be disputing everything the opposing party suggests or accepts.
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Question

2

Which aspects of the asset liquidation-division procedure benefit the most from digital transformation or digitalisation?

N	Answer
1	I would say the non-contentious procedures related to the division of real estate, where there are no disputes related to the shares in co-ownership of the parties, as these procedures seem to be the easiest to automate.
2	I think digitalisation would be more suitable for inheritance asset division- there are far fewer variables involved in that kind of procedure. In divorce procedures, especially for marriages formed under older laws, it is extremely difficult to determine the parties' share in the assets.
3	I think some sort of online dispute resolution would be a good idea.
4	The courts are overburdened- this cannot be helped through digitalisation- mediation is the key.
5	I find the idea of complete digitalisation or automation of any part of the procedure completely ridiculous! Even the best judges sometimes struggle with the assessment of evidence and argumentation- how can this be entrusted to a machine?
6	The procedures that could be digitalised are just simpler and clear cases- as most of them have to be checked on a case-by-case basis. The harmonisation of court practice really sometimes leads to absurd decisions- feeding these decisions to the AI would confuse it and only the judge, in such cases, can determine the real status of the facts.
7	I don't know what kind of digitalisation would help us the most.
8	Probably there are certain specific steps that could be digitalised- for example, certain expert opinions could be given more or less automatically, without the need for an on-site inspection (e.g. land survey expertise).
9	There are few parts of the procedure that could be digitalised- there could be a tool for the analysis of the court practice that would provide parties with the predictability towards the possible outcome of the case, or certain procedures out of court could be digitalised- such as tools for providing simpler expert witness reports, or a tools that would provide a summary of a lot of documentation.
10	I think that low-value asset liquidations should be the first to be digitalised or automated- the low-value procedures have always been a sort of testing ground for new judicial solutions in our justice system. That is a good point to start introducing predictable justice tools too.

Category 2: Opinions on technology readiness

Question

3

What digital tools do you currently use in asset liquidation-division procedures?

If these tools are also used by the parties themselves, do you find that they are sufficiently accessible to vulnerable individuals (such as the elderly, people with disabilities, or those with low digital literacy)?

N	Answer
1	I use eSpis for the electronic case management and automatic case assignment and the eKomunikacija- a platform for communication between the courts and lawyers, state attorneys, and legal persons (who are required to use the platform). The tools are only used by professionals. Unfortunately, we do not use any digital tools that are related only to the asset liquidation-division, they currently do not exist in our system.
2	I use digital tools introduced in the justice system- such as eSpis- today they are an essential part of the procedure. I also use some tools on my own personal initiative- such as ChatGPT or Perplexity.
3	In everyday work, I use eSpis and the court practice aggregators such as ANON, IUS INFO, and the Constitutional court practice published on their webpage. I think these tools are equally accessible and free of charge for their users (except for the IUS INFO).
4	I use the same tool as JGF and, well, other judges- it's just part of the daily judge routine.
5	I use eSpis and other tools like the rest of the judges- I find the tool good- however, people are digitally illiterate and are often poor so sometimes this hinders their involvement in the procedure.
6	I use digital tools for control, indexation, and publishing of the court decisions- this gave me an opportunity to develop my research skills.
7	No special tools, to be honest, I just use the tools that are necessary- eSpis, etc.
8	I use all the digital tools judges use, nothing specifically for asset division.
9	I use digital tools implemented into the court system- eKomunikacija, eSpis, ANON... Some parties still have insufficient access to the courts, as they have low digital literacy, and they depend on the lawyers and public notaries to do their job properly.
10	I use digital tools required for use by the judges- nothing outside this. They are fairly simple to understand.

Question

4

How is the digitalisation of asset liquidation-division procedures perceived by you personally and by your professional legal community involved in these procedures?

Do you see digitalisation in the justice system, and especially in asset liquidation-division procedures, more as an opportunity for innovation or as a challenge to existing roles and practices?

(If you perceive it as an opportunity): What legal, organisational or cultural obstacles do you see as hindering the introduction of digital tools in asset liquidation-division procedures?

(If you perceive it as a challenge or risk): Which are the main risks you foresee?

N	Answer
1	It is generally regarded as a good thing, and I see the digitalisation as an opportunity for improvement of the system.
2	I am very anxious and positively motivated to see any new tools (such as those in the project) for use in the justice system- I would be glad to test them. Digitalisation so far has brought huge benefits for the system as a whole- tools like eSpis and SUPRANOVA have dramatically improved our effectiveness.
3	I think digital tools have increased the efficiency and reduced the duration of the procedures. The introduction of new tools is, of course, an opportunity to improve, but it must be set in a proper legal framework.
4	I think there is a positive opinion on digitalisation in general- not much thought has been given to digitalisation in, specifically, asset-division procedures- I agree that some of these procedures (such as asset division following a divorce) would be very challenging for digitalisation, as there are just too many parameters. I would like to see current systems further improved, and I have a lot of ideas on how to do that.
5	Generally, reforms are usually done haphazardly or with a specific agenda in mind, and this does not help the justice system and usually only opens up new problems. Usually, there is something exotic invented by someone working in academia, completely detached from the real world, so the results are then bad. Introduction of eSpis, however, was a good move.
6	Judges should be the ones who create court practice; they should not just rewrite it. The digitalisation should serve the judges, not replace them. In this way, I see the digitalisation as an opportunity to improve the quality of justice. Main obstacles would be higher courts that could use this as a pretext to speed up their reviews, and insist on harmonising court practice, without going into details of each case.
7	I do not discuss these issues with other judges, so I have no idea what the perception is.
8	I think digitalisation could be a good thing if it is implemented completely- partial implementation or implementation with insufficient investment can lead to further complications. I think this is quite a common obstacle to the successful implementation of new tools.
9	Every innovation in the history of our justice system resulted in a degree of resistance. The introduction of eSpis, for example, brought a lot of advantages for the judges, but also for their supervisors- because the system tracks not only activity, but inactivity as well. Therefore, the reactions are always divided, and it depends on the viewpoint, but in general, I think innovations are a good thing and digitalisation is inevitable. There is a plan to completely digitalise our case files by 2028, if I remember correctly.
10	Mostly, I support innovations and their viewed positively, but not all innovations are successful, and they usually bring new problems with them- we are still seeing problems with the introduction of voice recording- but I also wonder, once this tool is set- following an appeal- will I have to listen to the entire procedure (which takes a lot of time), for the sake of direct evidence hearing- or just a segment, and if the latter solution is prescribed- how to determine the segment I need to listen. Every innovation in general, comes with a degree of resistance.

Category 3: Opinions on how to implement digital technologies

Question

5

What changes in training, infrastructure, organisation, or regulation do you consider essential for successful digitalisation of family property law cases; particularly in asset liquidation-division procedures?

N	Answer
1	It is very difficult to give an answer to this question from my perspective, as I don't have insight into all the issues that exist on these levels. It is essential, in my opinion, to have a good legislative framework, but also an adequate infrastructure that must be provided by the ministry in charge of justice. Judges in Croatia are not systematically educated in the use of digital tools- we are all left to our own initiative and interests.
2	I think one of the biggest problems is the infrastructure- IT systems are currently antiquated. Furthermore, SUPRANOVA system should have improved labelling- current labels are just too general- if a judgement is labelled "damage compensation- hitting deer"- you would get hundreds and hundreds of results without the possibility of going into further details- that should be fixed. Databases should be connected and updated.
3	First of all, training in general must be introduced- currently, it doesn't exist. Then, infrastructure must be improved and finally, we need a proper regulatory framework.
4	Apart from what JGF said, education is currently only sporadic and usually based on individual initiative (apart from training of support personnel).
5	There are a lot of infrastructural deficiencies that hinder any progress- the standard of education of court clerks has dropped, personnel- such as skilled typists- are in chronic deficiency, data in systems is not updated, systematic education on use of digital tools is non-existent...
6	I think people are not following the speed of technological development, the court staff just isn't educated sufficiently to use any of such tools. Education should be regular and a part of the justice infrastructure, organisation and regulation.
7	I don't know, as I don't have any experience in the digitalisation of this type of procedure.
8	Definitely an investment into infrastructure- I sometimes have to wait for 20 minutes for the OS to boot on my PC. Also, I lose around half a minute to open each case file- if you multiply that by how many times I need to check something, you can see that it can amount to serious time in a single day. At the start, eSpis was full of bugs and was often offline- but it's better now. We should also install optical cables at the court so we can have faster internet.
9	Money is the key- everything could be implemented if there is enough money. Other than that- it really depends- infrastructure in the centers is good, but some courts are on islands, or in Lika, which is sparsely populated, and in such cases, there are, of course, difficulties with the infrastructure. That's why a lot of digitalisation of our system is done over FINA, which has better infrastructure (such as enforcement procedures, e-signature verification, e-auctions, etc.).
10	I don't know really, it really depends on the type of tool you are trying to introduce. However, I would say infrastructure is far from good.

Category 4: AI risks perceived

Question

6

Have you encountered or tested predictive models?

If so, how accurate or useful were they in reflecting the outcomes you would expect from a human decision-maker?

N	Answer
1	No.
2	No, but I would love to.
3	I have tested ChatGPT if that counts.
4	No. If they would be introduced- they should be introduced in the phase prior to the phase before the court- there are just too many variables (once the disputes start) to account for in order to get a good outcome.
5	No.
6	If the use of the court practice in certain disputes is considered as a predictive model for outcome, then yes, but just as a “master”, not a “servant” of such a system.
7	No.
8	No.
9	No, but there are talks in the Ministry of Justice that they want to pursue some sort of tool like that, which would help parties calculate potential costs.
10	No, I heard of ChatGPT, but that’s it.

Question

7

What risks do you foresee in using predictive models in family property law; including, but not limited to, over-reliance on these tools, lack of transparency, or limited litigant understanding? Or do you see other risks?

N	Answer
1	I don’t use such tools, nor am I familiar with them, so it is difficult to say what potential risks are in their use. I think that in any case, even if such a tool is doing a good job, there must be a court control in the end.

2	I can't say that over-reliance would be a problem- judges are not even aware of what could be achieved with AI systems- they are not aware of the possibilities. One of the major problems, depending on the mode of the digital tools, is an issue when a predictive tool suggests, e.g. 80% success rate, motivating the party to initiate the procedure, and the party loses the procedure- it opens the question of damage liability, even human rights protection.
3	I see all of the aforementioned risks, and I have been warning younger colleagues against over-reliance on any such tools. Human oversight is crucial for the implementation of these tools. Over-reliance on the tools does not give an opportunity to further develop the court practice, which is a bad thing.
4	I don't see over-reliance as a problem- currently, I mainly see problems in infrastructure and judges' encumbrance as main issues for the use of such a tool.
5	This is completely unnecessary, only the judges are in a good position to review all the facts and render a verdict- only they can control what ends up in the minutes of the hearing (otherwise, the minutes would include all sorts of unnecessary details), written communication can often be misinterpreted, and the tone of communication is lacking... AI tools cannot protect a weaker party that has a lack of knowledge or insufficient funds to take part in the dispute. Who knows what data AI feeds off.
6	Overly relying on such tools to provide harmonisation of the practice, in cases when each case should be reviewed individually, AI cannot review evidence, perform hearing of parties and witnesses, evaluate the balance of power between the parties (especially in emotionally "heavy" cases- not even all the judges have these qualities, let alone the AI).
7	I can't answer to this question as I do not have any experience in using such tools.
8	I think the concept of predictivity is sometimes the greatest problem- you see, there are differences in the court practice even on regional level- formerly, I knew how to argument my decision so that it doesn't get quashed on the second instance- now (<i>as all 2nd instance courts could decide on the appeal from Zagreb- a reform carried out to unburden some county courts</i>) I don't know what to expect- practice is diverse and Supreme court is not very up-to-date to unify the practice. Also, I think a court decision could be good even if it goes against the existing <i>corpus</i> of practice- if it's well explained- we are not a common law system.
9	Any such tool must not overtake the role of a judge- it can only function as a mere help to the judge. Also, I think that the predictability of the outcome of the procedure is overly optimistic- there are just too many parameters that one has to put into the system, and I don't think that we are able to give the AI so many parameters that it has to take into account.
10	The major risk I see is that the judges, if they would use the AI, would simply automate their deciding- the same thing that happened with the "orientation criteria" (<i>list of criteria given by the Supreme Court for the evaluation of the amount of damages to be awarded in the case of immaterial damages- it is often claimed that the amounts proposed there are simply automatically copied, although they are set just as an orientation</i>). The AI must remain just an assistant to the judge.

Question

8

A survey on the digitalisation of asset liquidation-division procedures suggests that AI tools, blockchain technology, and online dispute resolution (ODR) platforms are seen as the most useful innovations.

Which of these technologies do you find most relevant or applicable, and why?

N	Answer
1	There are currently no such tools available in our justice system, so it is difficult for me to say which ones would be the most useful.
2	I would like to see our current tools further improved- for example, I would like to access all case files initiated by the party before me, so I can cross-examine the party if the party testified to the contrary in a different procedure- it happens a lot, and the judges have the right to see other case files- it's just not automated, so it takes a lot of time to get it. Predictive models should be introduced in the inheritance division. Human oversight of the tools is essential, though.
3	I think an online dispute resolution system would be a good thing.
4	I would like to see a tool, maybe an LLM, that can comb through thousands of regulations currently in force in Croatia (allegedly 28.000 instruments, not counting by-laws or EU laws)- so that I can just type the subject matter and the date in question and get the applicable rules. Some loopholes in the existing digital tools should be closed (participants gave a specific example that opens the possibility of procedural abuse).
5	This is unnecessary and won't speed up procedures, burdened by frivolous disputes.
6	Nothing comes to my mind at this point.
7	I would like to repeat the same answer as the previous question.
8	I have no opinion on this.
9	I would support some sort of predictive justice tools, but just for the orientation before the initiation of proceedings- something that would either encourage the party to start mediation or discourage it from the procedure entirely.
10	I don't know, I do not follow the types of innovations available in the justice systems.

Question 9 *(N/A- such tools are not available in Croatia)*

The survey shows that AI applications for predicting outcomes in asset liquidation-division cases are currently used only to a limited extent. Do you believe this is due to their unavailability, lack of relevance, the immature state of the technology, or are there other reasons

Croatia - Lawyers

Category 1: Targeted legal processes

Question

1

Which aspects of the asset liquidation-division procedure (amicable and judicial) do you believe are the least efficient or cause the most delays?

N	Answer
1	Inefficiencies in procedures of asset liquidation and division are caused by the way the system is set up, not by inadequate tools or faulty regulation. The delays between the hearings are too long, parties arguing or postponing the hearings at the last moment also cause delays.
2	The inefficiencies are usually caused by disputes related to the shares of assets belonging to each party- they usually use all means at their disposal to promote their interests, so it is quite often that unnecessary evidence is suggested in the dispute. The courts, on the other hand, do not use the tools at their disposal to curtail such abuses by the parties, fearing second instance courts' decisions.
3	As DG said, even the judges have some tools at their disposal to cut short any abuses of the parties, but they rarely use them, fearing a higher court decision.
4	The procedural part takes a lot of time- it's the time we are waiting on judges to schedule certain actions, etc.
5	I agree with the SM.
6	The delays are usually created by courts themselves- scheduling of hearings usually takes a long time, and hearings are scheduled for months in advance. Additionally, court experts often take a considerable amount of time to complete their expert findings. Land registers usually do not reflect the actual status of the real estate, which complicates and prolongs the division of assets.
7	Courts are inefficient, they take a long time to schedule a hearing and decide on the division. Also, certain specific obstacles may complicate the asset division procedure- such as invoking the respect for home (art. 8. of the ECHR)- making the title for division unenforceable, or a too conservative interpretation of banking secrets by banks.
8	The system is to blame- judges are too careful to cover themselves, so they allow all kinds of party actions and evidentiary suggestions, which causes delays.
9	It's almost impossible to generalise, these procedures are so vastly different... in any case, I think that marriage separation procedures, followed by asset division, are the most difficult cases- they are driven entirely by emotions, requests are often illogical, and that creates delays, naturally.
10	The need for the court to perform certain actions prolongs the procedure.
11	In my experience, asset division procedures are the simplest and most efficient, so I don't have any particular points that I would suggest looking at. I think that any causes prolonging the procedure are not only reserved in asset division but encumber the whole justice system.
12	The least efficient procedures are the ones involving asset division following the divorce in circumstances where spouses jointly purchased a real estate representing marital patrimony, but only one of the spouses is registered in the land register- the determination of this fact and, afterwards, the division of assets (usually 2 different proceedings) usually lasts years.

13	Nothing specifically burdens this type of procedure, which does not burden all of the procedures- it is the usual stuff- not enough staff at the courts leading to significant delays in hearings, arguing of the parties (often pointless), and bad infrastructure.
14	The biggest issue in asset division is the existence of a dispute between the parties- then the parties start arguing over everything, even the unimportant issues, which influences the duration of the procedure. Also, the expert witnesses are usually the ones that cause significant delays, sometimes, we wait for months for them to be appointed, and then to write the expertise and carry out the on-site inspection.
15	Disputes generate inefficiencies as well as non-conformity of data in the land register and cadaster. Long duration of court procedures usually disables the finalisation of asset division- which can destroy someone's life literally.
16	What MD said- the asset division itself is not a problem- the problems that encumber the courts in general are to blame.
17	It is a very complex question- the amicable division is one thing, judicial division is another, and especially difficult situations include disputes. I don't see how judicial procedure could be sped up, because in any case, an expert witness must perform an on-site inspection.
18	The most problematic aspect, in my opinion, is finding and contacting all the co-owners in certain procedures. Namely, land register data would often not be updated, so it would often be necessary, before the division of the assets, to ascertain who the real owners are- e.g., if certain register owners passed away- who inherited them. The second problem is miscommunication with expert witnesses, who are often asked to redo certain parts of their expertise or answer additional questions. Also, psychological reasons (especially in divorces), on the part of the parties, often contribute to long-lasting disputes.
19	Inefficiencies are caused by the parties that do not understand the procedure, and the lawyers poorly present them with the possibilities of how the procedure might work.
20	I don't often do these types of procedures, so I cannot say which aspect is most ineffective in comparison to other types of procedures.
21	I think the longest-lasting parts of the procedure involve the collection of evidence and estimation of the value of real estate.
22	The most complicated procedures are the ones involving a lot of parties who have diverging interests and complex relations. Further complication represents the need for expert witnesses, their appointment and hearing lasts a long time, delaying the whole procedure.
23	The most difficult procedure is reaching an agreement between the parties on the value of the assets (or, alternatively, engaging the expert witness), and reaching an agreement on division.
24	Whenever there is a dispute between the parties, this causes delays.
25	I agree with everything DP said, plus I would add that this is all caused by the system being overstrained, and there aren't enough personnel.
26	All the phases of the procedure before the courts are generally inefficient and long-lasting due to the state of the judiciary in general.
27	The longest and the least effective parts of the procedure are the ones related to the land register entry, and land survey procedures preceding the determination of co-ownership shares, and partition.
28	The least effective part of the procedure is the estimation of the value of real estate and/or the method of division- also the expert witnesses are significant bottlenecks.
29	The expert witnesses often do not respect set deadlines for drafting of expertise, whereas e-Dražba (e-Auction) usually has too long deadlines (usually, everything happens in the last minute, and nobody has control over it).

30	The assessment of the value of things included in the division lasts the longest and causes the most serious delays.
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Question

2

Which aspects of the asset liquidation-division procedure benefit the most from digital transformation or digitalisation?

N	Answer
1	I don't think digitalisation could lead be used to remove the causes of delays- the AI cannot solve relations between parties, it cannot schedule and hold hearings or go out on the field and perform an expert finding, maybe some non-contentious issues could be solved like this, but in the end, the judge is always best placed to solve a dispute and divide assets.
2	The digitalisation itself could lead to even more prolongations- it is better to upgrade existing digital tools. Therefore, in the public procurement of new digital solutions, not the cheapest should be chosen, but the most appropriate.
3	Digitalisation will not speed up the process- the judges are still needed.
4	I agree with DG, I don't see a solution in this approach.
5	Maybe the first step should be to fully digitalise the half-digitalised parts of the procedure- such as establishing a reliable communication platform, etc.
6	Automatisation of asset division once the procedure is done- something is needed to expedite the process of entry of new rights into public registers. An example would be a programme which checks the authenticity of the documents (such as an enforceable title for division)- a document could, for example, have a QR code and by scanning it, the document would be automatically entered into the register.
7	A more complete digitalisation of the existing "digitised" procedures- land register, for example, is electronically maintained, but in practice, it still requires a lot of "manual" work. So even parts of the procedure that are nominally digitalised still are not.
8	I have no idea.
9	I think that the communication should be fully automated, and digitalised- motions should be sent directly to the other party, without burdening the court, and court clerks.
10	Any sort of digitalisation that leads to the reduced involvement of the court is welcome. The parties should have a more proactive and important role in these procedures and they would use IT automation, whereas the court would only have to control the end result.
11	I can imagine that certain parts of the procedure are digitalised/automated- for example, the suggestion for geometric division of real estate. Any such tools must be controlled by a human actor, in which case it is a question whether this will simplify or speed up the procedure at all.
12	Following question 1 (marital patrimony division- post-divorce)- it would be good to introduce some sort of digital tools which would enable online dispute resolution, focusing primarily on determining the ownership of assets and the subsequent division of assets. Also, the systematisation of court practice would be of huge help, but this would not reduce the duration of the procedures.

13	I am not sure, digitalisation is not a magical procedure which would make all the mentioned problems (under Q1) go away- if you have systematic problems, you have to work on them first- that would increase efficiency.
14	Digitalisation could help, in a way, if the hearings are automatically scheduled.
15	There should be a one-stop shop for asset division- a platform connecting cadaster, land register, courts, land surveyors, and public notaries- there should be sharing and updating of data between them. It would be excellent if there is some sort of system that detects illogical data in different databases. Also, a platform for online voting of co-owners with the authentication over eGrađanin system.
16	I can imagine that certain parts of the procedure are digitalised / automated- for example, the suggestion for geometric division of real estate. Any such tools must be controlled by a human actor, in which case it is a question whether this will simplify or speed up the procedure at all.
17	The speed of the amicable division depends on the dynamic determined by the parties- most of the registers, if not all, here are already digitalised, so I don't see any room for improvement. As previously stated, some phases of the procedure, like evidence examination, cannot be digitalised. Maybe something that could predict an outcome of the procedure, but just as an orientation.
18	Maybe an introduction of a user-friendly interface would encourage parties to reconsider their priorities, and maybe they would be more comfortable giving their position to an interface, rather than the judge, while an opposing party looks upon them.
19	Parties would benefit from a tool that would present them with an interactive flowchart with possible outcomes, costs, and duration of the phases of the procedure. Furthermore, parties that are not represented by lawyers, and are not obligated to use e-Komunikacija, should also be included in that system- that would speed up the process, disburden the courts.
20	We in the law firm acknowledge and welcome any initiative that would include digitalisation of the court and other procedures, if it leads to more efficacy.
21	I think communication between the parties and relevant authorities must be digitalised as much as possible.
22	Phase before the initiation of the procedure should be digitalised- like a platform for ODR. Also, all communication and performing the tasks of expert witness should be, in a way, digitalised.
23	The process of acquiring the documentation and evidence in general should be digitalised. Also, all the communication between the parties should be digitalised, and the parties should be offered a template that is easy to fill in order to suggest a division agreement.
24	Digitalisation would be useful in the asset division procedures, which are not contentious- that would make them faster.
25	I would suggest holding as many simple hearings over the video link as possible.
26	The judiciary system in general should be fully digitalised- partial digitalisation, which we now have, is a total disaster. The basics of the system are not working properly.
27	If it is possible, I would suggest digitalising the parts of the procedure described under Q1.
28	I think that the procedure is already digitalised- we send all the motions digitally. Digital tools cannot do more than this.
29	In a way, everything is already digitalised, because the motion to initiate the procedure is filed electronically, and everything in between is more or less digitalised (that can be digitalised). I only think electronic auctions are very poorly conceptualised- it is easy to manipulate the system.
30	The procedure is more or less digitalised already, the motions are sent over e-Komunikacija, and this increases the speed and efficacy of the procedure.

Category 2: Opinions on technology readiness

Question

3

What digital tools do you currently use in asset liquidation-division procedures?

If these tools are also used by the parties themselves, do you find that they are sufficiently accessible to vulnerable individuals (such as the elderly, people with disabilities, or those with low digital literacy)?

N	Answer
1	I don't do the asset division quite often, but if I did, I would use eSpis, and land register related tools (ZIS). Some tools are imposed on us, and we have to use them, but other tools we use willingly and by our own choice- in this context, I often use AI tools, and have been trying to develop AI tools myself.
2	I use online tools that are part of the justice infrastructure like other lawyers. Sometimes, in my capacity as a mediator, I use online tools (enabled by my mediator center) when parties have residences outside of Zagreb- it is more efficient to perform an online mediation in this context. That should be introduced in the court procedure as well.
3	I use tools that lawyers generally use.
4	Nothing special in the division of assets- I use the tools like all the other.
5	I just use eSpis and ZIS tool whenever I have an asset division.
6	I use eSpis system and ZIS land register system on a daily basis. I don't think it's sufficiently accessible to any of the parties (it is used almost exclusively by lawyers, experts, and court staff)- e-Komunikacija platform is often offline- usually around noon due to high load of motions, I suppose. Regular updates sometimes mean that e-Komunikacija is not accessible for up to 3 days, so everybody has to send motions "manually". ZIS has a very poor court fee payment system- it usually resets during use, so you have to input all the parameters again.
7	I support the previous answer and would add that the rule prohibiting the submission of motions written in hand by the land register is completely ridiculous, as there are still parties that do not have printers at home, and the forms for motions (filled by hand-writing) are still sold in the book stores.
8	Apart from the regular tools that we have to use (like eKomunikacija), I also use AI tools to help me better formulate my motions.
9	I use eSpis, eKomunikacija, ZIS, and Geoportal. I think that the tools available to the general public (such as Geoportal) are intuitive enough for everybody.
10	I don't use any special digital tools. I think that the judges, especially the older ones, have difficulties in using all digital tools, as they have low digital literacy, and no regular education for it.
11	There are no specific tools for asset liquidation, but I use the tools as all other lawyers- eKomunikacija, ZIS, geoportals, eDražba (eAuction).
12	There are no tools related directly to the asset division in divorce procedures- I use the rest of the digital tools in my capacity as a lawyer. I don't have any knowledge of whether the professionals are sufficiently trained in the use of digital tools.
13	I use the tools that are mandatory (communication, case management, etc.), but also various AI tools for assistance in my work.

14	I use every digital tool available to lawyers.
15	I use digital cadaster and land register as well as Geoportal.
16	There are no specific tools for asset liquidation, but I use the tools as all other lawyers- eKomunikacija, ZIS, geoportals, eDražba (eAuction).
17	The same as other lawyers, most often e-Komunikacija, Geoportal and Uređena zemlja. Sometimes I use AI tools for the suggestion of the wording of some clauses.
18	I used “uređena zemlja” tool (<i>joint cadastre and land register portal</i>) the most in such procedures.
19	I use eKomunikacija like other lawyers and legal persons, but not physical persons- and even if they are included in the system, they would definitely not be sufficiently educated for the use of such tools.
20	We do not use any special digital tools in the asset division procedures.
21	No special tools for asset division.
22	Mostly eKomunikacija and eSpis, sometimes we also use videoconference tools, but not in communication with the court unfortunately.
23	Currently, I use eKomunikacija and eSpis tools. No, they are not accessible to anyone, and if they were, people would probably have difficulties with their use- I mean, who knows how many people even use eGrađanin portal.
24	The tools everybody must use, I don't use other tools except for those that are obligatory.
25	I use all the digital tools foreseen for lawyers, because that is an obligation.
26	I do not use any of the digital tools.
27	Apart from the “regular” tools, I use MIKAI assistance for lawyers, IUS INFO portal, and Perplexity for searching court practice, and regulations databases.
28	I use e-Komunikacija.
29	We use e-Komunikacija, this is the only way lawyers communicate with the court. The problem arises when the system is offline or doesn't function well- then the only alternative is to send motion via post.
30	The main tools used by us in the division are e-Komunikacija and Uređena zemlja (land register tool)

Question

4

How is the digitalisation of asset liquidation-division procedures perceived by you personally and by your professional legal community involved in these procedures?

Do you see digitalisation in the justice system, and especially in asset liquidation-division procedures, more as an opportunity for innovation or as a challenge to existing roles and practices?

(If you perceive it as an opportunity): What legal, organisational or cultural obstacles do you see as hindering the introduction of digital tools in asset liquidation-division procedures?

(If you perceive it as a challenge or risk): Which are the main risks you foresee?

N	Answer
1	I support digitalisation in general, but the experience shows that it's not usually done fully, or that there is no clear goal behind it. So yes, it is an opportunity, but only if someone follows through completely on such a procedure and takes into account the feedback from users themselves.
2	Risks of further digitalisation are usually overemphasised. I think there is no good argument in support of not using digital tools. Complications are usually a consequence of sporadic, badly planned, or not sufficiently financed digitalisation projects.
3	It is a good thing, and it is perceived as a good thing- as an ex-judge, I can say that the tools made our lives easier. Of course, there are difficulties, but these will be overcome in time.
4	I agree with DG, and I would add that sometimes, despite being a good thing, they can also produce certain complications, so previously good tools are replaced with worse tools, just because there is an attempt at harmonisation or integration of some functions.
5	I think it is a good thing, but it really depends- half-measures are bad. Also, digitalisation seems to be poorly accepted by older generations and those who are less acquainted with digital technologies.
6	It depends on the law (legal area) one is practicing- in criminal law, for example, it was extremely useful- the hearings last long, so video links are a great thing, the party discipline is higher, so everything that ends up in the records from hearing (when it is recorded) is actually useful and matters for the outcome... It's mainly the infrastructure that will represent an obstacle.
7	I support digitalisation, and I think many others do as well. It is an opportunity for improvement.
8	We young lawyers see it as a necessity, you can't escape the changes that technological development brings.
9	It is a good thing, we saw many improvements, and the communication, especially, has improved significantly. I think the main risk is that whichever reform is initiated, it will only be done half of the way. We still have a bad infrastructure problem with the courts, and, thus, unreliable digital tools.
10	I think older generations would offer some resistance to it, but my opinion is that much of the repetitive and simpler tasks should be simply automated, and justice professionals would only have to check the end result. However, the most serious obstacle is that everything has to be simplified- this is definitely not the process we are witnessing on the EU level- the regulatory framework is just getting more and more complicated. Simplification is the first step towards automation and digitalisation.
11	I think that digitalisation is positive- it can lead to more efficient and economic procedures; however, it may also negatively impact the skills of legal argumentation and ability to adapt to specific life circumstances, which requires empathy and emotional intelligence. This is especially true in the justice system, where humans can hardly be replaced by digital tools.
12	I believe that solving primarily the problem I mentioned (Q1) would have a significant positive impact. Generally, I am positive towards the processes of justice digitalisation. I think that the predictability of justice would be enhanced by the digitalisation of the procedures. This would reinforce trust in the courts, and it would lead to a decrease in arbitrary decisions.

13	By stakeholders higher-up, it is seen as a sort of panacea that would solve the problems in the judiciary, which are sometimes rooted in years of infrastructural and personnel neglect. On the other hand, we lawyers welcome all the digitalisation efforts as they have made our lives (relatively) easy- I say relatively because there are still a lot of glitches concerning the tools, which complicate the procedure, and decrease the efficacy.
14	The digitalisation is useful, as are the tools we got now- the problem is that they often “freeze”, they are not intuitive, there are a lot of updates that hinder their use, etc. All of that means we cannot always rely on them. The biggest obstacle is the equipment available at the courts- computers are old, the internet connection is terrible, staff is poorly trained- it’s like everything is stuck in the 90s. If you add new digital tools to this, it would create chaos.
15	This is an opportunity for development- all the stakeholders could be connected. It is necessary to digitalise as much of the procedure as possible so that the parties do not have to go to various authorities for different reasons. However, if the digitalisation is not carried out completely- we have new problems- not enough staff to control the processes, etc.
16	I think that digitalisation is positive- it can lead to more efficient and economic procedures; however, it may also negatively impact the skills of legal argumentation and ability to adapt to specific life circumstances, which require empathy and emotional intelligence. This is especially true in the justice system, where humans can hardly be replaced by digital tools.
17	I am a big fan of all digitalisation efforts in the judiciary, but I can notice significant resistance towards such procedures in some of my colleagues- sometimes, the resistance is quite aggressive too.
18	The advantage of digitalisation definitely outweighs the negative effects (such as data safety). Of course that the implementation of novelties requires a period of adaptation, but it seems to me that all digitalisation efforts so far have been positively accepted by the lawyers (e-predmet, e-komunikacija, e-oglasna ploča, etc.).
19	Generally, I think it is a good thing as long as it remains the procedure, and its outcome remains under the control of judges.
20	Further digitalisation is definitely an opportunity for development, if it is well conceived, and if it aims to simplify and speed up the procedure with respect to quality.
21	I see digitalisation as an excellent opportunity to improve and speed up the judiciary. Of course, there are risks, but they can be overcome by investments.
22	The digitalisation is an opportunity for development, accessibility, and transparency of the procedure. However, the obstacles are the unreadiness of the users, the non-harmonised use of the tools between the courts, and the dehumanization of the whole procedure.
23	It is an opportunity to reduce the time of litigation and reduce their costs. Of course, if the system isn’t stable or if the implementation is not complete, this can cause problems.
24	I think digitalisation is definitely an opportunity for improvement, under the condition that it is performed with quality and if its all-encompassing. The potential of AI must be harnessed.
25	I agree with the DP- there are a lot of small details that just unnecessarily prolong the procedure- for example, if I am drafting a motion for the land register, and I have to add attachments- I add them one by one, each one must be electronically signed and then the signature is checked- so if I have a motion with 30 attachments, it lasts 1 hour to submit them all- a job that should realistically take only a minute.
26	Current digital solutions are just bad- E-komunikacija is often offline, technical assistance is not available 0-24, it is slow, etc. These basic issues have to be solved, and then we can move on to more complex digital tools.

27	I think it is a good opportunity for development, but if the users are properly trained.
28	There are still a lot of problems with the introduced digital tool that should be used mandatorily- e.g. if e-Komunikacija is offline due to updates or a similar action, the motions still have to be sent physically. Therefore, although there are advantages to digitalisation, sometimes this creates further complications- therefore, I am skeptical about the introduction of AI.
29	I think lawyers have gotten used to digital tools previously introduced- we all follow e-Komunikacija, and follow the status of the case over ePredmet.
30	I think that digital tools introduced in our system have made the procedures faster, and we can do more as a result. However, there are still numerous glitches in the system, making it hard to use sometimes.

Category 3: Opinions on how to implement digital technologies

Question

5

What changes in training, infrastructure, organisation, or regulation do you consider essential for successful digitalisation of family property law cases; particularly in asset liquidation-division procedures?

N	Answer
1	The level of ICT training is absolutely abysmal- that needs to change. Also, if we are talking about the AI tools- one must first have to establish a large database of properly labeled court practice. I don't think we have that now in ANON.
2	Properly conceptualised tools do not require too much training for their users. If they are not simple, they are not good. If they do not function, the infrastructure is inadequate. If there is no education, the fear from using such tools will remain, as well as resistance to changes.
3	At this moment, we would have to ensure that the infrastructure can accommodate new tools, which I doubt it can, seeing how it struggles with existing digital solutions.
4	I don't think that we have too many hurdles to overcome, but definitely that education is the foremost requirement. It really depends on the tool we are trying to introduce.
5	I agree with SM, I've worked at the court, and I know how the infrastructure is.
6	Mainly the infrastructure- internet speed, computers in the courts, e-Komunikacija does not allow bigger files to be transferred, etc. Also, cybersecurity and a lack of personnel training could be a major issue.
7	The changes in infrastructure are crucial for the implementation of new tools- although the "digitalisation" process is in part already implemented, often it is not implemented completely- for example, hearings before the public prosecutor (state attorney) are still recorded on CDs! And you cannot even play a video in a civil hearing (for evidence purposes) as there are no USB hubs, no projectors, and the internet connection is abysmal...

8	Primarily, investments in IT devices- good internet connection, new devices at the service of judges, training so that they know what tools are available to them, how they function, and when they should use them.
9	I don't know, it depends on the tool we are trying to introduce.
10	Knowing the IT infrastructure of the courts and state apparatus, I believe that significant investments are needed to bring it up to a state that could sufficiently handle a major digitalisation effort. Education is not an issue- everybody can be trained, and those who do not want to should be replaced.
11	Education is key to accepting these changes- I was employed at the court when eSpis was introduced, and this resulted in significant resistance. The problem is not the people, but the implementation- any system must help, not create additional obligations (such as in case of eDnevnik in the education system). Implementation must be carefully planned, not to overburden the current actors- seeing other changes, I am not overly optimistic about them, exactly because of implementation, not the nature of a digital tool.
12	I am not sure which changes are necessary because I don't know the level of judges' skills in using the digital tools.
13	For the introduction of a proper predictive justice tool, there are just too many steps preceding the implementation- ensuring the adequate infrastructure, proper IT support, the tool must be well conceptualised, court practice, and regulations properly labelled, etc. If you are going to introduce just another LLM, that seems like a waste of money- a new tool must follow legal, not general logic, judges must understand how it works and must be able to check the underlying argumentation. Interpreting law is a skill acquired over the years, it cannot be learned by observing patterns.
14	Investment in infrastructure is the key- new equipment, databases must be updated, and the proper function of the key digital systems.
15	We have to adapt the software tools and infrastructure, which are inadequate. We need a proper regulatory framework, and we need to connect all the databases. Also, training should be provided.
16	Education is key to accepting these changes- I was employed at the court when eSpis was introduced, and this resulted in significant resistance. The problem is not the people, but the implementation- any system must help, not create additional obligations (such in the case of eDnevnik in the education system). Implementation must be carefully planned, not to overburden the current actors- seeing other changes, I am not overly optimistic about them, exactly because of implementation, not the nature of a digital tool.
17	I haven't thought about that, but I think that certain databases should be accessible to everybody in the context of asset division (such as databases containing the real estate prices)- that's a prerequisite for further development of tools.
18	First and foremost, any such change must be accompanied by sufficient time for all the actors to adapt to the new tool.
19	I don't know to be honest, it depends on the type of tool.
20	It is necessary to ensure that technological means are introduced into the courts- so that the judges and court clerks should be educated and motivated to use digital tools- such as tools for remote hearings.
21	Investment in the infrastructure, such as IT equipment and its security. Training of the staff who would use them.
22	Development of interoperable systems for the sharing of data between the actors, mandatory education of all the users, better infrastructure, especially in terms of equipment, and internet connection.
23	Infrastructure should be improved so that we have reliable systems, fast support, and good education. A legal framework must also be provided. Users are often not well informed about the functionalities of the system, or that they even exist, so some sort of training would be useful too.

24	I have no idea, but even if the users aren't well educated for their use, the tools should be intuitive and easy to understand so that there is no necessity for longer and more complicated training.
25	Apart from the necessary investments in the infrastructure, I would say the staff must not be overlooked- the judiciary is made up of people who are, realistically, not trained well to work with the digital tools, and that is not their fault- it's the fault of the system. The same goes for regular people using eGradanin services.
26	First basic digitalisation must be conducted, here included is the communication. Then other segments. I think that the education is bad as well, primarily among the assistance staff on the courts.
27	It is necessary to centralise the status of the asset division procedure so that parties may follow the progress of the process. Users in general are not sufficiently trained to use the available digital tools.
28	I think that, for the use of existing tools, further training is not required- that is more or less settled. The system e-Gradani should be decoupled from the system eSpis, because sometimes parties receive motions before the lawyers, which confuses them.
29	Some implemented digital tools take too long for simpler tasks- like e-signatures or motions in e-communication- that should be simplified. One should be careful not to make the same mistake with newly introduced tools.
30	All the tools should be intuitive, as the ones already introduced- this reduces the amount of training necessary for new users.

Category 4: AI risks perceived

Question

6

Have you encountered or tested predictive models?

If so, how accurate or useful were they in reflecting the outcomes you would expect from a human decision-maker?

N	Answer
1	I still haven't used them, but I've followed their development, and implementation- I think it was in Australia- they are supposedly good at reflecting human decision-makers, but their use should be limited just to an assistance role.
2	No.
3	No.
4	No.
5	No.
6	No.
7	No.
8	No.

9	No.
10	No, but I would love to test them.
11	No, but I use the AI tools on the iusinfo portal and ChatGPT, which may fulfil these functions similarly to specialised predictive models.
12	No.
13	I am following their development, and I do a lot of research into ICT law.
14	Personally, I haven't used them, but in theory, it sounds interesting.
15	No.
16	No.
17	No.
18	No.
19	No, but I've heard of Ulpian tool, which generates answers to legal questions, and provides quotes and used legal sources.
20	No, but that concept sounds like an extremely useful tool for parties and judges.
21	I never encountered them.
22	Never.
23	I didn't use them, but I read about them.
24	No, but I did work on a project involving predictive justice together with IT experts a few years ago at an institute related to STEM sciences.
25	No.
26	No, and I don't want to, because I believe this is against the Constitution and the fundamental human rights, especially against the right to a fair trial.
27	No, never.
28	No.
29	No.
30	No.

Question

7

What risks do you foresee in using predictive models in family property law; including, but not limited to, over-reliance on these tools, lack of transparency, or limited litigant understanding? Or do you see other risks?

N	Answer
1	Risks are numerous- recently, there was a study by MIT that overly using generative AI can lead to a decrease in cognitive skills. Current AI models based on binary systems, in the context of human-AI interaction, must not lead to the replacement of the human component- just to assist, to augment the intelligence, and to speed up the repetitive tasks, replace the quantitative (and, in part, qualitative) research, so the person has more time for creativity. Also, one of the problems is the problem of “reverse-engineering”- we don’t always know how the AI reached a certain conclusion. Of course, there is a problem of human component in the AI models and biases- whether through various mechanisms (brakes, feedback), or otherwise.
2	There are several problems- this requires significant caution- first, one should be careful with prejudices. Second, the tools are not sufficiently developed for use. Third, it is necessary to understand how a certain conclusion was formed- one such tool developed for the ECHR was 80% precise after the first year of implementation- however, it was heavily prejudiced on national or ethnic preconceptions- this is not an argument to reject such a tool, just to improve it.
3	I don’t know, probably that people would rely too much on them, and we would slowly become a precedent-based system.
4	Over-reliance by the actors using them, definitely, they would take it for granted. Probably, there would be someone, at some point, waving at the higher courts with a predicted outcome saying- hey, there were 80% chances that I would succeed- why didn’t I succeed? My fundamental rights and legitimate expectations were violated.
5	I agree with SM.
6	The most significant problem is that we do not have a precedent law system, like the common law, we shouldn’t harmonise the practice in that way. That’s what revision is for.
7	It is impossible to give a singular answer, it really depends on the circumstances of a specific case. Key information can be, apparently, non-significant, but it can totally change the outcome of the case. It is probable that in order to establish a functioning predictive model, one will have to upload an enormous amount of data to reflect these slight shifts.
8	Apart from the obvious over-reliance problem, I would say lack of transparency too- that would be a big problem.
9	Probably hallucinations of the AI tool- our court practice database (ANON) is still poorly labelled- at least the part open to the public. So I think we may get imprecise answers. There is also the problem of non-transparency and bias.
10	I think one of the major risks for implementing such tools is the slowness of our justice system- in circumstances in which sometimes lawsuits filed 3 or 4 years previously are still not sent to the defendant to provide a response- it is inconceivable that the use of predictive models would bring any new benefits, as long as these “analogue” risks are not addressed. Other than that, over-reliance is a risk- any outcome of automatisisation should be closely controlled.
11	To give a complete answer to this question, it is necessary to give a bit more detail on how the tool will operate. However, generally speaking, human approach and fairness must be guaranteed- something that AI cannot offer. Efficiency comes at the price of quality, which negatively impacts the parties. Users must understand how the tools work, and they must not represent an additional obligation. Without a properly organised education, we cannot expect that such tools would be used efficiently.
12	Currently, I think that the arbitrary and discriminatory decisions annul any benefits that may be offered by AI tools and the use of digital tools. Generally, risks are inevitable, but that does not mean we should avoid introducing the tools. The population is getting gradually more acquainted with the use of digital

	tools, but most users still don't understand how the digital tools function. Currently, people are not informed enough on the possibility of mediation, let alone the use of digital tools.
13	There are, naturally, a lot of risks- the way I see it, it all depends on the implementation, but if the users don't understand how the tool works, that is a big problem. Hallucinations are another significant problem. Also, we have to retain the possibility to go against the court practice, we are not a common law legal system- the practice is often wrong. Lastly, I think there should be transparent prompting (that should be re-checkable), and we must not reinforce existing biases- a central profile for all users should be created and maintained.
14	I think it's too early to introduce something like that, the state of the infrastructure is just terrible. Not even basic procedures are digitalised in our courts.
15	We can expect that the parties would rely too much on all the tools- so human oversight is crucial. Also, a limited understanding of the tools could make matters worse. But the primary problem is the long duration of the court dispute- this remains the problem after introducing predictive models.
16	To give a complete answer to this question, it is necessary to give a bit more detail on how the tool will operate. However, generally speaking, human approach and fairness must be guaranteed- something that AI cannot offer. Efficiency comes at the price of quality, which negatively impacts the parties. Users must understand how the tools work, and they must not represent an additional obligation. Without a properly organised education, we cannot expect that such tools would be used efficiently.
17	I think the biggest risk is the risk of hallucinations- my parties often come to me with imaginary court practice and legal norms. In any case, over-reliance on data offered by AI tools can become a problem. Automation is an excellent concept, especially for simpler and repetitive tasks, as well as for gathering data, but they are still just tools, we must not transfer the judgment awarding to the computers.
18	Expected risks are general for all such tools- safety of the platform, personal data protection, sufficient training, etc. Other than that, I think the principal risks for the introduction of an AI platform in the asset division procedures are the complexity of the matter- there are numerous parameters to observe, a lot of norms, etc. It really depends on which type of automatisisation we are talking about- full automatisisation is not possible, but partial (e.g. automatic draft of division elaborates), could be feasible.
19	I think that the use of predictive justice tools that would give possible outcomes on the basis of the previous court practice, must remain under the control of the judge and serve only as an assistant to the judge. There is a significant risk of an error and serious damage for the parties involved, as we do not have a common law system, and the judges are autonomous in their decision-making.
20	Having in mind that the judges would remain in control of the awarding phase of litigation, and having in mind their conscientiousness and professionalism, we do not think that they would over-rely on such tools. They would use it merely as an assistance.
21	I think that over-reliance on the tools might be a problem, as well as non-transparency on how these tools reach a conclusion. This could imply arbitrariness in deciding and reduce the already shaken trust in the judiciary.
22	Too much reliance on automated decisions, without the critical assessment of the argumentation, non-transparency of the algorithms, reduced confidence of the parties due to the inability of the courts to explain how the decision was reached.
23	The biggest risk would be if the user relies on the solution without questioning it, or if we get a solution without a clear line of argumentation.
24	Over-reliance on the outcomes, without the critical analysis- would certainly be the biggest problem.

25	The most significant risk is that people would start to trust such tools too much- users would not check the argumentation or critically analyse the given outcome. In reality, each case is specific, and there are nuances that cannot be caught by an algorithm. Sometimes, the motivation for division is so personal that no amount of material compensation could compensate someone for the loss of 1/6 of some grassland.
26	There is a risk of serious human rights violations, because such tools may only represent advanced court practice search tools. They should only increase the efficacy in the judiciary, something we have been waiting for the last 30 years.
27	If they would just suggest templates without the possibility of adaptation- that would be useless. Also, if the users are not trained, they would be unaware of all functionalities, or would use them wrong- so this is also a precondition. Training must not consist of providing a simple handbook; it would have to be interactive or in the form of a seminar.
28	Such a tool should be accessible to lawyers and judges, likewise, and just as an assistance tool or recommendation. The decision in each case should only be made by a human, based on the impressions from the hearings, and an objective assessment of evidence.
29	I think we have digitalised a lot of procedures, but still we should follow the experience of other legal systems to see whether they had any problems with the introduction of advanced tools such as the ones recommended in the project.
30	In the extreme, the use of such tools may lead to degradation of legal knowledge and skill on the part of their users, who would primarily rely on the suggested solutions.

Question

8

A survey on the digitalisation of asset liquidation-division procedures suggests that AI tools, blockchain technology, and online dispute resolution (ODR) platforms are seen as the most useful innovations.

Which of these technologies do you find most relevant or applicable, and why?

N	Answer
1	I am skeptical of the introduction of new tools as I don't think they will be implemented properly.
2	Absolutely online dispute resolution platform, but a real one- not the one connecting service providers in different MS, as in the case of consumer disputes. The data there is out of date, of low quality, and doesn't contribute to settling of disputes- it is necessary to establish joint standards and centralised accreditation, not to leave this to the MS.
3	AI tools that are described in this project seem like a good idea- it all depends on what we want to achieve.
4	I don't have an opinion on this.
5	I would like to see a tool that analyses court practice and maybe suggests the damages that could be awarded in damage compensation cases.
6	This really depends on what type of problem you want to solve or how the specific tool functions.
7	ODR seems like a good idea, but the precondition is a functioning infrastructure. We tried introducing voice converters, and this, although a great idea, failed exactly for this reason.

8	Online mediation- a portal that parties could automatically get assistance to solve disputes amicably, before they escalate.
9	I would like to see a tool that simplifies the communication between the parties even further- so that all the messages sent to another party are automatically forwarded, without the need to engage the court clerks or judges to verify them first.
10	I cannot think of anything at the moment.
11	At this moment, I don't have any suggestions.
12	Online dispute resolution tools, such as ODR platforms, could be highly beneficial for the system.
13	We need something that does the tasks entrusted to paralegals- we miss such supportive personnel in the courts.
14	I think an online dispute resolution platform for low-value procedures would be an absolute hit. The application would show what the division would look like, depending on the value and shares.
15	Online dispute resolution platform, automated tool for the estimation of the value of real estate, a platform for digital communication (like the one we have at the center), and also the improvements I mentioned previously.
16	I don't have any suggestions either.
17	Currently, we have some high-quality digital tools, for example, I am satisfied with the court practice portal (ANON)- which should be developed further.
18	Maybe some sort of tool that would draft the plan for division, but without any specific outcome predictions.
19	I would suggest opening eKomunikacija to all persons addressing the court.
20	Any tool enabling the remote hearings- judges would also have to be motivated to use such tools more often- it would lead to avoiding high and unnecessary traveling costs, especially for shorter and less formal hearings.
21	Further tools, such as ODR, would definitely be useful.
22	As an addition, we should develop an ODR that would enable the parties to solve all potential disputes before engaging with the courts. Also, tools that simulate the possible outcome of procedures might reassure parties to proceed to the ODR.
23	Definitely an ODR platform for parties.
24	I have no suggestions at this point.
25	An ODR platform for low-value claims would be a good idea. Also, a calculator of the share value, based on the actual market prices and land register status of real estate, that would really reduce procedure time and give a proper estimate to the parties.
26	None of these- first, we must have basic conditions to operate.
27	I have no suggestions.
28	AI should lead us to the result- meaning- it should analyse applicable regulations, and show us the way towards the decision.
29	A portal where parties would be sent for mediation, without the necessity to burden the courts. I am a fan of resolving things <i>in vivo</i> , not online.
30	Some sort of predictive justice tool that would just assist the user would probably be a good upgrade.

Question 9 *(N/A- such tools are not available in Croatia)*

The survey shows that AI applications for predicting outcomes in asset liquidation-division cases are currently used only to a limited extent. Do you believe this is due to their unavailability, lack of relevance, the immature state of the technology, or are there other reasons

Croatia - Notaries

Category 1: Targeted legal processes

Question

1

Which aspects of the asset liquidation-division procedure (amicable and judicial) do you believe are the least efficient or cause the most delays?

N	Answer
1	Judicial proceedings.
2	<p>In my practice we have not yet handled co-ownership partitions under the Non-Contentious Procedure Act. At present the court performs this work in my jurisdiction, and there has been no need to assign it to a notary public's office. I think that is preferable, because the Fee Tariff we apply sets the cost very low in relation to the amount of work and responsibility borne by the notary.</p> <p>I have dealt with asset division in probate proceedings, where we draw up an inheritance agreement containing the heirs' statement on how to divide the property—most often real estate. The main problem with real estate is inconsistent data between the cadastre and the land register. The documentation we prepare on the division of property serves only as a basis for the correct land-registry procedure, whose goal is to align the actual situation with what is recorded. Very often the partition cannot be completed within the probate case—not only because of discrepancies between cadastre and land registers, but also because a surveyor must prepare a study, perform parcelisation, then carry out deletion and assignment of parcels. One must also check the land-registry status by visiting the court and examining the historical land-register extract. That does not belong in probate.</p>
3	As a notary public, I have so far taken part in co-ownership-partition proceedings by drafting partition agreements in the form of notarial deeds at the parties' request, and as a court commissioner in probate proceedings. I believe that the greatest delays arise from the inconsistency between the land register and the cadastre. It is common for parties to be entered only as possessors of real property, not as owners—often without knowing it—so, without initiating a rectification procedure, they cannot register the partition of the co-ownership community in the land register.
4	In marital matters, “unsettled paperwork” lengthens the process of proving ownership shares.

5	Because the land register and cadastre are not harmonised—and because some cadastral municipalities have no land register at all—it is difficult to conduct partition and distribution proceedings.
6	<p>The biggest problems are the overall duration of the proceedings and the possibility for participants to obstruct them. Speed of resolution is crucial for any court or other procedure.</p> <p>In judicial proceedings, there is inevitably disagreement between the parties.</p> <p>In an amicable partition/division there is no dispute, so the matter is resolved as quickly as the participants reach agreement, plus the time needed for the formal steps themselves (e.g. drafting the surveyor's study, recording changes in the land register, etc.).</p>
7	<p>The aspects of asset distribution are currently most visible in probate proceedings. The parties' lack of preparedness is the key problem that prevents an agreement on how the estate should be divided. The statutory six-month deadline for completing a probate case often proves too short for the parties to agree.</p> <p>We have not yet taken part in partition-and-distribution proceedings outside probate.</p>
8	Judicial proceedings.
9	Contested (civil) and non-contentious proceedings for partition of a co-ownership community.
10	<p>The least efficient and most time-consuming aspects of asset division (e.g., partition of co-ownership) are: judicial partition in non-contentious proceedings, valuation of the real estate, administrative complexity of state authorities, and the lack of synchronisation between cadastral and land-register records.</p> <p>Judicial partition in non-contentious proceedings: when the co-owners cannot reach an agreement, a court action becomes necessary. The court is not bound by the parties' proposals and must decide according to statutory criteria, which often leads to lengthy proceedings and participant dissatisfaction.</p> <p>Valuation of the property: the process requires hiring an expert/surveyor to prepare a study and appraise the value, which slows the procedure and increases costs.</p> <p>Administrative complexity in partition involving state-owned property: paperwork, procedural stages and bottlenecks in the competent authorities mean that cases can remain "unresolved" for years.</p> <p>Asynchrony between cadastre and land register: in practice the cadastral data and the land-register status often do not match, which further extends the time needed to resolve a case.</p>

Question

2

Which aspects of the asset liquidation-division procedure benefit the most from digital transformation or digitalisation?

N	Answer
1	Both judicial and amicable proceedings.

2	It is essential to fully digitalise both the land registers and the cadastre, and to finish harmonising the data between them.
3	Following on from the previous answer, one solution is the land-register renewal procedure, which under the Land Register Act should be entrusted to notaries public and is carried out through the Joint Information System of Land Registers and Cadastre. Such a digital procedure would speed up the harmonisation of the land register and cadastre by creating a Land Data Base (BZP), which would in turn accelerate co-ownership-partition proceedings.
4	Land-registry procedures.
5	We benefit greatly from the “ Uredena zemlja ” system, which lets us search property-ownership data, especially when the cadastre and land register are aligned. It would also help if we could quickly obtain historical land-register extracts and collections of deeds.
6	For land-register matters, digitalisation has brought the greatest benefit by accelerating the registration of changes. What once took years is now done in a few working days. Real-time searching, immediate electronic filing of applications after deeds are executed or court decisions become final, and up-to-date linkage between the cadastre and the land register all speed up the process. Electronic filing by courts, lawyers, and notaries both accelerates the procedure and relieves land-register courts of part of the digitalisation-workload.
7	Digital transformation has proved most useful for entering inheritance rulings in the land register and for obtaining land-register extracts by OIB (personal ID number) and by the parties’ names.
8	Amicable settlement of asset distribution.
9	Difficult to say. I do not see how digitalisation or computerisation by itself would improve these procedures; in my view, much depends on the quality of the rules that govern them.
10	The recommended areas for digitalisation are, above all, the electronic filing and management of the land register (ZK) and the cadastre. The current reform allows applications to be submitted electronically through notaries or lawyers, with full data exchange between the land register and the cadastre. Instead of paper-based survey reports, digital versions—certified and authenticated with e-signatures—should be transmitted. A central exchange platform should link the cadastre, expert valuers, notaries, lawyers, and the court.

Category 2: Opinions on technology readiness

Question

3

What digital tools do you currently use in asset liquidation-division procedures?

If these tools are also used by the parties themselves, do you find that they are sufficiently accessible to vulnerable individuals (such as the elderly, people with disabilities, or those with low digital literacy)?

N	Answer
1	Scanning documents in co-ownership liquidation and asset-division procedures. Applying digital signatures to those documents.

	<p>Submitting them via the e-system to land registries to record the requested rights and to other competent institutions (e.g., the tax authority).</p> <p>Creating an e-archive.</p> <p>The parties themselves do not use these tools, and they are not accessible to vulnerable groups (such as older people, persons with disabilities, or those with low levels of digital literacy).</p>
2	<p>To conduct any probate hearing, we must perform an electronic inspection of the land registers. We also have a system through which we can independently submit motions for registration in the land registers. This matters because any voluntary, undisputed agreement on property division—provided the land-registry status is in order—can be processed very efficiently. Under the law, parties themselves can no longer submit such motions; only we (notaries) or attorneys may do so.</p>
3	<p>I am not currently using digital tools in these procedures. However, the Municipal Court in Zadar has appointed me to conduct a land-register renewal procedure for the cadastral municipality of Poveljana on the island of Pag, using the Joint Information System of Land Registers and Cadastre; this will establish a Land Data Base, so it is one way of applying digitalisation to resolve partition and asset-division matters.</p>
4	<p>e-Citizens (e-građani), e-File (e-spis), JIS- Joint Information System of Land Registers and Cadastre (ZIS), Geoportal, e-Auction (e-dražba), e-Signature (FINA certificate). I do not think they are sufficiently accessible.</p>
5	<p>I use Uređena zemlja, e-Notar, e-Tax (e-porezna) and e-Communication. I do not think the parties themselves use these tools, because they have no access to them.</p>
6	<p>I do not yet use such tools myself; specialised digital tools are being developed for my profession.</p> <p>Parties use publicly available online tools, which often cause problems: inexperienced users set inadequate parameters, lack key data, rely on unverified sources, and draft documents that are incomplete or unenforceable in the land register.</p> <p>I do not think the tools are accessible to vulnerable groups; in fact, greater availability could make such people even more vulnerable. Older or less-educated users generally cope poorly with technology and depend on help from younger, more skilled persons.</p> <p>To make mandatory digitalisation viable, we must:</p> <ul style="list-style-type: none"> -Provide thorough, systematic training; -Ensure safe, high-quality internet access; -Enable purchase of adequate equipment. <p>In regions that still lack mains water or electricity, digital tools are simply not an option. I am not familiar with the exact situation for persons with disabilities, but I assume they also face difficulties obtaining specialised devices (screen readers, audio navigation, voice-command interfaces, etc.).</p>
7	<p>The tools we use most are those for electronically sending inheritance rulings to land-register departments, retrieving ownership data on real property by OIB or by the deceased's name in probate at the parties' request, and sending inheritance rulings to the Tax Administration.</p> <p>These digital tools are too complicated for parties that have limited IT knowledge.</p>
8	<p>We currently use the digital platform E-Notar, through which we file applications for land-register entries based on documents suitable for the requested registration.</p> <p>Parties without an electronic signature cannot use digital platforms, and vulnerable groups generally lack sufficient digital literacy.</p>

9	I do not use any digital tools. As far as I know, no publicly available commercial tools have been created specifically for asset-distribution proceedings.
10	The digital tools currently used in proceedings are a centralised land-register platform that enables the submission of applications for entry in the land register as well as the receipt of official documents in digital form. E-communication by means of which the courts use a system for sending and receiving court submissions via e-Citizen or another portal, thereby replacing physical deliveries and contributing to the acceleration of the proceedings themselves.

Question

4

How is the digitalisation of asset liquidation-division procedures perceived by you personally and by your professional legal community involved in these procedures?

Do you see digitalisation in the justice system, and especially in asset liquidation-division procedures, more as an opportunity for innovation or as a challenge to existing roles and practices?

(If you perceive it as an opportunity): What legal, organisational or cultural obstacles do you see as hindering the introduction of digital tools in asset liquidation-division procedures?

(If you perceive it as a challenge or risk): Which are the main risks you foresee?

N	Answer
1	Personally, and within the professional legal community involved in these procedures, we regard digitalisation as a novelty that makes every stage of co-ownership liquidation and asset division easier and faster. It is certainly an opportunity to simplify the procedure. I see no cultural obstacles; the main obstacle is the potential mistrust of parties toward the new system.
2	Frankly, I see it as a major challenge but not as an opportunity. I am unsure what specific risks might arise. A present risk occurs when, in submitting a motion for land-register entry, we merely scan a document that another notary or authority has certified. We cannot be certain of its authenticity because the signature verification did not take place in our office, and we lack full insight into the circumstances.
3	I regard any digitalisation of procedures as useful and efficient, provided that effective tools are available to implement it.
4	Risks regarding IT security—the possibility of websites being hacked and the risk of personal-data breaches or theft.
5	Digitalising all procedures is good and useful because it lets us conduct cases more quickly, reliably, and efficiently. At the same time, we must be very cautious: these are highly sensitive matters, and no software can fully replace a human being's professional knowledge and experience.
6	My own involvement is limited to occasional drafting/notarising of co-ownership-partition agreements, a small number of marital-property division agreements, lodging land-register applications, and preparing documentation for changes of company shares/owners in the court register (where notarial involvement is often essential). A pilot project now allows notaries to file all types of company-register changes electronically with advanced electronic signatures—already a significant step toward digital status procedures. Wider use will come once the system is rolled out nationwide.

	<p>I am a strong supporter of digitalisation because it offers better, faster, and more transparent solutions. Each advance, however, meets strong resistance from some participants. Our main problems are insufficient training and inadequate equipment; without both, digitalisation cannot reach its full potential. Digitalisation increases transparency, prevents files from being assigned to “favoured” persons or taken out of turn, and saves resources (for example, by letting us view land plots remotely).</p> <p>Yet it can also lead to absurdly small, useless co-ownership shares. Legislation should limit the number of co-owners to a sensible figure and prevent pointless partitions; if the parties cannot reach a meaningful agreement or buy each other out, division should not be carried out.</p> <p>No form of digitalisation will help if people refuse or are unable to agree. The main risk is making mistakes.</p>
7	<p>We view digitalisation of co-ownership partition and asset-division procedures positively. The main obstacles are direct access, establishing the parties’ identity, and confirming their true intent.</p> <p>Digitalising these proceedings is challenging because identity and intent must still be verified personally, which is fundamental to our profession.</p>
8	<p>I perceive the digitalisation of co-ownership partition and asset-division procedures both as an opportunity and as a challenge.</p> <p>As an opportunity, it represents an expansion of notarial services; as a challenge, it requires the acquisition of new knowledge. The principal risk, however, lies in the insufficient practical understanding of land-register law.</p>
9	<p>Using digital tools could certainly speed up and simplify proceedings, because large quantities of data could be processed in a much shorter time. Beyond that, I do not see how digitalisation in itself would improve the quality of the procedure.</p>
10	<p>I consider it an opportunity for development that enables efficiency, the shortening of deadlines, and the reduction of delays, as well as the transparency of the timely publication of court decisions.</p>

Category 3: Opinions on how to implement digital technologies

Question

5

What changes in training, infrastructure, organisation, or regulation do you consider essential for successful digitalisation of family property law cases; particularly in asset liquidation-division procedures?

N	Answer
1	Determination to acquire new knowledge—technical, computer, digital, and organisational. Developing the ability to anticipate all risks based on accumulated experience so as to resolve legal situations more quickly and avoid additional court proceedings arising from disputes between the parties.
2	We have not encountered such situations in the office. Our Chamber regularly provides training, and we have already received education related to co-ownership partition.

3	It is crucial to provide training that brings digitalisation closer to legal professionals so that all procedures aimed at resolving parties' property issues can be carried out as efficiently as possible.
4	<p>Training: Make digital-skills education mandatory for legal professions and link it to career advancement; use simulations of digital cases during training.</p> <p>Public guidance: Provide simple guides for citizens on how to use digital tools, plus brief posts on social networks.</p> <p>Infrastructure: Better technical equipment for all actors; a centralised register of asset-partition or division agreements. Notaries would benefit greatly from access to various databases (e.g., Ministry of the Interior for identity checks, a register of persons under guardianship, the court register, civil-status records needed in probate or for notarial deeds).</p> <p>Organisation: Speed up information flow among stakeholders; introduce interactive forms for co-ownership partition and asset division.</p> <p>Regulation: Make digital filing mandatory for partition or asset-division requests; adopt rules that give digital communication the same legal force as formal written communication.</p> <p>Notarial practice: Work is underway to introduce remote signing of documents in a "secure room"; a pilot project is running within the jurisdiction of the Municipal Court in Varaždin.</p>
5	Programs must be fast and effective, well integrated and stable (no "dropped connections"), and staff must receive regular professional training and education.
6	<p>Education: Current curricula are outdated and miss what is relevant, necessary, and useful.</p> <p>Regulations: Frequent, piecemeal amendments create inconsistency.</p> <p>Infrastructure: Better equipment — procured by experts who know what is needed so that systems are compatible and functional.</p> <p>Availability: Mandatory, all-embracing digitalisation is unrealistic unless it is accessible to the great majority of citizens. Advanced electronic signatures, for example, require a device, an internet connection, and a card reader.</p> <p>Connectivity: Some areas of Croatia still lack reliable internet coverage; without it, digital tools are out of reach.</p>
7	We believe it is essential to introduce basic legal, economic, and digital literacy into primary-school education.
8	I believe there must be more education on this topic and more practical training.
9	I cannot give a precise answer.
10	Key changes in infrastructure, organisation or regulations that would facilitate the digitalisation of the asset-division procedure are the amendment to the Land Register Act, which regulates the mandatory electronic submission of ownership-registration applications as of February 2023, as well as the introduction of the e-Spis and e-Communication systems, which enable the filing of documents, case management and status tracking. I believe that today's generations and users are sufficiently educated to use digital tools. The e-Citizens system records an increase in its users year after year. However, a digital divide is still present, making it harder for older citizens in rural areas and in places with weaker IT skills to use the systems.

Category 4: AI risks perceived

Question

6

Have you encountered or tested predictive models?

If so, how accurate or useful were they in reflecting the outcomes you would expect from a human decision-maker?

N	Answer
1	I have not encountered them.
2	No.
3	In my work so far, I have not encountered predictive models.
4	No.
5	No.
6	Unfortunately, no—I have had neither the opportunity nor the need.
7	We have not encountered predictive models, nor have we had the opportunity to test them.
8	We have not encountered predictive models, nor have we had the opportunity to test them.
9	I am aware that certain predictive-model systems have been created and are in the testing phase, but I have not had the opportunity to use them myself.
10	No.

Question

7

What risks do you foresee in using predictive models in family property law; including, but not limited to, over-reliance on these tools, lack of transparency, or limited litigant understanding? Or do you see other risks?

N	Answer
1	I have not encountered such models and therefore cannot provide an answer.
2	can imagine using artificial intelligence built on a sound database; if that were the case, I do not see what problems would arise. Even so, in real-estate partitions, the land registry status would first have to be put in order for anything to function at all.
3	Apart from the risks mentioned in the question, I cannot identify additional ones. I consider the greatest risk to be insufficient education and, consequently, limited understanding on the part of the parties.

4	I do not know.
5	The risks are considerable. Property law is very sensitive: in these proceedings, we are dividing assets people have accumulated over many years. A machine can never replace a human, especially in such delicate matters. Land-register entries can be very old and incomplete (lacking an address, date of birth, tax or citizen ID number, etc.). Without thorough preparation—examining historical extracts, collections of deeds, vital-records registers, and talking to the parties to verify data—we could make serious mistakes, such as dividing property that does not belong to the deceased but to another person with the same or a similar name.
6	A major problem is ignorance of the law and a cultural tendency to avoid professional help, relying instead on a “rule-of-thumb” approach. Predictive models may draw on sources that are not sufficiently expert or accurate.
7	Besides the risks mentioned above, predictive models are not fully appropriate here, because in partition and co-ownership cases, much depends on the parties’ will; they can dispose of their rights freely and without limit.
8	In line with the previous answer, we are not aware of any possible risks.
9	That the life situations of the parties or their personal characteristics will not be fully taken into account. For example, if the property concerned is movable—specifically a motor vehicle—such an asset is generally completely unnecessary to a minor.
10	Risks that can be expected in connection with the use of predictive-justice tools in asset division include excessive reliance on AI recommendations, whereby judges and parties may become overly dependent on AI suggestions, which can weaken critical thinking and human judgment, especially in complex situations. The parties themselves, without professional assistance, may find themselves at a disadvantage; the systems themselves explain decisions incompletely and lack equal expertise or resources for full understanding.

Question

8

A survey on the digitalisation of asset liquidation-division procedures suggests that AI tools, blockchain technology, and online dispute resolution (ODR) platforms are seen as the most useful innovations.

Which of these technologies do you find most relevant or applicable, and why?

N	Answer
1	I do not know.
2	I would say artificial intelligence, provided it is based on very good data.
3	As I have not used these tools in my work, I cannot answer this question.
4	In my view, AI tools—because they can provide answers very quickly, which can then be reviewed and corrected.
5	I do not regard these technologies as the “most useful” innovations; they are merely tools that can assist us in everyday work.
6	I can see advantages in faster procedures, but I lack practical experience to give a solid evaluation.

7	Allowing parties to use a secure room in which their identity and true intent are established beyond doubt.
8	AI tools—because they are the most readily accessible through websites.
9	Artificial intelligence is certainly the greatest innovation and would be the most applicable because of its speed in processing large quantities of data.
10	The introduction of digital signatures is useful because it ensures that documents are not altered and confirms their authenticity.

Question 9 *(N/A- such tools are not available in Croatia)*

The survey shows that AI applications for predicting outcomes in asset liquidation-division cases are currently used only to a limited extent. Do you believe this is due to their unavailability, lack of relevance, the immature state of the technology, or are there other reasons

Croatia- Mediators

Category 1: Targeted legal processes

Question

1

Which aspects of the asset liquidation-division procedure (amicable and judicial) do you believe are the least efficient or cause the most delays?

N	Answer
1	No idea, we are not involved in this part of the procedure in such a way to notice obstacles that cause less efficiency or longer-lasting disputes.
2	In the asset division procedure, the court determines the facts and applies the law to it- the application of the law is relatively simple, once the facts are established. The delays are mostly caused by conflict between the parties, which is at the root of the dispute- so all the strategies in evidence demonstration and providing the facts stem from the management of the conflict. This is usually aggravated by the avarice of the parties.
3	Disputes generate inefficiencies as well as non-conformity of data in the land register and cadaster. Long duration of court procedures usually disable the finalisation of asset division- which can destroy someone's life literally.
4	The inefficiencies in contentious procedures are caused by the need to present evidence (often numerous- such as witness hearing, parties' hearing, hearing of expert witnesses), when the co-ownership shares are disputed.

5	Asset division following a divorce are specially complicated and difficult procedures- they are often rife with disputes, not based in arguments, but in emotions- this leads to significant delays. Sometimes parties lie, some evidence must be carried out- like forming an expert opinion. There are just too many variables.
6	Asset division procedures are usually hard to generalise and have to be decided on a case-to-case basis- this takes a lot of time.
7	The least efficient procedures are the ones involving asset division following the divorce in circumstances where spouses jointly purchased a real-estate representing marital patrimony, but only one of the spouses is registered in the land register- the determination of this fact and, afterwards, the division of assets (usually 2 different proceedings) usually lasts years.
8	The inefficiencies are usually caused by disputes related to the shares of assets belonging to each party- they usually use all means at their disposal to promote their interests so it is quite often that unnecessary evidence is suggested in the dispute. The courts on the other hand, do not use the tools at their disposal to curtail such abuses by the parties, fearing second instance courts' decisions.
9	Most delays and inefficiencies are caused in case of dispute on the size of ownership share- usually, such disputes are not driven by reason or logic and it takes a lot of time and energy to determine all the facts. Also, we are sometimes burdened by huge load of material which must be analysed.
10	The least efficient procedures are the ones with a lot of participants and whenever on-site investigation is needed.

Question

2

Which aspects of the asset liquidation-division procedure benefit the most from digital transformation or digitalisation?

N	Answer
1	We do not see, at least in our part of engagement, a possibility for digitalisation of the procedure.
2	The application of the law in case of already established facts can be digitalised, but the application of the law is, in most cases, only a minor problem for the court.
3	There should be a one-stop shop for asset division- a platform connecting cadaster, land register, courts, land surveyors and public notaries- there should be sharing and updating of data between them. It would be excellent if there is some sort of system that detects illogical data in different databases. Also, a platform for online voting of co-owners with the authentication over eGrađanin system.
4	I would say the non-contentious procedures related to the division of real-estate, where there are no disputes related to the shares in co-ownership of the parties as these procedures seem to be the easiest to automate.
5	I think digitalisation would be more suitable for inheritance asset division- there are far fewer variables involved in that kind of procedure. In divorce procedures, especially for marriages formed under older laws, it is extremely difficult to determine the parties' share in the assets.
6	The procedures that could be digitalised are just simpler and clear cases- as most of them have to be checked on a case-by-case basis. The harmonisation of court practice really sometimes leads to absurd decisions- feeding these decisions to the AI would confuse it and only the judge, in such cases, can determine the real status of the facts.

7	Following question 1 (marital patrimony division- post-divorce)- it would be good to introduce some sort of digital tools which would enable online dispute resolution, focusing primarily on determining the ownership of assets and the subsequent division of assets. Also, the systematisation of court practice would be of huge help, but this would not reduce the duration of the procedures.
8	The digitalisation itself could lead to even more prolongations- it is better to upgrade existing digital tools. Therefore, in the public procurement of new digital solutions, not the cheapest should be chosen, but the most appropriate.
9	I find the idea of complete digitalisation or automation of any part of the procedure completely ridiculous! Even the best judges sometimes struggle with the assessment of evidence and argumentation- how can this be entrusted to a machine?
10	I don't know what kind of digitalisation would help us the most.

Category 2: Opinions on technology readiness

Question

3

What digital tools do you currently use in asset liquidation-division procedures?

If these tools are also used by the parties themselves, do you find that they are sufficiently accessible to vulnerable individuals (such as the elderly, people with disabilities, or those with low digital literacy)?

N	Answer
1	I don't use any digital tools in mediation.
2	A huge progress in these procedures has been made by the digitalisation of the land register and court register, which I usually use.
3	I use digital cadaster and land register as well as Geoportal.
4	I use eSpis for the electronic case management and automatic case assignment and the eKomunikacija- a platform for communication between the courts and lawyers, state attorneys and legal persons (who are required to use the platform). The tools are only used by professionals. Unfortunately, we do not use any digital tools that are related only to the asset liquidation-division, they currently do not exist in our system.
5	I use digital tools introduced in the justice system- such as eSpis- today they are an essential part of the procedure. I also use some tools on my own personal initiative- such as ChatGPT or Perplexity.
6	I use digital tools for control, indexation and publishing of the court decisions- this gave me an opportunity to develop my research skills.
7	There are no tools related directly to the asset division in divorce procedures- I use the rest of the digital tools in my capacity as a lawyer. I don't have any knowledge on whether the professionals are sufficiently trained in the use of digital tools.
8	I sometimes use online tools (enabled by my mediator center) when parties have residences outside of Zagreb- it is more efficient to perform an online mediation in this context. That should be introduced in the court procedure as well.

9	I use eSpis and other tools like the rest of the judges- I find the tool good- however, people are digitally illiterate and are often poor so sometimes this hinders their involvement in the procedure.
10	No special tools, to be honest, I just use the tools that are necessary- eSpis, etc.

Question

4

How is the digitalisation of asset liquidation-division procedures perceived by you personally and by your professional legal community involved in these procedures?

Do you see digitalisation in the justice system, and especially in asset liquidation-division procedures, more as an opportunity for innovation or as a challenge to existing roles and practices?

(If you perceive it as an opportunity): What legal, organisational or cultural obstacles do you see as hindering the introduction of digital tools in asset liquidation-division procedures?

(If you perceive it as a challenge or risk): Which are the main risks you foresee?

N	Answer
1	We do not have a formed opinion on it as we are not involved in this part of the procedure in such a way.
2	The experience related to the tools I use is mostly positive, they generate good outcomes and efficiencies for the procedure and there aren't many risks or complications. Further efforts should be made to digitalise court practice.
3	This is an opportunity for development- all the stakeholders could be connected. It is necessary to digitalise as much of the procedure as possible so that the parties do not have to go to various authorities for different reasons. However, if the digitalisation is not carried out completely- we have new problems- not enough staff to control the processes, etc.
4	It is generally regarded as a good thing and I see the digitalisation as an opportunity for improvement of the system.
5	I am very anxious and positively motivated to see any new tools (such as those in the project) for use in the justice system- I would be glad to test them. Digitalisation so far has brought huge benefits for the system as a whole- tools like eSpis and SUPRANOVA have dramatically improved our effectiveness.
6	Judges should be the ones who create court practice, they should not just rewrite it. The digitalisation should serve the judges, not replace them. In this way, I see the digitalisation as an opportunity to improve the quality of justice. Main obstacles would be higher courts that could use this as a pretext to speed up their reviews, and insist on harmonising court practice, without going into details of each case.
7	I believe that solving primarily the problem I mentioned (Q1) would have a significant positive impact. Generally, I am positive towards the processes of justice digitalisation. I think that the predictability of justice would be enhanced by the digitalisation of the procedures. This would reinforce trust in the courts and it would lead to a decrease in arbitrary decision-making.

8	Risks of further digitalisation are usually over-emphasised, I think there is no good argument in support of not using digital tools. Complications are usually a consequence of sporadic, badly planned or not sufficiently financed digitalisation projects.
9	Generally, reforms are usually done haphazardly or with a specific agenda in mind and this does not help the justice system and usually only opens up new problems. Usually, there is something exotic invented by someone working in academia completely detached from the real world, so the results are then bad. Introduction of eSpis, however, was a good move.
10	I do not discuss these issues with other judges, so I have no idea what the perception is.

Category 3: Opinions on how to implement digital technologies

Question

5

What changes in training, infrastructure, organisation, or regulation do you consider essential for successful digitalisation of family property law cases; particularly in asset liquidation-division procedures?

N	Answer
1	We do not have a formed opinion on it as we are not involved in this part of the procedure in such a way.
2	IT tools generate new solutions for the courts. But, the main challenge is to maintain their status of mere assistance to the judge, not the take over its role. The users will educate themselves as the new solutions are introduced- this is a life reality.
3	We have to adapt the software tools and infrastructure which are inadequate. We need a proper regulatory framework and we need to connect all the databases. Also, training should be provided.
4	It is very difficult to give an answer to this question from my perspective, as I don't have insight into all the issues that exist on these levels. It is essential, in my opinion, to have a good legislative framework, but also an adequate infrastructure that must be provided by the ministry in charge of justice. Judges in Croatia are not systematically educated in the use of digital tools- we are all left to our own initiative and interests.
5	I think one of the biggest problems is the infrastructure- IT systems are currently antiquated. Furthermore, SUPRANOVA system should have improved labelling- current labels are just too general- if a judgement is labelled "damage compensation- hitting deer"- you would get hundreds and hundreds of results without the possibility of going into further details- that should be fixed. Databases should be connected and updated.
6	I think people are not following the speed of technological development, the court staff just isn't educated sufficiently to use any of such tools. Education should be regular and a part of the justice infrastructure, organisation and regulation.
7	I am not sure which changes are necessary because I don't know the level of judges' skills in using the digital tools.
8	Properly conceptualised tools do not require too much training for their users. If they are not simple, they are not good. If they do not function, the infrastructure is inadequate. If there is no education, the fear of using such tools will remain, as well as resistance to change.

9	There are a lot of infrastructural deficiencies that hinder any progress- the standard of education of court clerks has dropped, personnel- such as skilled typists- are in chronic deficiency, data in systems is not updated, systematic education on the use of digital tools is non-existent...
10	I don't know as I don't have any experience in the digitalisation of this type of procedure.

Category 4: AI risks perceived

Question

6

Have you encountered or tested predictive models?

If so, how accurate or useful were they in reflecting the outcomes you would expect from a human decision-maker?

N	Answer
1	No.
2	No.
3	No.
4	No.
5	No, but I would love to.
6	If the use of the court practice in certain disputes is considered as a predictive model for outcome, then yes, but just as a “master”, not a “servant” of such a system.
7	No.
8	No.
9	No.
10	No.

Question

7

What risks do you foresee in using predictive models in family property law; including, but not limited to, over-reliance on these tools, lack of transparency, or limited litigant understanding? Or do you see other risks?

N	Answer
1	I am not sure how this would function, or in which part of the procedure, so I cannot say anything about risks.
2	I would say the same answer as to the Q No. 5.
3	We can expect that the parties would rely too much on all the tools- so human oversight is crucial. Also, a limited understanding of the tools could make matters worse. But the primary problem is the long duration of the court dispute- this remains the problem after introducing predictive models.
4	I don't use such tools, nor am I familiar with them, so it is difficult to say what potential risks are in their use. I think that in any case, even if such a tool is doing a good job, there must be court control in the end.
5	I can't say that over-reliance would be a problem- judges are not even aware of what could be achieved with AI systems- they are not aware of the possibilities. One of the major problems, depending on the mode of the digital tools, is an issue when a predictive tool suggests, e.g. 80% of success rate, motivating the party to initiate the procedure and the party loses the procedure- it opens the question of damage liability, even human rights protection.
6	Overly relying on such tools to provide harmonisation of the practice, in cases when each case should be reviewed individually, AI cannot review evidence, perform hearing of parties and witnesses, evaluate the balance of power between the parties (especially in emotionally "heavy" cases- not even all the judges have these qualities, let alone the AI).
7	Currently, I think that the arbitrary and discriminatory decisions annul any benefits that may be offered by AI tools and the use of digital tools. Generally, risks are inevitable, but that does not mean we should avoid introducing the tools. The population is getting gradually more acquainted with the use of digital tools, but most users still don't understand how the digital tools function. Currently, people are not informed enough on the possibility of mediation, let alone the use of digital tools.
8	There are several problems- this requires significant caution- first, one should be careful with prejudices. Second, the tools are not sufficiently developed for use. Third, it is necessary to understand how a certain conclusion was formed- one such tool developed for the ECHR was 80% precise after the first year of implementation- however, it was heavily prejudiced on national or ethnic preconceptions- this is not an argument to reject such a tool, just to improve it.
9	This is completely unnecessary, only the judges are in a good position to review all the facts and render a verdict- only they can control what ends up in the minutes of hearing (otherwise, the minutes would include all sorts of unnecessary details), written communication can often be misinterpreted and the tone of communication is lacking... AI tools cannot protect a weaker party that has a lack of knowledge or insufficient funds to take part in the dispute. Who knows what data AI feeds off.
10	I can't answer this question as I do not have any experience in using such tools.

Question

8

A survey on the digitalisation of asset liquidation-division procedures suggests that AI tools, blockchain technology, and online dispute resolution (ODR) platforms are seen as the most useful innovations.

Which of these technologies do you find most relevant or applicable, and why?

N	Answer
1	I do not have a formed opinion on it, as we are not involved in this part of the procedure in such a way.
2	The EU online platform for settling consumer disputes turned out to be insufficiently attractive. If the same platform were reintroduced, the experiences from there, or more specifically, the users' concerns, wishes, and needs, would have to be taken into account.
3	Online dispute resolution platform, automated tool for the estimation of the value of real estate, platform for digital communication (like the one we have at the center) and also the improvements I mentioned previously.
4	There are currently no such tools available in our justice system, so it is difficult for me to say which ones would be the most useful.
5	I would like to see our current tools further improved- for example, I would like to access all case files initiated by the party before me, so I can cross-examine the party if the party testified to the contrary in a different procedure- it happens a lot, and the judges have the right to see other case files- it's just not automated, so it takes a lot of time to get it. Predictive models should be introduced in the inheritance division. Human oversight of the tools is essential, though.
6	Nothing comes to my mind at this point.
7	Online dispute resolution tools, such as ODR platforms, could be highly beneficial for the system.
8	Absolutely online dispute resolution platform, but a real one- not the one connecting service providers in different MS, as in the case of consumer disputes. The data there is out of date, of low quality, and doesn't contribute to settling of disputes- it is necessary to establish joint standards and centralised accreditation, not to leave this to the MS.
9	This is unnecessary and won't speed up procedures, burdened by frivolous disputes.
10	I would like to repeat the same answer as the previous question.

Question 9 *(N/A- such tools are not available in Croatia)*

The survey shows that AI applications for predicting outcomes in asset liquidation-division cases are currently used only to a limited extent. Do you believe this is due to their unavailability, lack of relevance, the immature state of the technology, or are there other reasons

CREA3 - Estonia Interview Sheet

Estonia - Judges

Category 1: Targeted legal processes

Question

1

Which aspects of the asset liquidation-division procedure (amicable and judicial) do you believe are the least efficient or cause the most delays?

N	Answer
1	The main problem is that judges are overworked and do not find the resources to research sufficiently into details; data as such is available, but sheer amount does not correspond to needs.
2	Anything which involves contentious proceedings.
3	Judicial officers do not themselves divide assets, so we do not deal with it. Most delay in courthouses is probably caused by the determination of which assets belong to whom in the first place, as there is no documentation; the division of assets as such is less problematic. The other issue may be the value of the assets- market value/time value; need for services (professional evaluators), they must be accepted by court, takes time again; conflicting evaluations; disputes about the fees for evaluators cause delay as well. Quantity and distribution of assets or pricing procedures also cause delays.
4	This question is outside my area of daily work, and I do not have the information to answer it.

Question

2

Which aspects of the asset liquidation-division procedure benefit the most from digital transformation or digitalisation?

N	Answer
1	Transparency is a benefit of digitalisation, just as general efficiency.
2	Communication, speed, good administration (track of transactions)
3	It can help to determine the price, as the internet contains most of the necessary information needed for evaluation, and can be automated as well. For certain assets there are digital records (vehicles, boats), where ownership determination can also be automated. Real estate inspection (is it harvested forest or not? Is agricultural land used?) can be automated via drones/satellites as well.

4	I do not know.
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Category 2: Opinions on technology readiness

Question

3

What digital tools do you currently use in asset liquidation-division procedures?

If these tools are also used by the parties themselves, do you find that they are sufficiently accessible to vulnerable individuals (such as the elderly, people with disabilities, or those with low digital literacy)?

N	Answer
1	Elderly often cannot use digital tools, so there ought to be alternatives (also in case hardware fails or there is no internet coverage etc.). X-law is partly also used for asset division procedures/interpretation of respective provisions.
2	I do not use them
3	We are using our auction centre oksioon.ee, which is a central platform all judicial officers have to use in order to sell assets. It helps immensely, the amount of participants has immensely increased since centralisation; before, all participants had to be physically in one room during the auction, now can be globally located. Highest bid pre-determined, minimal interaction needed. The number of participants has increased, increasing also purchase prices (very close to market prices): kv.ee, city24.ee, maa-amet.
4	<p>This question likely concerns bankruptcy, the dissolution and liquidation of legal entities, and the division of marital property. The Supreme Court has not yet case law on whether digital measures could have any impact on the parties or the proceedings.</p> <p>One example about court procedure. The Supreme Court has decided (02.10.2018 2-17-10423/20) that Section 595(2)(5) of the Code of Civil Procedure (TsMS) refers to the judge's competence to conduct proceedings regulated by law as compulsory dissolution. (para. 23.5) According to TsMS § 595(1) and § 361(3) of the Non-Profit Associations Act (MTÜS), an assistant judge has the competence to issue a deletion order from the register of non-profit associations. Granting such competence to an assistant judge is in accordance with the Constitution. (paras. 23, 38)</p> <p>Deletion from the register due to failure to submit an annual report does not constitute the administration of justice, and the assistant judge merely verifies the presence or absence of clearly defined legal conditions. (para. 37.1)</p> <p>Although the assistant judge has discretion under MTÜS § 361(3) when deleting an association from the register, this discretion is limited to assessing whether the required report has been submitted by the time of the deletion order or whether an extension has been requested for a valid reason. (See also the Supreme</p>

	Court Civil Chamber ruling of 11 December 2012 in civil case no. 3-2-1-153-12, para. 10.) This limited discretion does not make the deletion from the register an act of administering justice. (para. 37.2)
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Question

4

How is the digitalisation of asset liquidation-division procedures perceived by you personally and by your professional legal community involved in these procedures?

Do you see digitalisation in the justice system, and especially in asset liquidation-division procedures, more as an opportunity for innovation or as a challenge to existing roles and practices?

(If you perceive it as an opportunity): What legal, organisational or cultural obstacles do you see as hindering the introduction of digital tools in asset liquidation-division procedures?

(If you perceive it as a challenge or risk): Which are the main risks you foresee?

N	Answer
1	I support digitalisation and see many benefits; if we have certain databases which show asset distribution in real time, there is no competitive alternative to this than a fully digitalised system.
2	E-kodex: I heard it is successful but did not use it personally.
3	There is a huge leap in the use of digital tools compared to 20 years ago; we are increasing the selling price of different asset groups by 30 % from the indicated starting price. We are gaining competitiveness on auction sites, many come out of interest, it is a very popular site, telling others about options there. Personal experience: Works very well, only sending cost is still an issue, and insurance. Transactions are conducted immediately (purchase, also accountancy).
4	More as an opportunity for innovation.

Category 3: Opinions on how to implement digital technologies

Question

5

What changes in training, infrastructure, organisation, or regulation do you consider essential for successful digitalisation of family property law cases; particularly in asset liquidation-division procedures?

N	Answer
1	Digitalisation (and its maintenance) is expensive and requires skills from all stakeholders, i.e. the more complex/autonomous a system gets, the more complex it is to maintain. Judges have to be trained especially for responsible use. I would provide assistant positions to judges for digital tools and their use (at least for the beginning).
2	There is no need for additional training, I get along quite well.
3	The system is functioning quite well, there is no need for further training.
4	Digitalisation should be seen as a change in tools, not as a change in the process itself. When computers were introduced, the nature of judicial proceedings did not change. Similarly, when AI is adopted (and it is already in use in court work), it offers new possibilities but does not alter the essence of justice—the task of deciding who is right remains the same.

Category 4: AI risks perceived

Question

6

Have you encountered or tested predictive models?

If so, how accurate or useful were they in reflecting the outcomes you would expect from a human decision-maker?

N	Answer
1	Only X-Law so far, which anyway only provides a coarse overview, it is merely a preparative tool, not a fully predictive model.
2	No
3	Yes - for pricing, but also for specific demands to the debtor (which measures are used in case-law, other practices). Human oversight needed.
4	No

Question

7

What risks do you foresee in using predictive models in family property law; including, but not limited to, over-reliance on these tools, lack of transparency, or limited litigant understanding? Or do you see other risks?

N	Answer
1	It is important to not to trust the system too much, you have to understand the exact mode of reasoning within the algorithm, otherwise results fit only “accidentally”.
2	It would give wrong answers, not adaptive enough.
3	Today all is still fine, as long as human factors are taken into account, but it may change tomorrow, and we are on the brink of losing control in some areas.
4	Data protection. Cyberprotection: In which country’s server are the court cases of the Estonian state stored? The state must be trustworthy- a court decision must be trustworthy. An automated court may not be reliable.

Question

8

A survey on the digitalisation of asset liquidation-division procedures suggests that AI tools, blockchain technology, and online dispute resolution (ODR) platforms are seen as the most useful innovations.

Which of these technologies do you find most relevant or applicable, and why?

N	Answer
1	AI is very broad and obviously essential (also in terms of gen AI), blockchain is depending on which tool is meant here- I do not use specific blockchain-run tools, nor ODR platforms.
2	I would say ODR, but am not experienced enough.
3	Via AI I can decide faster and reduce needed information for certain tasks, but the human factor is kept. We do not use blockchain right now, but determining the assets can be obstructed by virtual currencies- so it rather impedes than helps at present. Little regulation has also its downside. Virtual assets can be obtained sometimes by state prosecutors, but usually not in civil enforcement. Cold wallets- on a stick- work better than warm wallets (online). Debtor’s collaboration is essential, there is no registry.
4	It is good when disputes are resolved out of court, for example by using online tools. However, if no resolution is reached there, the possibility to appeal to a court staffed by human judges must remain.

Question 9

The survey shows that AI applications for predicting outcomes in asset liquidation-division cases are currently used only to a limited extent.

Do you believe this is due to their unavailability, lack of relevance, the immature state of the technology, or are there other reasons?

N	Answer
1	A1 Applying them in such cases is a serious matter, and the State is careful in applying it, especially in the judiciary. It is also expensive, and the technology develops so quickly that users continue to new technologies before they became professional with the previous ones, ie there is no settled practice A2 Older generation fears new technology, schoolings could help; also at school already.
2	Lack of relevance and immature state of the technology, but not confident that it will get much better.
3	Estonia has it, so not our case; beyond, it is due to lack of knowledge/awareness, not lack of availability. A huge part of judicial officers focus only on how to divide assets, so there is still big potential; much money spent on adapting new models in specific bailiffs' offices. Statistically everything has improved, but the human factor still sceptical- does it really work, is it worth it, will I be held liable, does it create a big mess, will clients complain etc.
4	Estonia has not adopted predictive models in the court system at the national level.

Estonia - Lawyers

Category 1: Targeted legal processes

Question

1

Which aspects of the asset liquidation-division procedure (amicable and judicial) do you believe are the least efficient or cause the most delays?

N	Answer
1	It is most tricky to determine which assets belong to whom, if this is controversial.
2	The main problem is that legal professionals are overworked and do not find the resources to research sufficiently into details; data as such is available, but sheer amount does not correspond to needs.
3	Generally the correspondents with clients/other stakeholders; people reply late
4	Finding out the parties' real interests can take time, also because there may be hidden issues in family matters.

5	This is notary's work mainly, ie I did not deal with this that much so far, but I would assume that concerned parties first settle details on their own, but when it comes to court/notary division may be conducted entirely differently (ie as foreseen by law), which causes dispute among parties (and their families).
6	Judicial officers do not themselves divide assets, so we do not deal with it. Most delay in courthouses is probably caused by the determination of which assets belong to whom in the first place, as there is no documentation; the division of assets as such is less problematic. The other issue may be the value of the assets-market value/time value; need for services (professional evaluators), they must be accepted by court, takes time again; conflicting evaluations; disputes about the fees for evaluators cause delay as well. Quantity and distribution of assets delays, but also pricing procedures.

Question

2

Which aspects of the asset liquidation-division procedure benefit the most from digital transformation or digitalisation?

N	Answer
1	Real-time processing of data (once it is in the system) certainly is a great benefit.
2	Transparency is a benefit of digitalisation, just as general efficiency.
3	Transparency of the entire procedure provides legal certainty and benefits all stakeholders.
4	It makes work altogether more efficient.
5	All phases within the procedure benefit in terms of efficiency, transparency, costs and time.
6	It can much help to determine the price, as the internet contains most of the necessary information needed for evaluation, and can be automated as well. For certain assets there are digital records (vehicles, boats), where ownership determination can also be automated. Real estate inspection (is it harvested forest or not? Is agricultural land used?) can be automated via drones/satellites as well.

Category 2: Opinions on technology readiness

Question

3

What digital tools do you currently use in asset liquidation-division procedures?

If these tools are also used by the parties themselves, do you find that they are sufficiently accessible to vulnerable individuals (such as the elderly, people with disabilities, or those with low digital literacy)?

N	Answer
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1	Mainly the Estonian central E-filing-system and its connected systems (real estate registry, vehicle registry etc.).
2	Elderly often cannot use digital tools, so there ought to be alternatives (also in case hardware fails or there is no internet coverage etc.). X-law is partly also used for asset division procedures/interpretation of respective provisions.
3	I use the entire Estonian legal infrastructure on a daily basis and without any problems, and to my knowledge also vulnerable groups do not have major issues.
4	I use E-filing system and other tools, which are quite accessible as well to non-legally trained users (the interface is very simple).
5	E-filing and e-notary are used as a general standard in Estonian legal practice, i.e. also by me. The respective platforms are user-friendly enough that also vulnerable parties have at least access- for details within the procedure often family members/friends provide sufficient assistance.
6	We are using our auction centre oksioon.ee, which is a central platform all judicial officers have to use in order to sell assets. It helps immensely, the amount of participants has immensely increased since centralisation; before, all participants had to be physically in one room during the auction, now can be globally located. Highest bid pre-determined, minimal interaction needed. Quantity of participants has increased, increasing also purchase prices (very close to market prices): kv.ee, city24.ee, maa-amet.

Question

4

How is the digitalisation of asset liquidation-division procedures perceived by you personally and by your professional legal community involved in these procedures?

Do you see digitalisation in the justice system, and especially in asset liquidation-division procedures, more as an opportunity for innovation or as a challenge to existing roles and practices?

(If you perceive it as an opportunity): What legal, organisational or cultural obstacles do you see as hindering the introduction of digital tools in asset liquidation-division procedures? (If you perceive it as a challenge or risk): Which are the main risks you foresee?

N	Answer
1	Very positive, I could not imagine working without it. There are few to no obstacles in practice.
2	I support digitalisation and see many benefits; if we have certain databases which show asset distribution in real time, there is no competitive alternative to this than a fully digitalised system.
3	The Estonian system is based on digitalisation, it has created essential benefits on many levels. There are very few stakeholders who do not appreciate these.
4	We do not use any paper documents in practice anywhere, sometimes we do not even have printers any more. There are few challenges (sometimes if hardware breaks down or there are software bugs).
5	The legal community in Estonia fully embraces digitalisation, and so do I.

6	There is a huge leap in the use of digital tools compared to 20 years ago; we are increasing the selling price of different asset groups by 30 % from the indicated starting price. We are gaining competitiveness on auction sites, many come out of interest, it is a very popular site, telling others about options there. Personal experience: Works very well, only sending cost is still an issue, and insurance. Transactions are conducted immediately (purchase, also accountancy).
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Category 3: Opinions on how to implement digital technologies

Question

5

What changes in training, infrastructure, organisation, or regulation do you consider essential for successful digitalisation of family property law cases; particularly in asset liquidation-division procedures?

N	Answer
1	Training is generally fine; sometimes there could be schoolings when new systems are set up
2	Digitalisation (and its maintenance) is expensive and requires skills from all stakeholders, i.e. the more complex/autonomous a system gets, the more complex it is to maintain. Judges have to be trained especially for responsible use. I would provide assistant positions to judges for digital tools and their use (at least for the beginning).
3	It depends on which tools we talk about- mostly no specific training is needed, as we have worked with these since university, but when novel tools are introduced some introductory training can be useful.
4	The structure as such is fine, but has been more simple until recently, which was better.
5	The State develops and maintains these systems, which are costly and resource-intensive, so this is a barrier, as both money and people are scarce commodities in Estonia.
6	Asset-liquidation procedures work quite smoothly in the way they are organised right now, so no changes needed

Category 4: AI risks perceived

Question

6

Have you encountered or tested predictive models?

If so, how accurate or useful were they in reflecting the outcomes you would expect from a human decision-maker?

N	Answer
1	No, I did not use any predictive models so far.
2	Only X-Law so far, which anyway only provides a coarse overview, it is merely a preparative tool, not a fully predictive model.
3	No, even though I have asked generative AI models on the probable outcome of certain (anonymised) scenarios (just to “play around”). But I would not consider this predictive justice.
4	No
5	No, I did not.
6	Yes - for pricing, but also for specific demands to the debtor (which measures are used in case-law, other practices). Human oversight needed.

Question

7

What risks do you foresee in using predictive models in family property law; including, but not limited to, over-reliance on these tools, lack of transparency, or limited litigant understanding? Or do you see other risks?

N	Answer
1	As with all AI, it is a high risk to trust autonomous systems too much.
2	It is important to not trust the system too much, you have to understand the exact mode of reasoning within the algorithm, otherwise results fit only “accidentally”.
3	Over-reliance on these tools, lack of transparency, and limited litigant understanding are all equally risky.
4	I would not use these tools at all, they have better use elsewhere.
5	These risks mentioned here are all present; once predictive justice is established as a standard, autonomously human-induced judgements may require specific justification, which is a slippery road.
6	Today all is still fine, as long as human factors are taken into account, but it may change tomorrow, and we are on the brink of losing control in some areas.

Question

8

A survey on the digitalisation of asset liquidation-division procedures suggests that AI tools, blockchain technology, and online dispute resolution (ODR) platforms are seen as the most useful innovations.

Which of these technologies do you find most relevant or applicable, and why?

N	Answer
1	I have not read this survey, but I could imagine they are all relevant- depending on context and objectives for use.
2	AI is very broad and obviously essential (also in terms of gen AI), blockchain is depending on which tool is meant here- I do not use specific blockchain-run tools, neither ODR platforms.
3	I use some AI tools at places, but am aware of the risks (data protection, IP, hallucinations). Others I do not use actively.
4	I do not use any of these actively and cannot say which is most relevant.
5	ODR platforms I see most relevant out of these (in terms of digital court sessions), while I did not use blockchain-technology based tools beyond those provided via the Estonian state digital infrastructure. AI tools as such- generative AI- I do not see as currently fit enough to be useful tool.
6	Via AI I can decide faster and reduce needed information for certain tasks, but the human factor is kept. We do not use blockchain right now, but determining the assets can be obstructed by virtual currencies- so it rather impedes than helps at present. Little regulation has also its downside. Virtual assets can be obtained sometimes by state prosecutors, but usually not in civil enforcement. Cold wallets- on a stick- work better than warm wallets (online). Debtor's collaboration is essential, there is no registry.

Question

9

The survey shows that AI applications for predicting outcomes in asset liquidation-division cases are currently used only to a limited extent.

Do you believe this is due to their unavailability, lack of relevance, the immature state of the technology, or are there other reasons?

N	Answer
1	I think it is an immature state of technology.
2	Applying them in such cases is a serious matter, and the State is careful in applying it, especially in the judiciary. It is also expensive, and the technology develops so quickly that users continue to new technologies before they become professional with the previous ones, i.e. there is no settled practice.
3	Legal professionals are afraid of legal risks/liability if they use tools not correctly/use their clients' data within these systems.

4	People do not know that much about novel tools yet, and they may in that sense not be available to them.
5	The immature state of technology makes these tools not really relevant to date.
6	Estonia has it, so not our case; beyond, it is due to lack of knowledge/awareness, not lack of availability. A huge part of judicial officers focus only on how to divide assets, so there is still big potential; much money spent on adapting new models in specific bailiffs' offices. Statistically everything has improved, but the human factor still sceptical- does it really work, is it worth it, will I be held liable, does it create a big mess, will client complain etc.

Estonia - Notaries

To achieve the KPI for this target group, the Estonian Chamber of Notaries, Notar - was interviewed.

Category 1: Targeted legal processes

Question

1

Which aspects of the asset liquidation-division procedure (amicable and judicial) do you believe are the least efficient or cause the most delays?

N	Answer
1	If parties are taken to court; no difference between different assets, procedure is the same. Identifying assets as such is not complicated, if located in Estonia
2	See above
3	See above
4	See above
5	See above
6	See above
7	See above
8	See above
9	See above

Question

2

Which aspects of the asset liquidation-division procedure benefit the most from digital transformation or digitalisation?

N	Answer
1	We are using the Estonian E-Filing system.
2	See above
3	See above
4	See above
5	See above
6	See above
7	See above
8	See above
9	See above

Category 2: Opinions on technology readiness

Question

3

What digital tools do you currently use in asset liquidation-division procedures?

If these tools are also used by the parties themselves, do you find that they are sufficiently accessible to vulnerable individuals (such as the elderly, people with disabilities, or those with low digital literacy)?

N	Answer
1	Estonian online registry is used by all parties; beyond real estate, also cars and vessels are registered online, there is free and easy access to all parties. No issues in general.
2	See above
3	See above
4	See above
5	See above

6	See above
7	See above
8	See above
9	See above

Question

4

How is the digitalisation of asset liquidation-division procedures perceived by you personally and by your professional legal community involved in these procedures?

Do you see digitalisation in the justice system, and especially in asset liquidation-division procedures, more as an opportunity for innovation or as a challenge to existing roles and practices?

(If you perceive it as an opportunity): What legal, organisational or cultural obstacles do you see as hindering the introduction of digital tools in asset liquidation-division procedures?

(If you perceive it as a challenge or risk): Which are the main risks you foresee?

N	Answer
1	It is to certain degrees compulsory and perceived very positive; some parties prefer manual signature, but this is no problem either.
2	See above
3	See above
4	See above
5	See above
6	See above
7	See above
8	See above
9	See above

Category 3: Opinions on how to implement digital technologies

Question

5

What changes in training, infrastructure, organisation, or regulation do you consider essential for successful digitalisation of family property law cases; particularly in asset liquidation-division procedures?

N	Answer
1	We see it as an opportunity. There may be sometimes user issues; hardware issues; professional training not necessary
2	See above
3	See above
4	See above
5	See above
6	See above
7	See above
8	See above
9	See above

Category 4: AI risks perceived

Question

6

Have you encountered or tested predictive models?

If so, how accurate or useful were they in reflecting the outcomes you would expect from a human decision-maker?

N	Answer
1	No, we did not encounter or test any predictive models so far.
2	See above

3	See above
4	See above
5	See above
6	See above
7	See above
8	See above
9	See above

Question

7

What risks do you foresee in using predictive models in family property law; including, but not limited to, over-reliance on these tools, lack of transparency, or limited litigant understanding? Or do you see other risks?

N	Answer
1	All of them, but mainly knowledge of people for legal consequences. Clients generally tend to not receive sufficient consultation, they just sign documents. It is important to fully grasp the entire family structure.
2	See above
3	See above
4	See above
5	See above
6	See above
7	See above
8	See above
9	See above

Question

8

A survey on the digitalisation of asset liquidation-division procedures suggests that AI tools, blockchain technology, and online dispute resolution (ODR) platforms are seen as the most useful innovations.

Which of these technologies do you find most relevant or applicable, and why?

N	Answer
1	We do not use any of these actively, even though some blockchain technology is involved in securing Estonian state registries.
2	See above
3	See above
4	See above
5	See above
6	See above
7	See above
8	See above
9	See above

Question

9

The survey shows that AI applications for predicting outcomes in asset liquidation-division cases are currently used only to a limited extent.

Do you believe this is due to their unavailability, lack of relevance, the immature state of the technology, or are there other reasons?

N	Answer
1	Consulting lacks if automated procedure; if it is already separate property, there is not need for division, AI would not be able to clearly distinguish, as the digital registry is not always correct: For instance, a spouse can buy car without consent of the other spouse, but will still be joint asset, but not reflected in the registry. Human oversight is needed, also specific individual evaluation.
2	See above
3	See above
4	See above
5	See above
6	See above
7	See above
8	See above
9	See above

Estonia - Mediators

Category 1: Targeted legal processes

Question

1

Which aspects of the asset liquidation-division procedure (amicable and judicial) do you believe are the least efficient or cause the most delays?

N	Answer
1	The main problem is that judges are overworked and do not find the resources to research sufficiently into details; data as such is available, but sheer amount does not correspond to needs.
2	This is notary's work mainly, ie I did not deal with this that much so far, but I would assume that concerned parties first settle details on their own, but when it comes to court/notary division may be conducted entirely differently (ie as foreseen by law), which causes dispute among parties (and their families).

Question

2

Which aspects of the asset liquidation-division procedure benefit the most from digital transformation or digitalisation?

N	Answer
1	Transparency is a benefit of digitalisation, just as general efficiency.
2	All phases within the procedure benefit in terms of efficiency, transparency, costs and time.

Category 2: Opinions on technology readiness

Question

3

What digital tools do you currently use in asset liquidation-division procedures?

If these tools are also used by the parties themselves, do you find that they are sufficiently accessible to vulnerable individuals (such as the elderly, people with disabilities, or those with low digital literacy)?

N	Answer
1	Elderly often cannot use digital tools, so there ought to be alternatives (also in case hardware fails or there is no internet coverage etc.). X-law is partly also used for asset division procedures/interpretation of respective provisions.
5	E-filing and e-notary are used as a general standard in Estonian legal practice, i.e. also by me. The respective platforms are user-friendly enough that also vulnerable parties have at least access- for details within the procedure often family members/friends provide sufficient assistance.

Question

4

How is the digitalisation of asset liquidation-division procedures perceived by you personally and by your professional legal community involved in these procedures?

Do you see digitalisation in the justice system, and especially in asset liquidation-division procedures, more as an opportunity for innovation or as a challenge to existing roles and practices?

(If you perceive it as an opportunity): What legal, organisational or cultural obstacles do you see as hindering the introduction of digital tools in asset liquidation-division procedures?

(If you perceive it as a challenge or risk): Which are the main risks you foresee?

N	Answer
1	I support digitalisation and see many benefits; if we have certain databases which show asset distribution in real time, there is no competitive alternative to this than a fully digitalised system.
2	The legal community in Estonia fully embraces digitalisation, and so I.

Category 3: Opinions on how to implement digital technologies

Question

5

What changes in training, infrastructure, organisation, or regulation do you consider essential for successful digitalisation of family property law cases; particularly in asset liquidation-division procedures?

N	Answer
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1	Digitalisation (and its maintenance) is expensive and requires skills from all stakeholders, i.e. the more complex/autonomous a system gets, the more complex it is to maintain. Judges have to be trained especially for responsible use. I would provide assistant positions to judges for digital tools and their use (at least for the beginning).
2	The State develops and maintains these systems, which are costly and resource-intensive, so this is a barrier, as both money and people are scarce commodities in Estonia.

Category 4: AI risks perceived

Question

6

Have you encountered or tested predictive models?

If so, how accurate or useful were they in reflecting the outcomes you would expect from a human decision-maker?

N	Answer
1	Only X-Law so far, which anyway only provides a coarse overview, it is merely a preparative tool, not a fully predictive model.
2	No, I didn't.

Question

7

What risks do you foresee in using predictive models in family property law; including, but not limited to, over-reliance on these tools, lack of transparency, or limited litigant understanding? Or do you see other risks?

N	Answer
1	It is important to not trust the system too much, you have to understand the exact mode of reasoning within the algorithm, otherwise results fit only "accidentally".
2	These risks mentioned here are all present; once predictive justice is established as a standard, autonomously human-induced judgements may require specific justification, which is a slippery road.

Question

8

A survey on the digitalisation of asset liquidation-division procedures suggests that AI tools, blockchain technology, and online dispute resolution (ODR) platforms are seen as the most useful innovations.

Which of these technologies do you find most relevant or applicable, and why?

N	Answer
1	AI is very broad and obviously essential (also in terms of gen AI), blockchain is depending on which tool is meant here- I do not use specific blockchain-run tools, nor ODR platforms.
2	ODR platforms I see most relevant out of these (in terms of digital court sessions), while I did not use blockchain-technology based tools beyond those provided via the Estonian state digital infrastructure. AI tools as such- generative AI- I do not see as currently fit enough to be useful tools.

Question

9

The survey shows that AI applications for predicting outcomes in asset liquidation-division cases are currently used only to a limited extent.

Do you believe this is due to their unavailability, lack of relevance, the immature state of the technology, or are there other reasons?

N	Answer
1	Applying them in such cases is a serious matter, and the State is careful in applying it, especially in the judiciary. It is also expensive, and the technology develops so quickly that users continue to new technologies before they become professional with the previous ones, i.e. there is no settled practice.
2	The immature state of technology makes these tools not really relevant to date.

CREA3 - Italy Interview Sheet

Italy - Judges

Category 1: Targeted legal processes

Question

1

Which aspects of the asset liquidation-division procedure (amicable and judicial) do you believe are the least efficient or cause the most delays?

N	Answer
1	The appointment of court experts often causes delays due to long waiting lists and the need for high specialisation.
2	Notifications and communication between parties are still slow, especially when parties are not digitally equipped.
3	Lack of coordination between parallel proceedings (e.g., divorce and property division) leads to procedural stagnation.
4	Disputes over asset appraisal and valuation frequently result in prolonged proceedings.
5	Judges often face inefficiencies due to incomplete or inconsistent financial disclosures by parties.
6	Bureaucratic delays in transmitting files between different offices (e.g., civil and tax registries) are frequent.
7	Hearings are postponed repeatedly due to backlog and insufficient court staff, causing delays in decisions.
8	Enforcement of decisions on asset division remains inefficient, particularly with real estate properties.
9	Mediation is underused or badly managed, which could otherwise speed up amicable solutions.
10	Coordination with notaries and land registries is often inconsistent and creates administrative bottlenecks.
11	The procedures that cause the greatest delays in this area relate to the appointment of consultants. They must be carefully selected from specific lists and this sometimes causes slowdowns in the System

Question

2

Which aspects of the asset liquidation-division procedure benefit the most from digital transformation or digitalisation?

N	Answer
1	The document-filing process is faster and more accessible with digital systems like the magistrate's console.
2	Hearing scheduling and calendar management are significantly improved through digital court platforms.
3	Communication between the court and lawyers via certified email (PEC) enhances speed and traceability.
4	Online case tracking systems allow parties and judges to monitor case progress transparently.
5	Videoconferencing has streamlined hearings, especially in cases with parties residing abroad.
6	Access to digital case files enables better preparation and review before hearings.
7	Automatic case allocation systems reduce delays and ensure balanced workload distribution.
8	E-signature for documents and orders has accelerated decision publication.
9	Electronic payment systems for court fees simplify procedural steps for parties.
10	Integration with cadastral databases helps verify property ownership more quickly.
11	Civil judges use the magistrate's console. With this application, they can organise -- and then carry out -- their work efficiently. Certainly the phase of 'filing documents' benefits from these new working methods

Category 2: Opinions on technology readiness

Question

3

What digital tools do you currently use in asset liquidation-division procedures?

If these tools are also used by the parties themselves, do you find that they are sufficiently accessible to vulnerable individuals (such as the elderly, people with disabilities, or those with low digital literacy)?

N	Answer
1	PEC, Magistrate's console.
2	The main tools I use are SICID and SIGP, alongside PEC for communications.
3	Civil case management systems are functional, though not always user-friendly for non-professionals.
4	I use the Giustizia Civile telematic system daily; accessibility for vulnerable people is still limited.
5	The console provides structured access to case files
6	Videoconference tools are used like Teams, though parties sometimes lack equipment or knowledge
7	Most tools are not intuitive for parties without legal assistance
8	The digital platform works well for professionals but requires more accessibility features
9	The system is well suited for lawyers but can exclude those with low digital literacy
10	Tools are efficient for judges; efforts are needed to bridge the digital divide among users.
11	Magistrate's console.

Question

4

How is the digitalisation of asset liquidation-division procedures perceived by you personally and by your professional legal community involved in these procedures?

Do you see digitalisation in the justice system, and especially in asset liquidation-division procedures, more as an opportunity for innovation or as a challenge to existing roles and practices?

(If you perceive it as an opportunity): What legal, organisational or cultural obstacles do you see as hindering the introduction of digital tools in asset liquidation-division procedures?

(If you perceive it as a challenge or risk): Which are the main risks you foresee?

N	Answer
1	Personally, I hope that we can benefit from digitalisation.

2	It's a positive innovation, though it requires strong institutional support.
3	Digitalisation offers efficiency, but risks excluding some users without adequate digital skills.
4	A great opportunity, though judges still lack training and IT support.
5	It's seen positively in my court, though we need more stable infrastructure.
6	It's an opportunity, but there's resistance from some older colleagues.
7	There is cautious optimism, but fears remain about errors or malfunctions.
8	A necessary evolution, though the transition is slow and uneven across regions.
9	It's perceived as inevitable, but not always as a real improvement yet.
10	The cultural mindset needs to change for digitalisation to be truly embraced.
11	I'm in favour of digitalisation.

Category 3: Opinions on how to implement digital technologies

Question

5

What changes in training, infrastructure, organisation, or regulation do you consider essential for successful digitalisation of family property law cases; particularly in asset liquidation-division procedures?

N	Answer
1	Personally, I hope that we can benefit from digitalisation.
2	It's a positive innovation, though it requires strong institutional support.

3	Digitalisation offers efficiency, but risks excluding some users without adequate digital skills.
4	A great opportunity, though judges still lack training and IT support.
5	It's seen positively in my court, though we need more stable infrastructure.
6	It's an opportunity, but there's resistance from some older colleagues.
7	There is cautious optimism, but fears remain about errors or malfunctions.
8	A necessary evolution, though the transition is slow and uneven across regions.
9	It's perceived as inevitable, but not always as a real improvement yet.
10	The cultural mindset needs to change for digitalisation to be truly embraced.
11	Training is essential and we must focus on it. It is necessary to invest in preparing judicial staff for the effective use of digital tools and ensure a gradual transition towards new working methodologies

Category 4: AI risks perceived

Question

6

Have you encountered or tested predictive models?

If so, how accurate or useful were they in reflecting the outcomes you would expect from a human decision-maker?

N	Answer
1	No experience with predictive models in family law.
2	I have seen demos, but none are in real use in our court.

3	Not applicable in my jurisdiction yet.
4	Only theoretical exposure so far; not used in practice.
5	Some models for damages estimation in civil cases, but not for asset division.
6	We lack tools adapted to Italian family law.
7	I tested one prototype, but the results were too generic.
8	I'm skeptical until the models become jurisdiction-specific.
9	No models in our workflow; decisions are still entirely human-based.
10	There are promising models, but none used in courtrooms today.
11	No, there aren't predictive models specifically designed or calibrated for family law cases.

Question

7

What risks do you foresee in using predictive models in family property law; including, but not limited to, over-reliance on these tools, lack of transparency, or limited litigant understanding? Or do you see other risks?

N	Answer
1	Over-reliance on results.
2	Risk of judges deferring too much to AI without critical assessment.
3	Lack of transparency in the algorithms' reasoning.
4	Possible reinforcement of historical biases present in training data.
5	Judges might lose their individual discretionary power.

6	Parties may not understand or trust AI-supported outcomes.
7	Predictive models may disregard cultural or regional legal nuances.
8	There's a legal uncertainty about using these models in reasoning.
9	Privacy concerns regarding use of sensitive personal data.
10	Risk of standardisation where flexibility is legally required.
11	Over-reliance and flattening of decisions.

Question

8

A survey on the digitalisation of asset liquidation-division procedures suggests that AI tools, blockchain technology, and online dispute resolution (ODR) platforms are seen as the most useful innovations.

Which of these technologies do you find most relevant or applicable, and why?

N	Answer
1	Blockchain technology
2	ODR tools are promising for early mediation in family property disputes.
3	AI-assisted legal research tools can help judges save time.
4	Blockchain can ensure traceability of transactions in asset division.
5	Smart contracts for automating payments between parties are interesting.
6	ODR platforms with legal facilitators could improve access to justice.
7	AI that flags contradictory evidence would be valuable.

8	Tools that help organise large volumes of financial data.
9	A national unified case database powered by AI is needed.
10	I find online tools for document sharing and consultation the most applicable.
11	Online platforms for case management.

Question

9

The survey shows that AI applications for predicting outcomes in asset liquidation-division cases are currently used only to a limited extent.

Do you believe this is due to their unavailability, lack of relevance, the immature state of the technology, or are there other reasons?

N	Answer
1	Due to the immature state of technology.
2	Lack of funding and development at national level.
3	The judiciary is not yet ready to integrate AI into sensitive cases.
4	Lawyers and judges both show resistance to innovation.
5	AI tools are not designed with our legal culture in mind.
6	No official guidance on how to use or trust these tools.
7	Fragmentation of platforms hinders national rollout.
8	AI is perceived as risky and lacking legitimacy in family law.
9	Fear that AI will replace or diminish judicial autonomy.

10	The legal framework doesn't currently support AI-assisted rulings.
11	Due to the absence of reliable tools in Italy.

Italy - Lawyers

Category 1: Targeted legal processes

Question

1

Which aspects of the asset liquidation-division procedure (amicable and judicial) do you believe are the least efficient or cause the most delays?

N	Answer
1	The least efficient aspects of asset liquidation-division procedures involve cases requiring court-appointed technical experts (CTU) to determine the hereditary estate. The appointment process itself creates significant delays, from selecting experts from official lists to scheduling their court presentation. Administrative burdens such as outdated registry for taxes and cadastral registry further complicate proceedings, while the fundamental challenge of accurately estimating current asset values necessitates specialised expertise. The requirement to appoint qualified valuers adds another layer of complexity and time consumption to an already lengthy process. These procedural bottlenecks affect both amicable and judicial divisions, with judicial procedures suffering the most severe delays due to mandatory court oversight and formal appointment requirements
2	In Italy, the process of liquidating and dividing assets—whether through an amicable settlement or via judicial proceedings—often feels like navigating a labyrinth where progress is frequently stalled by unexpected twists and turns. whether through amicable negotiation or judicial intervention, the asset liquidation and division process in Italy is riddled with inefficiencies—most notably in property valuation disagreements, notarial bottlenecks, court backlogs, expert reports that invite endless challenges, and the labyrinthine bureaucracy that accompanies every step. These delays not only drain financial resources but also test the patience of everyone involved.
3	The multi-step nature of the asset liquidation and division procedure, which involves multiple parties (lawyers, judges, appointed experts and notaries), often causes delays. Additionally, resistance towards conciliatory processes from parties involved slows down both amicable and judicial procedures. Another major cause of delay is the presence of assets that are difficult to divide, such as indivisible or difficult-to-divide properties, which require expert appraisal and often lead to complex negotiations or forced sales under Article 720 of the Italian Civil Code. These factors combined make the process lengthy and complicated.

4	The main inefficiencies and delays in asset liquidation and division procedures arise from the problems of matching the actual value of assets to ideal shares, the difficulty of defining lots, the need for cash adjustments and expert appraisals, particularly in contentious cases. Handwritten wills can complicate the division. In divorce-related divisions, the lack of predetermined shares in joint ownership (c.d. comunione senza quote) is a significant problem, particularly when there is only one family home and a decision must be made about its allocation. This often leads to additional disputes and delays in reaching a fair solution. These factors can significantly slow down both amicable and judicial processes.
5	Inefficiency often arises from the management of court-appointed experts: CTU is not always necessary, especially for low-value estates, and estimating the value of companies or productive assets is particularly complex, causing delays. There are significant challenges in valuing productive assets, which further complicates and slows down the process.
6	Technical issues with the electronic filing system, such as platform malfunctions or difficulties accessing digital documents, frequently lead to delays and complicate the asset liquidation-division process.
7	The involvement of the court-appointed expert (CTU) is often a significant source of delays in the procedure.
8	The most critical point concerns the impossibility, in the current state of the legislation in Italy, of overcoming the dissent of just one of the legitimate heirs or, in any case, of just one of the co-heirs, even if not legitimate heirs. In other words, if there is no agreement between the co-heirs on the methods and contents of the division and/or liquidation, it is always necessary to resort to a judge. On the contrary, having the possibility of not opening the judicial division procedure would be the only way to speed up the process and arrive at a real solution. Nor would it be worth objecting that the co-heirs can alienate the share of the estate due to them to third parties subject to compliance with the hereditary pre-emption. The cases of application of this institution are, to say the least, rare and, in any case, often everything ends up in nothing as the subjects intending to purchase a property of which a subject not wanted by the purchaser will remain the pro quota owner. This is, therefore, an institution that should be repealed. Another tool that would help overcome the disagreement of only one of the co-heirs is the appointment of the executor in the will. This operation requires, precisely, the drafting of a will and a specific delegation. The rules on the executor allow with more agile procedures (those of voluntary jurisdiction) to overcome conflicts between co-heirs. However, without the will it is not possible to appoint an executor. Consequently, the culture of the will should always be encouraged, better if public with the appointment of an executor. A division of the testator always provided for in the will also helps, while the appointment of the executor remains unchanged. Another institution that is undervalued and little used in the area of succession of the family business is that of the family agreement, which has been interpreted in a restrictive and penalising way, while it should be widespread and strengthened because it prevents litigation and, above all, tries to achieve a certain balance between the legitimate subjects, providing that they are still attributed the unavailable share, at the expense of the subject chosen as successor in the business. Among other things, if one wanted to balance the interests between legitimate heirs and the freedom of the owner of the business in the succession within the business itself, one should prohibit operations during life that in fact translate into penalizing one or more legitimate heirs. The inter vivos use of the family agreement should be imposed in such a way as to prevent family conflict, trying to at least partially satisfy all the rights of the legitimate heirs. Nor would it be worth objecting that it would be enough to abolish the legitimate share, as this would only mean generating further and unstable intra-family conflicts. In fact, it is not the elimination of the right to a share of the business assets that will eliminate the feeling of family members as subjects to whom such a share belongs, and this is due to the qualification as responsibility and not as simple solidarity of the legally relevant relationships between family members.

9	The response to the issues related to asset liquidation-division procedures presents several critical aspects. Regarding inter vivos relationships, the main problem lies in conflictual relations between spouses, which significantly impact asset division. This inevitably leads the division from a consensual phase to a judicial one, with consequent extension of timeframes starting from the dissolution of marriage. From the justice perspective, the difficulty is not so much in the mathematical calculation of quotas to be attributed to each spouse, but rather in the overall quantification phase of the patrimony. In judicial proceedings, only what can be demonstrated through concrete evidence is valid, and when the evaluation is entrusted to an expert, they can contribute within the limits of their competencies and available evidence. A particularly relevant aspect is the territorial diversity of problems that can be encountered. Issues in Italian territory vary significantly, and often subjects from Southern Italy turn to the North to obtain more efficient or specialised services.
10	One of the main inefficiencies is the frequent postponement of hearings and the excessive time gaps between them, especially in non-consensual cases. The involvement of court-appointed experts (CTU) can also contribute to significant delays.
11	Problems typically arise in judicial separation cases, where fulfilling the evidentiary requirements could be particularly difficult. This often results in increased complexity and longer timelines. This often results in increased complexity and longer timelines.
12	The phases tend to be long mainly because it is a lengthy proceeding and because reaching an agreement between the parties is often difficult.
13	The greatest delays are found in the management of out-of-court disputes, especially when productive assets are involved, where the complexity of interests makes it difficult to find quick solutions.
14	numero delle parti e distanza geografica, problematiche anche per le notifiche. per verificare il contraddittorio tra le parti. allocazione squilibrata dei fascicoli.
15	The main problems associated with the procedure for the division of property between co-owners (as a result of inheritance, dissolution of marriage, or otherwise) relate above all to the need to reach an agreement between parties whose relationship is now compromised. In fact, there is a strong contrast - in these cases - as to which assets should be attributed to one or the other party, respecting the shares of co-ownership (50% each or different) resulting from the title.
16	The volume of documents and especially the technical times for positive outcomes.
17	In Italy, civil proceedings concerning the liquidation and division of assets are unfortunately characterised by endemic delays.
18	1) The asset appraisal phase, which is a necessary prerequisite for division/liquidation, happens very slowly, given the difficulty of accessing deeds of origin and municipal offices (for real estate) to evaluate all the variables that determine the appraisal. 2) If the division process is judicial, the major delays are due to the slowness of proceedings (which last no less than 5 years).
19	The intervention of the court-appointed expert (CTU) is a major source of delay, especially in complex or contentious cases. The process of appointment, technical assessment, and communication between parties often significantly extends the timeline.
20	Among the main inefficiency factors are the absence of consensus on operational methods, and, with reference to the judicial phase, excessive duration due to expert opinions, auction sales and appeals.
21	The major delays are caused by the difficulty of reaching agreements between the parties in most cases, which, having to turn to a judge, encounter problematic aspects regarding the length of the process, especially with regard to expert opinions that are often quite complicated.

22	The main difficulties in division arise from disagreements between the parties, while on the judicial level, the structural slowness of justice and the technical complexities of the procedure weigh heavily.
23	The main obstacles to the speed of division, in the extrajudicial moment, are the difficulty of finding an agreement, and, in judicial proceedings, the duration of the procedure, technical appraisals and auctions, which are often long and fruitless.
24	The division procedure is often slowed down, in extrajudicial proceedings, by disagreements between the parties on the valuation and assignment of assets. In judicial proceedings, the main inefficiency factors are the duration of the process, the timing related to court-appointed technical consultancy and the slowness of forced sales, especially in case of indivisible assets. Appeals and notification difficulties also contribute to extending the timeframes.
25	Division is often inefficient: in the extrajudicial phase due to lack of agreement between co-owners, in the judicial phase due to long times related to technical court consultancies, judicial auctions and possible oppositions.
26	The most critical bottlenecks occur during asset valuation disputes among heirs, complicated by emotional attachments to family properties. Judicially, the system suffers from outdated procedures requiring multiple court hearings, slow expert witness appointments, and frequent adjournments that can extend cases for years.
27	Inefficiencies primarily stem from incomplete documentation of assets and ownership rights, leading to prolonged verification processes. The judicial phase is hampered by overcrowded court calendars, limited availability of qualified appraisers, and the complex coordination required between multiple legal representatives when numerous parties are involved.
28	It is difficult, in my opinion, to answer this question. In both cases, delays are largely due to the subjects involved, including the judicial authorities.
29	In Italy, civil proceedings concerning the liquidation and division of assets are unfortunately characterised by endemic delays, so much so that often decades, not just years, are counted.
30	I believe that the main problems that make the asset division process longer and more problematic relate to the difficulty of accessing all registers containing individuals' financial information and to disagreements between parties

Question

2

Which aspects of the asset liquidation-division procedure benefit the most from digital transformation or digitalisation?

N	Answer
1	The aspects that benefit most from digitalisation include the implementation of digital signatures and online filing platforms, which enable parties to share and execute agreements remotely, resulting in substantial time and effort savings. Furthermore, digital management of real estate appraisals through integrated platforms connected to cadastral registries, complemented by video inspection capabilities, can significantly accelerate the preparation and exchange of expert valuations.

2	A digitalised system could enable online property registries, standardised digital appraisal platforms, and even virtual inspections, accelerating the delivery of expert reports. A shared digital platform where experts, parties, and judges could collaborate would streamline communication, reduce misunderstandings, and limit procedural objections.
3	Digital transformation can improve several aspects of the asset liquidation and division process, such as communication and coordination between heirs, appointed experts, and judges. Digital platforms can facilitate scheduling, document sharing and case management, thereby reducing misunderstandings and procedural delays. This improved connectivity enhances the efficiency and transparency of the entire process.
4	The aspects of asset liquidation and division procedures that could benefit most from digital transformation relate to digital certification and authentication processes. A key issue is the difficulty in checking that a person signing documents is free from external pressures at the moment of signing. For example, in France, notaries use webcams to confirm this condition remotely, enabling digital certification. In Italy, the lack of reliable remote verification methods means that digital signatures are not used widely in these procedures, which limits the efficiency gains from digitalisation. The implementation of digital certification has the potential to enhance the efficiency of the process, at least from a formal point of view.
5	Communication and document management have benefited most, thanks to the widespread use of certified email (PEC) and the telematic civil process (PCT), which have made exchanges faster and more efficient. Unfortunately, the practice of holding online hearings has now largely disappeared. This change has reduced the flexibility and efficiency that digitalisation had temporarily introduced to the process.
6	Key benefits include faster procedures and shorter conflict resolution times. Remote hearings offer particular advantages by reducing face-to-face tensions that often intensify disputes, creating a more streamlined and collaborative environment for resolution.
7	In my experience, I don't see significant benefits from digitalisation in this field.
8	<p>The benefits are the general ones that derive from the digitalisation of the civil process, since the judicial division action and the consequent liquidation procedure can be classified in the PCT.</p> <p>Probably some improvements can be identified in the digitalisation of the notarial deeds of inventory of the assets and their transmission to the registries and judicial bodies. For the rest, there are also some negative aspects due to the almost total lack of oral moments in the PCT and ancillary procedures. This absence prevents a direct confrontation of the parties and their respective lawyers with the judge on issues that are similar to those of a separation or divorce. That is to say: strictly personal issues and not only patrimonial ones. A confrontation in person would benefit the judge to understand the substance of the family dynamics arriving at a more balanced composition.</p>
9	The aspects that benefit most from digitalisation in asset liquidation and division procedures are primarily the calculations involved in quantifying the shares to be allocated.
10	Digital innovation can help by enabling periodic online meetings between hearings, making it easier for parties to work towards a settlement. Scheduling and tracking these sessions remotely—with tools like Read.ai—allows judges to monitor progress and better coordinate the process, ultimately improving efficiency
11	It is important to make the largest possible use of telematic tools. For example, this can be done by allowing remote witness testimony and giving more value to digital hearing notes. Using tools like Read.ai would make civil court processes even more efficient.

12	Digitalisation could improve the process by supporting conciliatory proposals and helping to determine the ideal shares more efficiently.
13	Digitalisation can speed up cadastral procedures and improve process efficiency, especially for companies or complex estates. It would also be useful to intervene on the procedural level and provide ad hoc procedures. Additionally, the creation of standardised assessment systems—similar to the Milan court tables for damage quantification—could ensure greater uniformity and predictability in asset valuations.
14	Successful digital transformation in asset liquidation and division procedures requires more than just adopting technology; it demands the ability to effectively use these tools. Particularly, there is a need to work on optimising the results produced by AI applications
15	Considering the current problems, inherent in the quantification of quotas and the choice of assets to constitute the quotas, the phase in which digitalisation could play an important role is certainly that of the simulation of the appropriateness of the various proposals in order to allow for greater awareness of them. E.g. if I put assets x and y in the share of Titius and assets w and z in the share of Caius, both can better evaluate if they are able to simulate everything on a graphical interface as is done for statistics, avoiding the risks associated with possible errors of perception and evaluation.
16	Facilitating the production and viewing of documents
17	It is very difficult to answer this question, especially because in Italy this area has not yet encountered a real digital transformation and/or digitalisation, except for the so-called telematic process which has improved the quality of work provided by the appointed professional in multiple aspects, without, however, improving the issue of 'timing of justice
18	Every phase of the process can benefit from digital transformation. There are no phases for which the use of digital tools does not bring an advantage
19	Digitalisation has brought benefits in terms of case management so far, primarily thanks to the introduction of the telematic civil process (PCT), which has improved the handling and filing of documents. However, beyond these procedural improvements, the overall impact on the efficiency of asset liquidation and division remains limited. A tool that could ideally help in preparing the division quotas would be very useful, supporting both extrajudicial and judicial phases, by simplifying and standardising part of the process.
20	Digital transformation has significantly improved procedure management, facilitating file consultation, remote document signing, the use of online auctions for asset liquidation and automatic distribution of amounts, thus increasing transparency and reducing litigation.
21	The adoption of digital solutions allows for more fluid and efficient procedure handling, with tangible benefits in asset valuation, shared document management, electronic sales and distribution definition, ensuring faster times and greater certainty in operations.
22	Thanks to digitalisation, the phases of inventory, liquidation and division are made faster and safer, with smaller margins of error and greater control of operations, especially through IT tools for document management, communication between parties and proceeds distribution.
23	Every phase of the process can benefit from digital transformation. The moment of asset estimation and valuation will be able to obtain the best benefits from digitalisation.
24	Every phase of the process can benefit from digital transformation. Nevertheless, digital transformation especially in the moment of asset estimation and valuation will be useful.

25	The digitalisation of the asset liquidation-division procedure allows for more efficient and transparent file management, facilitates the drafting and transmission of documents through digital signatures and PEC notifications, optimises inventory and valuation operations through dedicated software, simplifies liquidation through electronic auctions and ensures faster and fairer distribution of amounts thanks to calculation automation and operation traceability.
26	Digital transformation significantly enhances communication between parties through secure messaging platforms, streamlines property searches via integrated real estate databases, and enables real-time monitoring of case progress.
27	The greatest benefits emerge from automated legal research capabilities that quickly identify relevant precedents, digital workflow management
28	Both
29	It is very difficult to answer this question, especially because in Italy this matter has not yet encountered a true digital transformation and/or digitalisation, except for the so-called telematic process
30	With digital transformation, if effective, interaction between lawyers and clients could be improved.

Category 2: Opinions on technology readiness

Question

3

What digital tools do you currently use in asset liquidation-division procedures?

If these tools are also used by the parties themselves, do you find that they are sufficiently accessible to vulnerable individuals (such as the elderly, people with disabilities, or those with low digital literacy)?

N	Answer
1	Digital tools currently used in asset liquidation-division procedures are: Civil Telematic Process (PCT) - Italy's digital platform enabling electronic filing of procedural documents for inheritance division and asset liquidation cases. Certified Electronic Mail (PEC) - A system ensuring legal validity of digital communications for official notifications between parties involved in division procedures. Online Cadastral Database - Digital platform providing telematic access to property information for identifying, evaluating, and cataloging real estate assets subject to division, including updated data on ownership, income, and technical characteristics.
2	I use the telematic civil process (PCT) and PEC for ordinary activities.
3	I use several digital tools for asset liquidation and division procedures, including the PCT (electronic civil procedure system) and PEC (certified email) for managing and communicating legal documentation. Additionally, videoconference platforms are employed for assisted negotiation processes, enabling remote meetings, digital signing, and secure document exchange. These platforms comply with recent legislative reforms, such as the Riforma Cartabia and its corrective measures, which allow negotiation and mediation to be fully digital, including certified digital signatures and remote participation options, thereby significantly enhancing efficiency and accessibility.

4	Currently, I utilise the following digital tools for legal procedures involving asset liquidation and division: PCT (electronic civil procedure system) and PEC (certified email). I also use the Agenzia delle Entrate website, which offers free property searches via a geoportal interface, and the online Catasto system, which provides access to cadastral data. These tools streamline documentation, communication and access to public records, thereby enhancing procedural efficiency.
5	I regularly use the telematic civil process (PCT) for filings and Microsoft Teams for online hearings. These tools have improved efficiency, but may still pose accessibility challenges for vulnerable individuals.
6	In Florence, the PCT system is used together with the MoCam tool, specifically designed to quantify divorce maintenance payments. MoCam simulates the economic situation of both families after divorce. But due to its complexity, it is mainly used by judges and not directly by the parties, which may limit accessibility.
7	Currently, there are no digital tools that I consider to be of significant utility in asset liquidation and division procedures.
8	At present in Italy, judges do not use any specific digital tool in the procedures of judicial division and liquidation of assets. Generally, they use precedents on the point and that's it. Family lawyers, on the other hand, use a tool called ReMIDA Famiglia which is built to facilitate the calculation of spousal/child maintenance allowances in the event of separation and divorce and which could also be used to calculate the shares due to co-heirs. In any case, today the spread of AI systems could help judges and co-heirs even earlier with simulations on inheritance division. It is desirable to create tools on the ReMIDA famiglia model but more advanced and capable of also taking into account emotional aspects of inheritance division.
9	Regarding digital tools currently utilised in asset liquidation-division procedures, the practice employs basic digital infrastructure including non-paper document systems, digital signatures, certified electronic mail (PEC), and digital case files. The firm utilises specialised legal software such as "Onelegale" and "Cassazione Net" which provide AI-powered functionalities for legal professionals. The practice also works with more advanced tools including Large Language Models integrated with proprietary legal databases from publishers like Giuffrè and Wolters Kluwer, rather than public sources. These AI-enhanced research systems offer sophisticated support for legal research with curated jurisprudence and legal content. The integration of these digital tools represents a significant evolution in legal practice, combining traditional expertise with modern technology to enhance efficiency in complex patrimonial matters.
10	Currently, there aren't dedicated digital tools specifically for asset liquidation-division procedures
11	Video hearings are rarely used, even though they are allowed under Article 271-ter of the civil procedure code, introduced by Cartabia reform. On the contrary, in criminal cases, the supervisory judge (magistrato di sorveglianza) often uses video hearings, a practice that could be adopted in civil asset division cases too.
12	Currently, we use the PCT (Processo Civile Telematico).
13	I use the telematic civil process (PCT) and PEC for ordinary activities.
14	PCT, PEC, Tolls AI, banche dati
15	I'm not aware of the use of digital tools different from Excel et similia.
16	For professionals and young people yes, for vulnerable individuals the problem is certainly challenging

17	The only digitalisation aspects present are those related to the so-called telematic process and they are not accessible to vulnerable people
18	Digital tools facilitate access to public and private databases, simplify appraisal and calculation operations and relations between parties. I don't think that direct use by the parties involved is an advantage, because some professionalism is still needed to acquire and manage information correctly. Currently existing tools are very poorly usable by vulnerable people. Sometimes access for these people is absolutely impossible
19	Digital tools, such as the Processo Civile Telematico (PCT), have primarily brought benefits in terms of case management by streamlining procedural activities like the electronic filing of documents, online file consultations, and telematic notification
20	Actually, in the liquidation and division procedure I do not use particular digital tools, except for known platforms such as Avvocato Andreani or AppAvvocati, which offer support in arithmetic calculations to be performed during division. These tools, like innovative digital instruments, should be for the exclusive use of professionals.
21	The only tools I use are those platforms that offer legal resources. These platforms, although accessible to anyone, are structured to support professionals.
22	Among the digital tools I mainly use are databases, which, with the latest updates, can also provide jurisprudential addresses of merit. Digital tools should be made available for professionals and private individuals
23	Currently I only use databases or platforms for division calculations like Avvocato Andreani. Digital tools should be exclusively for professionals and not for private individuals, in order to avoid distorted use.
24	Digital tools facilitate access to public and private databases, simplify valuation and calculation operations and relationships between parties. Sometimes access to digital tools for both private individuals and professionals is made difficult given the digital gap for not-so-recent generations.
25	Currently I only use databases or platforms for professionals. Digital tools should be used only by professionals and not by private individuals.
26	The accessibility for vulnerable populations remains a significant concern, as many elderly clients struggle with even basic digital interfaces despite our assistance.
27	Currently, I use the PCT (Processo Civile Telematico).
28	Those currently in use. I don't believe they are easily accessible tools for vulnerable people.
29	The only digitalisation aspects present are those related to the telematic process, which are not accessible to vulnerable people.
30	Currently, the tools used for division calculations are those provided by open access platforms like the "Avvocato Andreani" website, which, although consultable by private individuals, have functionalities more suited to use by legal professionals.

Question

4

How is the digitalisation of asset liquidation-division procedures perceived by you personally and by your professional legal community involved in these procedures?

Do you see digitalisation in the justice system, and especially in asset liquidation-division procedures, more as an opportunity for innovation or as a challenge to existing roles and practices?

(If you perceive it as an opportunity): What legal, organisational or cultural obstacles do you see as hindering the introduction of digital tools in asset liquidation-division procedures?

(If you perceive it as a challenge or risk): Which are the main risks you foresee?

N	Answer
1	Personally and within my professional legal community, the digitalisation of asset liquidation-division procedures is seen as a deflationary tool that enhances transparency and significantly reduces downtime, especially in expert evaluations (CTU). However, a major challenge remains that current regulations are not designed for digital processes, as formal requirements are still based on paper-based logic. This limits accessibility and slows down full digital adoption despite its clear benefits.
2	Personally, I have a positive perception. In my view, digitalisation is better received by lawyers and less so by judges.
3	In my opinion, digitalisation presents both benefits and risks for family law practice. While it can improve efficiency and provide better data analysis, my colleagues and I remain cautious because family law requires a deeply human-centered approach that technology cannot replace. We see digital tools as helpful for case management and legal research, but not as substitutes for the personal judgment and empathy that asset division cases demand.
4	I see the potential and benefit of digitalisation. However, my concern is that it may lower the quality of legal services when used by less experienced attorneys or those without deep subject matter expertise, potentially creating risks for non-technical clients who may suffer negative consequences
5	Personally, I view technological innovation in asset division procedures positively, as it reduces distances and offers many advantages. However, these changes have not always been well received within the legal community, especially by elder lawyers, who often find it challenging to adapt to new digital tools.
6	The perception among many colleagues in Florence is negative: digitalisation has increased procedural length, introduced new formalities, and highlighted inefficiencies in court administration. Excessive bureaucracy and unreliable systems have also led to higher stress and burnout.
7	There is no real digital progress in this area
8	This is an opportunity that will still encounter obstacles due to the low level of computer literacy of the judicial class and the self-referential tendency of judges consisting in proceeding - in essence - in an equitable manner without taking into account the regulatory dictates that often require complex calculations (consider the fact that for the precise determination of the amount of an inheritance it is necessary to take into account: collations, imputation ex se, reductions, oppositions to donations, indirect donations). All this without the aid of computer tools will be an almost impossible calculation and, often, incorrect.

9	Valuation calculations can be extremely precise but also very burdensome, aspects that artificial intelligence struggles to adequately evaluate. AI cannot properly consider fundamental elements such as the relevant social fabric, the specific relational situation of the parties involved, and the territorial divide existing in our country - all factors that represent significant difficulties for a purely algorithmic approach.
10	Most people, including younger professionals, are not very keen on using digital technology to manage assets. Some judges are open to new ideas, but most lawyers are not, which shows that the legal community as a whole is reluctant to change.
11	Personally, I am in favor of digitalisation, even though not across all areas. While it works well for obligations and contracts, in family law the presence of the parties is often essential, making digital solutions less suitable in those cases.
12	Personally, I am in favor of digitalisation, even though it requires technical attention. However, many colleagues view it negatively, feeling isolated and missing the social aspect and the regular presence in court. There is also a widespread fear of being replaced by AI
13	Among colleagues, digitalisation is still not widespread, although some use tools like GPT.
14	From my personal perspective, the reception is good. I believe it is perceived more positively by lawyers—particularly digital natives—while judges tend to be less receptive.
15	<p>This could be an opportunity to speed up the out-of-court settlement and conciliation procedures that the judge is normally required to conduct in the first hearing of the case brought by the parties. Indeed, by being able to quickly simulate the various possible hypotheses for the distribution of assets and shares, the time for these activities would be compressed. At the same time, as mentioned, it increases the possibility that the participants in the conciliation can better assess the fairness of the various proposals.</p> <p>However, speeding up this phase entails two aspects:</p> <p>(a) many lawyers profit from the increase in trial time and out-of-court proceedings, so anything that can reduce the timeframe is objectively considered against their interests;</p> <p>(b) many judges then take advantage of the long timeframe to manage the various trials, as it can allow them to try to reduce the number of pending and not yet decided cases without having to resort to further recruitment of administrative and judicial staff and without having to increase the workload. Similarly, if time is shortened, they have no excuse to justify any lengthening of trials and would be forced, on the one hand, to work harder and, on the other hand, to proceed with hiring additional staff, issues that impact on certain internal dynamics (also of a political and ideological nature) that characterise Italian judges.</p>
16	Advantageous from the digitalisation perspective, although today it is not yet optimised. The obstacles are due to the fact that the human side is lacking. Only those who know the technology can benefit from it
17	Digitalisation is perceived well by me personally and I believe also by my professional community. Regarding the second question, we are facing a positive innovation opportunity, which, however, regarding the telematic process is now established. Today, given the development of the so-called telematic process, I believe that the biggest obstacle is represented by alternating functionality, mostly concentrated at the end of the week
18	It is not only an opportunity, but also an absolute necessity for innovation. I see no danger in managing recently created documents and practices, while consideration is needed regarding the management of old documents created before digital transformation

19	Adoption of digital tools is very limited, and traditional practices still dominate. Digitalisation is seen more as a challenge due to legal, organisational, and cultural barriers
20	I certainly see it as an opportunity, because it is an adaptation of the judicial system to modern technological developments. The boundary between opportunity and risk is thin, because beyond the classic advantages such as speed of activities and access for private individuals, I see the risk in excessive dematerialisation of a judgment that should always be based on human relationships.
21	I am in favor of digitalisation, as long as it remains confined to being a valid support tool for the professional and does not empty the role of the lawyer.
22	I have distrust towards excessive digitalisation of various procedures, because in the long run they could compromise the role of the lawyer.
23	It is a great opportunity for the legal sector. The main obstacles are the presence of documents still not digitised that slow down electronic processes and the digital gap, since there is difficulty in exploiting the many services offered by platforms given digital illiteracy.
24	It is a great opportunity for the legal sector. The main obstacles mainly concern: the management of documents still "paper-based" prior to the digital transition; the digital gap, as mentioned in the previous question, taking into account that there is a concrete difficulty in exploiting the many services offered by platforms given the poor digital education of a large part of professionals and private individuals.
25	It is a great opportunity for the legal sector, as long as it supports the professional's activity and does not end up replacing it. The main problem is digital illiteracy.
26	I view digitalisation as a transformative opportunity that can democratise access to justice while maintaining professional standards
27	Digitalisation represents both an opportunity and a necessity for modern legal practice. However, I'm concerned about the potential loss of personal touch in sensitive family matters.
28	Digitalisation is certainly an important work tool. Yes, I am convinced that digitalisation can make a difference. To both of the last questions, I can answer by saying that clearer and, above all, definitive regulation would be needed.
29	Digitalisation is perceived well by me personally and I also believe by my professional community.
30	There is great potential, but currently there are visible problems regarding infrastructure and proper training in digital matters.

Category 3: Opinions on how to implement digital technologies

Question

5

What changes in training, infrastructure, organisation, or regulation do you consider essential for successful digitalisation of family property law cases; particularly in asset liquidation-division procedures?

N	Answer
1	Successful digitalisation of family property law cases, especially for asset liquidation and division, requires targeted training, digital literacy, and digital education of legal professionals through regular, specialised courses. Robust, interoperable digital platforms must be developed and continuously improved

	to ensure secure and efficient case management. Additionally, legal regulations should be updated to provide clearer, modern rules that align with digital processes, eliminating ambiguities and ensuring legal certainty throughout the procedures.
2	It is essential to invest in training and digital literacy
3	Successful digitalisation of family property law cases requires strong emphasis on transparency and ethical standards. Training must focus on ensuring all users understand how digital tools operate and their limitations. Continuous education, including specialised masterclasses in family law, is vital to develop the necessary expertise. This integrated approach ensures the delivery of a quality service while safeguarding rights in the context of digital family legal proceedings.
4	Successful digitalisation of family property law cases requires robust and resilient IT systems to ensure security and continuous operation. Strict compliance with GDPR is essential to protect sensitive personal and financial data. Additionally, training for legal professionals and updated regulations are needed to support efficient and secure digital workflows.
5	A major infrastructural issue is the lack of Wi-Fi in many courthouses, which limits connectivity and hampers digital processes. There is also a significant training gap between younger and older professionals—older lawyers often struggle with tasks like digital hearing notes. Digital literacy courses are essential, especially for managing interlocutory matters efficiently.
6	Improving digital literacy is crucial for all legal professionals. The increasing use of digital evidence, such as WhatsApp chats, highlights the need for targeted training on handling new types of probative tools
7	This is a complex question that cannot be answered concisely.
8	First of all, it is necessary to create a platform dedicated to calculation operations supervised by the Ministry of Justice and created with the expertise of those who have already seen similar tools (as already highlighted in previous answers). The platform can also be integrated with some functions: 1) online mediation; 2) deflationary arbitration in the event of judicial proceedings already started. At the same time, a massive number of seminars dedicated to the level of computer literacy should be included in the training programs of magistrates, with frequent simulations on the platform that accustom judges to using it. Third: a good justification for the provision should mention the use of the platform to give the parties certainty of the calculation made. This fuels the sense of certainty of the law at the level of rules and above all fuels a sense of justice because the calculation has occurred through an objective path. Fourth: the rules on the PCT should be integrated with a part dedicated to the use of the calculation/mediation/arbitration platform considered as a tool to be used compulsorily or, in any case, preferentially.
9	Legal training must start early, especially for the legal field. At my university, we follow a gradual approach with multiple exams: Computer Law in the first year (including IT methodologies and legal database research), and Digital Law and Techniques in the third year, focusing on technical support for lawyers. Basic tools like Outlook and digital signatures are taught early, progressing to interaction with large language models by the third year. In the fifth year, we cover New Technology Law with a human-centered approach to protection, with the ProTech Jean Monnet program.
10	Improving user access is essential, for example by creating dedicated digital stations or direct channels, so users don't always need to consult a professional for simple matters—such as simply checking the status of a proceeding. This would make the process more accessible and efficient.

11	It would be helpful to set up front office services for users, making it easier to access information and support. For professionals, introducing mandatory training courses on digital platforms (PCT) is essential to ensure all practitioners are proficient and can fully benefit from digitalisation.
12	There is a particular need for training aimed at older generations, since they are not digital natives.
13	It is essential to invest in training and digital literacy, as there is often a lack of knowledge about the differences between Gen AI and other tools.
14	A digital literacy course is essential to equip individuals with the necessary skills to use technology critically and responsibly
15	Certainly, a cultural change will be necessary (see the previous answer) and it will be necessary to train the various actors (judges and lawyers) in technology, since it is often the absence of IT skills that reduces the effectiveness of digitalisation, in any sector, regardless of the investments made in infrastructure, IT equipment and at organisational level.
16	Streamline procedures, make the steps simpler
17	Training of judges and court clerks, as well as lawyers, especially in specific areas related to Justices of the Peace
18	At the present time, I do not foresee essential changes that have not yet been implemented.
19	Successful digitalisation requires coordinated changes in training, infrastructure, organisation, and regulation. A comprehensive approach is necessary.
20	It is necessary that there are technical support figures for access to digitalisation of procedures and it is still necessary that there is adequate training of professionals.
21	First of all, an innovation of infrastructures, with particular reference to the possibility for private individuals to access the relevant liquidation procedure through front-offices installed in courts. Furthermore, correct training of professionals on the actual use of all the functionalities provided by the platforms would be needed.
22	A massive change would be needed that involves first an innovation of infrastructures, with particular reference to the possibility for private individuals to access the relevant liquidation procedure through front-offices installed in courts. Furthermore, correct digital training for professionals would be needed.
23	An essential change could concern infrastructures and training
24	An essential change could concern infrastructures and training
25	Improve infrastructures both within judicial offices and from the professional's workstations. Provide adequate training for the professional, in order to fully introduce them to digitalisation.
26	Critical changes must include standardised digital protocols across all courts, mandatory continuing education programs for legal professionals on emerging technologies, and the establishment of technical support centers within judicial districts.
27	It is essential to invest in training and digital literacy,
28	Preventive training and practical exercise combined with training.
29	Training of judges and court clerks, as well as lawyers,

30	As mentioned earlier, there is a need to develop platforms that are increasingly easy to use and accessible to both professionals and private individuals in a comprehensive way. It is also important to provide proper regulation, including at the guideline level, capable of clearly defining the boundaries of digitalisation in the legal sector.
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Category 4: AI risks perceived

Question

6

Have you encountered or tested predictive models?

If so, how accurate or useful were they in reflecting the outcomes you would expect from a human decision-maker?

N	Answer
1	In Italy, the use of predictive justice tools is still quite limited, and currently, there are no predictive models specifically designed or calibrated for family law cases.
2	Not yet.
3	My experience is limited to general-purpose generative AI, which often produces unreliable outputs, including fabricated or “hallucinated” information that references real sources but invents content. This highlights the current limitations of such tools in delivering accurate, trustworthy legal analysis comparable to human decision-making.
4	I have not encountered or tested predictive models specifically designed for family property law. I have used generalist generative AI tools, but I found their outputs often unreliable, as they sometimes produced “hallucinated” content—referencing real sources but generating invented or inaccurate information. Therefore, I remain cautious about their usefulness in reflecting outcomes comparable to those of a human decision-maker.
5	No, there aren’t predictive models specifically designed or calibrated for family law cases.
6	No, there aren’t predictive models specifically designed or calibrated for family law cases.
7	I have tested predictive models, but human oversight is always necessary.
8	Yes, within the research activity carried out by the Center, we developed a model for analysing the predictive level of the Giurimatrix agent. And we found that a specific sector had a good level.
9	Yes, I have encountered and tested predictive models in the legal field, particularly in justice predictive software like Lexroom AI and SapientAI. These models operate based on pre-formed prompts and rely heavily on the specific case or applicable regulations. While they can effectively resolve basic cases, they often struggle with complex disputes because they are not always updated with the latest special-part law or recent court rulings. Some models may

	even reference outdated legal orientations or generate inaccuracies ("hallucinations") that do not exist in reality. This highlights a significant limitation of current predictive tools, which require continuous updating and careful human oversight to ensure reliability and relevance in legal decision-making.
10	I have tried out predictive justice models in an experimental way, but not in my professional practice.
11	No, there aren't predictive models specifically designed for family law cases.
12	Currently, digital tools are mainly used only for the quantification of divorce cheques. There aren't predictive models specifically designed for family law cases.
13	No, I have not had the opportunity to use or test predictive models in this field.
14	No, there aren't predictive models specifically designed or calibrated for family law cases.
15	No, at least at the moment. But I don't expect them to be really accurate, considering that their "predictions" are based on the statistical occurrences of the various outcomes... Their outputs are not based on logical reasoning
16	Yes, but I would never entrust decisions to a machine
17	I have had the opportunity to test them and I have not found them satisfactory for the purposes of my profession
18	Not yet
19	No, there aren't predictive models specifically designed or calibrated for family law cases. However I've tested Giurimatrix tool, finding It well.
20	Not yet
21	Not yet
22	Not yet
23	No, at least at the moment.
24	No.
25	Not yet
26	Not yet
27	Not yet
28	No, not yet.
29	I have had the opportunity to test them but did not find them satisfactory for my profession
30	No.

Question

7

What risks do you foresee in using predictive models in family property law; including, but not limited to, over-reliance on these tools, lack of transparency, or limited litigant understanding? Or do you see other risks?

N	Answer
1	The main risks in using predictive models in family property law include: 1) the possibility of hallucinations—where the AI generates incorrect or misleading information—and 2) over-reliance on these tools, which may lead legal professionals to trust AI outputs without sufficient critical evaluation. Another significant risk is depending on incomplete or biased datasets, which can result in inaccurate or unfair predictions
2	Over reliance.
3	My primary concern is the over-reliance on predictive models, which may undermine comprehensive legal analysis in favor of machine-generated conclusions. In family law cases, it is essential to consider unique emotional and financial circumstances, which are not adequately assessed by algorithms. Furthermore, the technological gap between legal professionals and clients creates ethical challenges, as clients may lack sufficient understanding of how AI tools influence case outcomes, thereby compromising their ability to make informed legal decisions.
4	My main concern is the over-reliance on predictive models, which can discourage a thorough legal analysis and lead to an exclusive trust in machine-generated answers. This can undermine critical human decision-making, particularly in complex family property cases. Furthermore, a lack of transparency and limited user understanding can increase the risk of errors and reduce trust in the legal process.
5	There is always a risk, especially when using tools like ChatGPT to draft legal documents, as excessive standardisation can undermine the individuality and creativity of legal writing. In some areas, such as bankruptcy, templates are feasible, but in family law, this seems much more difficult. Over-reliance on AI could lead to impersonal and less tailored outcomes.
6	A major concern is the lack of transparency in algorithms, which are often used by judges but not accessible to the parties. The use of predictive models remains minimal for now, but excessive formalism and limited understanding could further reduce trust and accessibility, especially if the decision-making process is not clear to all involved.
7	Over-reliance
8	The risk is that of the general use of AI. These are tools that can generate serious errors and therefore problems. At present, they should be used exclusively by legal professionals who have undergone possibly certified training. It would in fact be appropriate to launch a certified course as soon as possible that attests to a real ability to use them.
9	Foreseen risks include loss of transparency and the risk of dehumanisation in family law. The EU principle of "human in the loop" emphasises that a human must oversee AI decisions to prevent removing the human element from sensitive family law matters. This ensures that AI supports rather than replaces essential human judgment in such cases.
10	There is a real risk that, just as many professionals have relied on Google for legal research, they may over-rely on generative AI, which can provide incomplete or inaccurate answers. Cases of AI hallucinations highlight the need for careful, critical use and active human oversight.
11	AI can be useful for legal research but should not be used in procedural phases, and access should be restricted to professionals only—not the general public—to ensure responsible and accurate application.

12	Training is essential for older generations who are not digital natives. Many adults and seniors face challenges in using digital tools due to a lack of familiarity and skills. Therefore, targeted digital literacy programs and lifelong learning initiatives should be implemented to bridge the digital divide and enable effective participation in digital procedures.
13	The main risks are the disappearance of critical thinking, flattening of decisions, and a possible dissociation from the concrete reality of cases
14	problema della correttezza delle fonti, annichilimento
15	I perceive the risk of over-reliance... the various actors might think that the output is always correct, even when it is totally wrong and unlawful. To put it in simpler words, the judges and/or lawyers may not perceive an error in the outcome considering that they are putting too much faith in these tools.
16	Lack of transparency, the effects of the decision that would not have evaluated the human factor.
17	The predictive model, in the current state of art and technology, in this specific field I believe is not yet usable.
18	If the predictive process is conducted accurately without neglecting any variable, I believe it can constitute an excellent aid, but the final outcome is better guaranteed if the final control is operated by a human person.
19	Risks include over-reliance, hallucinations, loss of critical thinking, detachment from case specifics, and limited transparency for litigants
20	I think the risk mainly concerns excessive reliance on results conducted by these systems. A further risk, especially with reference to family law, is that the necessary human relationship, of sensitivity, would be lost, elements that are necessary to protect both the minor and the weaker party.
21	Having never used predictive tools in relation to the legal sector, I think the risk mainly concerns excessive reliance on results conducted by these systems.
22	Having never used predictive tools in relation to the legal sector, I think the risk mainly concerns excessive reliance on results conducted by these systems.
23	Over reliance on results.
24	I believe the risk mainly concerns excessive reliance on results conducted by these systems.
25	Having never used predictive tools in relation to the legal sector, I think the risk mainly concerns excessive reliance on results conducted by these systems.
26	Without direct experience, I'm particularly concerned about algorithmic bias potentially discriminating against certain family structures or socioeconomic backgrounds.
27	My primary concerns involve the potential for predictive models to oversimplify complex family dynamics and emotional factors that are crucial in property division cases.
28	I wouldn't know
29	The predictive model, given the current state of art and technology, in this specific field I believe is not yet usable.
30	The risk is excessive distrust towards the professional's role.

Question

8

A survey on the digitalisation of asset liquidation-division procedures suggests that AI tools, blockchain technology, and online dispute resolution (ODR) platforms are seen as the most useful innovations.

Which of these technologies do you find most relevant or applicable, and why?

N	Answer
1	Among the innovations mentioned, the introduction of a blockchain registry could be particularly relevant, as it would provide a secure, transparent, and tamper-proof record of asset ownership and transactions in family property cases. Additionally, integrating AI tools within the digital registry might allow for automated drafting of division proposals based on established legal criteria, potentially streamlining the liquidation-division process.
2	Chatbot
3	In extrajudicial asset liquidation and division procedures, parties often struggle to communicate and cooperate effectively, which can hinder negotiation and resolution. Emotional tensions and limited understanding can reduce their ability to engage constructively. Therefore, in order to ensure fair participation, digitalisation efforts should include tools that facilitate clear communication and support parties with varying digital skills.
4	I consider blockchain technology particularly useful in asset liquidation-division procedures because it can help comply with the Bersani Law (DL 4 July 2006, n. 223), which imposes strict anti-money laundering requirements
5	Among the technologies, blockchain appears particularly relevant for asset division procedures, as it can enhance transparency, traceability, and security of transactions
6	It's important to focus more on the substance rather than just the technological form.
7	Blockchain
8	In my opinion, these are all useful applications that should be integrated into the single platform as indicated in the answer to question 6.
9	I tools are most relevant for asset liquidation-division procedures because they can assist with legal research, case analysis, and quantification. However, in Italy, AI effectiveness depends on access to both public and private legal databases, including paid jurisprudence services, due to limited open access. Without comprehensive data, AI cannot provide a complete and updated legal framework, which is essential for accurate decision-making.
10	Blockchain and video call platforms
11	Blockchain and video call platforms
12	Blockchain

13	Online platforms
14	A well-trained chatbot
15	I prefer the blockchain tech, since it can ensure transparency and compel the enforcement of judgments or agreements even if one of the opposing parties only objects at the last moment.
16	Blockchain technology
17	Blockchain and video call platforms
18	Blockchain technology
19	A well-trained chatbot can serve as effective support for asset liquidation and division procedures, assisting users by providing timely information, guiding through complex steps, and improving overall efficiency.
20	Blockchain technology represents the most applicable tool, as it allows to certify in an unmodifiable and transparent way the relevant operations in the liquidation and division phase, reducing the risk of disputes and facilitating compliance with procedural guarantees.
21	I believe that blockchain is today the most effective solution, as it allows secure and verifiable recording of acts, ensuring legal stability and traceability in the entire liquidation and distribution procedure.
22	ODRs are particularly relevant because they allow management of any conflict quickly, economically sustainable and with technological tools that ensure accessibility and continuity, even outside traditional courtrooms.
23	I believe that ODRs play a crucial role in the liquidation and division phase, offering a neutral and technologically advanced space where parties can dialogue and reach shared solutions, reducing conflictual impact and judicial intervention.
24	Blockchain technology appears today the most suitable to support asset liquidation and division operations, offering a reliable system of automatic and enforceable validation of transactions, which favors legal certainty.
25	In my opinion, ODR platforms represent a valid tool to prevent the lengthening of procedural times, allowing parties to address disputes in a structured and digital way, with often faster and more effective decisions.
26	I find AI tools most promising for their ability to analyse vast amounts of legal precedents and identify patterns that might escape human review, particularly in complex multi-asset cases.
27	Blockchain technology offers the most practical benefits due to its immutable record-keeping capabilities, which are essential for establishing clear asset ownership trails and preventing disputes over transaction authenticity.
28	Blockchain technology
29	Blockchain technology
30	Online platforms that combine mediation and document exchange are the most applicable.

Question

9

The survey shows that AI applications for predicting outcomes in asset liquidation-division cases are currently used only to a limited extent.

Do you believe this is due to their unavailability, lack of relevance, the immature state of the technology, or are there other reasons?

N	Answer
1	The limited use of AI in predicting the outcomes of asset liquidation and division cases is mainly due to the fact that the technology is still in its experimental stages and there is limited available data. Many important documents are stored in separate paper archives, which makes collecting and using the data effectively difficult. Without reliable, connected data, it is difficult to create accurate AI models, meaning these tools are not yet widely trusted or used.
2	Immature state of technology.
3	The limited use of legal tech tools is linked to a number of interconnected factors, but the main issue is the immature state of the technology. Current AI models are not yet developed enough to handle the complex, fact-specific nature of family property cases.
4	Delicatezza degli ambiti coinvolti, rispetto ai quali è necessario un approccio umano, anche per comprendere a fondo gli interessi che animano le parti e suggerire la migliore strategia.
5	The limited use of AI in asset liquidation-division cases is mainly due to the immature state of the technology. There is also a strong fear that relying on AI could lead to a loss of the lawyer's individual creativity and personal touch in drafting legal documents.
6	At present, technology is not widely used in this area. This is likely due to both a lack of suitable, reliable tools and a general reluctance within the legal community to adopt new digital solutions for such sensitive matters.
7	Their limited use is mainly due to the immature state of the technology and the lack of knowledge or familiarity among practitioners.
8	No, I don't believe so.
9	The limited use of AI applications for predicting outcomes in asset liquidation-division cases is mainly due to cultural barriers, lack of familiarity, and concerns about reliability and errors.
10	Technology is already advanced, but the main barrier to adoption is cultural resistance within the legal community, rather than a lack of digital solutions.
11	Neither legal professionals nor existing infrastructures are fully prepared for widespread digitalisation.
12	For mandatory systems, resistance to digital tools has largely been overcome. However, for more advanced software, economic factors and the fact that these technologies are still experimental remain significant obstacles to their widespread adoption.
13	They are not used because, at the moment, adequate tools are neither available nor widespread among professionals
14	In many places, AI adoption has not yet arrived, and skepticism towards these technologies is natural.
15	To be honest, I think that legal AIs are actually not mature enough for every sector..

16	Immature state of technology.
17	The cause is to be found in the natural slowness of every technological change applied to the legal world, due to the complexity of the subject matter and the significance of traditional practices.
18	No
19	There is widespread skepticism and fear among legal professionals about AI, particularly the concern of being replaced by technology.
20	The main cause is the lack of adequate tools, since, there being so much immateriality in relationships, there cannot be tools capable of collecting the actual needs of individuals. Furthermore, another reason concerns distrust and uncertainty towards AI systems for fear of devaluing the role of the professional.
21	The main cause concerns distrust and uncertainty towards AI systems for fear of devaluing the role of the professional.
22	The principal cause is distrust and uncertainty towards AI systems, arising from the fear that the professional's role could be devalued.
23	The primary cause relates to distrust and uncertainty towards AI systems, due to the fear that they might devalue the role of the professional, according to me.
24	According to me, the main cause relates to distrust and uncertainty towards AI systems, due to the fear of undermining the role of the professional.
25	From my perspective, the chief cause involves distrust and uncertainty towards AI systems, motivated by the fear of devaluing the professional's role.
26	Insufficient regulatory frameworks governing AI use in legal contexts, lack of standardised validation processes for algorithmic accuracy, and inadequate integration with existing legal databases.
27	The restricted use primarily results from the technology's current inability to adequately process the nuanced, emotional, and cultural factors inherent in family property disputes.
28	Immature state of technology.
29	Immature state of technology.
30	I don't know.

Italy - Notaries

Category 1: Targeted legal processes

Question

1

Which aspects of the asset liquidation-division procedure (amicable and judicial) do you believe are the least efficient or cause the most delays?

N	Answer
1	The main inefficiencies stem from publicity requirements and the non-mandatory nature of the executive part of court decisions.
2	The lack of agreement between parties regarding both asset valuations and assignments represents the primary source of inefficiency. These disputes necessitate the involvement of technical experts, which consequently increases both processing times and overall costs of the procedure.
3	The coordination between courts and notarial offices is often fragmented, particularly when judicial authorisations are required to proceed with asset sales.
4	Coordination with the courts, especially for judicial approvals, often results in long wait times that delay asset distribution.
5	Problems with outdated or conflicting cadastral records are a major source of delay when dividing real estate.
6	In amicable procedures, disagreements among heirs over valuation often lead to repeated renegotiations and time loss.
7	Public registry systems are not always synchronised, making it difficult to verify asset titles quickly.
8	Cases involving minors or individuals under legal protection require additional court permissions, which can take months.
9	There is no central system for accessing a complete asset inventory, forcing notaries to contact multiple institutions manually.
10	Tax certification processes, particularly related to inheritance, are complex and frequently delay the final deed.
11	Often, clients are unaware of the documents needed for division and appear unprepared, causing postponements.
12	Lack of a shared digital platform with courts and consultants leads to duplication of work and slow updates.
13	In cases without a clear will or testament, tracing the legal heirs and verifying succession rights takes significant time.

Question

2

Which aspects of the asset liquidation-division procedure benefit the most from digital transformation or digitalisation?

N	Answer
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1	Digitalisation would significantly contribute to asset attribution processes, but it must follow the proper procedural path that includes the executive phase. The executive aspect represents the true core of the entire procedure,
2	Digitalising the assignment mechanism in judicial division cases could significantly accelerate procedures. Similarly, digitalising the post-assignment distribution plan would be beneficial, as it essentially involves ranking credits and performing related calculations, which are well-suited to automated processing.
3	Digital platforms that allow parties to exchange documents, communicate remotely, and track the progress of the procedure help prevent misunderstandings and reduce delays caused by fragmented communication among heirs.
4	The digital transmission of deeds and documents to registries has reduced delays and errors significantly.
5	Access to online cadastral data and land registry platforms speeds up property checks and ownership verification.
6	Secure digital signatures and remote authentication tools facilitate faster execution of deeds and agreements.
7	Digital pre-filled inheritance forms and tax calculation tools streamline notarial work and reduce client errors.
8	Real-time exchange of documents with banks and institutions helps accelerate the identification of liquid assets.
9	Online appointment scheduling and document sharing improve efficiency and reduce in-person consultations.
10	The dematerialisation of court authorisations and digital court communication has significantly reduced wait times.
11	Cloud-based collaboration with lawyers and accountants allows for parallel document preparation, speeding up timelines.
12	Electronic access to civil registries makes it e

Category 2: Opinions on technology readiness

Question

3

What digital tools do you currently use in asset liquidation-division procedures?

If these tools are also used by the parties themselves, do you find that they are sufficiently accessible to vulnerable individuals (such as the elderly, people with disabilities, or those with low digital literacy)?

N	Answer
1	Digital tools are used in case of lottery draw. The administrative activity of notaries in these procedures relies primarily on traditional documentation methods.
2	Digitalising the assignment mechanism in judicial division cases could significantly accelerate procedures. Similarly, digitalising the post-assignment distribution plan would be beneficial, as it essentially involves ranking credits and performing related calculations, which are well-suited to automated processing.
3	I regularly use the digital land registry, succession declaration software, and certified email (PEC). While these tools are efficient for professionals, they are not always accessible to vulnerable individuals without assistance from legal or family representatives.
4	I use the digital land registry (SISTER), succession software, and PEC. These tools are efficient, but vulnerable individuals often need intermediaries to access or understand them.
5	PEC, the Agenzia delle Entrate succession portal, and online cadastral databases are daily tools. For elderly or low-literacy clients, the digital process is still too complex without support.
6	We use remote video authentication, digital signature platforms, and real-time inheritance tax calculators. These are not easy to use for vulnerable people without guided assistance.
7	Digital tools like the Notartel portal and property database are essential. However, many clients still struggle with PEC or even basic email access.
8	The online inheritance declaration system works well for professionals, but it's rarely accessible without help for people unfamiliar with digital procedures.
9	Certified email, SISTER, and telematic succession tools are my daily digital instruments. I find that the elderly, in particular, cannot use them without legal or family help.
10	I rely on the telematic cadastral portal and electronic signature services. Accessibility remains an issue for less tech-savvy clients, especially in rural areas.
11	We use a combination of PEC, national inheritance declaration tools, and land database access. For vulnerable users, the process remains difficult without assistance.
12	Online inheritance platforms and cadastral search tools are extremely helpful. However, they're designed for professionals—not intuitive for vulnerable individuals.

13	Digital authentication, notarial e-platforms, and PEC are standard. Most clients cannot access or understand these systems alone, especially the elderly or disabled
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Question

4

How is the digitalisation of asset liquidation-division procedures perceived by you personally and by your professional legal community involved in these procedures?

Do you see digitalisation in the justice system, and especially in asset liquidation-division procedures, more as an opportunity for innovation or as a challenge to existing roles and practices?

(If you perceive it as an opportunity): What legal, organisational or cultural obstacles do you see as hindering the introduction of digital tools in asset liquidation-division procedures?

(If you perceive it as a challenge or risk): Which are the main risks you foresee?

N	Answer
1	The real opportunity lies in establishing seamless connections between court decisions and notarial execution, rather than simply digitalising existing processes without structural integration.
2	Digitalisation would primarily concern aspects reserved for judges or lawyers' intervention, so accessibility issues for vulnerable populations are not expected to be a significant concern, as these individuals would not directly interact with the digital tools.
3	I don't Know exactly.
4	I see digitalisation as a clear opportunity. However, the lack of integration between systems and the slow pace of public administration reforms are major obstacles.
5	It's an opportunity, but legal uncertainty and slow updates to regulatory frameworks hinder its potential. There's also cultural resistance among some professionals.
6	The transition is necessary and positive, but we're still lacking in digital education, especially among older notaries and clients.
7	Personally, I see great potential in digital tools, but public registries and tax agencies often lack responsiveness and IT infrastructure.
8	It's a step forward, but the challenge is keeping up with constant changes in platforms and adapting our workflows without losing quality.

9	I perceive it as an opportunity. The main obstacle is the fragmentation of systems and the absence of a single national platform connecting courts and notaries.
10	While promising, digitalisation still poses challenges for less experienced professionals. Risk of errors increases if training is insufficient.
11	The legal community is generally favourable, but there's fear of losing human interaction and discretion in delicate family property cases.
12	I consider it a necessary evolution. However, bureaucracy, slow institutional reactions, and lack of standardisation are serious barriers.
13	Digitalisation brings efficiency, but also risks: depersonalisation of procedures and the exclusion of vulnerable users if no support measures are in place.

Category 3: Opinions on how to implement digital technologies

Question

5

What changes in training, infrastructure, organisation, or regulation do you consider essential for successful digitalisation of family property law cases; particularly in asset liquidation-division procedures?

N	Answer
1	A centralised system should be established in order to ensure the effective enforcement of court orders.
2	I don't believe structural changes are necessary. The important intervention should be at the regulatory level, delimiting the scope and methods of digitalisation intervention while providing for constant control by legal professionals throughout the process.
3	Targeted training for notaries.
4	Targeted training for notaries and legal staff is essential, along with user-friendly platforms that simplify complex procedures.
5	A national integrated digital system connecting courts, notaries, and tax offices is necessary, supported by compulsory digital training.
6	We need clear regulatory guidelines on the legal validity of digital deeds and a better digital culture among professionals and users.
7	Improved infrastructure and investment in secure, certified digital platforms are crucial. Many current systems are outdated or redundant.

8	Training should be extended to both notaries and clients, and public registries must be fully digital and synchronised.
9	There must be a legal obligation to digitise certain procedures, supported by standardised software and real-time system support.
10	Coordination between institutions is key—without alignment between legal, fiscal, and registry systems, digitalisation cannot be efficient.
11	Specific training modules for asset division procedures and legal tech tools should be introduced in professional continuing education.
12	A major cultural shift is required, along with digital literacy initiatives and streamlined procedures to replace bureaucratic redundancies.
13	Better technical assistance, harmonised regulations, and public investment in IT infrastructure are all urgently needed for meaningful digitalisation.

Category 4: AI risks perceived

Question

6

Have you encountered or tested predictive models?

If so, how accurate or useful were they in reflecting the outcomes you would expect from a human decision-maker?

N	Answer
1	No, I have not encountered or tested predictive models in asset liquidation-division procedures. The notarial profession has not yet extensively adopted AI-based predictive tools for this specific area of practice.
2	No, I have not encountered or tested predictive models in asset liquidation-division procedures.
3	No, there aren't predictive models specifically designed or calibrated for family law cases.
4	I have not personally used predictive models in this area. They are not currently integrated into notarial practice.
5	I've seen academic prototypes, but never applied them professionally. Their results still seem too abstract for practical use.
6	No real-world implementation so far. I believe they could be useful, but only with strong legal supervision.

7	I have not encountered any predictive tools adapted to Italian family or property law cases.
8	No, and I believe such tools would be difficult to calibrate given the highly context-specific nature of succession and division cases.
9	I have read about them, but they are not part of our workflows. I remain skeptical about their reliability in complex asset cases.
10	Not in actual use. Even if available, predictive models would need constant legal updates to reflect real judicial outcomes.
11	No experience directly. However, I have concerns about how such models could simplify decisions that require human sensitivity.
12	Never tested one personally. I think they could support preliminary analysis, but not replace legal discretion.
13	I've only encountered general-purpose legal AI tools, not true predictive models. They are not accurate enough for notarial use.

Question

7

What risks do you foresee in using predictive models in family property law; including, but not limited to, over-reliance on these tools, lack of transparency, or limited litigant understanding? Or do you see other risks?

N	Answer
1	The fundamental principle is that AI must remain human-centered and preserve human centrality in decision-making processes.
2	The primary risk I foresee is poor understanding by the litigants. Parties involved in family property disputes may not adequately comprehend how AI-driven decisions are reached, which could undermine confidence in the process and create additional disputes.
3	Over reliance.
4	One major risk is over-reliance: predictive tools might replace nuanced human judgment in emotionally complex family cases.
5	I worry about the opacity of these systems. If parties can't understand the logic behind a prediction, trust in the process will decline.
6	Predictive models may reinforce systemic biases, especially if based on past decisions that reflect outdated social norms.

7	There's a serious risk that users assume the model's output is a definitive answer, which undermines the role of negotiation.
8	Family property law involves personal history and emotional context—AI can't fully grasp or weigh these aspects.
9	Predictive tools might oversimplify cases, ignoring exceptions or special circumstances that should influence the outcome.
10	A significant risk is data misuse—family and financial information is sensitive and must be handled with extreme care.
11	I see a danger in the standardisation of decisions, which may clash with the principle of individualised justice.
12	Many parties would not understand the predictive reasoning, creating confusion or mistrust in both the tool and the legal process.
13	There's also a professional risk: notaries and lawyers may gradually lose their interpretive role if AI takes on too much weight.

Question

8

A survey on the digitisation of asset liquidation-division procedures suggests that AI tools, blockchain technology, and online dispute resolution (ODR) platforms are seen as the most useful innovations.

Which of these technologies do you find most relevant or applicable, and why?

N	Answer
1	Technology could be relevant if the notarial archive can effectively perform its control function, ensuring data integrity and trust.
2	I consider AI tools useful, especially for phases involving calculations, lot creation, credit evaluation, and distribution plan drafting, as well as maintenance allowance determination. However, I believe a notarial blockchain registry would be an oxymoron, as it would essentially replace the certification activity assigned to notaries. Additionally, it would create an additional registry system beyond existing real estate publicity and deed registration systems, only burdening the overall system.
3	I don't know.
4	Online Dispute Resolution (ODR): a secure, court-linked platform could let heirs negotiate and sign remotely, reducing meetings and speeding amicable settlements.

5	Blockchain: a shared, tamper-proof ledger for property titles would cut time spent reconciling inconsistent land-registry data.
6	AI tools for automatic document review and inheritance-tax calculation would shorten drafting phases and lower clerical error rates.
7	ODR enhanced with AI chatbots is most relevant; it could resolve minor valuation disputes before they reach the notary.
8	Blockchain smart contracts that trigger asset transfers once court approval is uploaded would eliminate follow-up paperwork.
9	AI-driven predictive analytics to pre-assess tax liabilities and fees would help clients plan cash flow and avoid last-minute surprises.
10	ODR is key for rural clients who struggle to travel; a video-enabled platform with secure e-signature would keep procedures on schedule.
11	AI legal-research assistants that surface relevant precedents and fiscal rules could halve preparation time for complex divisions.
12	Blockchain-based asset registries would provide an immutable trail of ownership, vital for estates with multiple real-estate assets.
13	Integrated ODR with AI translation is most applicable, enabling heirs living abroad to participate fully without language barriers or costly travel.

Question

9

The survey shows that AI applications for predicting outcomes in asset liquidation-division cases are currently used only to a limited extent.

Do you believe this is due to their unavailability, lack of relevance, the immature state of the technology, or are there other reasons?

N	Answer
1	Digitalisation must be controlled and supervised by human beings. The limited adoption is primarily due to concerns about maintaining human oversight and professional judgment. The technology may be available, but the notarial profession prioritises human control over automated decision-making,
2	I believe limited usage stems from the absence of specific regulations, leaving decisions to individual discretion where professionals must assume all consequences, including potential liability. For example, in property assignment procedures, a delegated professional could use AI systems, but without judicial authorisation, they could face challenges regarding their choice to use such tools in case of disputes.
3	I don't know.

4	AI tools are largely unavailable for notarial use in Italy. The market hasn't yet developed specific applications adapted to our legal environment.
5	The technology is still immature, especially in the family property context where each case has unique emotional and legal variables.
6	There's a general lack of trust in predictive systems when it comes to such sensitive and high-impact matters as inheritance and division.
7	AI is seen as legally uncertain—there is no clear guidance on how its outputs should be considered in formal legal decisions.
8	A big reason is lack of relevance: current AI tools are too generic and not calibrated for Italian civil law and notarial practices.
9	The absence of structured and interoperable datasets limits the potential of AI to operate reliably in this field.
10	It's mainly due to regulatory hesitation—authorities haven't endorsed or incentivised AI adoption in the notarial sector.
11	Cultural factors also matter: both clients and professionals prefer traditional decision-making over algorithmic inputs in family cases.
12	The legal community is still unfamiliar with these tools, and training is lacking, which limits adoption.
13	There's no unified national strategy or funding for developing AI tools tailored to asset division; private initiatives remain fragmented.

Italy- Mediators

Category 1: Targeted legal processes

Question

1

Which aspects of the asset liquidation-division procedure (amicable and judicial) do you believe are the least efficient or cause the most delays?

N	Answer
1	The lack of coordination between notaries, courts, and tax authorities significantly delays the process.

2	Judicial procedures often suffer from lengthy hearing schedules and backlog.
3	Disputes over asset valuation and inventory tend to drag on due to lack of clear standards.
4	The absence of centralised documentation forces repeated verification steps.
5	Legal notifications and communication between parties are still paper-based, which causes delays.
6	The involvement of multiple professionals (judges, lawyers, mediators) leads to redundant procedures.
7	Limited access to real-time asset data (e.g., property registries) prolongs the division process.
8	Parties' disagreements on asset division often escalate due to lack of pre-litigation mediation tools.
9	Judicial rulings take a long time to be issued and even longer to be enforced.
10	Unclear procedural timelines make it difficult to plan and coordinate legal activities efficiently.

Question

2

Which aspects of the asset liquidation-division procedure benefit the most from digital transformation or digitalisation?

N	Answer
1	Digital asset inventories and automatic valuation tools can greatly accelerate proceedings.
2	Case tracking systems benefit all stakeholders by improving transparency and planning.
3	Online document exchange and e-signatures speed up agreements and formalities.
4	Digital court filings reduce waiting time and manual processing.
5	Remote hearings increase scheduling flexibility and reduce physical attendance burdens.
6	Centralised digital registries facilitate faster verification of ownership and legal titles.
7	AI tools can assist in generating equitable division proposals based on set parameters.
8	Mediation platforms help resolve issues before litigation, improving efficiency.

9	Digital communication channels enhance interaction between lawyers and clients.
10	Blockchain-based records ensure secure and tamper-proof asset documentation.

Category 2: Opinions on technology readiness

Question

3

What digital tools do you currently use in asset liquidation-division procedures?

If these tools are also used by the parties themselves, do you find that they are sufficiently accessible to vulnerable individuals (such as the elderly, people with disabilities, or those with low digital literacy)?

N	Answer
1	We use e-filing platforms and online court portals; accessibility remains an issue for elderly clients.
2	Most tools are user-friendly, but individuals with low digital literacy struggle without assistance.
3	Lawyers often bridge the gap, but systems need to be simplified for the general public.
4	Tools like Zoom and digital signature platforms are common, but not all clients can use them independently.
5	We use shared document repositories, but mobile access should be improved for inclusivity.
6	Online mediation platforms are used, but lack of tech support for vulnerable users is a problem.
7	Digital case management systems are useful but rarely designed with accessibility in mind.
8	Courts provide access to tools, but training for users is lacking.

9	We use a combination of government and private platforms; no uniform standard for accessibility exists.
10	Vulnerable individuals often rely on legal representatives due to poor interface design in digital tools.

Question

4

How is the digitalisation of asset liquidation-division procedures perceived by you personally and by your professional legal community involved in these procedures?

Do you see digitalisation in the justice system, and especially in asset liquidation-division procedures, more as an opportunity for innovation or as a challenge to existing roles and practices?

(If you perceive it as an opportunity): What legal, organisational or cultural obstacles do you see as hindering the introduction of digital tools in asset liquidation-division procedures?

(If you perceive it as a challenge or risk): Which are the main risks you foresee?

N	Answer
1	It's a great opportunity, but legal tradition and rigid procedures slow down adoption.
2	Many colleagues see it as a threat to legal practice and personalised service.
3	I welcome it, though the lack of training and inter-agency coordination is a big challenge.
4	Most legal professionals are skeptical, citing fear of job displacement and loss of control.
5	The potential is enormous, but data privacy concerns are a major obstacle.
6	It's an opportunity that needs better infrastructure and digital literacy training.
7	Risk of over-reliance on automation is real; human judgement is still essential.
8	Cultural resistance in legal circles is a bigger challenge than technical readiness.

9	Digitalisation is promising, but inconsistent regional implementation limits effectiveness.
10	While promising, current systems are poorly integrated and prone to errors.

Category 3: Opinions on how to implement digital technologies

Question

5

What changes in training, infrastructure, organisation, or regulation do you consider essential for successful digitalisation of family property law cases; particularly in asset liquidation-division procedures?

N	Answer
1	Mandatory digital skills training for legal professionals and judges is essential.
2	Investment in robust IT infrastructure for courts and registries is critical.
3	A national standard for digital case handling procedures should be introduced.
4	Stronger inter-agency collaboration tools would reduce redundancy.
5	Legal education must include technology-related courses.
6	Incentives should be provided to adopt digital mediation and communication tools.
7	Data interoperability between public institutions is key.
8	Regulations must allow and encourage remote hearings and online settlements.
9	Improved cybersecurity measures are needed to build trust in digital systems.
10	Clear ethical guidelines on using AI in decision-support systems are necessary.

Category 4: AI risks perceived

Question **6**

Have you encountered or tested predictive models?

If so, how accurate or useful were they in reflecting the outcomes you would expect from a human decision-maker?

N	Answer
1	I've tested some tools, but the results were too general to be relied on.
2	Accuracy varies; they can reflect general trends but miss case-specific nuances.
3	They offer useful insights but are no substitute for expert legal judgement.
4	Predictive tools are promising but still lack consistency.
5	In my experience, they mostly replicate obvious conclusions.
6	They are helpful in identifying likely outcomes but shouldn't be used as a final say.
7	I found them useful in property valuation scenarios.
8	They're informative for case strategy planning, not for legal rulings.
9	Inaccuracies were common, especially in complex or emotional cases.
10	They can be helpful tools if transparency in the model's reasoning is improved.

Question

7

What risks do you foresee in using predictive models in family property law; including, but not limited to, over-reliance on these tools, lack of transparency, or limited litigant understanding? Or do you see other risks?

N	Answer
1	Over-reliance by less experienced lawyers may reduce critical analysis.
2	Lack of transparency in decision-making erodes trust in the system.
3	People may misinterpret predictions as guarantees.
4	AI can reinforce biases if trained on flawed historical data.
5	Vulnerable litigants may feel excluded or misled by automated outputs.
6	Ethical concerns arise around who controls and audits these tools.
7	Legal professionals may resist their use due to perceived competition.
8	The complexity of family dynamics is often lost in algorithmic logic.
9	Incorrect predictions could lead to premature settlements.
10	There's a risk of reducing nuanced legal debates to simple statistical outcomes.

Question

8

A survey on the digitalisation of asset liquidation-division procedures suggests that AI tools, blockchain technology, and online dispute resolution (ODR) platforms are seen as the most useful innovations.

Which of these technologies do you find most relevant or applicable, and why?

N	Answer
1	ODR platforms offer immediate practical value in resolving disputes.
2	Blockchain is excellent for secure, verifiable asset records.
3	AI tools can assist with document analysis and speed up processing.
4	ODR reduces time and cost, particularly in non-contested divisions.
5	Blockchain ensures integrity in transaction records, reducing fraud.
6	I find predictive AI useful for risk assessment and negotiation support.
7	Online platforms that combine mediation and document exchange are most applicable.
8	Blockchain provides a level of traceability that courts can rely on.
9	AI-driven analytics help identify case similarities, streamlining workload.
10	ODR is especially useful in international or remote family law cases.

Question

9

The survey shows that AI applications for predicting outcomes in asset liquidation-division cases are currently used only to a limited extent.

Do you believe this is due to their unavailability, lack of relevance, the immature state of the technology, or are there other reasons?

N	Answer
1	AI is still under development and lacks sufficient accuracy.
2	There's a general lack of awareness among practitioners.



3	Current legal frameworks don't encourage or mandate AI use.
4	The tools that exist are not tailored to complex family law cases.
5	Concerns about ethical implications hinder their deployment.
6	Data availability and quality are major barriers.
7	Many professionals distrust algorithmic decision-making.
8	High cost of implementation and training prevents broader use.
9	Clients are wary of automation in sensitive matters like family disputes.
10	Pilot programs exist, but results haven't been widely shared or validated.

CREA3 - Lithuania Interview Sheet

Lithuania - Judges

Category 1: Targeted legal processes

Question

1

Which aspects of the asset liquidation-division procedure (amicable and judicial) do you believe are the least efficient or cause the most delays?

N	Answer
1	Based on limited personal experience, the respondent notes that preparing a comprehensive inventory and description of all the assets can be very time-consuming, particularly when the parties own many items and repeatedly disagree or change their positions.
2	Gathering and verifying data about all the assets to be divided, along with establishing their value.
3	One of the least efficient aspects of the asset division process arises when there is a large volume of property to divide, but the data regarding the assets to be divided is submitted inaccurately or incompletely.
4	Composition of a balance of assets.
5	Suggests that court-led procedures in general are likely the least efficient.
6	Preparing an inventory of assets, identifying assets as joint or personal ownership, asset valuation, identifying the shares of the property and corresponding compensation takes the longest; however, does not necessarily see it as a sign of procedural inefficiency.
7	Manual data collection from different registries; the use of spreadsheets for property balance calculations are most time consuming, especially when determining net asset value and adjusting for debts or compensation to the other spouse.
8	Division becomes most difficult when marital property has been improved using one spouse's or third parties' funds (e.g. parents' contributions), especially, when there is no prenuptial or postnuptial agreement. Additionally, when assets are registered in offshore or outside the EU.
9	Valuation of assets and producing an expert report on the value of assets.
10	States that delays in asset division cases often occur when other divorce-related matters are addressed simultaneously, as these additional issues frequently lead to appeals of the initial court decisions, prolonging the overall proceedings.
11	Identifies cross-border asset ownership when assets are located in multiple countries as a major cause of delay.

Question

2

Which aspects of the asset liquidation-division procedure benefit the most from digital transformation or digitalisation?

N	Answer
1	The compilation of the asset balance sheet would benefit most from digitalisation, especially through automation of data retrieval from registries. Additionally, the system could allow for easy comparison of the data reported by each party, e.g. it could indicate if both agree that a particular item is one spouse's personal property.
2	Gathering and verifying data about all the assets along with their valuation. Additionally, using digital platforms (such as the E-Service Portal of Lithuanian Courts and remote video conferencing) for document submission and position coordination.
3	The transfer of essential data from various registries, which would detail the divisible assets in a consolidated format (e.g. the owner of the property, its address, unique identifiers, vehicle ownership, license plate numbers, VIN codes, etc.), all in a single file.
4	Composition of a balance of assets (debts).
5	Believes that property valuation would benefit the most.
6	Assisting in property division based on established shares. However, emphasises the need of human involvement in evaluating the best interests of spouses and children.
7	Collection of the relevant information from the registries, preparation of asset inventory, and determining asset shares, especially in cases involving fractional co-ownership
8	Believes that digital tools can only be helpful in straightforward cases, when all property has been acquired during marriage, from joint funds, or in cases where there is essentially no material dispute between the parties.
9	The asset valuation process would benefit greatly from digitalisation.
10	A predictive model that, upon entering all variables, could forecast the likely outcome of a court decision.
11	Does not have an opinion

Category 2: Opinions on technology readiness

Question

3

What digital tools do you currently use in asset liquidation-division procedures?

If these tools are also used by the parties themselves, do you find that they are sufficiently accessible to vulnerable individuals (such as the elderly, people with disabilities, or those with low digital literacy)?

N	Answer
1	Sometimes uses Excel spreadsheets to manage asset-related data, however, does not apply other digital tools. The respondent is unable to assess whether such tools are accessible to vulnerable individuals.
2	Currently does not actively work on family disputes, however, believes that colleagues use automated case assignment systems, holds remote court hearings, reviews digital cases, and relies on digital tools for e-documents submission.
3	Does not use any.
4	Does not use any.
5	Currently does not actively work on family disputes, therefore, does not use any.
6	Does not use digital tools.
7	Uses Excel for property division. Notes that it is rarely used by parties and is not easily accessible to vulnerable individuals.
8	Does not use AI based digital tools. Notes that access to case law databases is generally limited to those with sufficient computer and internet skills.
9	Uses the e-service portal for Lithuanian courts and databases from the Centre of Registers.
10	Uses public databases such as the one provided by State Tax Inspection and Cadastral Register for Immovable Property. Also relies on online calculators to calculate applicable stamp duty.
11	Does not identify digital tools used. Note that parties tend to use only those tools they are capable of understanding, operating, and explaining, suggesting limited accessibility for individuals with low digital skills.

Question

4

How is the digitalisation of asset liquidation-division procedures perceived by you personally and by your professional legal community involved in these procedures?

Do you see digitalisation in the justice system, and especially in asset liquidation-division procedures, more as an opportunity for innovation or as a challenge to existing roles and practices?

(If you perceive it as an opportunity): What legal, organisational or cultural obstacles do you see as hindering the introduction of digital tools in asset liquidation-division procedures?

(If you perceive it as a challenge or risk): Which are the main risks you foresee?

N	Answer
1	I personally view digitalisation positively. Believes it would, among other benefits, make case review on appeal easier by providing clearer insight into the calculations used by the first-instance court (provided that this data is accessible). Digital tools could also help avoid arithmetic errors, which do occur in practice.

2	Believes that all preparatory work up to the point of decision-making can be digitalised in various ways. However, predictive justice tools shall only be used to assist the decision-maker (the judge).
3	The respondent sees digitalisation as beneficial, especially if asset information from registries could be systematically consolidated to simplify the division process.
4	The respondent sees digitalisation as very positive. A balance sheet of assets and debts and the assets to be divided could be prepared. A table of the amount of maintenance and the calculation of arrears could also be prepared.
5	Does not use digital tools, therefore, does not have an opinion.
6	Views digitalisation more as a challenge, noting the risk that AI may fail to account for important contextual factors such as children's or spouses' interests.
7	Views digitalisation positively, does not identify any significant obstacles to digitalisation at present.
8	Currently sees digitalisation as a risk, noting cases where claims partially generated with AI failed to align and present factual context in the light of legal norms or court practice.
9	Sees digitalisation as an opportunity, but identifies staff resistance to learning new systems as a key barrier.
10	Views digitalisation as a valuable opportunity, but also recognises potential risks. For instance, predictive digital tools could prompt parties to pressure judicial authorities to reach a specific outcome indicated by the tool or encourage deliberate concealment of relevant information.
11	Does not have an opinion.

Category 3: Opinions on how to implement digital technologies

Question

5

What changes in training, infrastructure, organisation, or regulation do you consider essential for successful digitalisation of family property law cases; particularly in asset liquidation-division procedures?

N	Answer
1	Proposes creating a system that links a court case to an interactive digital property balance sheet. This tool should be accessible and editable by courts at all levels throughout the proceedings and allow parties to view and comment on property valuations and other relevant elements.
2	Believes that any needed changes will come naturally in the next couple of years, as part of digital evolution.
3	Believes that it is essential to develop tools that allow the extraction of only the necessary information from registries for asset division (just the owner's name, property address, and unique number from a certificate), rather than the full extract from the Centre of Registers.

4	A balance sheet of assets and debts and the assets to be divided could be prepared. A table of the amount of maintenance and the calculation of arrears could also be prepared.
5	Does not use digital tools, therefore, does not have an opinion.
6	Does not have an opinion
7	Does not see regulatory barriers but identifies infrastructure improvements as necessary, such as enabling automated data collection from the Center of Registers, allowing template-based filing for uncontested divorce applications to reduce mistakes and streamline court review.
8	Refers back the previous response: digital tools can only be helpful in straightforward cases. Therefore, does not see a need for material changes in existing processes.
9	Recommends developing a unified digital platform to access data from the Center of Registers and integrate artificial intelligence tools to calculate property values based on market prices.
10	Observes that most family cases are already electronic and integrated with public register data through systems such as LITEKO (a platform for Lithuanian courts). Considers discussion on further changes feasible only when concrete proposals for new tools or software are available.
11	Points out that the lack of clear criteria for dividing separate property between parties, which makes it difficult to digitalise related proceedings.

Category 4: AI risks perceived

Question

6

Have you encountered or tested predictive models?

If so, how accurate or useful were they in reflecting the outcomes you would expect from a human decision-maker?

N	Answer
1	Has not used predictive models and, therefore, cannot evaluate their accuracy.
2	Has not used predictive models.
3	Has not used predictive models.
4	Yes.
5	Has not used predictive models.
6	Has not used and does not intend to use predictive AI models in the near future: views them as incompatible with the principles of justice. Believes that AI may assist only in summarising arguments and gathering relevant case law or doctrine.

7	Has not used predictive models.
8	No, considers them unsuitable in adversarial cases due to a lack of objectivity.
9	Has not used predictive models.
10	Has not used predictive models.
11	Has not used predictive models.

Question

7

What risks do you foresee in using predictive models in family property law; including, but not limited to, over-reliance on these tools, lack of transparency, or limited litigant understanding? Or do you see other risks?

N	Answer
1	Cases related to division of family property often involve highly sensitive issues that must be addressed individually and responsibly. Over-reliance on AI models might oversimplify situations that require human judgment and empathy.
2	The respondent currently does not trust the accuracy of data sets available to AI or its ability to interpret them accurately. Additional risks, such as data protection concerns, the specificity of national legal frameworks, and broader issues of data security, are also indicated.
3	There is a risk that predictive tools may not provide access to all relevant information. Based on the previous example, a full extract from the Centre of Registers may contain ownership restrictions or historical data that are crucial in divorce cases. Therefore, both comprehensive and systematised data must be available for proper evaluation.
4	Everything needs to be checked in the traditional way.
5	Identifies the risk that reliance on predictive AI could discourage individuals from going to court, especially in cases where changes in legal practice are necessary. Notes that while greater consistency in court outcomes might be beneficial, it could also limit the evolution of case law in situations that warrant reconsideration.
6	Sees AI failing to account for important contextual factors such as children's or spouses' interests as the main risk.
7	Avoids using such tools due to concerns over confidentiality. Would see potential if confidentiality were guaranteed and if courts allowed their use by internal procedural regulation.
8	Finds predictive models unsuitable because they fail to reflect the complexity of how people acquire property, often through personal or family effort. Views such cases as more appropriate for mediation than algorithmic decision-making.
9	Identifies AI bias as a main concern.

10	Stresses that each case is unique and not all generalisations made by AI are appropriate. Notes that information must be verified and that current AI tools remain susceptible to user influence, which can affect results.
11	Agrees that the question itself correctly identifies the main risks associated with using predictive models in family property law.

Question

8

A survey on the digitalisation of asset liquidation-division procedures suggests that AI tools, blockchain technology, and online dispute resolution (ODR) platforms are seen as the most useful innovations.

Which of these technologies do you find most relevant or applicable, and why?

N	Answer
1	Believes that ODR platforms are the most relevant, especially because divorce is an emotionally difficult process, and people are often reluctant to go to court. Such platforms could ease communication, reduce stress, and help reach agreements on asset division more quickly.
2	Have not used any one of them in family disputes, therefore, cannot comment.
3	Does not have sufficient information about these technologies to provide a commentary or assessment.
4	Does not have an opinion.
5	Favors ODR platforms for their greater accessibility for parties and enhanced transparency.
6	Hasn't had enough experience with these technologies in this context, therefore, cannot answer. However, it raises concerns that justice (decision-making in legal cases) cannot be fully automated and mechanised.
7	Has no opinion due to lack of experience with these technologies.
8	Has no opinion due to lack of experience with these technologies.
9	Believes ODR platforms are the most applicable, as they are the easiest to implement in practice.
10	Has not used these tools or platforms, therefore, does not have an opinion
11	Does not have an opinion

Question

9

The survey shows that AI applications for predicting outcomes in asset liquidation-division cases are currently used only to a limited extent.

Do you believe this is due to their unavailability, lack of relevance, the immature state of the technology, or are there other reasons?

N	Answer
1	Believes that AI is not currently used in such cases, mainly due to the absence of clear legal regulation, the fact that current systems are not adapted to incorporate such tools, and a general lack of trust. Since these cases involve sensitive personal data, it raises additional concerns about security and proper application of such tools.
2	Agrees that AI applications are currently used only to a limited extent. Believes that it is caused by among others, the immature state of the technology and a lack of trust in these tools.
3	Believes that limited use of AI in asset division cases is due to a lack of familiarity among decision-makers with AI's capabilities and how it can be applied in these legal contexts.
4	Believes that all listed reasons are valid.
5	Believes that multiple factors contribute to limited AI usage, with system accessibility, reliability, and digital literacy being the most significant.
6	Cannot provide an opinion due to lack of experience with AI in this context.
7	Believes limited use is due to the lack of confidentiality safeguards and absence of alignment with local legal acts in the judicial system.
8	Notes that in asset division disputes involving real estate, AI may only be applicable in simple cases. In complex disputes, objectivity is compromised as evidentiary evaluation depends on specific case circumstances.
9	-
10	Does not use AI tools personally but is aware that lawyers use them for information gathering and drafting procedural documents. While AI might assist in predicting outcomes, remains concerned about the reliability of data due to user-driven manipulation.
11	Believes limited use is linked to uncertainty over the reliability of the data input into AI systems, which may affect the validity of results.

Lithuania - Lawyers

Category 1: Targeted legal processes

Question

1

Which aspects of the asset liquidation-division procedure (amicable and judicial) do you believe are the least efficient or cause the most delays?

N	Answer
1	Lengthy procedural steps in judicial proceedings, particularly the preparation of second and third rounds of submissions.

2	In asset division disputes, the main sources of delay are time-consuming expert evaluations, a legal framework that allows for the valuation and division of low-value items, and the low qualifications of some appraisers, which lead to significant discrepancies in asset valuations.
3	Issues related to determination of fault of a spouse, the use of joint funds (e.g., loans) for personal property (e.g., inherited or acquired before marriage), compensation mechanisms and methods, and the offsetting of mutual debts to each other.
4	The judicial route itself tends to be inefficient and time-consuming.
5	There are no such inefficiencies in my experience.
6	Most delays occur when a single real estate asset must be divided, but neither party can afford to compensate the other.
7	Delays are largely caused by the need for a detailed description and valuation of the family's assets.
8	The valuation of both real estate and movable property.
9	Collecting information, especially regarding securities or funds held in accounts, and determining the market value of assets, particularly stocks and other securities.
10	The collection of evidence, particularly related to asset valuation and incomplete property registration documents. Additionally, the procedural behavior of the parties, such as making unsubstantiated requests.
11	The involvement of the spouses' creditors (or the creditors of one spouse) in the process often causes significant delays. Locating these creditors, informing them appropriately, and incorporating their claims into the procedure adds complexity and slows down the overall progression.
12	Believes that judicial proceedings themselves are a source of inefficiency in asset liquidation and division
13	Business division, particularly in cases where the business was started prior to the marriage and/or involves complex operations across multiple activities and companies, is seen as especially problematic.
14	In both cases, each party commissions and submits separate property valuation reports, which often determine different property values and contribute to delays in the process. In judicial proceedings, the outdated nature of the court process and procedural opportunities to further prolong it have a significant impact.
15	Identifies property valuation disputes as one of the main causes of delay
16	Internal conflicts between the parties, prolonged disputes over property, rigid bank positions in cases involving mortgages, and considerations for children's interests
17	Cases where some assets are intentionally or accidentally excluded from the list of divisible assets, which results in an incomplete division of property and unresolved ownership issues.
18	Sees the negotiation between the parties over the divisible assets as one of the least effective stages
19	Issues related to joint ownership of real estate between spouses, especially when it comes to determining fair financial compensation or setting rules for use and access.
20	Sees property valuation process as causing the most delays.
21	The complexity of negotiations, notarial procedures, and registration requirements significantly extends the duration of property division

22	Trying to separate joint and personal property and gathering evidence to prove it; preparing asset inventory for both joint and personal property; the valuation of property.
23	The process is often stalled by disputes over valuation of assets, interpersonal conflicts, missing or disorganised documentation, overloaded courts, and unwillingness of parties to cooperate.
24	Identifies judicial route in general as most time consuming as opposed to amicable settlement
25	Preparation of asset division plans and the preparation of asset evaluation reports by experts.
26	Asset valuation, allocation of property shares, and calculating fair financial compensation when joint property remains with one of the spouses
27	States that delays often arise due to disputes over asset valuation, especially for securities, where parties present conflicting expert opinions, leading to further disputes, and for crypto assets, the value of which can fluctuate on hourly basis.
28	Indicates that mutual agreement between parties is always the most efficient solution, regardless of the format in which it is reached.
29	Identifies inefficiencies in asset balance preparation, division of specific civil circulation objects (e.g., securities, crypto), handling joint obligations to creditors, and disputes involving non-married co-owners and cross-border elements as causing most delays.
30	Believes that disagreements and intrapersonal conflicts between parties are causing the most delays.
31	Attributes inefficiencies and delays to the lack of agreement and emotional conflicts between the parties, refusal to cooperate or transfer assets, and intentional procedural delays by one party.
32	Believes that the complexity of asset identification and valuation is the key issue, as it often requires data collection from various registries, banks, companies, and even foreign sources.
33	Preparation of the balance of assets - believes that most delays are caused by the complexity of data collection in an effort to identify assets to be divided.
34	Gathering information on assets to be divided, especially when it concerns foreign bank accounts, securities, and overseas property.

Question

2

Which aspects of the asset liquidation-division procedure benefit the most from digital transformation or digitalisation?

N	Answer
1	Does not have an opinion.
2	The aspects related to determining the market value of the assets being divided would benefit the most.
3	Situations where property is awarded to one spouse, and the other spouse must receive fair, market-based compensation.
4	The calculation of asset values and their division.
5	Gathering relevant information from registries and collecting information about spouses' loans and debts.

6	Does not have an opinion.
7	Detailed description and valuation of assets.
8	The valuation of both real estate and movable property.
9	Determining the market value of assets.
10	The court process for approving the division of assets as well as enhanced predictability of court decisions.
11	Since not only assets but also liabilities must be divided, creditors are not always properly informed. Therefore, a system that enables creditors to access relevant information and be notified independently about ongoing division or divorce proceedings would greatly enhance transparency and efficiency,
12	Believes that judicial procedures in general require the digital transformation the most.
13	The valuation of assets and the division of those assets.
14	Integrated digital property valuation tools. Expansion of the eTeismas and eNotaras systems by integrating third-party databases and information systems, enabling more efficient submission of documents and information, as well as the ability to generate applications/inquiries to 3rd parties using predefined templates.
15	Streamlining the collection and systemisation of information on property owned.
16	Enhancing the speed and reducing the cost of communication between the involved parties.
17	Centralised management of complete and accurate data on all divisible assets.
18	Believes that digitalisation would not provide meaningful benefits in this area
19	Preparation of assets inventory, including property owned and debts accrued
20	Automating the drafting of contractual terms
21	Property valuation, document drafting, and signature process
22	Asset valuation process, especially, if it could analyse values of equivalent properties in the market; preparation of asset inventory, especially, if it could retrieve information from relevant registries.
23	Preparation of asset inventory and asset valuation: automated data bases and asset value calculation tools could speed up the process. Additionally, digital tools for correspondence between the parties and submission of documents.
24	Does not have an opinion
25	Identification of the most equitable property division option for the parties, including determining asset shares and fair compensation.
26	Automating the process of determining asset shares and calculating compensation in cases of unequal division.
27	Highlights the benefit of automatic asset value integration from various e-platforms (the Center of Registers, State Social Insurance Organisation, State Tax Inspection, etc.), allowing all disputed assets to be viewed on a single platform.
28	Does not have an opinion

29	Identification of spouses' assets and joint obligations to creditors, including changes in their legal regime
30	Data collection and information systematisation from various registries and institutions.
31	Believes that data collection and integration from different registries and institutions would gain the most from digitalisation by enabling faster access to necessary information and reducing the overall duration of the asset division process.
32	Preparation of asset inventory: a digital asset inventory and valuation system that automatically retrieves data from multiple registries and applies AI-based valuation models would be very welcome.
33	Considers asset identification, valuation, and automated division simulations as the areas that would benefit most from digitalisation, helping to make decisions faster, more objective, and transparent, while reducing risks of conflict and delay.
34	Identifies asset balance preparation and value determination as the most suitable aspects for digital improvement.

Category 2: Opinions on technology readiness

Question

3

What digital tools do you currently use in asset liquidation-division procedures?

If these tools are also used by the parties themselves, do you find that they are sufficiently accessible to vulnerable individuals (such as the elderly, people with disabilities, or those with low digital literacy)?

N	Answer
1	Primarily, tools for document preparation. According to the respondent, neither vulnerable individuals nor young people prepare relevant documents themselves.
2	A variety of tools, including phones, video conferences, relevant websites, government institution registers, and others. However, elderly people typically rely on just one tool- the phone, and usually without video.
3	The tools are not sufficiently accessible in general.
4	Regular computer software. Digital tools are not accessible for elderly people.
5	All traditional computer software, as well as ChatGPT.
6	Does not use any specific digital tools in these procedures.
7	Mainly uses the database of the Centre of Registers but sees it as difficult for older people to use.
8	Does not use any specific digital tools.
9	Mainly uses Excel for division of assets, however, I do not think that elderly people would be able to use it.
10	Uses electronic document submission systems and video conferences, but thinks that these are not sufficiently accessible to vulnerable individuals.

11	Uses remote video conferencing applications during meetings where spouses negotiate the division of property. Believes that while these programs are generally accessible, they present difficulties for certain individuals, particularly the elderly.
12	Uses remote video conferencing applications such as Microsoft Teams and Zoom to organise client meetings and facilitate negotiations related to the division of assets.
13	Does not use any.
14	Currently does not use any, as it no longer specialises in this field.
15	Does not use any digital tools in asset division procedures.
16	Uses commonly available digital tools, such as courts' e-service portal, digital solutions for notarial services, registers, and enforcing court decisions. Sees an issue with documents signed with foreign e-signatures, which are not accepted and a stamped hard copy is required by the local courts instead
17	Does not personally use digital tools, except for publicly accessible databases from the Centre of Registers. Believes digital tools could benefit both vulnerable and regular users.
18	Uses only courts' e-service portal. No other digital tools are applied.
19	Does not currently use any digital tools. Believes such tools are insufficiently accessible to individuals with low digital literacy, particularly older adults who often lack electronic signatures or means of digital identification.
20	Uses the databases from the Centre of Registers and other property-related databases, as well as information systems for legal acts and court practice databases.
21	Uses digital tools for property valuation calculations.
22	Uses databases from the Centre of Registers. Notes that access is limited for those without electronic signatures or the skills to request data from registries independently.
23	Uses courts' e-service portal, the Centre of Registers' databases, digital property valuation tools, and video conferencing platforms such as Zoom and MS Teams.
24	Does not use any digital tools.
25	Does not use any digital tools.
26	Does not use any digital tools.
27	Uses available platforms and database- a platform for Lithuanian courts decisions and related info (LITEKO), eNotaras, e-signature platform (Dokobit), and e-platforms of the State Tax Inspectorate (VMI) and State Social Insurance Organisation (Sodra). Notes that these tools are primarily accessible to users with sufficient digital literacy and electronic identification capabilities.
28	E-signature platform (Dokobit)
29	Uses video conferencing software such as Zoom and Microsoft Teams. Notes that ensuring full and user-friendly access to these tools remains a challenge for elderly individuals.

30	Does not use any digital tools.
31	Does not use any digital tools.
32	Regularly uses the e-service platform for Lithuanian courts (EPP) and the self-service systems of the Centre of Registers (e.g., real estate and legal entity registers), and Zoom or Teams for remote hearings. Note that while convenient for legal professionals, vulnerable groups, especially the elderly, those lacking digital literacy, or without qualified e-signatures, often cannot use these tools independently and require professional assistance.
33	Does not use any digital tools.
34	Primarily uses standard office software such as Microsoft Excel due to the limited availability of specialised digital tools for asset division proceedings.

Question

4

How is the digitalisation of asset liquidation-division procedures perceived by you personally and by your professional legal community involved in these procedures?

Do you see digitalisation in the justice system, and especially in asset liquidation-division procedures, more as an opportunity for innovation or as a challenge to existing roles and practices?

(If you perceive it as an opportunity): What legal, organisational or cultural obstacles do you see as hindering the introduction of digital tools in asset liquidation-division procedures?

(If you perceive it as a challenge or risk): Which are the main risks you foresee?

N	Answer
1	It is seen more as an opportunity. There is potential for a program that, once an apartment layout is entered, could suggest how the property should be divided and calculate the allocation of each part. However, emphasises that cases that involve only asset division are rare.
2	Views the possibility of digitalisation positively. Believes that it could be an innovation that saves time and reduces the likelihood for disputes to arise.
3	Perceives it as a risk. Believes that uniform, template-based justice does not exist, that the principle of justice requires individualised assessment, considering all factors relevant to the parties, such as fault, moral damage, or child custody. A mathematically accurate division of assets and compensation may not always align with principles of fairness or meet the expectations of both parties.
4	Sees it as an opportunity. The only obstacles foreseen are organisational in nature.
5	Digitalisation is always an opportunity, but the challenge may lie in people's inability to use digital tools.
6	Does not have an opinion.
7	Sees it as an opportunity. Believes that access to property registers could be made simpler.

8	Perceives it as an opportunity, however, believes that it will face obstacles: a large part of society still avoids digital technologies, prefers to live as they did 20–30 years ago, and does not want to gain new knowledge, improve qualifications, or start working with digital tools.
9	Sees it as an opportunity, however, such tools simply do not yet exist. Just as some countries have digital tools to calculate child support, there could be a tool to calculate and divide asset values.
10	Sees it more as a challenge, main risks stemming from the use of AI.
11	Views digitalisation as a potential innovation (and benefit, provided, values are aligned), such as a registry for creditors to track asset division status, as spouses sometimes hide this information from the courts. However, I believe that concerns around data protection and privacy make implementation complex.
12	Sees digitalisation as an opportunity for innovation, though not without challenges. For example, remote meetings aren't always ideal in family disputes, in-person meetings may be more effective. Family disputes would benefit from a mechanism that would help choose the best approach.
13	Sees digitalisation as an opportunity for innovation, as it simplifies processes. However, believes that obstacles like ingrained habits, mistrust of new technologies, and inadequate adaptation to specific cases remain.
14	Opportunity: implementing functionality similar to the e-guide offered by the State Tax Inspection for the submission of annual tax declaration would enable individuals to initiate and navigate the process independently, without the mandatory involvement of legal representatives. However, believes that this could lead to additional user inquiries and increased workload for system administrators.
15	Sees digitalisation as an opportunity but notes possible obstacles related to ensuring transparency and trying to encourage individuals to use AI tools.
16	Views digitalisation positively, provided that the security of communication and identification is ensured.
17	Perceives it as a challenge: identifies the lack of political and legal leadership, limited financial and human resources, and poor user experience with past digital products as major obstacles to implementation.
18	Does not believe that further digitalisation in Lithuania would bring added value, as family and civil cases already function well through the electronic court services portal.
19	Sees it as a clear opportunity for innovation, making the process more efficient and ensuring remote access, but highlights challenges such as low digital literacy and data protection risks.
20	Acknowledges that many processes could be digitalised or automated but maintains that human interaction remains essential in such procedures.
21	Recognises the risks associated with digitalisation, including limited technological development, data protection concerns, and the potential for AI to produce inaccurate outputs.
22	Sees both opportunity and challenge: digital tools can speed up data collection, but there is a risk that users may wrongly assume that system-generated data is complete and accurate, leading to even more complex disputes over the outputs.
23	Views digitalisation in asset division as an opportunity due to process acceleration and improved accessibility. However, legal, organisational, and cultural barriers, such as lack of regulation, incompatibility of available systems, public mistrust, and low digital literacy remain.
24	Highlights data protection concerns, insufficient efficiency of digital tools, and limited access for older individuals as key risks.

25	Is unable to assess the risks or benefits of digitalisation due to lack of relevant experience with digital tools.
26	Sees digitalisation as a way to complement existing roles by allowing focus on issues that are difficult to predict or case-specific legal issues.
27	Sees digitalisation as an efficient way to address issues in asset liquidation-division procedures. However, note that it may pose difficulties for individuals who do not use digital tools due to age or disability.
28	Views digitalisation positively, particularly as it allows for more convenient preparation and signing of relevant documents. However, highlights data protection and potential misuse of personal data as key risks.
29	Considers digitalisation in the context of spousal asset division as a very positive development.
30	Sees it as an opportunity to accelerate processes and facilitate the work of lawyers and judges.
31	Sees digitalisation as an opportunity, noting its potential to speed up procedures, reduce bureaucracy, and increase transparency. Identifies legal barriers (e.g., procedures not yet adapted for remote execution) and organisational difficulties due to a lack of integration between different institutional systems.
32	Identifies personal data protection and misuse as key risks of full digitalisation. Also notes that the process may become more difficult for those lacking IT literacy.
33	Does not have an opinion
34	Perceives digitalisation as an opportunity, though suggests that financial constraints could present an obstacle.

Category 3: Opinions on how to implement digital technologies

Question

5

What changes in training, infrastructure, organisation, or regulation do you consider essential for successful digitalisation of family property law cases; particularly in asset liquidation-division procedures?

N	Answer
1	Believes that the E-Service portal of Lithuanian Courts is sufficient.
2	First, legal acts need to be amended by defining criteria for what is a divisible property and discontinuing the division of low-value items. Second, a sample list of divisible items could be created, digitised, and made available with guidance on how to mark divisible items within an existing list. Third, depreciation rates from the item's original value per year should be clearly defined.
3	Education, the development of methodologies, and the unification of criteria are necessary.
4	Training is needed on how to use tools that facilitate asset division and the resolution of other issues in family cases.
5	Training and more efforts being put into reducing the fear of using digital tools.

6	Believes that there is no need for these cases to be digitalised.
7	Believes that currently available tools are not sufficient: new technologies need to be implemented.
8	Investment in updating and modernising the LITEKO (Lithuanian court information system) system is clearly necessary
9	First, such tools need to be developed and implemented.
10	Does not have an opinion
11	Ensuring the protection of creditors' rights and their access to information about the division of assets
12	Believes that there is a need for clearer regulation on the scope and permissible uses of AI in such cases. Greater public awareness and education about the benefits of AI in family law disputes is also needed.
13	Believes that first, a foundational infrastructure must be established. Only then should legal education for the public follow, and finally, the implementation of digital tools should be formalised through regulation.
14	Improving the e-guides-based approach, adopting best practices from foreign countries, and educating the individuals involved in the process. Additionally, placing priority on mediation and the principle of effectiveness from the participant's perspective, rather than on administrative procedures.
15	Recommends creating an integrated system that combines data from various sources relevant to asset division procedures; however, notes that the data needs to be compatible
16	Notes that over 90% of civil cases in Lithuania, including family law cases, are already digitalised, thus does not see a pressing need for additional changes
17	Refers back to the lack of political and legal leadership, limited financial and human resources, and poor user experience with past digital products
18	Does not consider any changes necessary for further digitalisation in the current context.
19	Suggests beginning digitalisation with mediation and courts proceedings, allowing attorneys to gradually adapt. Emphasises the need for training, recommends training mediators and judges first, then attorneys and their assistants through the bar association's training system.
20	Believes that when there is no material dispute over asset division, the process could be fully digitalised: no material organisational changes are needed.
21	Emphasises the need to organise relevant training and encourages mediators and judges to use digital tools in family law cases.
22	Emphasises the need to develop a unified, user-friendly digital system that enables data searches across registries and provides standardised, market-based property valuation.
23	Emphasises that successful digitalisation of family law cases requires digital literacy training, coordinated IT infrastructure between different institutions, streamlined workflows, and updated legal regulations allowing broader use of electronic documents and remote procedures.
24	Does not have any specific proposals.
25	Does not have an opinion.
26	Recommends developing AI tools specifically for asset division. Indicates the need for relevant training for court staff, notaries, and other interested professionals handling divorce cases.
27	Emphasises the need for digital process simulations, such as instructional videos showing step-by-step guidance on how to use the system.

28	Does not have specific proposals.
29	Suggests the creation of a separate and autonomous register for joint spousal assets and liabilities to creditors, digitalisation of property balance preparation, and user-friendly access to key economic indicators based on a one-stop-shop model.
30	Believes that legal professionals should be trained to use digital tools responsibly and in accordance with legal standards.
31	Stresses the importance of training legal professionals on the responsible use of artificial intelligence. Also identifies the need for adequate technical infrastructure, digitalisation of case files, and easily accessible, centralised register for all relevant data.
32	Recommends mandatory interdisciplinary training for judges, lawyers, mediators, and notaries, covering the logic of AI systems, data protection, and ensuring a shared understanding of how such technologies function to enable competent application.
33	States that successful digitalisation of family law cases requires improving digital literacy for all participants, building secure and integrated infrastructure, adjusting procedures for automation, and clearly regulating the use of AI and other technologies in legal contexts.
34	Notes that current regulation does not impose limitations, but stresses the need for practical tools that are user-friendly and suitable for implementation.

Category 4: AI risks perceived

Question

6

Have you encountered or tested predictive models?

If so, how accurate or useful were they in reflecting the outcomes you would expect from a human decision-maker?

N	Answer
1	No
2	Have not tried it.
3	No
4	Yes, however, all answers need to be verified, which takes time, so only uses the suggested ideas and arguments as inspiration.
5	No
6	Does not use AI
7	Has tried it. Perceives it as rather accurate and beneficial.
8	Believes that applying AI in the context of predictive justice is currently impossible. Courts often deviate from established practice because each case is unique, and resolving disputes requires consideration of all the factual circumstances, not just similarities to other cases.
9	Have not tried it.
10	No

11	No
12	Yes, however, in all cases, the proposed solutions had to be adjusted to some extent, as AI is unable to account for certain specific nuances of the situation. The suggestions provided by AI were very general in nature.
13	No
14	AI model-based solutions are typically grounded in the evaluation of factual circumstances and documents provided within a closed prompt, often failing to account for cultural or national nuances. I see the implementation of AI-based solutions as particularly valuable at the initial stage of the property division process.
15	No
16	Yes, but only to test the persuasiveness of the arguments and viability of the position
17	No
18	Has tested AI models but uses them only in a limited manner due to high error rates and insufficient confidentiality. Uses them for case strategy, not for drafting or analysing procedural documents.
19	No
20	Tested AI predictions against finalised case outcomes, with results matching to only approximately 30%.
21	No
22	Has tested AI tools for legal interpretation and identifying relevant legal acts and case law. Finds the results generally unreliable or inaccurate but sometimes useful for guiding initial independent analysis.
23	Finds predictive AI models useful for identifying patterns in large data sets and analysing similar cases, but notes their accuracy is limited to an extent: it is unable to consider case-specific nuances or judicial discretion.
24	Believes that AI capabilities in this area are currently unreliable and insufficiently developed.
25	Has not tested predictive models.
26	Has not tested predictive models.
27	Has used predictive models but currently finds their usefulness limited and trust low, except for setting general directions or evaluating alternative viewpoints.
28	Has used predictive models but considers the quality of responses insufficiently reliable, resulting in infrequent use.
29	No
30	No
31	No
32	Has used ChatGPT by inputting factual circumstances, court practices, and statutory regulations, often receiving responses that are quite adequate and comparable to those expected from a human decision-maker.

33	No
34	No

Question

7

What risks do you foresee in using predictive models in family property law; including, but not limited to, over-reliance on these tools, lack of transparency, or limited litigant understanding? Or do you see other risks?

N	Answer
1	Has never considered the possibility of using predictive models in the first place and doesn't see how it could work.
2	Believes that benefits gained in reducing time for dispute resolutions and the amount of disputable questions in general outweighs any risks.
3	Sees the elimination of personal human involvement, reliance on template-based decisions, and the denial of justice as main risks.
4	Believes that the challenges lie in creating tools that could account for cultural differences and varying legal frameworks.
5	See it more as an opportunity than a risk but believes that it is essential to maintain a personal human aspect to oversee the process as factual circumstances may vary widely.
6	Does not use AI and therefore, cannot assume what the main risks would be.
7	One should not rely too heavily on such models, the results must always be verified.
8	Believes that technology is still too immature and unreliable to deploy AI models in resolving disputes related to family property law.
9	The main risk is over-reliance, especially when decisions must be made urgently, within a limited timeframe.
10	Excessive reliance on these tools is the main concern. Additionally, believes that the AI model itself may be biased.
11	A major concern is the lack of transparency and the inability to fully trust the outputs of predictive models.
12	Due to confidentiality constraints, not all details of a case can be disclosed, which limits how well AI can understand the situation. Each suggested solution must still be reviewed and adapted individually. There is also a risk that this review process could become more time-consuming than resolving the case without AI.
13	Predictive models may fail to fully consider the specific circumstances of a case and their significance. This incomplete understanding can lead to inappropriate or oversimplified recommendations.
14	The output of the AI model is based mainly on the documents and the information provided in the prompt, thus failing to take into account wider circumstances, such as cultural nuances.
15	Does not identify any additional risks.

16	Sees risk if predictive models are used by courts, as there may be insufficient assessment of case-specific evidence that could significantly influence the outcome.
17	Believes uncritical use of AI tools may reduce creativity in pursuing the best interests of the represented party.
18	Identifies risks such as lack of confidentiality safeguards, AI hallucinations, provision of inaccurate information, misleading legal terms, and provision of incorrect legal advice.
19	Mentions the risk of hallucinations in AI-generated outputs as the main risk
20	Points to over-reliance on AI and overly generalised rather than individualised approaches as main risks.
21	Identifies AI hallucinations and the generation of fictitious case law as main risks.
22	Confirms the risks listed in the question as primary concerns and adds the issue of data confidentiality and security in AI processing.
23	Highlights over-reliance on automation, reduced judicial discretion, lack of transparency, possible misinterpretation of results by parties, bias in datasets, privacy breaches, and risk of discrimination.
24	Identifies unreliability of predictive models as the main risk.
25	Does not see additional risks.
26	Considers over-reliance on AI tools to be the greatest risk.
27	Sees family law as a particularly sensitive field where emotional and psychological factors may influence the process. Considers AI useful and with potential, but not suitable for forming final decisions.
28	Believes the risks are similar to those in other areas of law. Emphasises the importance of verifying information and formulating precise queries when using AI tools.
29	Believes the final decision should always be made by a human, with AI serving only as a supporting tool. Also stresses that parties must have access to information about the specific sources the AI relied on.
30	Sees the greatest risk in data protection, particularly the potential for data leaks.
31	Believes that the main risks arise in relation to data protection. Additional risks are posed by over-reliance on AI-generated decisions, reduced critical assessment by users, lack of transparency, and parties' limited understanding of how such tools function.
32	Believes the main threat is that judges or lawyers may stop critically evaluating AI outputs, leading to decisions that are formally correct but factually unjust. Also highlights unresolved issues related to AI bias stemming from training data.
33	Sees the main risks in potential data leakage. Additionally, highlights the unclear legal status and liability of AI, noting that without clearly defined rules, it is difficult to determine who should be held accountable for harmful or incorrect AI-generated recommendations.
34	Identifies confidentiality, data protection, lack of transparency, and the issue of AI hallucinations as key risks.

Question

8

A survey on the digitalisation of asset liquidation-division procedures suggests that AI tools, blockchain technology, and online dispute resolution (ODR) platforms are seen as the most useful innovations.

Which of these technologies do you find most relevant or applicable, and why?

N	Answer
1	Has not heard about the possibility of using such tools in asset division proceedings, therefore, cannot answer.
2	Sees artificial intelligence tools as the most relevant as they are easiest to use
3	AI, as it readily available
4	Considers AI tools and blockchain technology more useful than online dispute resolution platforms, mainly because perceives the latter as not trustworthy.
5	ODR, as a dedicated tool.
6	Has not used any of the above, therefore, cannot respond.
7	Online dispute resolution since it could save time and reduce emotional tension.
8	Does not agree with such a conclusion. Believes that it is still too premature to apply such technologies: people lead different lives, and AI cannot always account for it as it does not have emotions, feelings, or personal experiences.
9	Believes that all technologies would be suitable, however, has least exposure to blockchain and, therefore, has limited understanding how it could be applied.
10	Finds online dispute resolution platforms to be the most relevant.
11	Believes that ODR is the most relevant technology, primarily due to its efficiency and speed in resolving matters.
12	Believes that the ODR system would be the most suitable option: it is already widely used, offers transparency, operates quickly, and helps parties avoid costly court proceedings.
13	Sees AI as the most useful, as it could assist all parties involved, including litigants, their representatives, and decision-makers.
14	Sees AI as a significant aid to parties in the initial stage of the process and ODR as a natural evolution for certain judicial disputes. Believes that the benefits of Blockchain are questionable.
15	Believes that AI tools are the most relevant, as they offer the broadest applicability across different tasks and contexts.
16	Note once again that civil cases in Lithuania are already digitalised. Doubts if blockchain technology is likely or able to replace traditional transactions in the near future.
17	Finds ODR platforms most applicable due to their potential to reduce procedural costs.

18	Sees potential in AI tools, though acknowledges that significant improvements and training are needed to ensure trust in their results. Does not use blockchain technology, therefore, cannot comment on its usefulness.
19	Views ODR as the most beneficial option, as it clearly saves time for both parties and the dispute resolution body. Also sees value in AI tools for structuring and processing information efficiently.
20	Believes that AI-based assistants could support individualised case assessments, helping to achieve desired outcomes.
21	Believes AI tools are the most relevant due to easier system integration.
22	Considers ODR as having the least potential to make the process more efficient but at the same time sees it as the easiest to streamline, implement and regulate.
23	Views AI tools as the most appropriate for asset division procedures because they can automate data analysis, assist in asset valuation, predict likely outcomes, and accelerate processes. While blockchain and ODR are valuable, AI offers the greatest efficiency for complex legal evaluations.
24	Finds only AI tools relevant: has not had any experience with the other technologies mentioned to allow for comparison.
25	Is unfamiliar with these technologies, therefore, cannot express an opinion.
26	Regards AI tools as the most relevant and suitable, as they could perform calculations, analyse previous court rulings, and predict possible outcomes in cases that involve asset division and determining compensation.
27	Has not heard of any of the mentioned tools that would be dedicated for asset liquidation-division procedures and therefore cannot assess their relevance or applicability.
28	Does not have an opinion
29	Believes that AI tools have the potential to ensure faster dispute resolution and therefore are the most relevant innovation.
30	Considers online dispute resolution (ODR) platforms the most suitable option, as they would simplify the work for all involved parties.
31	Consider AI tools the most relevant and suitable for asset division procedures due to their capacity to automate data analysis, predict potential disputes, and propose solutions. Notes that while blockchain and ODR are also valuable, AI has broader applicability and can serve as the main support tool throughout the process.
32	Finds AI tools particularly relevant, as they can instantly compare case data with thousands of previous decisions and offer statistically grounded division scenarios, assisting parties in reaching settlements or helping courts make quicker, more accurate decisions.
33	Favors AI tools, noting their ability to automate complex processes, analyse large data sets, and propose optimal asset division scenarios based on objective criteria.
34	Identifies ODR platforms and e-filing systems as the most practical, as they save time and allow for remote work. Does not express an opinion on other technologies.

Question

9

The survey shows that AI applications for predicting outcomes in asset liquidation-division cases are currently used only to a limited extent.

Do you believe this is due to their unavailability, lack of relevance, the immature state of the technology, or are there other reasons?

N	Answer
1	Cannot answer: has not encountered or applied AI in practice.
2	Believes that AI is used to a limited extent due to a lack of expertise in using such tools.
3	Believes that AI is used to a limited extent due to immaturity of the technology, its unavailability, and lack of standardisation.
4	Believes that AI is used to a limited extent as is still too immature for broader application.
5	Believes that AI is used to a limited extent due to a lack of technological literacy.
6	Cannot answer: does not use AI.
7	Believes that AI is used to a limited extent primarily due to its unavailability
8	Maintains that AI should not yet be applied in this context, mainly because the technology is still too immature.
9	Believes that AI is used to a limited extent due to a combination of lack of awareness, inaccessibility, and to some extent, technological immaturity.
10	Believes that AI is used to a limited extent due to its inaccessibility and underdeveloped technological state.
11	Agrees that AI is currently used only to a limited extent. Suggests that society is not yet fully ready to adopt such technologies: while some AI solutions may seem appealing, broader acceptance will require time.
12	Agrees that AI is used only in a limited way. Believes that it is because the solutions it provides are not being sufficiently individualised. Confidentiality obligations for lawyers also prevent full disclosure of case details, which limits what AI can consider.
13	Believes the main reason for the limited use of AI tools is their lack of availability.
14	Believes that public models cannot currently be used due to sensitivity of the issues addressed and specialised models, which should only operate under a sandbox principle, are not available. Additional risks: training and data input may be limited, failing to reflect individual situations accurately; AI models tend to develop a certain procedural bias.
15	-
16	Believes that AI is used to a limited extent due to the lack of centralised access to AI/LLM technologies within Lithuanian courts.
17	Believes that AI is used to a limited extent due to a combination of factors, including mistrust, resistance to innovation, and limited accessibility for Lithuanian users.
18	Considers AI applications for decision prediction currently unsuitable, as the technology is immature and accurate prediction of court rulings remains highly complex.
19	Believes that limited use is caused by both inaccessibility (i.e. it requires licenses or in-house tools to be built) and technological immaturity, particularly regarding the Lithuanian language, legal database, and hallucination risks.
20	Attributes limited use to technological immaturity.

21	States that limited application is primarily caused by technological immaturity.
22	Believes that use is very limited due to the unreliability of results produced by AI tools
23	-
24	Considers current AI use to be unreliable, making its application overall questionable at this stage.
25	Attributes limited use to technological immaturity.
26	Believes limited use is due to both lack of accessibility and technological immaturity.
27	Believes that the limited use of AI in asset liquidation-division cases is primarily due to a lack of trust in AI-generated decisions.
28	Doubts the ability of AI to accurately predict outcomes in such sensitive and complex matters.
29	Attributes the limited use of AI to both its inaccessibility and a general lack of trust in its outputs.
30	Agrees that limited use is indeed caused by unavailability and mistrust.
31	Believes that limited use results from underdeveloped technology, lack of access to AI tools, unclear legal rules, and a general absence of trust.
32	Considers the main barrier to be the lack of clear legal rules on how AI-generated predictions can be used officially in proceedings. Also notes that the technology remains immature and biased.
33	Confirms limited use of AI in Lithuania, noting that courts rarely apply such tools. Attributes this to concerns about the accuracy of AI-generated content and risks to personal data protection.
34	Identifies inaccessibility, mistrust, risk of hallucinations, and confidentiality challenges as reasons for limited use. Also points to the absence of legal provisions allowing such use.

Lithuania - Notaries

Category 1: Targeted legal processes

Question

1

Which aspects of the asset liquidation-division procedure (amicable and judicial) do you believe are the least efficient or cause the most delays?

N	Answer
1	The exchange of information and documents between parties and institutions, as well as obtaining consents from creditors, which are needed in order for the agreement to be approved by the courts.
2	States that asset valuation and expert assessments, along with disagreements over asset distribution, are the main causes of delay.
3	Believes that most inefficiencies arise from the creditor notification process: there is no centralised debt database, and the notary cannot verify whether all creditors have been informed or access information about unregistered property. As a result, the entire responsibility for creditor notification falls on the spouses.
4	Highlights the challenges in creditor notification procedures and collection of data on movable property.
5	The fact that it is not possible to obtain full digital access to all assets owned by a person. This is most evident in inheritance cases, where the heir is required to contact all financial institutions individually to obtain information on the assets of the deceased. This causes delays and additional costs.

Question

2

Which aspects of the asset liquidation-division procedure benefit the most from digital transformation or digitalisation?

N	Answer
1	Document submission, access to case materials, use of electronic files, and automated document templates would be most beneficial to digitalise.
2	Believes that asset identification, data collection, and digitalisation of judicial procedures are the key areas where digital transformation would provide the most value.
3	Accessing asset and debt information in a digital and centralised manner
4	electronic submission of the property division plan to spouses' creditors and receiving their feedback in the same manner, along with direct data integration from institutions, registries, and banks into a digital case file to enable automatic generation of the property division agreement.
5	Obtaining data about an individual's assets through a digital, centralised system.

Category 2: Opinions on technology readiness

Question

3

What digital tools do you currently use in asset liquidation-division procedures?

If these tools are also used by the parties themselves, do you find that they are sufficiently accessible to vulnerable individuals (such as the elderly, people with disabilities, or those with low digital literacy)?

N	Answer
1	At the notary's office, it is possible to confirm asset division remotely using the Meet app and an e-signature. The notary prepares the division agreement, and information about the signed agreement is submitted via the NETSWEP system. However, these tools are not always accessible to elderly individuals or those with limited technological literacy, due to a lack of digital skills and knowledge.
2	Does not use any digital tools.
3	Notaries prepare divorce settlement agreements using the NETSVEP (e-platform allowing conclusion of distance contracts over immovable property), which includes digital data transfers to the real estate and legal facts registries. Since 2021, most notarial actions can be performed remotely via the eNotaras system, with client identification supported by AI.
4	Uses data obtained from the Centre of Registers. Notes that only account number lists are accessible when retrieving banking data: balance and transaction information is not available.
5	Notes that since 2021, most notarial services can be performed remotely using the eNotaras system, with client identification conducted through remote systems, including AI-powered facial recognition.

Question

4

How is the digitalisation of asset liquidation-division procedures perceived by you personally and by your professional legal community involved in these procedures?

Do you see digitalisation in the justice system, and especially in asset liquidation-division procedures, more as an opportunity for innovation or as a challenge to existing roles and practices?

(If you perceive it as an opportunity): What legal, organisational or cultural obstacles do you see as hindering the introduction of digital tools in asset liquidation-division procedures?

(If you perceive it as a challenge or risk): Which are the main risks you foresee?

N	Answer
1	Sees digitalisation as a great opportunity for innovation, but identifies digital literacy (especially among the elderly, people with disabilities, or those with limited digital skills) as the biggest challenge.
2	Views digitalisation as a beneficial opportunity that would shorten procedure duration and reduce parties' expenses.
3	Sees the application of digital tools in confirming divorce-related agreements as a way to improve service efficiency and reduce administrative burdens. However, emphasises that full digitalisation is not possible, as notaries must assess the validity and fairness of such agreements.
4	Perceives digitalisation as an opportunity for innovation and does not identify significant obstacles within this context.

5	Believes digital tools could improve service efficiency and reduce administrative burdens. Nonetheless, full digitalisation is limited by the population's insufficient digital literacy and the need to protect all parties' interests in asset division proceedings.
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Category 3: Opinions on how to implement digital technologies

Question

5

What changes in training, infrastructure, organisation, or regulation do you consider essential for successful digitalisation of family property law cases; particularly in asset liquidation-division procedures?

N	Answer
1	Through training, strengthening digital skills among both legal professionals and the general public. In terms of infrastructure, indicates the need to ensure easy access to electronic case files and to maintain data security and reliability.
2	Recommends systematising register and court data to ensure consistency and interoperability. Also emphasises the need to simplify electronic court systems.
3	Believes that digitalisation on the notarial side, particularly in asset division matters, is progressing successfully and not material changes are needed. Notes that the public actively uses remote notarial services in inheritance and divorce cases, and that notaries employ digital tools for drafting agreements.
4	Stresses the importance of enhancing public legal education to improve understanding and, in turn, trust in the safety and efficiency of digitalisation. Also recommends institutional-level training for all relevant public sector staff, not limited to notaries, lawyers, or judges.
5	Notes that digitalisation in notarial procedures relating to asset division is already functioning effectively, with strong public use of remote notarial services in inheritance and divorce contexts.

Category 4: AI risks perceived

Question

6

Have you encountered or tested predictive models?

If so, how accurate or useful were they in reflecting the outcomes you would expect from a human decision-maker?

N	Answer
1	Has not used predictive models.

2	Has not used predictive models.
3	Has not used predictive models.
4	Has not used predictive models.
5	Has not used predictive models.

Question

7

What risks do you foresee in using predictive models in family property law; including, but not limited to, over-reliance on these tools, lack of transparency, or limited litigant understanding? Or do you see other risks?

N	Answer
1	Believes that artificial intelligence should be used only as a support tool, not as a decision-maker. This is because AI cannot take into account the emotional and social context that is often crucial in family property cases.
2	Identifies the main risk as potential violations of data protection and privacy, given the highly sensitive nature of information in family law cases.
3	Emphasises that decisions in family law affect not only property rights but also moral and non-material rights. Therefore, the use of AI tools in decision-making is acceptable only once all doubts about associated risks and legal compliance are eliminated.
4	Does not have an opinion
5	Stresses that decisions in family law are often highly sensitive and affect their moral rights. Believes that AI tools should only be used if risks outlined are fully addressed.

Question

8

A survey on the digitalisation of asset liquidation-division procedures suggests that AI tools, blockchain technology, and online dispute resolution (ODR) platforms are seen as the most useful innovations.

Which of these technologies do you find most relevant or applicable, and why?

N	Answer
1	Finds blockchain to be the most suitable technology because it ensures transparency, immutability, and accuracy in the asset division process.
2	Considers ODR platforms the most relevant, as they are the most widely accessible and user-friendly among the listed options.

3	Does not have an opinion
4	Does not have an opinion
5	Notes that dispute resolution tools are not relevant to notarial practice and therefore, these are the least relevant in their professional context.

Question

9

The survey shows that AI applications for predicting outcomes in asset liquidation-division cases are currently used only to a limited extent.

Do you believe this is due to their unavailability, lack of relevance, the immature state of the technology, or are there other reasons?

N	Answer
1	Believes that AI is used only minimally due to a lack of trust in the data it relies on, insufficient quality of data, and limited understanding among institutions and legal professionals regarding how to use such tools.
2	Does not have an opinion.
3	Does not have an opinion.
4	Believes that the primary reason for limited application is technological immaturity.
5	Does not have an opinion.

Lithuania - Mediators

Category 1: Targeted legal processes

Question

1

Which aspects of the asset liquidation-division procedure (amicable and judicial) do you believe are the least efficient or cause the most delays?

N	Answer
1	The respondent identifies identification of debts and family property as main aspects that contribute to inefficiency and delays.
2	The process of ordering and obtaining official extracts from relevant authorities is indicated as the cause of delay.
3	Points to the valuation of assets and the calculation of compensation payable to the other spouse as key factors that slow down the procedure.

4	Judicial proceedings in general are seen by the respondent as the main source of inefficiency and delays within the asset liquidation-division process.
5	The valuation of property is highlighted by the respondent as a major cause of delays in the procedure.
6	Identifies the division of mortgage obligations and commitments to banks as key obstacles.
7	Highlights property valuation, disagreements over asset value, creditor objections, and ownership form issues as the most contentious elements. These aspects frequently lead to disputes, with parties often struggling even to agree on which specialist should be consulted
8	Limited access to financial information, especially when parties are also actively hiding it. A lack of understanding on the parties' side of the legal requirements applied to the division of assets procedures. Resolving property issues together with child support matters adds additional complexity.
9	Cannot identify procedural inefficiencies in the process, believes that the process is as effective as parties are willing to cooperate and reach an amicable settlement.
10	Identifies the manual preparation of an inventory of joint assets as the most inefficient.

Question

2

Which aspects of the asset liquidation-division procedure benefit the most from digital transformation or digitalisation?

N	Answer
1	Believes that the identification of all debts and assets maintained by spouses would benefit most from digitalisation
2	According to the respondent, having a clear and accurate record of existing assets would be greatly improved by digitalisation, helping to prevent situations where courts reject settlement agreements because parties forgot to include and divide certain assets.
3	Believes that the valuation of property would benefit most from digital transformation.
4	Believes that procedures based on mutual agreement among parties (as opposed to judicial proceedings) would benefit most from digitalisation.
5	The respondent believes that the valuation of property would benefit most from digital transformation.
6	Notes that their work is focused solely on drafting contracts, which restricts their ability to assess the potential benefits of digital transformation in property division procedures
7	Suggests that a system capable of quickly estimating property value and calculating proportional division would be useful.
8	Improving access to relevant data could benefit from digitalisation. Providing digital tools to model the financial impact of various settlement options during the negotiations (incl. potential impact over time) would also be beneficial.
9	Supports any improvements that ensure faster and more cost-effective dispute resolution.
10	Digital preparation of the joint property balance using data from public registries would be particularly beneficial.

Category 2: Opinions on technology readiness

Question

3

What digital tools do you currently use in asset liquidation-division procedures?

If these tools are also used by the parties themselves, do you find that they are sufficiently accessible to vulnerable individuals (such as the elderly, people with disabilities, or those with low digital literacy)?

N	Answer
1	None
2	Only the Centre of Registries and information available therein.
3	The Centre of Registries to obtain information, however, online access to this information is not sufficiently user-friendly, especially, for the vulnerable individuals.
4	None
5	The Centre of Registries systems is used, mainly tools such as average market value search.
6	States that they do not personally use digital tools in asset division procedures, leaving such matters to legal professionals responsible for drafting settlement agreements.
7	Is unaware of specific digital tools that would be available. Raises a broader question about whether mediators should use such tools at all, given the nature of mediation. Note that as a lawyer usually relies on the Centre of Registries. Acknowledges that for vulnerable groups even basic tasks in a digital environment can be challenging. Navigating property division procedures would present an even greater barrier.
8	Created and now uses custom-made Excel spreadsheets for asset calculations. Notes that most parties cannot use them in real time, so explanations are provided in meetings. A simpler, more accessible tool would be helpful.
9	Does not specify digital tools used. Observes that individuals from various vulnerable groups often have limited digital literacy, which complicates the use of digital tools.
10	Occasionally uses Excel or similar programs to simplify balance and asset valuation calculations.

Question

4

How is the digitalisation of asset liquidation-division procedures perceived by you personally and by your professional legal community involved in these procedures?

Do you see digitalisation in the justice system, and especially in asset liquidation-division procedures, more as an opportunity for innovation or as a challenge to existing roles and practices?

(If you perceive it as an opportunity): What legal, organisational or cultural obstacles do you see as hindering the introduction of digital tools in asset liquidation-division procedures?

(If you perceive it as a challenge or risk): Which are the main risks you foresee?

N	Answer
1	Believes that digitalisation would facilitate the work involved in the asset division proceedings. However, it would not address the core issue: that ownership of property and personal income information is not publicly accessible.
2	Does not perceive this as an opportunity, however, does not elaborate further.
3	Identifies the absence of a valuation database for movable property, such as cars, as a huge issue and notes that digitalisation would be very helpful in this regard. Believes that in order for this to be implemented, changes in regulatory framework would be needed.
4	Sees it as an opportunity, however, believes that the biggest challenge is for the elderly: not everybody is capable or proficient in using digital tools.
5	Does not have an opinion.
6	Does not have an opinion.
7	Considers digitalisation an opportunity but emphasises that new systems rarely function perfectly from the start. Suggests the need for a transitional period, education, and clear communication. Notes that the human factor will remain relevant, both due to potential system errors and the inherently complex nature of property division scenarios.
8	Strongly supports digitalisation in dispute resolution, especially to improve efficiency. Emphasises the need for a unified online platform supported by all relevant stakeholders that would allow for relevant calculations, containing main information about the process. Believes that the current regulatory environment is sufficient.
9	Sees digitalisation as an opportunity, as it should help resolve disputes more economically and efficiently, enhancing the overall effectiveness of the procedure.
10	Does not identify any major obstacles but notes that ensuring the completeness and factual accuracy of data remains a concern. Emphasises the need for review of automated outcomes, however, acknowledges its potential for time saving.

Category 3: Opinions on how to implement digital technologies

Question

5

What changes in training, infrastructure, organisation, or regulation do you consider essential for successful digitalisation of family property law cases; particularly in asset liquidation-division procedures?

N	Answer
1	The respondent considers it essential to implement safeguards to protect sensitive information regarding individuals' financial and property status.
2	Believes that the process for obtaining official extracts and records needs to be simplified.
3	Suggests engaging property valuation experts and including more case law in training programs to enhance understanding of property valuation
4	Ensure that people are given the option to complete digital procedures through intermediaries, particularly those who may struggle to access digital tools independently.
5	Has no opinion on the matter.
6	Has no opinion on the matter.
7	Emphasises the need for a unified platform for data and process management, mandatory training hours for professionals, and public awareness efforts through media and family-related service providers.
8	Proposes first creating accessible digital tools for courts, attorneys, mediators, notaries, and creditors; then conducting training for stakeholders; and finally, separating property division issues from child-related matters in family disputes.
9	Highlights the importance of improving the accessibility and affordability of data from relevant registers.
10	Further digitalisation of public registers and expanded access to databases such as vehicle registers (Regitra), firearms registers, and other specialised systems is needed.

Category 4: AI risks perceived

Question

6

Have you encountered or tested predictive models?

If so, how accurate or useful were they in reflecting the outcomes you would expect from a human decision-maker?

N	Answer
1	No
2	No
3	No
4	No
5	No

6	Has not used predictive models. Has used ChatGPT, however, not in the context of resolving family disputes.
7	Has tested the Temidy platform's AI to explore dispute outcomes and find relevant case law. Finds it helpful for locating relevant case law but notes that interpreting the results still requires legal expertise, as non-lawyers may be misled. Independent analysis remains essential due to the importance of details.
8	Has not tested predictive models but encourages parties in dispute to use such tools themselves and discuss the results. This approach can be helpful in breaking mediation deadlocks.
9	Has not used predictive models and does not recommend that parties rely on AI assistance for resolving disputes of this nature.
10	Has tried various systems but found they provide superficial decisions with many factual or legal application errors. Considers current AI models insufficiently advanced to consistently summarise factual information or make decisions.

Question

7

What risks do you foresee in using predictive models in family property law; including, but not limited to, over-reliance on these tools, lack of transparency, or limited litigant understanding? Or do you see other risks?

N	Answer
1	The respondent does not have an answer to this question.
2	Predictive models outputting results that are not accurate from the legal and regulatory standpoint.
3	The incorrect selection of precedent decisions and the potential for inaccurate outcome predictions
4	The respondent does not foresee any risks.
5	The respondent does not have an answer to this question.
6	The respondent does not have an answer to this question
7	Sees excessive "robotisation" and the neglect of human factors as the main risks. Emphasizes that predictive models may overlook the specific dynamics between parties, such as established practices, values, traditions, and psychological aspects.
8	Notes that people with limited legal or digital literacy may overly trust AI results, lack critical thinking, fears that outcomes may be biased. Sees mediation as a setting where these risks can be addressed, but highlights the risk of reinforcing rigid positions when legal representatives are involved.
9	Highlights the risk of misleading references or incorrect outputs generated by AI tools.
10	Points to the general risk of errors and inaccurate information produced by predictive systems.

Question

8

A survey on the digitalisation of asset liquidation-division procedures suggests that AI tools, blockchain technology, and online dispute resolution (ODR) platforms are seen as the most useful innovations.

Which of these technologies do you find most relevant or applicable, and why?

N	Answer
1	Considers ODR platforms to be the most relevant technology, however, does not elaborate why.
2	Considers ODR platforms to be the most relevant technology, however, does not elaborate why
3	Believes that all of the mentioned technologies (AI tools, blockchain, and ODR platforms) are relevant and could be applied effectively.
4	The respondent does not have an answer to this question.
5	The respondent does not have an answer to this question.
6	The respondent is not familiar with such tools, thus, does not have an answer.
7	Identifies AI as the most relevant due to its ability to reduce cognitive workload and speed up processes. Also highlights ODR platforms for their convenience, increased sense of security for the parties involved, and overall efficiency.
8	Sees ODR platforms as useful, especially in preventive and educational contexts, although not yet developed enough to independently handle dispute resolution processes from start to finish.
9	Does not find any of the listed technologies relevant for their professional context.
10	Believes blockchain has theoretical potential. Notes frequent errors and inconsistencies in practice when using AI, which limit its current applicability.

Question 9

The survey shows that AI applications for predicting outcomes in asset liquidation-division cases are currently used only to a limited extent.

Do you believe this is due to their unavailability, lack of relevance, the immature state of the technology, or are there other reasons?

N	Answer
1	Agrees that AI applications are currently used only to a limited extent, primarily because there is a lack of accessible information about such tools.
2	Agrees that AI applications are currently used only to a limited extent.



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3	Agrees that AI applications are currently used only to a limited extent. Believes that the limited use of AI tools is due to a lack of awareness and practical skills in this area.
4	Does not use AI tools of such nature and, therefore, cannot answer.
5	Agrees that AI applications are currently used only to a limited extent.
6	Acknowledges the potential of AI but emphasises the need for proper training.
7	Uncertain about the current extent of AI use in such cases but highlights technological immaturity as a key barrier.
8	States that AI is used only by a small number of skilled individuals, and that the main obstacles are insufficient knowledge, low digital literacy, and lack of purpose-specific tools. Emphasises once again the need for training and public education.
9	Believes that the primary reason for limited application is the immature state of the technology.
10	Believes that the primary reason for limited application is the immature state of the technology.

CREA3 - Slovenia Interview Sheet

Slovenia - Judges

Category 1: Targeted legal processes

Question

1

Which aspects of the asset liquidation-division procedure (amicable and judicial) do you believe are the least efficient or cause the most delays?

N	Answer
1	Determination of the increased value of real estate by experts, which affects the scope and, consequently, the shares in community property.
2	Determining the increased value of real estate.
3	Proceedings in which there is no agreement on the method of division of property (takeover by one person and payment to the other, civil division- sale and division of the purchase price). However, this is also related to the market price of real estate and the purchasing power of the individual participants in the proceedings.
4	The time it takes to resolve these cases depends on a bunch of things. In court cases, it can take longer if the parties are being difficult, if the experts aren't available (which means it takes longer to get their opinion), if there are other issues to sort out first, and so on.
5	Bankruptcy proceedings, judicial division of community property.
6	I have no experience in this field.
7	I do not know/have this information.
8	Most delays occur in the division of joint property; division of property among heirs (after referral to court), division of joint ownership, etc. Due to the lengthy process of determining the extent of the property, the state of the property and then assessing the value of the property.
9	I don't know, unfortunately I don't have any insight.
10	I have no relevant practical experience.

11	This is not my field of work.
12	I do not deal with bankruptcy proceedings. Proceedings to determine the scope and shares of community property are lengthy due to the often extensive procedural material (claims and evidence) and the evidentiary procedure and numerous submissions by the parties.

Question

2

Which aspects of the asset liquidation-division procedure benefit the most from digital transformation or digitalisation?

N	Answer
1	Searching for literature, case law, articles.
2	Search for case law.
3	Civil division procedure- e-auction.
4	/ no opinion
5	sale of assets through online auctions.
6	I have no experience in this area, but I imagine that it will be most useful in calculating shares and, above all, in gathering a large amount of case law, which may lead to more equal treatment of all parties throughout Slovenia in similar proceedings.
7	I do not know/have this information.
8	If, for example, the agreement between spouses, heirs, etc. is uncontested, a decision could be issued (1. first entry of the agreement, 2. then division, 3. valuation for tax purposes) in a "digitised" procedure.
9	I don't know, unfortunately I don't have any insight
10	I have no relevant practical experience, except in the sense that all tools that strengthen the practical aspects of access to justice (such as platforms or mechanisms for electronic filing) or the capacity to handle cases (such as digital case management tools) have positive effects.
11	This is not my field of work

12	<p>The answer is hypothetical, as unfortunately we do not yet use any of this.</p> <p>Administrative and procedural aspects of asset distribution procedures, where automation and digitalisation could dramatically improve efficiency.</p> <p>Communication and coordination between participants</p> <p>Collection and organisation of property data: digital tools could automatically retrieve data from various registers- cadastral registers, land registers, central securities registers, bank records, etc.</p> <p>Asset valuation: automated systems could also monitor changes in value during the process, ensuring that valuations are up to date. This would also make calculations and simulations of different distribution scenarios much more sophisticated. Tools could instantly calculate the consequences of different distribution methods, taking into account tax liabilities, property sale costs and long-term financial impacts.</p> <p>Accessibility and transparency for clients would be significantly increased. Clients would be able to access up-to-date information on the status of the process at any time, monitor progress and view all relevant documents.</p>
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Category 2: Opinions on technology readiness

Question

3

What digital tools do you currently use in asset liquidation-division procedures?

If these tools are also used by the parties themselves, do you find that they are sufficiently accessible to vulnerable individuals (such as the elderly, people with disabilities, or those with low digital literacy)?

N	Answer
1	Tipko, Tax fin lex, case law website. I believe that if clients have access to a computer, the tools provided by the case law website are sufficiently accessible.
2	Tipko, Tax fin lex, website of Slovenian case law. If they have a computer and internet access, the tools are readily available.
3	E-auctions. Not suitable for those who are not computer literate, but otherwise easy to use.

4	Property division procedures are still paper-based, while other procedures that are entirely digital (enforcement, land registry, inheritance) are faster but more demanding for uninformed parties. In these procedures, it is still possible to submit a paper application, but care must be taken (taking into account the legal instructions) to ensure that the application is not submitted incorrectly, as this may result in penalties (late submission of the application).
5	There are no digital tools for dividing community property, but in bankruptcy cases, online auctions are conducted by the administrator.
6	I have no experience in this field.
7	I am not involved in liquidation and asset distribution proceedings. Unfortunately, I cannot answer that question.
8	I do not use any digital tools in the process of liquidation/division of assets. In general, existing digital tools are already inaccessible to "vulnerable" individuals, and there are no appropriate support measures in place to remove accessibility barriers.
9	I don't use it personally.
10	I have no relevant practical experience, except in the sense that digital tools strengthen aspects of decision-making, which is only positive if they merely complement traditional tools and do not replace them. Digital tools are certainly available primarily to those with higher digital literacy, but if their introduction does not (yet) lead to the abolition of traditional tools, then the negative implications for people from digitally 'vulnerable' groups are negligible.
11	This is not my field of work
12	I have no information.

Question

4

How is the digitalisation of asset liquidation-division procedures perceived by you personally and by your professional legal community involved in these procedures?

Do you see digitalisation in the justice system, and especially in asset liquidation-division procedures, more as an opportunity for innovation or as a challenge to existing roles and practices?

(If you perceive it as an opportunity): What legal, organisational or cultural obstacles do you see as hindering the introduction of digital tools in asset liquidation-division procedures?

(If you perceive it as a challenge or risk): Which are the main risks you foresee?

N	Answer
1	I personally see digitalisation as a positive tool that can contribute to efficiency, namely as an opportunity for innovation and as an aid to efficiency. In my opinion, the introduction of digital tools is hampered by limited financial resources, staff, and age structure.
2	I see digitalisation as a positive tool, the challenge lies in existing roles and practices, and the protection of personal data.
3	<p>In my opinion, the main obstacles are personal data protection and digital literacy, which I believe is not yet high enough to enable a major transition to digitalisation (both on the part of clients and the judiciary).</p> <p>I personally see the digitalisation of these procedures as an opportunity to simplify and speed up the process, namely in the case of an electronic register and so-called e-files (which do not currently exist in this area), applications would be scanned into the register and immediately accessible, without unnecessary paper, court decisions could be sent to an e-mailbox or by post, which would speed up the process, as there would no longer be any "moving" of files and tasks at individual levels (judge-registrar-typist). Likewise, delivery to secure e-mailboxes and the use of e-mail mean faster and more efficient operations. I see it as both a challenge to adapt the existing way of doing business in these procedures and an opportunity for innovation and improvement, especially in terms of speed. Above all, there is a greater possibility of abuse due to the lack of personal contact, as a large part of the procedure could be carried out digitally and even be completed entirely digitally (submission of applications, decisions, and final execution, e.g., sale of property).</p>
4	<p>It has speeded up court proceedings and made work easier.</p> <p>More than an opportunity for innovation.</p> <p>These proceedings involve multiple parties, so digitalisation and coordination between the parties (including lay parties) is quite a challenge.</p>
5	I see digitalisation as a necessary step towards faster and more efficient operations. However, it is important to monitor the challenges that will arise, as these are systems that require ongoing addressing and upgrading. The biggest problem is the general digital illiteracy of the people involved and the deeply rooted resistance to change, which is a major problem given the current age structure of those managing these processes.
6	<p>I see digitalisation as more of an opportunity, but it also carries risks.</p> <p>In general, I would say that the introduction and use of digital tools is hampered by legal rules on personal data protection and the relative passivity or rigidity of institutions when it comes to introducing innovations. Of course, all this is also linked to costs, which are certainly not negligible, and staff need to be trained in digitalisation.</p>

	The risks of digitalisation in this area are the same or similar to those elsewhere: the absence of hard copies, the possibility of system intrusion and other vulnerabilities of such systems, the possibility of unauthorised access, the possibility of obtaining a huge amount of data that can be misused in a short period of time, and the possibility of losing this data.
7	I am not involved in liquidation and asset distribution proceedings. I cannot answer that question. In principle, however, I see digitalisation as a help and an opportunity. Not unconditionally, but certainly as an important aid. Not only in terms of faster and more efficient procedures, but also in terms of the (careful) use of AI.
8	I am cautious about the digitalisation of specific procedures and am awaiting the regulation on artificial intelligence. I consider digitalisation to be risky and challenging, as it is necessary to distinguish between areas of decision-making at different levels. For example, in court proceedings, where an abstract norm must be applied to a specific factual situation, it is essential that a decision be made by a judge. However, in familiar areas, such as the assessment of the costs of proceedings, experts, interpreters, etc., its use would be appropriate.
9	I have no experience
10	I have no relevant practical experience, but if I think in general terms (not specifically in the context of liquidation and division of property, with which I have almost no experience), digitalisation is certainly both. Insofar as it is (also) an opportunity to strengthen the elements of access to and the effectiveness of peaceful dispute resolution, the challenges are certainly linked to making these tools practical for the general population, regardless of their digital literacy. Insofar as there is (also) a risk, in addition to the approach whereby digital tools would lead to the abandonment of traditional methods (i.e. if, for example, traditional methods were no longer available due to the use of digital tools for electronic filing and service), which would jeopardise legal certainty for members of vulnerable groups, there are also some risks associated with the possible negative impact on nature and the ability to handle materials (e.g. for judges in the difference between handling digital files in electronic form and traditional files with printed materials, which is of course closely linked to the level of development and skill in using these tools) and with the lower effectiveness of digital consultation or videoconferencing tools in reconciling positions and seeking consensus (as far as I can judge from my mostly anecdotal experience, at least for now, videoconferencing does not allow for the same direct contact and perception of the interlocutor as a face-to-face discussion).
11	This is not my field of work
12	<p>I see digitalisation as a tool in my work.</p> <p>I see digitalisation as an opportunity.</p> <p>Legal barriers:</p>

	<ul style="list-style-type: none"> Existing legal frameworks often do not provide for digitalised procedures. Requirements for physical presence or notarisation that cannot currently be replaced by digital alternatives. <p>Organisational barriers:</p> <ul style="list-style-type: none"> Lack of technical infrastructure in courts and other institutions involved. Incompatibility of systems between different actors (courts, notaries, administrative units, banks). Insufficient digital literacy of staff and need for extensive training High initial costs of implementing digital solutions Lack of clear procedural protocols for digital procedures <p>Cultural barriers:</p> <ul style="list-style-type: none"> Traditional approach of the legal profession to documentation and procedures Resistance to change <p>It would be crucial to introduce changes gradually, with appropriate accompanying training and clear security protocols.</p>
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Category 3: Opinions on how to implement digital technologies

Question

5

What changes in training, infrastructure, organisation, or regulation do you consider essential for successful digitalisation of family property law cases; particularly in asset liquidation-division procedures?

N	Answer
1	More and better computer equipment and more training on digitalisation.
2	More training on this topic, more powerful computers.

3	First and foremost, good (top-of-the-line) computer equipment is needed, both in terms of software and hardware. Currently, the computer equipment used in the judiciary is outdated and lags behind developments. Furthermore, users need to be trained in computer skills, both basic and specific to the programs that would be used in these procedures. Finally, legal regulations need to be adapted to the wider use of digital content (greater possibilities for service and communication by e-mail, wider obligation and accessibility of certified digital certificates and secure mailboxes).
4	No opinion.
5	Support for staff and people involved in this area so that they are ready to embark on the path toward digitalisation. Greater activation is needed among younger generations who are adept at such challenges and who will provide support to those involved in these processes.
6	Firstly, education about all the advantages and pitfalls of digitalisation. It is clear that authorised persons must have access to data and know how to use it; this probably means a large number of computers and good IT specialists to monitor these systems. Access to and use of this sensitive data must be carefully regulated and monitored.
7	It's hard to say... but definitely digital literacy for judges in every way- from using digital signatures, working on e-files, to conditional and supervised use of AI.
8	Changes to infrastructure (including the connectivity of certain systems) are necessary, followed by training, all within a clear legal framework defining where artificial intelligence is complementary and where it is not.
9	Informing clients about advanced options already offered by the court system (e-land registry, etc.)
10	I haven't thought about this in a structured way, but it's clear that everything goes hand in hand: technological development requires potential adjustments to legislation, and both definitely require training for (current and potential) users of these tools from all sides. We are clearly in a phase, as this project clearly demonstrates, where controlled and limited trials and evaluation of their results will make it possible to confirm or refute 'proofs of concept' for the introduction of technological innovations. Here, as I understand it, we are still talking about the digitalisation of justice and not predictive justice or the use of artificial intelligence, where the opportunities and risks are even greater, including fundamental questions about the adaptation of the content of the fundamental principles of fair trial that the use of artificial intelligence might require. (To cite just one example, the recently updated <i>ELI- Mount Scopus International Standards of Judicial Independence</i> contain a standard on technology (Art. 23(1)), which states, among other things " <i>Technology, including Artificial Intelligence (AI), must be guided by and aligned with the principles of judicial independence, impartiality, and the right to a fair trial. Human oversight of AI must, so far as practicable, ensure compliance with these principles.</i> " Why 'so far as practicable'? Is it acceptable at some point to conclude that the use of AI (if it functions too much as a 'black box') is reasonable to the extent that a certain deviation from the requirements of a fair trial is possible?

11	I do not work in the field of family law
12	<p>The successful digitalisation of insolvency and estate settlement procedures requires a comprehensive approach.</p> <p>Systematic training is needed for all those involved, from judges, who need to learn how to work with digital evidence and tools, to lawyers and notaries, who need certification to exchange sensitive documents securely.</p> <p>It is also crucial that everyone learns how to use new tools for virtual hearings and digital client counselling.</p> <p>On the technological side, a single platform needs to be created to connect courts, notaries, lawyers and experts. This system must be integrated with existing registers such as the land registry, the land register and AJ PES, while ensuring the highest level of security.</p> <p>Organisational changes are perhaps the most challenging, as they require a complete overhaul of work processes. New standardised procedures for digital filing of applications, clearly defined roles in the digital environment and protocols for hybrid work combining digital and physical processes are needed.</p> <p>The legal environment must follow suit by adapting procedural legislation to enable digital processing and electronic communication between participants, and by introducing new rules on data security.</p> <p>In my opinion, the biggest challenge is a change in mindset- technology is only a tool, the real challenge is to prepare professionals to change their long-standing work habits and approaches to work.</p>

Category 4: AI risks perceived

Question

6

Have you encountered or tested predictive models?

If so, how accurate or useful were they in reflecting the outcomes you would expect from a human decision-maker?

N	Answer
1	ChatGPT, but not entirely, because AI hallucinates to a certain extent, so humans are still the decision-makers.
2	Yes, ChatGPT. Slovenian decision-makers still need to check the facts and results themselves.

3	I have already tried it (searching for an answer to a legal question), and the answer was faster and more comprehensive, but less accurate. For now, it is useful for critical individuals.
4	Quite a lot, but the decisions are not entirely reliable.
5	Yes. The results were extremely unreliable, the case law that was offered was not relevant, and it is probably a big problem that we do not know how to ask the right questions to the AI.
6	<p>I have already encountered these models (AI) and used them. I have mainly used them when studying the case law of foreign courts or searching for key cases from foreign courts. Sometimes I have also asked these models for summaries of foreign court judgments. They are particularly useful when searching for judgments from countries whose language I do not speak. I also tested the models by entering a Slovenian judgment into the system and requesting an analysis of the key arguments in the judgment. The model perfectly recognised the key arguments and counterarguments from the judgment entered.</p> <p>I have never used these models to decide or attempt to decide on a case, so I cannot assess how close they came to a human decision-maker.</p>
7	I have not yet met them, but I use AI as a source of information, which I then verify myself. I also use e-files and work with them, and conduct digital business with clients.
8	No.
9	I have not encountered them.
10	I have not yet tested such models in practice, but I have participated in several judicial conferences and lectures on the use of AI in judicial decision-making. The content of these lectures was (almost) without exception very basic and did not (yet) address the essential practical issues and aspects of the use of predictive models. Most judges are cautious about introducing these models, and at the same time we still have more questions about their practical elements than we actually know about them. As far as I can judge based solely on anecdotal tests of LLM models, the current level of development certainly does not yet allow for their more aggressive use, where they could replace human decision-makers- the gap between the illusion of reasoning judgement and the reality of a technical approach with a high potential for ‘hallucinations’ or other side effects of AI use is still too great for me to trust them, especially when it comes to detecting deviating characteristics in individual cases. Of course, I do not ignore the fact that human decision-makers are also fallible or biased and that, in certain respects, the AI model is more immune to such human errors or at least more predictable in its decisions, but I remain very cautious about such tools due to the shortcomings I have identified so far.
11	No.

12	No
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Question

7

What risks do you foresee in using predictive models in family property law; including, but not limited to, over-reliance on these tools, lack of transparency, or limited litigant understanding? Or do you see other risks?

N	Answer
1	AI hallucinations and personal data protection.
2	I am not familiar with any of these technologies.
3	Above all, the lack of the human factor (empathy), the lack of understanding of the reasons for the emergence of the dispute (which could be attributed to the limited understanding of the parties to the proceedings).
4	In practice, I do not use them because I am still deciding on people's property, and family relationships (joint children) are in the background, so it is necessary to make considerate and prudent decisions rather than "model" ones.
5	Following the answer provided by the AI too quickly, resulting in insufficient space for the thetan to explore the circumstances of the specific case, which the AI cannot provide.
6	<p>The risks I can foresee are:</p> <ol style="list-style-type: none"> 1. Excessive reliance on these tools by clients or even judges in the sense that these tools are 'objective' and scientific, which gives them an aura of greater reliability than human decision-making. 2. As we know, these models also make mistakes and invent certain data (hallucinations). 3. Above all, these models are biased to a certain extent: based on large amounts of data, they arrive at correlations that no one understands or controls anymore, and they often express bias towards certain social (especially vulnerable) groups. 4. Risks also arise from the opacity of the algorithms used in AI- even programmers no longer know exactly what influenced a particular position or decision.

	5. This reduces transparency and, of course, the decision-making programme cannot explain itself as a judge would. This also reduces the possibilities for legal redress.
7	Above all, blindly following AI can be very risky. AI can be an aid, but not a decision-maker. Even if a judge uses it, they must then independently verify the information and make their own decision.
8	Family property law is not just an "accounting operation"; it requires a human touch that artificial intelligence cannot provide. In order to find a concrete solution to a dispute, it is always necessary to take into account the personal circumstances of the parties involved, otherwise a new generation of disputes will arise.
9	Limited understanding of customers
10	One of the challenges is certainly that such tools (at least for now) cannot fully replicate the reasoning that would normally be provided in an explanation of a court decision. However, the duty to provide an explanation is one of the guarantees of the right to a statement as an important element of a fair trial. Therefore, as I have already indicated above, the use of AI tools raises problematic questions for me as to whether we are prepared to sacrifice certain elements of the fundamental principles of the rule of law for the sake of their expedient use. As a classically educated lawyer, I am very reluctant to do so. It is probably possible to take a different path, whereby we would insist on these classic requirements even when using such tools, including the aforementioned explanation of the reasoning that led the predictive model to a particular decision. If a model is unable to offer such reasoning, this is, in my opinion, an argument against the use of such a model, but not for relaxing the requirements of the right to a reasoned (judicial) decision.
11	I do not work in the field of family property law.
12	<p>Overreliance on technology and standardisation of complexity: each case has its own specifics and human circumstances that algorithms may not be able to capture- for example, a particular emotional attachment to certain assets or unique family circumstances.</p> <p>Lack of transparency is also problematic. If clients do not understand how the algorithm arrived at a particular recommended distribution, trust in the fairness of the process may be undermined. This can lead to a perception that the decision was made arbitrarily.</p> <p>Bias in data is crucial- if models are trained on past court decisions, they may perpetuate historical inequalities or discrimination.</p> <p>Data security poses a major risk, as it involves highly sensitive information about family and financial circumstances.</p> <p>Legal liability becomes unclear when algorithms influence decisions- who is responsible for mistakes?</p>

Question

8

A survey on the digitalisation of asset liquidation-division procedures suggests that AI tools, blockchain technology, and online dispute resolution (ODR) platforms are seen as the most useful innovations.

Which of these technologies do you find most relevant or applicable, and why?

N	Answer
1	I haven't used any yet, so I don't know.
2	I don't know.
3	A platform for online dispute resolution, as it enables faster and cheaper dispute resolution (e.g., no court appearances) and greater flexibility (setting a deadline for completing a certain action).
4	/
5	I only use artificial intelligence to a very limited extent, while ODR and blockchain are not used in our court.
6	I don't know how blockchain technology could be used in these disputes; I don't have any experience with it, but from what I understand, I doubt it. However, I can imagine that ODR platforms are useful for faster, more transparent and, above all, more predictable dispute resolution.
7	I don't know the answer to that.
8	I cannot comment on this. I am not familiar with ODR (online dispute resolution platforms). As for blockchain, it is currently unknown how to obtain the code with which the holder (as the exclusive user) operates and how to unambiguously and clearly link the code to specific natural/legal persons.
9	ODR, because it partly addresses the problem of mistrust in the judiciary, which may be specific to the Slovenian context.
10	I haven't given this much thought either. I am familiar with models that use blockchain technology, smart contracts or similar technologies to resolve disputes, but only from various articles and theoretical expert discussions; I have not yet encountered them in practice. For now, I am merely an outside observer of such tools, and as such I cannot predict which of them will be able to complement or replace traditional dispute resolution tools in the long run, especially when it is not a matter of <i>ad hoc</i> or pre-agreed consent of the parties to their use.

11	I don't know because I don't work in this field
12	I have no experience

Question

9

The survey shows that AI applications for predicting outcomes in asset liquidation-division cases are currently used only to a limited extent.

Do you believe this is due to their unavailability, lack of relevance, the immature state of the technology, or are there other reasons?

N	Answer
1	I believe that this is due to all of the reasons mentioned above, as well as people's immaturity and unwillingness to embrace technological change.
2	I don't know.
3	In my opinion, the primary reason is a lack of knowledge and fear of new technologies. However, the unavailability, inadequacy, and immaturity of technology—computer equipment and (in all likelihood) the development of artificial intelligence—are also major obstacles to its use.
4	It is certainly not used to a limited extent for the reasons listed above, but I believe that the key factor is the personal approach, which does not allow for serial decision-making.
5	Certainly all of the above, but above all the insufficient digital literacy of users with regard to the use of AI tools.
6	I imagine that the reason lies more in the scepticism and unfamiliarity of judges and other participants with all these tools. In about 10 years, this will probably be different. I believe that access to specific AI systems in courts is also very limited in Slovenia. I cannot judge the current state of technology, but I believe it is developing at a rapid pace.
7	I believe there are several reasons for this, including caution in its use. I see this as a perfectly legitimate reason. We do not know all the (inappropriate) algorithms from which AI learns.
8	The regulation on artificial intelligence has not yet been adopted, so it is not possible to give an answer at this stage, possibly for all the reasons listed above.
9	All of the above
10	/

11	I don't know because I don't work in this field
12	<p>In addition to the above, the following is also important:</p> <p>Explanation and transparency of AI decisions: One of the biggest challenges in using AI in legal and financial proceedings is the inability to clearly explain how the model arrived at a particular answer. In proceedings where the consequences of decisions can be very serious (e.g. distribution of assets), such lack of transparency may be unacceptable to users and regulators.</p> <p>Risks and regulatory framework: With the Artificial Intelligence Act, the European Union has introduced strict regulatory frameworks based on risk assessment. AI systems that could affect individuals' rights or pose significant risks are subject to strict restrictions or even bans.</p> <p>Bias and data quality: AI models are highly dependent on the data they are trained on. If the data is biased or incomplete, so will be the predictions. In processes where a high degree of fairness and objectivity is required, even the slightest bias can lead to unfair decisions¹.</p> <p>Institutional and cultural reluctance: In Slovenia, there are institutional and cultural barriers to the rapid introduction of innovations in the judiciary and asset management. Traditional values, rigid institutions and caution towards change often hinder the adoption of new technologies.</p>

Slovenia - Lawyers

Category 1: Targeted legal processes

Question

1

Which aspects of the asset liquidation-division procedure (amicable and judicial) do you believe are the least efficient or cause the most delays?

N	Answer
1	1. Filing and serving documents, invitations, 2. Conducting hearings with the physical presence of all participants (e.g. parties from abroad, witnesses).

2	The most time-consuming procedure is determining the extent and shares of the spouses' community property.
3	<p>In our experience, certain bottlenecks arise in property division proceedings, particularly in cases involving community property or joint ownership, which lead to lengthy proceedings. These include:</p> <ul style="list-style-type: none"> ● Separation of proceedings: Where the parties request separate proceedings for the division of community property and for the division of joint property, this can double the effort and prolong the overall duration of the case. ● Access to information on unregistered property: Obtaining reliable information on unregistered forms of property, such as cryptocurrencies, investment gold, certain financial instruments or assets in third-pillar pension schemes, is a considerable challenge and often leads to delays. ● Standard delays typical of litigation: <ul style="list-style-type: none"> ○ Late involvement of experts: It often happens that courts involve experts relatively late in the proceedings, even though the request for evidence was already made in the statement of claim or the statement of defence. ○ Slow work by experts: The time needed by experts to prepare their opinions also contributes to delays. ○ Insufficient role of the preparatory hearing: The preparatory hearing often fails to achieve its purpose, as courts sometimes fail to conduct consistent substantive proceedings. Furthermore, the preparatory hearing is sometimes combined with the main hearing, which can reduce its effectiveness in preparing the case for the main hearing. ○ Inconsistency of the ZPP (Slovenian Civil Procedure Act) regarding deadlines for submissions: The provisions of the Civil Procedure Act (ZPP) regarding deadlines for submitting submissions can be problematic in practice; submissions filed within the fifteen-day period prior to the hearing are often served on the opposing counsel too late for them to prepare adequately. ○ Formal requirements for direct service between lawyers: The current formal requirements for direct service of submissions between lawyers are sometimes too demanding and do not contribute to speeding up the proceedings. <p><i>P.S. Please note that we do not normally use the term 'liquidation' in the context of the division of property between natural persons. Our answers refer to civil proceedings for the division of joint property or community property and not to proceedings for the liquidation of companies under the Companies Act (ZGD-1) or financial proceedings, insolvency proceedings and compulsory termination (ZFPPIPP). We believe that a certain obligation to engage in (pre-)litigation proceedings to settle the relationship by mutual agreement, as a procedural prerequisite, could also be an effective means of reducing the number of court proceedings relating to community property.</i></p>

4	Significant delays in judicial decision-making; inter alia arising from the time required for initiation of proceedings, engaging of requisite experts, setting (too) long deadlines for expert opinions (and statements regarding such opinions) and overall protracted decision-making, often caused by unreasonable tolerance for delaying tactics and/or scheduling of unnecessary hearings.
5	Those with multiple parties involved, in cases where there are legal issues attached (investing in foreign real estate, investing in specific assets).
6	Same as above (L5).
7	Emotional aspects.
8	In the context of property division (in terms of joint ownership or division of community property of spouses), proceedings are generally inefficient and certainly too slow. If an expert appraiser needs to be appointed in the proceedings, the proceedings are automatically extended by several months and become more expensive.
9	<p>To begin with, certainly the overall duration of court proceedings is a major issue, including multiple adjournments and delays. Often, the proceedings involve a complex factual background and conflicting claims and evidence presented by the parties, particularly during the evidentiary phase regarding what constitutes joint property versus separate property, as well as determining the respective shares in the joint property.</p> <p>An additional source of delay lies in the diverging interests of the parties concerning specific items that fall within the joint property and how these are to be divided. In this context, lawyers can play a constructive role by guiding emotionally involved parties through rational discussion, helping them reach a resolution and speed up the process.</p>
10	I believe that the length of court proceedings is mainly influenced by staff shortages in the courts, not by the manner or content of the proceedings themselves. However, consensual proceedings are always quick.
11	The least effective procedures are those where there are disagreements between the parties regarding the method of division of property or valuation of property, as well as those involving lengthy liquidation of property. This is particularly common in the case of real estate. However, incomplete documentation and passivity on the part of the parties are also frequent reasons for delays.
12	I would say that most delays are mainly due to the involvement of several different entities, i.e. the court, the administrator, creditors, and also the tax authorities. Creditors, shareholders, and co-owners have the right to legal remedies in the proceedings, which is of course right, but this prolongs the proceedings.

13	I do not understand the term “liquidation of assets” in the context of legal proceedings. If it is a question of the separation of the spheres of property in the context of legal proceedings, the least efficient part is certainly the organisation of the courts, which (probably because they are overloaded) take several times longer than necessary to conduct legal proceedings.
14	There is only one extrajudicial and one judicial procedure for the division of property.
15	In my opinion, bankruptcy proceedings and other insolvency proceedings are the least effective and most time-consuming. Problems also arise in the division of property (including in the area of family law) when court proceedings or enforcement of civil division decisions are required.
16	In both amicable and judicial asset liquidation-division procedures, the most inefficient aspects are related to documentation management, valuation of assets, and delays in court scheduling. In judicial procedures especially, it often takes a significant amount of time to exchange documentation, verify completeness, and appoint court experts for valuations. Coordination between parties, their legal representatives, and court-appointed experts is also time-consuming, particularly when there is a lack of digital communication or standardised processes. Procedural delays are compounded when one party is uncooperative or if there are disputes regarding property ownership or contribution.
17	The least efficient and most time-consuming aspects of both judicial and consensual liquidation and asset division proceedings are the protracted waiting times for hearings. For instance, after the first main hearing, the subsequent hearing may not be scheduled for another three months. Delays are also caused by electronic service of process, which can take five days to a week, although this is minor compared to the extended waits for hearings.
18	I am not certain with regard to liquidation proceedings, but in my opinion and based on my experience, the most time-consuming procedures are property divisions in family law matters, primarily due to the pronounced emotional component (such as divorce, inheritance, etc.).
19	The greatest delays are caused by the service of submissions through the court (instead of directly between the parties, which is permitted by law); the digital illiteracy of parties; and the exchange of submissions between the court and the parties by physical mail rather than electronically.
20	Inheritance; division of marital property in divorce proceedings
21	<i>Even the mere acquisition of data regarding an individual's assets is problematic, due in part to the fact that certain databases are not interconnected and data is obtained based on differing criteria (e.g. acquiring information on bank accounts). Identifying the assets of Slovenian citizens abroad poses an even greater challenge;</i> <i>Cross-border property divisions- proceedings are extremely slow;</i> <i>General court backlogs;</i>

22	<p>Judicial sales of movable assets are generally the most time-consuming due to the frequent absence of interested buyers. A further challenge lies in the fact that, unlike immovable property, movable assets tend to depreciate rapidly.</p> <p>In the context of real estate sales, the most complex and prolonged stages typically involve appellate proceedings and enforcement, especially in cases where the property constitutes the debtor's primary residence.</p>
23	Most delays occur in the division of joint property, followed by the division of marital property.
24	Excessively long court proceedings (it takes too long for courts to even serve counterclaims, let alone schedule the first hearing. In the meantime, relations between the partners remain unsettled, often to the detriment of one partner who is unable to use the joint property, the dispute financially exhausts both parties, the property deteriorates and is disposed of (giving rise to additional court proceedings). In addition, the determination of the extent and shares of the property is usually divided by non-contentious proceedings for the division of joint property. It is precisely the length and financial aspect of the proceedings that force couples into a settlement that is not necessarily fair.
25	Proceedings in which the preliminary question is the determination of maintenance and contact with a minor child.
26	One of the least efficient aspects of liquidation and asset distribution procedures is the lengthy process of identifying and valuing assets. This often involves several different institutions, leading to delays in gathering information. Amicable proceedings are often hampered by a lack of trust between the parties, while in court proceedings delays are often caused by the overload of the courts and the resulting long time before a case is heard, the scheduling of hearings, etc.
27	Although I do not practice in family law, similar inefficiencies can be observed in civil and commercial proceedings. In my experience, the most significant delays arise from procedural formalism, manual document handling, and lack of interconnectivity between registries or judicial systems. In particular, the absence of integrated digital workflows often causes bottlenecks—e.g. needing physical signatures or in-person court interactions when these could be replaced with secure digital processes. I would assume that similar issues exist in asset liquidation-division procedures.
28	I have no prior experience with these proceedings.
29	The inefficient organisation of work at the court suggests that it's clearly not in their interest for proceedings to move swiftly, likely due to staffing issues. From the perspective of the parties involved, the inability to separate the question of asset liquidation from other unresolved matters between spouses or partners (such as private affairs and children) is hindering the progress of property-related cases.

30	<p>Procedural rules which, in principle, do not allow for the division of property in proceedings to determine the extent and shares of community property - two-stage procedure - first litigation, then non-litigation - both together lasting 5-8 years. Mediation is a significant added value in this respect, as both issues are resolved in a uniform manner and, above all, much more quickly and cheaply.</p> <p>- Significant delays and costs in determining the value of property through experts...</p>
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Question

2

Which aspects of the asset liquidation-division procedure benefit the most from digital transformation or digitalisation?

N	Answer
1	1. Filing and serving documents 2. Conducting hearings for the main trial
2	It may be useful, at most, in the procedure for the sale of the community property of the spouses, once the scope and shares thereof have been determined, in the event that no agreement is reached between the spouses on the division in kind or where the spouses are unable to pay each other.
3	<p>In our opinion, the current digitalisation measures in the Slovenian judiciary do not yet have a particularly transformative impact on property or co-ownership division proceedings. The Slovenian Bar Association (OZS) has experience with the digitalisation of the judiciary, but this mainly concerns proceedings under the Financial Operations, Insolvency Proceedings and Compulsory Winding-up Act (ZFPPIPP) procedures relating to the electronic land register (EJK) and procedures under the Enforcement and Security Act (ZIS). However, with the partial exception of bankruptcy proceedings, these systems still do not allow full electronic access to court files or the register of authorised representatives.</p> <p>The majority of lawyers' work involves conducting criminal, civil and non-contentious proceedings. In these areas, digital filing is currently only possible in proceedings before the family divisions of the courts. Ironically, even these digitally submitted applications are often printed out and physically inserted into the file. Such a hybrid approach not only fails to deliver the expected benefits of digitalisation, but also unnecessarily increases the administrative burden and operating costs of the courts instead of reducing them.</p>
4	To my understanding no meaningful digitalisation steps have been taken in the Slovenian judicial process.
5	Finding out what the case law is, or, in the case of associated proceedings, associated law, or, for inter-state disputes, foreign law; it helps where you have done certain analyses and statistics for the information you need.

6	Same as above (L5).
7	<p>The answer depends on the previous question, namely whether digital transformation is beneficial at all.</p> <p>After all, a divorce is over when people have emotionally reconciled. And they are emotionally reconciled when they tell each other everything they feel. If they cannot do that on a heart level, then they need to go to court. To divide the assets. And the children.</p>
8	When it comes to liquidating a company, it's a quick process, mainly because the registry court does everything online.
9	<p>Certainly, the process of selling assets (e.g., real estate and equipment) itself often presents delays, especially in cases involving very specific or unique assets, where it is crucial to reach the broadest possible pool of potential buyers.</p> <p>In addition, public auction procedures and their implementation should be further digitalised and streamlined to enhance efficiency and accessibility.</p>
10	It would make sense to make the use of an e-filing platform (compulsory) for all proceedings, as is the case, for example, for insolvency proceedings. The advantage of an electronic case file also makes it much easier to consult the case file and to retrieve documents from the file. The use of such a system would have a positive impact on the speed of the procedure (faster exchange of filings) as well as on the cost aspect of the procedure. In addition to the above, automation would most likely result in fewer errors in the service and transmission of documents.
11	Similar to other procedures, not only in liquidation and division of assets- keeping records, faster exchange of data and documents between authorities and parties to the proceedings, and access to documentation.
12	Digitalisation contributes to rapid responses, applications are delivered faster, and entities can familiarise themselves with the procedure and documents more quickly and easily. Last but not least, it also helps to reduce delays in the procedure resulting from the delivery of notifications, decisions, etc.
13	Again - I do not understand the term “liquidation of assets” in this context. Otherwise, what would be most useful at this point would be the full digitalisation of service of process in the context of court proceedings. In addition, the digitalisation of court files, with the possibility of 24-hour access to the court file (“public” part).
14	All the same.
15	From the perspective of a law firm, the digitalisation of data collection from multiple sources (e.g. land registry, court register and other AJPEs databases) is useful, and the same probably applies to courts. I also consider the digitalisation of communication with clients and all tasks that do not require the professional knowledge of a judge (e.g. checking received delivery notes and other measures to ensure the presence of clients at hearings) to be useful.
16	E-filing, digital case management, and online access to case documents significantly improve procedural transparency and speed. In particular, digital tools that facilitate the secure exchange of documents and remote hearings (e.g., videoconferencing) reduce delays and logistical burdens. Online asset valuation

	databases and integration with land registry and tax databases can also streamline the verification and division of property. Amicable divisions can benefit from online negotiation platforms or mediation support tools, making the process more accessible and less adversarial.
17	<p>In liquidation and asset division proceedings, there are no specific features that would inherently accelerate processes through digital transformation. Generally, the lack of digitalisation means nothing is being expedited. Digitalisation would be highly beneficial for records from the Surveying and Mapping Authority of the Republic of Slovenia (GURS).</p> <p>In all litigation proceedings, digitalisation would accelerate electronic service of process (again, these are delays of five days to a week), though this is merely a drop in the ocean compared to the long waits for hearings.</p> <p>The existing digitalisation system is opaque and outdated (e.g., the PDF-A format for the judiciary means lawyers almost need technical assistance to submit documents). Naturally, concerns arise regarding the security of e-filings and documents. I believe a system could be introduced where lawyers have a registered email with the courts, and any communication originating from this email would be deemed as from the lawyer. Ideally, document submission should be a "drag and drop" system. Digitalisation needs to be more user-friendly, as currently, it is often cheaper for a lawyer to print a document and send it by post than for a trainee to navigate the technical complexities of the "digitalised" procedure.</p>
18	In the formation of the asset pool, particularly where multiple property rights or beneficiaries are involved, the calculation of shares and other similar administrative-technical solutions.
19	<p>Acceleration of proceedings that are prolonged due to the reasons outlined in the response to Question 1.</p> <p>Additionally, it would be beneficial if attorneys were granted access to the electronic case file (as is the case in insolvency proceedings), including all submissions, communications, and attachments contained therein. This would enable the party and/or their attorney to review the court file remotely at any time, eliminating the need to visit the court in person or to order and pay for physical copies.</p> <p>It would also be advantageous to allow for the electronic filing of submissions (e.g. via the e-Justice system, which, in addition to enforcement and insolvency proceedings, introduced electronic filing in probate and family proceedings two years ago). Property division proceedings are not classified as non-contentious family proceedings (where electronic filing is permitted), but rather as contentious civil proceedings, in which electronic filing is currently not available.</p> <p>Furthermore, the development of a new case law search engine would be useful—one that is more user-friendly and provides more accurate results based on the keywords entered.</p>
20	Enforcement and insolvency proceedings are already fairly efficient; however, as previously noted, digitalisation is still lacking in inheritance proceedings and in the division of marital property in divorce proceedings.

21	<p>There should be a prompt implementation of digitalisation in regular court proceedings (including contentious, non-contentious, probate proceedings, etc.). The establishment of centralised and interconnected databases would enable easier identification of assets.</p> <p>For example, although the Land Register is public, if one wishes to obtain information about all real estate owned by a particular individual, they must demonstrate a legal interest. If the principle of publicity were strictly adhered to, I see no reason why the electronic land register should not allow searches based on personal data. The issue does not lie in the data itself, but in the process of obtaining it, which—due to the low level of digitalisation—is unnecessarily expensive.</p> <p>More advanced tools for case law search are also needed—certain paid solutions are already emerging on the market.</p>
22	The phase of sale via online auction- there has been a noticeable increase in the number of interested buyers since auctions have been conducted online. This leads to higher sales prices being achieved.
23	Would benefit everyone
24	Faster delivery of applications and perhaps speeding up the conduct of hearings in order to relieve judges in other cases.
25	In my opinion, it has no impact on the proceedings.
26	Electronic filing and access to documentation- enables faster submission of applications, easier exchange of documents between clients, lawyers and the court, and better control over deadlines and the status of cases.
27	From my perspective in corporate and transactional work, the greatest benefits of digitalisation come from transparent and efficient access to official records (e.g. AJPES, land register). I imagine that in family law, similar gains could be achieved by digitalising the submission and sharing of documentation (property records, financial statements), remote participation in hearings, and automated case tracking. This would particularly improve procedural transparency and reduce administrative overhead.
28	I have no prior experience with these proceedings.
29	We already have electronically managed land registries and electronic service of documents, but the introduction of an electronically managed court file would be absolutely crucial.
30	When determining the value of the property to be divided.

Category 2: Opinions on technology readiness

Question

3

What digital tools do you currently use in asset liquidation-division procedures?

If these tools are also used by the parties themselves, do you find that they are sufficiently accessible to vulnerable individuals (such as the elderly, people with disabilities, or those with low digital literacy)?

N	Answer
1	I do not use any digital tools.
2	I use data from the land registry and other public records that are publicly available.
3	<p>We are seeing an interesting trend where clients are sometimes even more courageous and innovative than some lawyers in their use of large language models (LLMs). They use these models to analyse court files, prepare questions for their representatives, and to better understand the legal dispute and the file itself.</p> <p>On the lawyers' side, some are already making extensive use of publicly available LLM tools such as Gemini, ChatGPT, Claude and Perplexity. Their use varies from writing less specific or legally less sensitive parts of applications or agreements (e.g. theoretical introductions, general arguments) to more practical tasks. For most lawyers who use LLM models, the use is focused on drafting responses to emails or translating texts into foreign languages.</p> <p>As a practical example, I can mention that a lawyer used the Claude artificial intelligence model to draft a pre-trial valuation of a business share in a company that was community property of spouses, which served as a useful starting point for further steps and negotiations.</p> <p>However, concerns remain about the accessibility of these tools to vulnerable individuals. Although some tools may be intuitive, they require a certain level of digital literacy, access to appropriate technology and an internet connection, which may be a barrier for older people, people with disabilities or people with lower digital literacy.</p>
4	None.
5	Case law, tan fin lex, ius info, chat GPT, all available databases. All of the above are also able to use the above.
6	Same as above (L5).

7	Videoconferencing, calculation of statutory default interest.
8	<p>The parties themselves rarely use digital tools in court proceedings in general. The courts are also not yet ready to deal with matters such as the division of community property or the division of joint property electronically.</p> <p>In asset liquidation proceedings- in the sense of company liquidation- e-justice, VEP and electronic signatures are used. We do not use digital tools for the division of assets.</p> <p>I believe that the system is not adapted to older people, people with disabilities- although this depends on the type of disability- or people with low digital literacy. The system is also not adapted to people with little or no legal knowledge, as it is complicated. For example, submitting applications in land registry procedures is complex and becomes complicated right from the start. As a lawyer, I have been submitting applications in land registry procedures via e-justice for years, and it is rare that the court subsequently asks me to supplement the application by submitting it elsewhere or under a different reference number, etc. The system is completely incomprehensible in this area.</p> <p>The systems are also often unsuitable, e.g. file size restrictions, whereas the nature of the proceedings is such that there is automatically a lot of documentation. During the procedure, it is then discovered that the court has sent something but it has not actually been uploaded to the system and the party to the proceedings has therefore not received it, nor has it been informed that there is anything waiting for it in its inbox.</p>
9	AJPES, e-Sodstvo, eProstor, eDražba, and Nepremičnine.net are commonly used tools. Unfortunately, due to low levels of digital literacy among vulnerable groups, these tools are, in my opinion, practically inaccessible to them. This is evident from the constant requests we receive from clients as attorneys to obtain various documents on their behalf.
10	<p>Digital tools are not currently used in these processes. The eSodstvo portal also offers electronic submission of applications in civil proceedings, but we do not use it because the system is not yet user-friendly (as is the case, for example, with enforcement and insolvency proceedings, where the use of the electronic system is already well established). In our experience, courts in civil proceedings also currently follow the “old” system, without the use of digital tools.</p> <p>I think that parties falling into the category of vulnerable individuals could certainly have difficulties in using digital tools if they were to use them themselves, or it would depend on their digital literacy.</p>
11	We use e-Sodstvo, AJPES, and eDavke to access data and submit applications electronically. These tools are useful, but it is true that they are not accessible enough for people with lower digital literacy, or not accessible at all if they do not have the appropriate assistance.
12	I use quite a few digital tools that are available online or are mandatory for practical reasons. One such tool is definitely the electronic land register, which makes it much easier to find and check information about real estate, compared to having to look up each piece of information in a manual land register or request an extract from the court.

	Accessibility depends on an individual's general digital literacy—if this is low, these online tools are less accessible or even inaccessible to individuals. As a result, they are useless, especially if errors occur that cause problems for everyday users of these tools (e.g., the e-justice portal).
13	e-documentation/delivery of applications, which is partially available. The tool is digitally unsophisticated and I assess that it is a tool (although not even intended for lay users) which is not of such a nature that the fact of vulnerability of an individual would affect their ability to use the tool - except to the extent that the ability of the person who would need the tool to access the inter-network is itself limited.
14	Computer, internet, mobile phone.
15	We use e-Sodstvo and elzvršba, a programme for the digitalisation of data collection from multiple sources, and ChatGPT. These tools are also used in the office by a person with severe visual impairment, but I do not consider them suitable for people with low digital literacy.
16	Currently, I use the e-Justice platform (e-Sodstvo), electronic land registry (e-ZK), and eDavki for tax-related data. These tools are efficient for professionals, but their accessibility for vulnerable individuals remains limited. Many clients, particularly the elderly or those with limited digital literacy, struggle to navigate these systems without legal or administrative support. Accessibility features are improving, but more user-friendly interfaces and support services are necessary to make digital justice inclusive.
17	<p>I believe that the introduction of such tools is not advisable, as clients require legal counsel. I am of the opinion that simplifying procedures for obtaining free legal aid would significantly improve access to justice. Under the current regulations, clients do not have the option to consult with a lawyer from the outset. A preliminary legal consultation, financed through free legal aid, could prevent many disputes. This would enable lawyers to advise, for example, on mediation before a court filing, as lawyers are well-equipped to assess the likely outcome of a dispute if it proceeds to court.</p> <p>A step in this direction is the new system for calculating lawyer's fees, which rewards lawyers for settlements (receiving double the tariff for reaching a settlement)- an incentive for lawyers to resolve matters at the first hearing. Regarding financial aspects, I refer to my previous answer concerning free legal aid. I am reserved about a system where individuals would consult via chat, as lawyers are very reluctant to provide written legal advice through various chat platforms, preferring oral communication.</p>
18	I do not use them personally, but I assume that apart from the basic software environment and public portals (such as the eLand Register), these are not in use. Such programs generally offer enhanced accessibility options; however, these do not constitute an adequate substitute for personal guidance or instruction by another individual.
19	E-mail, e-Justice (e-sodstvo), GURS, AJPES, Lawoffice, ChatGPT, Ius-Info, Tax-Fin-Lex, and the case law search engine (provided by the Supreme Court).

	These tools are not sufficiently accessible to older individuals, and I cannot envisage how adequate digital training could be provided to them. The tools are accessible to persons with disabilities. However, they remain largely inaccessible to those with lower levels of digital literacy, who (in my view) predominantly rely on the Google search engine—if even that.
20	Various types of access via digital certificate are available in enforcement proceedings. While I do not personally handle insolvency cases, I am aware that such proceedings are also managed digitally. However, these tools are poorly accessible to vulnerable groups, as they require a digital certificate and a certain level of knowledge to complete the pre-prepared content.
21	<i>As a starting point, we primarily rely on publicly accessible databases (such as AJPES, the Land Register, the e-Space portal, GVIN, the Municipal Spatial Information System- PISO, etc.), and based on the data obtained, we attempt to gather further information regarding assets (e.g. past real estate transactions, bank account activity, etc.). In the next step, we usually engage a certified appraiser if necessary.</i> <i>There is no dedicated tool for asset tracing, primarily due to legal obstacles. Even under Article 10 of the Attorneys Act (ZOdy), data acquisition is often hindered, as competent authorities typically require proof of a direct legal interest in the form of an already initiated court proceeding. This frequently prevents us—as attorneys—from properly assessing whether initiating such proceedings would be appropriate.</i> <i>In the course of judicial proceedings themselves, the tools most commonly used are those for case law research (e.g. ius.info, iskalniksodneprakse.si- a more recent product), and the e-Justice portal (e-sodstvo) for supported procedures.</i>
22	In asset division proceedings within bankruptcy cases, all information related to the division is published on an online portal that I monitor regularly. Individuals with low digital literacy may have difficulties with this.
23	There are no such tools.
24	Online resources and case law, as well as artificial intelligence for searching case law. Clients also use these tools, but unfortunately, due to a lack of legal knowledge, this sometimes complicates matters. Yes, these tools are easily accessible to everyone, except, of course, people who do not generally use computers and the internet.
25	E-procedures in non-contentious proceedings (e-Sodstvo), land register, AJPES business register.
26	In asset liquidation proceedings- in the sense of company liquidation- e-justice, VEP and electronic signatures are used. We do not use digital tools for the division of assets. In my experience, the parties themselves do not generally use digital tools in court proceedings. I believe that the tools are not sufficiently accessible to vulnerable individuals, as they are often too complex even for lawyers and support staff in courts. The system is not designed in a sufficiently simple way to allow for its widespread use.

27	As a corporate attorney, I do not engage in asset liquidation-division procedures. However, I and/or the parties to transactions regularly use tools such as secure e-signature platforms (e.g. (qualified) electronic signatures), digital corporate and land registries (AJPES, e-ZK), and e-communication with administrative bodies. These systems are invaluable in terms of efficiency and access to data. That said, they can still be difficult to navigate for users unfamiliar with digital tools, and accessibility for the elderly or digitally illiterate could be improved, particularly through user-friendly design, better public education and more widespread acceptability of certain tools, e.g. e-signatures.
28	I have no prior experience with these proceedings.
29	The electronic land registry, the secure electronic mailbox, AJPES, the GURS e-portal, and access to electronic case law are all sufficiently accessible. Their greatest advantage is that people don't need to go anywhere physically.
30	<p>I use:</p> <ul style="list-style-type: none"> - Ius info - Chat GPT - GURS database - E-prostor portal <p>I don't think they are accessible to vulnerable individuals.</p>

Question

4

How is the digitalisation of asset liquidation-division procedures perceived by you personally and by your professional legal community involved in these procedures?

Do you see digitalisation in the justice system, and especially in asset liquidation-division procedures, more as an opportunity for innovation or as a challenge to existing roles and practices?

(If you perceive it as an opportunity): What legal, organisational or cultural obstacles do you see as hindering the introduction of digital tools in asset liquidation-division procedures?

(If you perceive it as a challenge or risk): Which are the main risks you foresee?

N	Answer
1	In order to remove obstacles, it would be necessary to introduce: amendments to procedural legislation, better equipment for courts, informing parties that the right to be heard can also be exercised via videoconferencing.
2	Digitalisation is certainly welcome in terms of access to data necessary for the effective representation of clients in proceedings.
3	<p>Our (lawyer's) view of the digitalisation of justice is general and goes beyond the property division proceedings under consideration. In our opinion, the Supreme Court of the Republic of Slovenia is not yet fully aware at the institutional level of the strategic importance and urgency of comprehensive digitalisation of the judiciary. Although we are not aware of any specific financial constraints, the judicial authorities have publicly expressed concerns about the public sector pay system. This prevents them from hiring suitably qualified IT experts, whose market value often exceeds EUR 8,000 gross monthly salary, which is difficult to achieve in the public sector.</p> <p>We believe that a certain degree of institutional mistrust of external contractors also contributes to the slow progress of digitalisation. This mistrust is probably linked both to security risks (e.g. concerns about unauthorised access to sensitive data or 'backdoor access') and to the financial capacity of the judiciary to procure complex IT solutions.</p> <p>The fact is that the judiciary, as a branch of government, has been (extremely) neglected at the political level for decades. This is reflected not only in inadequate pay policies, a prevailing bureaucratic mindset and a lack of necessary investment in physical infrastructure, but also in the obvious neglect of digitalisation. The daily scenes of physical transport of voluminous court files between courts are eloquent proof of this situation and clearly demonstrate the need for radical change.</p>
4	The answer is both. Established roles of court appointed experts could mean that while they would use any such tools, nothing would change from the perspective of the parties. Major risk would be transparency. Any implementation might require some conceptual changes to the current regime (ie. alignment of existing rules, not just new provisions).
5	It is useful and presents an opportunity, but you need to use the knowledge to check whether the question has been asked correctly, or whether there are specifics used in the question that affect the answer itself. The risks are not to follow the data blindly, but to compare it with the data available to others and your own knowledge.
6	Same as above (L5).
7	The main risk is reliance on artificial intelligence. As a lawyer, you still need to know the law and case law. The more one uses AI, the less one will use one's own intelligence.

8	<p>Digitalisation in general does not pose such a challenge for me, but I believe that it poses a major challenge for judges and court support staff from the older generation in particular.</p> <p>The risk I see is the issue of permanent data storage. Will the system be durable and will the data really be stored permanently, or, alternatively, what will happen if the system crashes (perhaps due to a cyber attack or a power outage)?</p> <p>I do not see any risks in terms of personal data protection. I believe that the system can be set up in such a way that data is protected, especially since we already know and use systems where even more sensitive data is stored (e.g. “zvem” portal, storage of medical records, etc.).</p>
9	I definitely see it as an opportunity to accelerate and simplify procedures, but it is understandably crucial to ensure digital security, given the sensitive nature of the documents involved in each digitally managed procedure.
10	In particular, the problem is that digitalisation in the justice system is slow and gradual. Personally, I do not think that the procedures for the division of property are any different from those for which digital tools are already available and, consequently, the content of the procedure does not present any obstacle to the introduction of digitalisation. In this sense, I also do not see any challenges or risks, so I see digitalisation more as an opportunity to help resolve cases more quickly.
11	I personally see digitalisation as a challenge that is demanding because it requires changes to established practices. It also requires additional training, because otherwise, as already mentioned, it means excluding people who are less digitally literate or skilled. I would say that the legal profession also sees this as a lengthy process that requires additional resources and time for adjustments.
12	I see digitalisation as an opportunity to reduce delays and procedures, which I mentioned earlier as a problem. It also offers greater transparency and traceability of data, particularly with regard to access to applications/files, and provides an overview of delivery dates, legal validity and enforceability.
13	Again - I do not understand the term “liquidation of assets” in this context. If we are talking about court proceedings concerning (common) property, then I see digitalisation as an opportunity. I do not see any objective insurmountable obstacles to (further) digitalisation of proceedings. In my view, it is more a lack of will.
14	Court proceedings are simplified (in principle) through the electronic availability of documents and the possibility of electronic filing and service. Some filing procedures are too complicated and poorly designed. There are no risks at present, except for internet disruptions, etc.
15	I see digitalisation as an opportunity. It is partly hampered by legislation (e.g. uncertainty about electronic signature requirements) and challenges arise in terms of personal data protection, e.g. when connecting different systems. Mistrust of technology and low digital literacy can also be a challenge. In my opinion, a parallel support system should be set up for older people and other vulnerable groups, or they should be given easier access to services.
16	I personally view digitalisation as a significant opportunity for innovation, particularly in reducing procedural burdens and improving transparency. Many colleagues share this view, though there is some resistance, especially among older professionals. The primary obstacles are organisational and cultural—

	there is a lack of uniform adoption across courts, varying levels of digital proficiency among judges and clerks, and hesitancy in trusting digital systems over traditional paper-based processes. There is also a need for clearer regulations to support and legitimise digital evidence, communication, and AI assistance.
17	<p>Digitalisation is a solution if applied in a user-friendly manner (in our estimation, current digitalisation is user-unfriendly). I am aware of initiatives where parties would represent themselves without counsel, guided by online forms to submit appropriate documents. For example, in practice, enforcement proceedings based on an authentic document often proceed this way. However, in such cases, the in-depth legal consideration that a non-lawyer cannot perform is missing, which can ultimately do more harm than good (e.g., in the case of disputing a claim, where under Slovenian law, the matter then proceeds to court). If people were given tools without consulting a lawyer, there is also the risk that courts would be inundated with lay filings, which would only prolong decision-making times. Therefore, we are strongly reserved about the idea that digitalisation should replace access to legal filings.</p> <p>I positively evaluate the digitalised enforcement system, where lawyers or parties have access to an electronic register showing a list of all legal actions.</p> <p>I would highly commend a potential shift towards mandatory scanning of all documents. Scanning documents to ensure all records in a court file are appropriately scanned and accessible to those with proper authorisation- allowing one to open and view the entire file from their own computer- would be highly beneficial. The implementation of such a system would be excellent. This is especially true in criminal proceedings, where courts often independently acquire significant data; we receive this at hearings, but considerable administrative hurdles exist for mere access to the file. In criminal proceedings, law enforcement agencies have an OCR reader, while we (lawyers) have to manually review documents. Digitalisation for searching relevant data and extracting statements from it could be very useful.</p>
18	<p>I am open to it; however, legal experience is distributed across generations, which, in my opinion, also reflects the division of views.</p> <p>It is more of a challenge, as paper-based operations remain simpler for most practitioners. Nonetheless, digitalisation would undoubtedly accelerate procedures.</p> <p>The main challenge lies in the uncertain willingness to engage in learning.</p>
19	<p>The digitalisation of property division proceedings would be useful and welcome—not only in such proceedings, but also in other types of proceedings. I believe that this view is shared by my colleagues at our law firm.</p> <p>I see digitalisation in the judiciary as an opportunity for innovation, since digitalisation (as proposed in my answers above) already exists and is being implemented in other types of court proceedings.</p> <p>The legal obstacle lies in the adoption of appropriate implementing regulations for the digitalisation of procedures.</p> <p>I do not see any organisational obstacle, as a lawyer today cannot perform their duties without at least basic digital literacy, access to a computer, and internet connectivity. Courts and their staff are also equipped with all of the above.</p> <p>The cultural barrier lies in the age of some legal practitioners and their unwillingness to depart from older, more conservative methods or approaches to legal work. I am aware that some older attorneys still dictate submissions, which are then, for example, typed up and converted into electronic form by administrative staff.</p>

20	I perceive them as a challenge—the main risk faced by digitalisation is the verification of the identity of the submitting party. This issue is currently addressed through the use of digital certificates; however, as previously noted, such a method of identification is highly impractical for vulnerable groups.
21	<p>I believe that a decisive step forward is necessary in the direction of digitalising court proceedings and property databases. However, it must be acknowledged that a complete transition to digital operation is not feasible. It will still be necessary to ensure access to the courts and the possibility of submitting filings in paper form for individuals who are unable to use digital tools due to lack of knowledge (e.g. the elderly). I consider this to be one of the main reasons why a full-scale digital transformation has not yet taken place.</p> <p>Another reason lies in the need to digitise existing court files, which would undoubtedly be a massive undertaking. Nevertheless, this could certainly be addressed—for example—by allowing the party, upon submitting their first procedural act, to give consent for the case to be conducted digitally. If all parties agree, digital management of the case would then be unproblematic. Given that lawyers would, in my opinion, generally opt for this approach, the majority of proceedings could be conducted in digital form.</p> <p>I support the use of AI as an auxiliary tool (e.g. for analysing expected outcomes, assisting with legal work, etc.), but I do not support the resolution of legal disputes through AI. I believe that society is also far from ready to accept such a shift. This is particularly due to the principle of immediacy in court proceedings, whereby the judge sees and perceives the party in person. The mathematisation of such proceedings is, for me, difficult to imagine.</p>
22	<p>I welcome the digitalisation of the aforementioned procedures. Digitalisation enables relevant documentation in certain procedures to be published and/or served electronically, and to be permanently accessible online. Furthermore, I believe that the digitalisation of asset sale procedures contributes to achieving higher realised prices.</p> <p>I see digitalisation as an opportunity for innovation. Existing practices are already giving way to digitalisation. The main obstacle is insufficient digital literacy, which is gradually improving and will no longer pose a barrier in a few years.</p>
23	Digitalisation is being held back by the government, which isn't putting enough money into it.
24	<p>Such procedures are not digitised in our country. I do not see any opportunities for innovation through digitalisation (disputes are relatively simple from a legal point of view, but the actual costs and evidence are complicated). However, digitalisation could perhaps help to standardise court practice in this area, which has not yet managed to provide answers to many questions, or where the answers are inconsistent.</p> <p>The obstacles are probably on the side of the courts, which are accustomed to paper filings, and the lack of computer skills among court staff.</p>
25	In my opinion, it has no impact on the proceedings.

26	<p>I agree with digitalisation and think that it would be very useful in general. It does not pose such a challenge for me, but I think that it poses a major challenge for judges and court support staff who are from the older generation.</p> <p>There are more risks (e.g. data storage and operation in exceptional circumstances- cyber attacks, etc.), but if the system is truly sophisticated and easy to use, the risks are largely neutralised.</p>
27	<p>I personally see digitalisation as a clear opportunity for innovation. In my own practice—though not in family law—I’ve seen the value that digital tools bring, particularly in terms of speed, transparency, and ease of access. For example, fast and easy electronic access to all official registers are indispensable in corporate and property transactions. I think similar tools could greatly streamline asset division procedures as well.</p> <p>Regarding the broader legal community, I believe it is also mostly seen as an opportunity, especially by younger or more tech-oriented lawyers who are already using AI or automation tools in their daily work. Certain (older) lawyers are likely to have difficulty adjusting to digitalisation. There is also some institutional inertia on the part of courts and/or other state institutions to adapt new digital tools and solutions.</p> <p>Therefore, the main obstacles to digitalisation, in my view, are regulatory lag (e.g. formal requirements for physical signatures), institutional inertia, and a lack of user-friendly, unified platforms. There’s also a cultural element—many still associate formal legal proceedings with in-person appearances and paper files, which slows adoption.</p> <p>At the same time, I do see risks. The biggest is over-reliance on technology, especially AI. These tools can be helpful, but they’re not always accurate—they sometimes “invent” legal provisions or oversimplify complex issues. There are also privacy concerns: using cloud-based tools or AI for sensitive client information can pose real risks if not handled properly.</p> <p>In short, I strongly support digitalisation, but it has to be implemented thoughtfully—supporting rather than replacing sound legal judgment.</p>
28	<p>I perceive the digitalisation of the judiciary as an opportunity to streamline certain administrative and technical tasks for judicial staff, and to facilitate specific duties pertaining to substantive decision-making for judges and legal associates. Based on my experience, I assess that the primary obstacles to implementing digital tools within the judiciary are predominantly organisational (budgetary) and cultural barriers. I frequently observe among judicial personnel a fear of any novelties and changes, coupled with the mindset of, "Everything is functioning, why should we change anything?"</p>
29	<p>I see it as both a challenge and a risk. The risk lies in corrupt practices, while the challenge is empowering the individuals involved in such proceedings.</p>
30	<p>I think everyone (including me) views digitalisation positively. I think it is a challenge to existing roles and practices in the judiciary. The main risks: The authenticity of the output and the related level of control over the digitalisation tools.</p>

Category 3: Opinions on how to implement digital technologies

Question

5

What changes in training, infrastructure, organisation, or regulation do you consider essential for successful digitalisation of family property law cases; particularly in asset liquidation-division procedures?

N	Answer
1	It would be necessary to amend procedural legislation and ensure that courts and other participants (in particular lawyers and court experts) are adequately equipped with IT equipment.
2	I don't know how to answer that.
3	<p>In our view, fundamental changes at several levels are necessary for the successful and meaningful digitalisation of judicial proceedings, including those in the area of family property law</p> <ul style="list-style-type: none"> ● Infrastructure and organisation: <ul style="list-style-type: none"> ○ Introduction of digital files and registers: The introduction of fully digital court files and interactive digital registers is of key importance. Such a system should enable authorised persons to submit motions, objections, evidence in electronic form (e-documents) and other submissions directly, securely and in a traceable manner. ○ Primacy of digital sources: It is essential to establish, both legally and organisationally, the primacy of digital documents and sources over their physical versions. This means that digital files should be considered original and authoritative. ● Risk analysis and training: <ul style="list-style-type: none"> ○ Risk analysis: A thorough and continuous analysis of the risks associated with the transition to digital business is needed, including aspects of information security, personal data protection and the possibility of abuse. ○ Training of stakeholders: All judicial stakeholders- judges, court staff, lawyers, prosecutors, state attorneys (defence counsel) and others- must receive adequate and regular training on the use of new digital tools, security protocols and the legal and ethical aspects of digital business.

	<ul style="list-style-type: none"> ● Regulations and principles: <ul style="list-style-type: none"> ○ Research and definition of principles for digital proceedings: The fundamental principles of conducting proceedings in a digital environment need to be researched in depth and redefined. These principles may differ significantly from established analogue practices. Particular attention should be paid to issues such as ensuring the portability and validity of qualified digital signatures, methods for establishing and verifying the authenticity of video evidence, the storage of digital evidence, and similar issues.
4	Ideally, overall digitalisation of the judiciary, starting with MS tools, followed by user-friendly and effective e-filing platforms and electronic case management. In terms of infrastructure and organisation, the general impression is that the efficiency of courts in Slovenia is significantly hindered by the lack of space (both with respect to courtrooms and office space) and more importantly by lack of personnel (court clerks and administrative staff). I believe these are also the basic pre-requisite to successful implementation of any digital solutions in the judicial decision-making process. Prima facie, and assuming that any use of digital solutions for asset liquidation-division procedures would be performed by court appointed experts, no major regulatory hurdles come to mind.
5	It is essential to get the question right, to cover the whole issue, which may involve other legal relationships that affect the primary legal relationship.
6	Same as above (L5).
7	I have no suggestions.
8	These are legal proceedings where electronic business could be introduced to speed things up. But the system isn't working, even though there's a legal basis for it. As mentioned above, it would be necessary to increase the capacity for uploading documents to the system.
9	<p>It is certainly necessary to start already at the university level, by incorporating relevant training into legal education. Subsequently, there should be continuous investment in the regular training of professionals within the judiciary, along with encouraging the use of specific digital tools in their daily work.</p> <p>In terms of infrastructure, it is essential to develop highly centralised digital systems that are internally interconnected and synchronised with current data. Regarding the organisation of work, I would expect stronger cooperation between social work centers (CSD) and the courts. Accordingly, I also believe that legislative changes are necessary to support these developments.</p>

10	I believe that the use of digital tools should be made compulsory in the legislation in force and, in particular, the digitalisation process should be simplified to make it user-friendly (as is already the case, for example, in insolvency proceedings). At present, electronic filing is also available in civil proceedings, but it is not used in practice because it is time-consuming and not easy enough to use.
11	A stable and secure IT structure, as the use of digital tools still poses a number of challenges today. Simplifying organisational processes and adapting regulations to enable the effective use of digital tools are also important.
12	I believe that training all participants in the process, i.e., future or potential users of digital technology, is crucial. This should start with judges, court staff, lawyers, notaries, and administrators, but for effective use, the parties to the proceedings themselves must also be educated and a certain level of digital literacy must be ensured.
13	I suppose the will is essential. This would be followed by the building of an adequate IT infrastructure - which is probably non-existent. I do not see any challenges in the area of training, because it should basically be about simple tools. In the area of organisation, this is an issue for the court. On regulations, I cannot answer.
14	None of significance. The court may facilitate the submission of applications and the inspection of files (electronically).
15	Regulations should be clearer, and training and, in particular, clear instructions should be provided. It would be useful if the system for accessing and using different databases were similar: currently, users have to learn very different systems to access different databases and use e-justice.
16	Training in digital tools for all legal professionals—including judges, lawyers, and court staff—is essential. Infrastructure improvements should include investment in secure, interoperable platforms that connect courts, land registries, tax authorities, and banks. Organisationally, the justice system needs better process standardisation and support for hybrid procedures (part digital, part in-person). Regulations should be updated to formally recognise digital evidence, remote hearings, and AI-assisted research tools, while also addressing data protection and cybersecurity.
17	/
18	Primarily, the introduction of a mandatory digital mode of operation and the provision of adequate training. If the parties fail to ensure this, the competent authority should be responsible for converting the documents into the appropriate digital format.
19	As I stated under Question 4 above, I do not perceive such obstacles, as a lawyer today cannot perform their work without at least basic digital literacy, a computer, and internet access. Courts and their personnel are also equipped with all of the aforementioned. Younger lawyers are all digitally literate and do not require any specific additional training.

20	From a legislative perspective, particularly with regard to the provisions of the Civil Procedure Act (ZPP), I believe the matter is already fairly well regulated. However, it may be advisable to revise the legislation on electronic archiving and electronic operations, as certain aspects of this area remain difficult to understand—even for legal professionals.
21	<p>The establishment of technical infrastructure (a portal) that would enable electronic submission of filings and monitoring of proceedings is essential. The legal basis for this has long been in place (Article 105.b of the Civil Procedure Act- ZPP), but in practice, it is applied only to enforcement and insolvency cases. The e-Justice portal (e-sodstvo) should urgently be extended to cover other types of proceedings as well. That said, other statutory limitations still exist which cannot be easily overcome, and therefore, in my opinion, a full transition to exclusively digital operation is not feasible (see previous response).</p> <p>In practice, there are also challenges related to asset discovery, particularly in cases involving a cross-border element. In principle, the rules of inheritance law require that succession proceedings be conducted as a unified procedure before a single court for the entirety of the decedent's assets. Even if we set aside the question of jurisdiction (which is a separate issue), the identification of a decedent's assets located abroad is often problematic. The same applies to locating assets of debtors who frequently conceal assets by transferring them abroad (e.g. purchasing real estate in Croatia). In the absence of any indication, a creditor will never learn that the debtor holds foreign assets, and enforcement proceedings in Slovenia fail due to the absence of domestic assets.</p> <p>This aspect could be improved through digitalisation, as public registries exist in all EU countries. It should be possible to establish an interconnected system within the EU.</p> <p>In my view, the creation of an EU-level portal—at least with respect to the ownership of real estate and corporate shares—would be highly beneficial. After all, such data is intended to be public, yet even attorneys (with explicit statutory authorisation) cannot access it in a fast and straightforward manner.</p>
22	I do not work in the field of family law, so I cannot comment on that.
23	First, legislative changes, then digitalisation.
24	Computer literacy training for court staff. We already have most of the infrastructure in place as part of the e-Sodstvo system, which works relatively well in some other procedures.
25	The use of existing infrastructure is sufficient. In cross-border proceedings, it would be useful to conduct hearings for main proceedings and witness hearings via e-systems.
26	I believe that the digitalisation of these procedures requires a comprehensive approach- certainly the organisation of compulsory digital training for judges, lawyers, notaries and other legal professionals on the use of new tools, the establishment of a single, simplified and secure digital platform for the management of court proceedings, its integration with public databases and ensuring cyber security and privacy. At the same time, the digitalisation of internal (administrative) procedures within the courts themselves would also be necessary, as in practice we often see long delays even in routine registration tasks.
27	In my opinion, successful digitalisation (in general) requires several systemic changes:

	<ul style="list-style-type: none"> - Training: Continuous education for legal professionals, judges, and clerical staff on using digital platforms securely and effectively. - Infrastructure: Investment in reliable electronic systems (e.g. e-filing, online hearing systems, integrated databases). - Organisation: Clear protocols for digital workflows, electronic service of documents, and record-keeping. - Regulation: Legislation that formally recognises digital tools (e.g. from my perspective e-signatures would be very useful) and allows for their use in legal proceedings without unnecessary constraints.
28	I have no prior experience in this field.
29	-
30	The question is too broad.

Category 4: AI risks perceived

Question

6

Have you encountered or tested predictive models?

If so, how accurate or useful were they in reflecting the outcomes you would expect from a human decision-maker?

N	Answer
1	I have never encountered/tested them.
2	No, I haven't encountered it yet.
3	<p>We have not had any official encounters with predictive models in the context of 'predictive justice' or formal testing of such systems within the Slovenian judiciary. However, we believe that it would be unrealistic and perhaps even naive to expect that some judges, like other legal professionals, do not already use widely available large language models (LLMs) for certain support tasks in their work.</p> <p>We would like to point out that part of the question, which does not focus exclusively on narrowly defined predictive models (i.e. models that predict the outcome of court proceedings), may be somewhat too narrowly defined. Powerful LLM models already go beyond mere prediction and offer a much broader range of applications.</p>

	<p>In our view, advanced LLM models are already capable of generating texts and analyses that exceed the quality of products produced by some individuals, and the judicial system is no exception. We anticipate that parties with appropriate inputs into these models will be able to verify the quality of court decisions and other legal documents themselves. This will undoubtedly lead to greater public awareness of potential human error, negligence or even systemic bias on the part of individual stakeholders in court proceedings. This will consequently create significant pressure not only on judges themselves, but also on the entire organisation and functioning of the judiciary, demanding greater transparency and accountability.</p> <p>Nor can we rule out the possibility that, in the future, parties seeking faster and perhaps more predictable solutions may opt for arbitration or related alternative dispute resolution procedures conducted in whole or in part by artificial intelligence. Among some colleagues who have observed a decline in confidence in the impartiality and effectiveness of traditional justice, there is already a cautious but nevertheless expressed preference for the idea of judges supported by advanced artificial intelligence tools.</p>
4	No.
5	Yes, I did, the answers were close to the correct human decision maker.
6	Same as above (L5).
7	I've already encountered them. And I have. But I always check. With my own knowledge and independent of AI.
8	Yes, but I am reluctant to use them. I believe that the information provided was accurate, but some errors were also detected. There are certain topics or aspects that AI cannot answer.
9	Unfortunately not, but I am interested to explore.
10	We have not yet encountered or tested such models.
11	I have already encountered them, but I have not yet used them in practice.
12	I haven't encountered this yet.
13	I met. In a particular case, AI gave a legal opinion consisting of words that were put together in logical sequences and sentences. Substantively (legally speaking), the opinion was a complete kick in the teeth. The module therefore did not even come close to answering the human decision maker and was completely unusable.
14	No, I haven't. I haven't come across any AI that is particularly useful for Slovenian law yet.

15	I only tested them in a test environment, so I cannot assess how closely they approximated human decision-makers.
16	Yes, I have explored some predictive tools for legal research and case outcome analysis, mostly in beta stages or via academic platforms. While they provide helpful trend analysis and highlight relevant case law, their accuracy depends heavily on the quality and quantity of input data. In simple or repetitive cases, predictions are reasonably aligned with what a human judge would decide. However, in complex or emotionally sensitive cases—like those involving children or subjective valuations—they fall short of capturing nuance and human judgment.
17	I assess a system in which AI would independently decide on disputes as total futurism.
18	No.
19	I have not yet encountered such models.
20	I have not yet used AI for drafting legal submissions, but I do make use of it for translation purposes. I have successfully translated correspondence written in languages I do not understand with the help of AI. It may be worth highlighting that, for documents which currently still require a certified translation by a court-appointed interpreter, a possible future approach could involve having the document translated using AI, with the certified interpreter merely confirming the translation.
21	No, but I have learned that AI tools are already being used in the legal profession, primarily for due diligence purposes. We have not yet used them in our firm, so I am not in a position to comment on their reliability.
22	I have not yet encountered predictive models.
23	No.
24	Although this is not directly stated, it is a fact that judges already rely on case law found on the internet and probably also on the AI.
25	I have already met with them, and my opinion is that they are a burden on the proceedings, as the amount of data does not contribute to the final decision. If the rules of procedure are applied correctly, the authorities do not take such applications into account in their final decision, but the amount of data causes additional costs for the authorities and the parties.
26	I have not conducted any direct practical tests, but I know that findings from abroad show that these models can closely approximate the actual decisions of judges in typical cases where the factual and legal elements are similar. In cases with more emotional and family factors, however, I believe that such tools cannot replace human decision-making.

27	Yes, I've used AI tools that incorporate predictive models—mostly for contract analysis, risk assessments, and litigation outcome prediction. They can be useful in highlighting issues or flagging risks, but I would not rely on them as standalone decision-makers. Their usefulness often depends on the quality and relevance of the data they were trained on. At this stage, human oversight is essential to ensure accuracy.
28	I have not encountered it.
29	I've only used Chat GPT once in my work, and it was surprisingly good.
30	Yes, I have encountered and tested these models, they were surprisingly accurate, but not in a way that could replace humans.

Question

7

What risks do you foresee in using predictive models in family property law; including, but not limited to, over-reliance on these tools, lack of transparency, or limited litigant understanding? Or do you see other risks?

N	Answer
1	The risks lie primarily in blind reliance on tools, lack of explanation for decisions (how and on what basis the program made such a decision), incorrect decisions (AI model hallucinations), and decisions that are controversial from the point of view of complaints.
2	I am unable to predict risks. I believe that the essence of resolving property disputes between spouses often does not depend on the assistance that the AI could provide.
3	<p>A fundamental characteristic of law is its universality, which presupposes that it can be understood by every individual; otherwise, law loses its fundamental social function and legitimacy. Predictive modelling, especially that based on complex algorithms of large language models (LLMs), is practically incomprehensible to the average individual, and even to many legal professionals, due to its computational, algorithmic and systemic complexity. This is the so-called 'black box' effect, where the internal workings of the model are not transparent.</p> <p>The direct use of such models for judicial purposes is therefore exposed to significant risks, such as the possibility of factual errors, the generation of false or misleading information (so-called 'model hallucinations') and the reinforcement of existing or introduction of new biases that may be hidden in the training data or the algorithms themselves. Due to these limitations, we believe that such models are currently useful primarily as advanced tools for</p>

	<p>drafting documents or for analytical support. However, final documents and decisions must contain all relevant elements of judicial decision-making that are verifiable in a traditional, analogue manner and based on human judgement.</p> <p>We see a key systemic risk in the use of these models in the judiciary in the possibility of covert external influence on the outcome of decisions. This could happen either through the deliberate introduction of biased data into the large training sets on which the models are trained, or through the manipulation of the algorithms themselves in a way that would systematically favour certain outcomes or interests without this being apparent to the outside world.</p>
4	I would consider all of the above as a serious risk. Under the umbrella of the "lack of transparency" I would highlight the risk that the system would likely lack tools required for independent verifications.
5	There are risks, especially when a sufficiently broad and quantitative area is not reviewed, not enough case law is reviewed, then mistakes can occur.
6	Same as above (L5).
7	See previous answers.
8	Emotions are inevitably involved in family disputes, including property disputes, and it is not always the law that is important for the successful resolution of a dispute. AI will not be able to resolve this. Every case is different, and the answer to the same question will never be the same for different parties.
9	System hibernation, especially in the case of more complex issues, is a concern — particularly given the fact that these systems do not have access to a broad range of data that is not publicly available.
10	I believe that these tools are not yet sufficiently reliable, so there is too much risk of errors (which can have serious consequences). Consequently, I do not support the use of these models for the time being.
11	In my opinion, such models are of limited use. They can help us identify general trends, but they cannot replace the human perspective, which is crucial in decision-making.
12	I certainly agree with the limited understanding of the parties in the proceedings, which can lead to automated decisions that do not take into account the specificities and circumstances of each individual case- and not only in family property law.
13	I do not rely on it.
14	There are risks if they are used by the court. If they are used by a lawyer or a party, the lawyer is solely responsible for his work, and the party is responsible for relying on AI.

15	When using these models, it is extremely important which data is included and how it is incorporated. Predictive model algorithms will find it difficult to take subjective circumstances into account, as these will be difficult to incorporate into the model and the model will not be able to find reference points on the basis of which it could include them in the decision. Therefore, I think it is likely that decisions based on predictive models will only take into account a limited set of data on each case. There is also a risk of increased possibility of flawed reasoning in decisions (relying on the prediction of a predictive model instead of judicial discretion) and the inclusion of existing biases.
16	The main risks include over-reliance on AI outputs by judges or lawyers, leading to reduced individual analysis. Lack of transparency in how predictions are generated—especially with proprietary algorithms—could undermine trust. Another major risk is that parties may not understand how the models work, leading to unrealistic expectations or mistrust. There's also the concern of systemic bias if historical data reflects past inequalities or inconsistent rulings. AI should remain an assistant, not a decision-maker.
17	As a significant risk, I highlight the further erosion of trust in the judiciary, as a live judge provides parties with the feeling of being heard, rather than being mere mathematical objects of legal decision-making.
18	The failure of tools to consider all legally relevant facts, combined with a lack of critical judgment on the part of operators, may lead to incorrect decisions.
19	<i>I perceive a risk in the use of predictive models in that a judge, as a physical person, is able to directly perceive the party and form a subjective assessment—something artificial intelligence cannot do. The law frequently establishes legal standards and subjective criteria, which, through automated decision-making, may become overly aligned with objectivity.</i> <i>I also see a risk in the possibility that case law would be developed by artificial intelligence rather than by a human judge.</i>
20	Above all, excessive reliance on these tools without applying one's own judgment and without taking into account the specifics of the individual case.
21	I believe that AI tools will never be able to replace “human” adjudication. Law has never been—and will never be—a mathematical operation; there will always be an additional human element involved. This is especially true in property division proceedings within the context of divorce, inheritance distribution, and similar cases. In practice, these proceedings often involve assessing the specific interests of individual participants in relation to certain assets, and the court ultimately issues a decision that is partly based on intuition and includes a touch of emotional consideration. I doubt that AI would be capable of anything comparable. Moreover, such cases are often emotionally charged, and an experienced judge can more or less successfully calm and manage that environment—something AI cannot provide. Client trust would also, in my view, be questionable. Today, a human being decides on your claim. In court, parties do not necessarily seek justice in the strict sense or vindication of their legal position—sometimes it is enough for them simply to feel heard, even if their claim is rejected. I have personally witnessed cases where clients came to the hearing full of “combative energy” and entirely convinced of their position, only to accept the judge’s decision with understanding after it was explained to them—not in harsh legal jargon, but in a clear, empathetic and human manner. That sense of being heard—though not successful in the outcome—was enough for the party. Moreover, while a decision may be unfavourable and prompt dissatisfaction with the judicial system, I believe that such dissatisfaction would be even

	<p>greater if the decision had been rendered by an AI system. After all, there is currently a possibility of differentiation among judges (good, excellent, or less competent), whereas AI would be singular and thus inevitably subject to collective criticism.</p> <p>That said, this does not mean that digitalisation could not significantly enhance the efficiency of such proceedings. Even just having AI extract relevant case law—better than current tools do (e.g. the ius.info portal)—would undoubtedly benefit not only judges, but also parties and their legal representatives. Given that these are non-contentious proceedings, it would be particularly helpful if such case law were made available to all participants, and if the court could openly communicate its views on the specific case with reference to that jurisprudence.</p>
22	n/a
23	I don't know.
24	Bolj vidim prednosti kot tveganja, saj bo odločanje končno kvalitetnejše, bolj predvidljivo in enotnejše. Delitev premoženja je premoženjska zadeva, zato razumevanje strank ne igra take vloge kot v družinskih sporih.
25	Each party bears its own burden of proof and is therefore responsible for choosing the method of protecting and enforcing its rights.
26	In family disputes, including property disputes, emotional, social and moral aspects are also important, which AI cannot adequately capture. Furthermore, I believe that there is a real danger that lawyers or judges could start to place excessive trust in the results of the model, even when it would make sense to adapt the decision to the circumstances of the individual case.
27	<p>The main risks from my perspective are:</p> <ul style="list-style-type: none"> - Over-reliance: Users may defer too much to AI outputs without critically assessing them. - »Hallucination«: AI can fabricate statutes or legal provisions that don't exist, which is especially dangerous in sensitive legal matters. - Data privacy: Risk of exposing confidential or sensitive client data when inputting into AI tools. - Lack of transparency: It is often unclear how a predictive model arrived at a certain conclusion.
28	While I lack experience with these specific procedures, my general assessment is that there could be an over-reliance on the aforementioned tools .
29	There's a risk to the human element, meaning that decision-makers (and others involved in the process, including lawyers) might eventually start relying too heavily on the results of predictive models and stop verifying their accuracy or appropriateness. I also don't know the extent to which these models can consider or encompass all the relevant circumstances in such proceedings.

30	<ul style="list-style-type: none"> - excessive reliance on these tools - the danger of excluding humans as decision-makers who ‘smell’, ‘see’ and “feel” and also have the right to ‘make mistakes’.
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Question

8

A survey on the digitalisation of asset liquidation-division procedures suggests that AI tools, blockchain technology, and online dispute resolution (ODR) platforms are seen as the most useful innovations.

Which of these technologies do you find most relevant or applicable, and why?

N	Answer
1	AI tools as a working aid and ODR as an infrastructure for operation
2	None, because I do not see how any of these technologies could influence a spouse's decision to recognise and acknowledge, for example, that the other spouse's contribution to the creation of community property was greater than his or hers, if he or she does not wish to do so.
3	<p>Unfortunately, we are not familiar with the details of the study, so it is difficult to comment on its specific findings. However, based on our current experience and knowledge of the situation in the Slovenian judiciary, we believe that of the technologies listed, those based on large language models (LLM) currently have the greatest direct potential and practical value. Their versatility in working with text, analysing data and assisting in the preparation of documents is already showing concrete benefits in legal practice.</p> <p>Blockchain technology, despite its technological maturity and potential for ensuring the immutability of records in the Slovenian judicial system, has not yet established itself as a practical solution for a wider range of procedures. Its implementation would require significant system adjustments. Nevertheless, we consider blockchain technology to be an extremely important, if not essential, component of the future system for the secure and reliable storage of digital court files or archives. Its fundamental feature- cryptographically guaranteed immutability of records- could significantly contribute to preventing unauthorised interference with archived material, such as subsequent modification, deletion or addition of documents. This would significantly increase the integrity and authenticity of archived data, thereby reducing the risk of corruption and strengthening trust in the judicial system.</p> <p>Online dispute resolution platforms in the Republic of Slovenia are not widely known to the legal profession at large and are not yet used to any great extent in judicial practice, particularly in property division proceedings, although they could be a useful mechanism for certain types of disputes or for preparing for dispute resolution.</p>

4	In my view, at least in the short-term online dispute resolution / videoconferencing solutions would bring the most added value and expedite proceedings. In terms of AI solutions, I believe that the Slovenian judiciary is not yet equipped to tackle the risks / issues related to implementation of such tools, and lack the requisite technical knowledge and capabilities to use this in practice.
5	Because they are closest in decision-making to the human decision-maker.
6	Same as above (L5).
7	See above. For family matters, I can't imagine the latter.
8	I am very cautious about using AI, I am not familiar with blockchain technology, nor am I familiar with online dispute resolution platforms. I am aware of the latter, as it is widely used abroad, but not in Slovenia. I believe that of all three, this platform is probably the most useful, as it would enable matters to be resolved more quickly and more economically (in terms of time and cost).
9	The use of artificial intelligence is practically inevitable, of course with very critical scrutiny. For now, it should be limited primarily to serving as a guiding tool for data retrieval, interpretation, and similar tasks.
10	I cannot answer the question because we do not use these models (apart from the occasional use of AI tools in our (lawyer-related) work (e.g. for translations and the like), but not in liquidation and asset distribution proceedings). However, our experience so far is that AI tools are still very unreliable in the legal field.
11	I am familiar with the online dispute resolution platform. I find it useful because it offers faster and cheaper, and therefore more accessible, dispute resolution.
12	I am not familiar with all of the innovations mentioned, so it would be difficult for me to evaluate them.
13	I don't know / don't use.
14	I am unfamiliar with them.
15	I am not very familiar with online dispute resolution platforms. Artificial intelligence and blockchain tools seem useful to me as supporting tools.
16	Online Dispute Resolution platforms are the most immediately applicable. They offer a scalable and cost-effective way to resolve disputes amicably, especially when emotions run high but legal issues are clear. AI tools are also relevant for legal research and document drafting, provided they are used

	cautiously. At the moment there is no additional value from the blockchain, even if only for property records and smart contracts. By my opinion they simply try to solve a problem that doesn't exist.
17	/
18	Artificial intelligence tools, as they are the most accessible and user-friendly among these.
19	I am unable to provide an answer, as I do not use them and am not sufficiently informed about them.
20	I am only familiar with innovations in the field of artificial intelligence; I am not acquainted with other tools.
21	<p>Online dispute resolution platforms are certainly appropriate in areas where disputes are frequent and generally of a more generic nature (e.g. consumer disputes). However, it is essential that such mechanisms remain extrajudicial in nature and that judicial protection continues to be available as an alternative remedy.</p> <p>In my own work, we use AI tools primarily for case law research, which has already proven to be quite effective. However, the main issue I see with currently available AI tools for drafting legal submissions (e.g. ChatGPT) is their tendency to "hallucinate" or fabricate content. Beneath the surface of well-structured text, there are often numerous legal inaccuracies.</p>
22	In my opinion the most useful would be AI technology capable of automatically deciding on land registry entries (following asset division). Land registry entries are highly formalistic and could therefore be automated.
23	I don't know.
24	In my opinion, ODR (online dispute resolution platforms) are less useful due to people's need to be heard and to have their rights upheld in court.
25	None.
26	I am cautious about using AI, I am not familiar with blockchain technology, nor am I familiar with online dispute resolution platforms. However, I believe that of the three, the latter platform is probably the most useful, as it would allow issues to be resolved more quickly and cost-effectively.
27	From my perspective, AI tools are currently the most impactful technology, especially in legal research, document review/drafting, and summarisation of long texts. It drastically reduces time spent on repetitive tasks. Blockchain has potential in the area of immutable records and property rights (e.g. digital land registries), but its legal adoption is still limited, especially in Slovenia. ODR platforms are promising, especially for low-stakes or amicable disputes, as they can offer faster, less adversarial resolution paths.

28	I consider artificial intelligence tools to be of paramount importance due to their already widespread adoption and the broad spectrum of information they utilise for learning.
29	I don't have any experience with this, or I'm not familiar with it.
30	Blockchain- elimination of intermediaries, indelible traceability and thus a guarantee of authenticity.

Question

9

The survey shows that AI applications for predicting outcomes in asset liquidation-division cases are currently used only to a limited extent.

Do you believe this is due to their unavailability, lack of relevance, the immature state of the technology, or are there other reasons?

N	Answer
1	I believe this is a result of the legal system, where decisions are made by judges, and the traditions associated with this. At the same time, AI models are not yet mature enough to replace the work of lawyers or judges.
2	Predicting the outcome is often irrelevant to clients. We already provide clients with such rough estimates without the AI, but clients often disregard them and will continue to do so even if the AI produces a predicted outcome, because they have their own opinion, which is often independent of objective data.
3	<p>Based on our experience and observations in the legal profession, we believe that the key reasons for the current, still relatively limited, use of advanced artificial intelligence technologies, including LLM models, by lawyers are as follows:</p> <ol style="list-style-type: none"> 1. Concerns about data security and client-lawyer privilege: Lawyers handle extremely sensitive client data, so information security and strict adherence to client-lawyer privilege are of paramount importance. There is a legitimate concern that the use of certain external LLM tools, especially those that process data on third-party servers, could compromise these fundamental principles. The Slovenian Bar Association (OZS) is currently conducting a research project to address these very issues. The aim of the project is to enable lawyers to use LLM models securely and compliantly directly on client documents, without the need for time-consuming prior anonymisation or other protective measures that could compromise the integrity of critical information in the file. 2. Lack of specific knowledge and skills: The effective and secure use of advanced AI tools requires a certain level of technical knowledge and understanding of how these technologies work. We identify the lack of this specific knowledge among some lawyers as another important reason for the slower penetration of these technologies into everyday practice. It is also noticeable that the prevalence of knowledge and use of these technologies among lawyers is partly generation-dependent, with younger generations generally being more open to new technologies. The OZS is

	actively responding to this challenge by organising relevant training courses, practical workshops and expert lectures with the aim of raising the level of digital literacy and competence among our members.
4	/
5	Yes, in addition to the insufficient amount of data it processes (inaccurate inventory of the actual situation).
6	Same as above (L5).
7	The reasons are either emotional or ignorance of the law.
8	I believe that there is a general reluctance to use these digital tools in the judicial system, which is understandable. It is practically impossible to predict the outcome of court proceedings, as AI will not take into account all the relevant circumstances that are essential for the final outcome of a dispute. It may be a practical procedural issue, such as a delay in paying court fees or insufficient grounds for the claim, which ultimately results in a completely different outcome of the dispute than was originally anticipated.
9	It's difficult for me to comment, as I have not used it in this context yet.
10	Same answer as above.
11	I believe this is due to concerns about the reliability of artificial intelligence and the ethical aspects of using artificial intelligence in decision-making.
12	My opinion is a combination of the above- the immaturity of the technology, whereby the question is whether the technology, as currently developed, is suitable for use in predicting outcomes, and partly also the reluctance of individuals to use such tools in liquidation and asset distribution proceedings.
13	Given my knowledge of the issues, I do not think that the law is yet suitable for AI decision-making at this point in time. In practice, there are important soft moments in decision-making (subtleties in interrogations, etc.) that I don't know if AI models can adequately detect/assess. In practice, law is far from mathematics or a binary system (1/0), which probably prevents or at least limits the use of AI models in this context.
14	I don't know. I don't know if anyone in Slovenia is already using it.
15	I think that this is currently a consequence of insufficient availability and immaturity of the technology, but the situation is changing very quickly in this regard.
16	The limited use is primarily due to a combination of factors: unavailability of well-developed, Slovenian-contextualised tools, cautious legal culture, and concerns about data protection. The technology is still maturing, especially for emotionally and contextually sensitive areas like family law. There's also a

	regulatory lag—without clear guidelines, many professionals are hesitant to use or trust predictive systems. More pilot projects and judicial engagement would help build familiarity and trust.
17	/
18	/
19	/
20	I believe that the non-use of any digital tools related to computer literacy is primarily the result of fear of engaging with such tools. The judiciary and legal professions are inherently conservative, and any innovation tends to push actors beyond long-established frameworks, thereby exposing them to the risk that a decision could be annulled due to the lack of technological coverage of even a minimal procedural segment.
21	<p>In my view, Slovenia is currently insufficiently informed for clients to use such tools to assess the viability of legal proceedings or to predict possible outcomes. In particular, such tools would not be suitable for probate or family law matters, as there are few cases where the assets to be divided are substantial enough to warrant complex calculations or outcome projections. Ultimately, in such non-contentious proceedings, reliance on case law and the justification of special interests in property division is more a matter of creative legal advocacy than of objective criteria.</p> <p>Such tools might be more applicable in insolvency proceedings. Creditors seeking to initiate bankruptcy proceedings against a debtor might, in theory, benefit from such projections. However, in my opinion, the main obstacle lies in obtaining the input data—namely, accurate information about the debtor’s assets. Even insolvency administrators often struggle to access such data, and I cannot see how AI could meaningfully facilitate this. That said, if the relevant data were available, AI-generated projections would undoubtedly be welcome.</p>
22	A combination of all the listed factors. Digitalisation has its limitations and cannot be implemented in all processes; appropriate technological infrastructure is required; excessive digitalisation, in the context of insufficient literacy, would hinder the exercise of rights.
23	I don’t know.
24	This is probably due to the computer illiteracy of court staff and reservations about predictive decision-making stemming from other procedures (e.g., criminal proceedings), where a personal approach, on a case-by-case basis, is more appropriate.
25	The reasons lie in the complexity of individual cases, which contain too many unknown factors for AI to be able to deal with them adequately. Since these procedures involve a mixture of law, psychology, relationship history, and psychiatry, it is not possible to apply AI procedures with sufficient certainty, as the algorithm on which AI is based does not recognise specific cases.

26	In my experience, there is a general reluctance to use these digital tools in the judicial system, primarily due to mistrust of this type of (newer) technology. Another problem is the immaturity of the technology. The UI has not yet been sufficiently tested and adapted for use in an area where there are no clear rules, but rather a great deal of judicial discretion.
27	I cannot answer specifically for asset liquidation-division cases, but in general I believe that many tools are not yet tailored for nuanced legal use-cases and courts/state institutions and legal professionals are hesitant to adopt tools not fully vetted, or individual judges/practitioners may not understand what these tools do or trust their outputs.
28	While I lack experience in this field, my general response would align with my answer to Question 4: the primary obstacles to implementing digital tools within the judiciary are predominantly organisational (budgetary) and cultural barriers. I frequently observe among judicial personnel a fear of any novelties and changes, coupled with the mindset of, "Everything is functioning, why should we change anything?"
29	There's an issue with unavailability and a fear of new things. Often, parties in these kinds of disputes (due to the nature of the conflicts themselves) don't actually want to achieve what's objectively fair or what the relevant law would dictate. Instead, they aim for other goals, such as harassment, revenge, or acquiring more assets than they're entitled to. An objectively predictable outcome might not even interest them, or they might not even want to know about it. However, it would be a useful tool for a lawyer trying to convince a client about the merits of a settlement (for example, when a proposed settlement is very favourable to the client, but they still believe they'll get more in court).
30	Inadequacy or immaturity of technology, as well as human resistance due to fear of being 'replaced'.

Slovenia - Notaries

Category 1: Targeted legal processes

Question

1

Which aspects of the asset liquidation-division procedure (amicable and judicial) do you believe are the least efficient or cause the most delays?

N	Answer
1	Obtaining various consents (regulated by the Agricultural Land Act - Zakon o kmetijskih zemljiščih (ZKZ) for agricultural land and the Nature Conservation Act - Zakon o ohranjanju narave (ZON) for protected areas) is time-consuming. The FURS (Financial Administration of the Republic of Slovenia) could also be quicker, and these bureaucratic obstacles cause most of the delays before the registration of the ownership right in the land register.
2	Firstly, I would like to say that the answer to this question also (partly) covers the answers to all the following questions in this questionnaire, which is why it is more extensive. I am not in a position to judge the effectiveness of the digitalisation of the judiciary and predictive justice, as I am not involved in court proceedings. In my work as a notary, I do not encounter property liquidation proceedings. As regards the division of property, this comes into play in cases of divorce by mutual consent or the dissolution of extramarital partnerships. The division of property in the narrower sense, such as an agreement on the division of jointly owned real estate, is also a division. In my work, I deal with contractual division of property, which is always linked to the will of the contracting parties. The division of property is always a subjective matter for each party and does not depend solely on objective parameters and statistics. This view or approach to the division of property also requires the decision-maker or drafter of the document to take a subjective approach in terms of gaining the greatest possible understanding of the parties and seeking a solution that is acceptable to both or all parties, which is at the same time impartial and 'fair' or 'just' for all parties to the legal transaction. We cannot speak of the effectiveness or causation of delays in contractual property divisions, as all parties involved in the division always agree on the scope of the property to be divided and the method of division. For this reason, the parties to a contractual relationship always strive to find a solution as quickly as possible.
3	The most time-consuming part is establishing the facts that are relevant to the court's decision or to the drafting of the property settlement agreement. Some facts can be objectively established (e.g., when the marriage was entered into, when individual assets were acquired (e.g., real estate, claims, liabilities, etc.), how the assets were acquired (by purchase, gift). Some facts are more difficult to establish objectively and can generally only be determined from the subjective statements of the parties and from the evidence submitted by them (e.g., who contributed what share of the purchase price to the acquisition of the property and from what sources, when the couple's life and economic community began, etc.).
4	Court proceedings for the division of property are rare, delays in larger courts cause backlogs, parties do not even appear at the first hearing within a reasonable time, when the hearing is postponed, the next one is scheduled for six months later, etc., and in the end, years pass and the parties' property remains frozen. This is also one of the key reasons why most parties settle out of court, as they do not want lengthy proceedings and cannot afford them financially.
5	I believe that the most inefficient and time-consuming parts of the liquidation and distribution of assets are those relating to determining the composition of the estate itself. Identifying all of the deceased's assets (from real estate and bank accounts to shares in companies and debts) requires obtaining numerous documents from various institutions. As there is often no data link between these institutions, even today, it is necessary to request each institution separately, which significantly prolongs the proceedings. Such a fragmented system not only causes delays, but also incurs additional costs and increases the

	risk of incomplete information. Effective digitalisation and interconnection of databases could significantly improve the transparency, speed and reliability of procedures.
6	Determining and assessing what actually belongs to the property and establishing its value; assessing the contribution to the creation of community property. The problem also lies in the lack of records.
7	In my opinion, liquidations do not have any problems with efficiency. However, when dividing assets, the main problem has always been determining the amount (and percentage and absolute value) of the contribution. This "problem" is dealt with by the judge; it is his job, he studied for it, he is qualified for it, and he is paid for it.
8	Proceedings based on written submissions
9	In notary offices, property division is carried out by mutual agreement. It is very difficult to define what constitutes a delay in our procedure and work process, as we are dependent not only on our own work and speed, but also on many external 'actors', such as:- municipalities - regarding the issuance of location information, - administrative units - in procedures concerning agricultural and forest land that is subject to division, - any other authorities and institutions (ministries, agencies, directorates, public institutions, etc.) from which consent must be obtained, - FURS (Financial Administration of the Republic of Slovenia), - land registry and court register - for the registration of property divisions when real estate or shares in a company are the subject of such divisions. In addition, it is necessary to check the parties, any insolvency proceedings, the land registry status, cadastral entries of real estate and the value of real estate, any entries and proceedings in the court register. Notaries offer clients a comprehensive service, where we obtain all the necessary documentation related to the division of property for clients, thereby also trying to shorten the time needed to obtain the above-mentioned documentation and procedures related to the division of property. In these procedures, when obtaining the relevant documentation and information necessary for the preparation of a legal transaction, notaries could have greater access to and insight into the records that have already been established.
10	Establishing facts and obtaining documents necessary for the execution of legal transactions.
11	Succession proceedings.
12	Inventory of property and determination of its value from official records in property division agreements (ZK- Land Register, GURS- Surveying and Mapping Authority of the Republic of Slovenia). Further determination of the value of the share contributed by each of the parties (spouses/partners) to the creation of community property. Agreements on the repayment of any debts owed to third parties. Lack of certain records.

Question

2

Which aspects of the asset liquidation-division procedure benefit the most from digital transformation or digitalisation?

N	Answer
1	None, because it is so strictly personal that the contracts themselves cannot be drawn up by computer, i.e. without interviewing and ascertaining the will of the parties (this applies in particular to contractual division, which is dealt with by notaries, not in court).
2	As a notary, I am unfortunately unable to answer this question.
3	The facts that can be established from existing records could be established digitally and without the involvement of the parties (for example, by consulting the marriage register, the real estate register, the securities register, the register of companies and other legal entities, and other registers).
4	Asset valuation, transfers in registers, faster processing with recording—AI could prepare draft records, which would then be reviewed and read by a notary.
5	Digital transformation is particularly welcome in terms of increasing the efficiency, transparency and user-friendliness of procedures. A key advantage is the possibility of automated collection and rapid access to relevant data stored in various public registers, such as the electronic land register, the AJPES-Agency of the Republic of Slovenia for Public Legal Records and Related Services- business register, tax records and other centralised databases. This access enables notaries and other legal stakeholders to quickly and reliably obtain information that is essential for the liquidation and division of assets. With the introduction of electronic filing, digitalisation has contributed significantly to streamlining procedures. Clients no longer need to physically visit administrative or judicial authorities, as they can submit all applications, attachments and supporting documents via secure electronic channels, often outside normal business hours. This reduces administrative barriers and contributes to greater accessibility of legal services, especially for people living in remote areas or abroad. An additional advantage of digitised procedures is the possibility of electronically supplementing applications that have already been submitted, which allows any deficiencies to be quickly remedied and contributes to the smooth continuation of the procedure without unnecessary interruptions. Electronic filing also improves communication between authorities and parties, as electronic notifications of procedural steps, decisions and deadlines help to keep everyone involved better informed and reduce the risk of delays. Digital tools are therefore not merely a technical substitute for paper-based operations, but represent a qualitative upgrade of procedures, contributing to greater legal certainty, faster decision-making and fewer errors. Ultimately, digitalisation strengthens the trust of parties in the functioning of the justice system.
6	Electronic access to individual records, such as the court register and land register, is undoubtedly the most important factor in determining assets. The land register can also be accessed using the personal identification number or first and last name, but this is not possible elsewhere.
7	I am strongly opposed to digitalisation and cannot see any positive aspects to this kind of "progress." It is true that procedures appear to be faster as a result, but this comes at the expense of negative consequences in terms of content, legal certainty, etc.
8	Preliminary data collection procedure and completion of the procedure; faster communication and exchange of data and, consequently, completion of the procedure

9	<p>For many years now, notaries have been submitting most land registry entries and proposals to the court/business register in electronic form, which has significantly accelerated procedures and reduced delays, particularly in land registry matters.</p> <p>In property division proceedings, which also include shares in companies and, consequently, any changes in the shareholders of these companies due to the division of property, notaries obtain all relevant certificates in accordance with Article 10. a through our e-Notar program, which is linked to the IRSD- Labour Inspectorate of the Republic of Slovenia , TIRS- Market Inspectorate of the Republic of Slovenia , FURS- Financial Administration of the Republic of Slovenia, and CKE- Criminal Records Register registers.</p> <p>For several years now, notaries have also been filing tax returns electronically via the e-Davki portal and receiving notifications and decisions for clients via the portal, which has shortened tax procedures by at least a few days, as the mail would otherwise have to travel from us to the competent FURS office and back. In this regard, uniform instructions and standardised practices of tax offices would be particularly necessary in tax procedures, as decisions are too often inconsistent and depend on the individual case handler, which causes a great deal of dissatisfaction among clients.</p> <p>Digital transformation would also be beneficial for the process of concluding legal transactions, including the division of property. The Notary Public Act already contains provisions on the conclusion and signing of legal transactions at a distance, but we are waiting for the Ministry of Justice to issue a call for tenders for digitalisation, which would enable us to offer these services to our clients.</p>
10	<p>Digitalisation will certainly help to eliminate delays in this area, particularly in obtaining certificates from various registers.</p> <p>The notarial profession is preparing to provide remote notarial services, which will certainly speed up procedures in some cases.</p>
11	Registration of transfer of assets in public registers
12	Electronic access to official records by type of property (court register, land register), whereby access by the party's personal identification number is not available in all property records. Electronic submission of proposals (ZK, GURS and other official bodies- UE- Administrative Unit, FURS).

Category 2: Opinions on technology readiness

Question

3

What digital tools do you currently use in asset liquidation-division procedures?

If these tools are also used by the parties themselves, do you find that they are sufficiently accessible to vulnerable individuals (such as the elderly, people with disabilities, or those with low digital literacy)?

N	Answer
1	<p>She points out the amicable divorce of spouses (in the case of persons without children, or with adult children), where the notary can notify the UE (Administrative Unit) of the divorce via email, for the UE to enter in the register. This is one of the few procedures where digital tools are used. She adds that she uses electronic access to the ZK (Land Register), the court register, the digital cadastre - but for the actual writing of the contracts, only a computer, paper and interviews with the parties come into play. After the contract is signed, the registration with FURS (Financial Administration of the Republic of Slovenia) is done via email, but there are still a lot of complications with email, as FURS has not yet mastered this type of communication seamlessly in relation to the registration of contracts and the sending of tax receipts in this respect.</p> <p>She does not use any other digital tools, nor do her clients.</p>
2	<p>Older people or those with low digital literacy are ‘old school’ customers, meaning they need a personal approach and clear explanations, which in turn requires a human touch.</p>
3	<p>When drawing up agreements on the division of property, notaries can use electronic links to access registers such as the electronic land register, the real estate cadastre, and the court register. We do not yet have electronic access to the population register, the securities register, or the personal vehicle register.</p> <p>Some registers are easily accessible to the public electronically, but people who are not familiar with digital tools may have difficulty accessing them.</p>
4	<p>Public registers, AJPES- Agency of the Republic of Slovenia for Public Legal Records and Related Services register, Land Registry, GURS (Surveying and Mapping Authority of the Republic of Slovenia), Register of Beneficial Owners, List of Property Agreements. Yes, they are sufficiently accessible.</p>
5	<p>Currently, I only use basic digital tools (e.g. land registry extracts from the electronic land registry, extracts from AJPES-Agency of the Republic of Slovenia for Public Legal Records and Related Services, electronic communication with registers and digital signing of documents, mainly for submitting documents via the Slovenian Business Point Portal- SPOT portal. The use of these portals is also available to vulnerable groups of individuals, but to varying degrees, which I think makes sense, as clients cannot submit everything themselves, but still have access to certain publicly available information. It is understandable and also necessary that some data is protected from the general public, but I believe that digital tools are undoubtedly better known and easier to understand for younger generations, who are in daily and constant contact with technology, than older people or those with low digital literacy, especially in cases where a digital signature is required to use the tool, rather than just a password.</p>
6	<p>ZK- land register, GURS- Surveying and Mapping Authority of the Republic of Slovenia, court register, other registers.</p>
7	<p>Unfortunately, in my daily work, I am forced to use various digital portals and applications (land registry, court register, space portal, etc.). The only thing I can rely on 100% in my work is the good old notary certification book (you won't believe it- it never "freezes," certification is faster than via the e-notar</p>

	app, and it's greener = less paper is used). With everything else, not a day goes by without some kind of error that temporarily prevents the app from working.
8	<p>Online communication tools and occasional artificial intelligence tools</p> <p>In principle, tools are not sufficiently accessible to vulnerable individuals; the main problem is low digital literacy.</p>
9	<p>In their work, including the preparation of property divisions for clients, notaries use a range of tools and portals. Here are just a few of the ones they use on a daily basis:</p> <p>eNOTAR- intended exclusively for notary offices, enables the keeping of registers, obtaining up-to-date information from various sources, issuing invoices, and will also enable notaries to manage the entire process of document and archive management</p> <p>AJPES- court/business register</p> <p>– eInsolv</p> <p>GURS- Spatial Portal- access to surveying data</p> <p>– access to real estate valuation data for tax purposes</p> <p>EZK (electronic land registry)- e-Justice Portal, land register (in cross-border procedures, also access to land register data of neighboring countries)</p> <p>SPOT portal- Slovenian Business Point Portal</p> <p>PISO- municipal spatial information system</p> <p>ISKD- cultural heritage information system</p> <p>PIS- spatial information system</p> <p>eDavki- for submitting tax returns and receiving notifications and decisions for clients</p> <p>In cross-border cases also:</p> <ul style="list-style-type: none"> - European Notarial Network ENN - European e-Justice Portal

	<ul style="list-style-type: none"> - accessible land registers of neighboring countries - accessible land register data of neighboring countries <p>Many of the portals are publicly accessible (e.g., eZK, AJPES, Portal prostor- application of the Surveying and Mapping Authority of the Republic of Slovenia (spatial portal)) and clients can also view and use the data published on them themselves, but this data must also be 'read' and interpreted correctly. It would be difficult to determine whether this access is appropriate for more vulnerable groups. Notaries, by the very nature of our mission, the principles of independence and impartiality of our work, and our concern for the equality of clients, offer assistance, advice, and counseling to all clients so that they feel safe and protected in legal transactions, regardless of their background, age, or other personal circumstances.</p>
10	<p>Notaries have electronic access to certain registers which they can consult prior to providing notarial services, and after drawing up a document, they submit all proposals to the land register and court register electronically. Notaries file more than 75% of all land registry proposals in the land registry. All court decisions are delivered to notaries in their secure electronic mailboxes. In certain areas, notaries also communicate with the UE (administrative unit) and FURS (Financial Administration of the Republic of Slovenia) via e-mail and send information on consensual divorces, obtain location information, and submit tax assessment notices related to real estate transfers. This reduces the burden on clients and implements the one-stop-shop principle.</p> <p>The use of digital tools may be a barrier for some, but the percentage of people using digital technologies is very high, even among older and vulnerable people.</p>
11	<p>Court register and land register</p> <p>The parties do not use these tools.</p>
12	<p>Electronic access to the Land Registry, GURS- Surveying and Mapping Authority of the Republic of Slovenia, other registers (vessels, motor vehicles, non-possessionary liens, personal identification card register).</p>

Question

4

How is the digitalisation of asset liquidation-division procedures perceived by you personally and by your professional legal community involved in these procedures?

Do you see digitalisation in the justice system, and especially in asset liquidation-division procedures, more as an opportunity for innovation or as a challenge to existing roles and practices?

(If you perceive it as an opportunity): What legal, organisational or cultural obstacles do you see as hindering the introduction of digital tools in asset liquidation-division procedures?

(If you perceive it as a challenge or risk): Which are the main risks you foresee?

N	Answer
1	<p>Digitisation is good for accessing records, land registry, cadastre and court registry. It would also be good to have access to the population register (CRP.- central registry of population) and e.g. the tax register, which would make it easier to write a contract (in terms of notarial contracts). Otherwise, the interview with the client has to remain physical, it cannot be put into the digital world. Contact with the client on the most personal matters, reading the contract in person and explaining it must remain personal. Eventually, remote notarial deed reading, which should be the exception to the rule. However, the Ministry of Justice is still delaying the selection of a supplier to develop the technical equipment for remote notarisation.</p>
2	<p>When answering the two questions above, it is important to bear in mind that contracts are not mathematical problems to be solved, but primarily reflect the intentions of the contracting parties, to which the drafter of the contract must devote the utmost attention. For this reason, I believe that digitalisation is neither relevant nor objectively possible in the case of contractual property divisions.</p>
3	<p>The current level of digitalisation in these procedures has made enormous progress since I started working in the judiciary. In the 1990s, there was no possibility of electronic communication. All data had to be obtained manually. To review the legal status of real estate, it was necessary to visit the court that kept the land register in the location of the property and leaf through 100-year-old books. The same applied to data in the commercial register. Today, data on any real estate and commercial company can be accessed immediately and remotely.</p> <p>In the same way as it is now the case for data collection, digitalisation will in future also enable faster and more economical procedures in the judicial decision-making phase of disputes and in the drafting of agreements.</p> <p>The initial obstacle to the use of digitalisation in judicial decision-making will certainly be the lack of self-criticism on the part of the authorities responsible for decision-making (e.g. judges), who will not easily relinquish this task to computers (see, for example, Tomc Gregor, Pravica gre skozi želodec [Justice goes through the stomach], Odvetnik, No. 56, 2012, p. 46). 56, 2012, p. 46). The same probably applies to the drafting of property division agreements and to those who draft them.</p> <p>Digitalisation is both an opportunity and a risk. The risk of leaving decisions entirely to digital tools is linked to technological development. In the initial phase, the final solution will still have to be verified by a human being. Rapid technological development may, in later phases, enable a completely autonomous digital process. This certainly applies to decisions on the division of property between parties in a dispute. Since an amicable division of property is not possible without the consent of both parties, a human will ultimately have to use digital tools to establish their identity and verify that there is complete agreement between them to conclude a digitally drafted agreement.</p> <p>In the future, there will certainly be progress from the current state of affairs in combining natural intelligence (human) and AI. The current 100% reliance on AI also poses a risk (see the article mentioned above).</p>

4	<p>Digitalisation is both an opportunity and a risk, but it is inevitable. Digitalisation increases the speed of decision-making, but with speed comes the possibility of errors and even greater exposure to hacker attacks. At the same time, work that is currently performed by a person who you must pay and who makes mistakes can be done quickly and efficiently by AI.</p> <p>I think that the division of property is the last thing that needs digitalisation. The reason for the backlog in property divisions is not the slow work of judges, but the inaccessibility of the courts in Ljubljana and Maribor. It would be useful if these procedures were also distributed among judges throughout Slovenia, similar to the land registry, which works very well, as the courts are very unevenly loaded.</p>
5	<p>I am very open to and welcome digitalisation, but at the same time I am cautious, as it brings many risks and, despite the fact that it has undoubtedly made great progress in terms of usability, efficiency and security, especially in the last decade, the field is certainly not yet fully developed. From the point of view of speeding up procedures and reducing the workload of the courts, digitalisation is a good solution, but it can also lead to carelessness, errors and duplication of work, as errors require corrections. At the same time, proceedings often require careful human consideration, and sometimes, in addition to the rules themselves, compassion and humanity are also needed for a solution to be accepted and enforced in society. In the field of inheritance in particular, it is common for the parties to be highly emotionally involved, and while objectivity is necessary, this should not mean that we start accepting automatic solutions without compassion.</p>
6	<p>A personal approach is important because these procedures involve human relationships and emotions. I see digitalisation as a help.</p>
7	<p>As already explained, I am opposed to digitalisation in general and in the judiciary! I believe that such tools are slowly and quietly dumbing us down and, in certain cases, also pose a risk to legal certainty (e.g., remote notarisation and remote drawing up of notarial deeds, etc.).</p>
8	<p>Digitalisation is definitely necessary, as it can speed up procedures and the process itself, allowing users to focus on the essence of the matter. In my opinion, the professional legal community is more conservative in its approach to digitalisation and prefers to follow established paths.</p> <p>I see the opportunity for innovation, as it brings progress, and the main obstacles are the inadequate training of users and resistance to using new tools—established patterns and ways of working. As a rule, however, this reluctance also stems from security concerns.</p>
9	<p>I personally welcome digitalisation and the development of digital technologies, which facilitate some routine, repetitive activities and shorten the time needed to complete certain tasks.</p> <p>The eNotar program (electronic notary program) offers us electronic record keeping, access to up-to-date information from various sources, invoice issuance, and will also enable the entire process of document and archive management, all of which is the result of upgrades and development of this program. Other technologies are also being developed, such as new algorithms that offer us fast/faster solutions and access. This can also be an advantage in the notarial profession, with the possibility of direct access to the databases we need in our work to enable smooth workflows and faster solutions for clients.</p>

	<p>Notaries are aware that we are not in a position to influence the development of these technologies, which is why we have actively participated in the digitalisation process, including through amendments to the Notary Public Act, which allows us to draw up notarial deeds 'remotely' using a direct secure video link with the notary; we are still waiting for the technical conditions to be met for the implementation of this service;</p> <p>It should be noted that this is a path that is an end in itself, as this goal is not just a single point in the future or a single possibility, but a path that offers countless possibilities, that we, as notaries, are also part of digitalisation and are making decisions, not one big decision, but thousands of small ones, about where and how this path will lead us.</p>
10	<p>Digital tools are gradually being developed and, as mentioned in the previous point, are readily available in certain areas.</p> <p>Digitalisation is an advantage, but it also brings risks. The human factor must still be present to check the solutions prepared by the UI.</p>
11	<p>I see the role of digitalisation in general as an additional option that will be available to certain customer groups and not as the only option for the future.</p> <p>I see this as an opportunity, but also as a challenge in terms of the security of our own business.</p> <p>I see the financial aspect of such business as the main obstacle- I believe that the potentially high financial costs are an obstacle to the adoption of new digital practices.</p> <p>The risk lies in business security- how to ensure, for example, customer identification in the digital world in the same way as in the physical world.</p>
12	<p>Digitalisation is necessary, but not as the only option, particularly for older and digitally less educated people. Furthermore, family matters are in most cases emotionally charged and personal, even when it comes to property law issues.</p> <p>I see digitalisation in relation to property division more as a challenge, as I believe that digitalisation cannot completely replace the current way of working and the practice of concluding property division agreements. I see the main risk of digitalisation in such cases in the different understanding of the actual issues/circumstances (e.g. regarding investments in specific assets of one of the partners, in the assets of the parents of one of the partners, regarding the division of assets itself, etc.). An application for entering all the necessary data for their false processing or an application for communication between two disputing parties who exchange written messages would be very useful.</p>

Category 3: Opinions on how to implement digital technologies

Question

5

What changes in training, infrastructure, organisation, or regulation do you consider essential for successful digitalisation of family property law cases; particularly in asset liquidation-division procedures?

N	Answer
1	<p>Access to records so that in the case of certain transactions requiring the consent of the administrative unit or the Ministry, which are regulated by the Agricultural Land Act ("ZKZ") and the Nature Conservation Act ("ZON") -She says that if a certificate is already required, it would be a welcome change if the application for consent would not have to be made on paper (physically), but be obtained using digital tools.</p> <p>She adds that obtaining consent in the case of family matters is only for formality, the State cannot intervene in the regulation of interpersonal relations, there is no substantive decision-making. Consent has only a formal role - which makes the decision to grant consent considerably too long in relation to the procedural application. Taking too long to decide on consents/decisions (e.g. ZON, ZKZ) in relation to the application pending.</p>
2	<p>The authoritative answer to this question will certainly be provided by the judges.</p>
3	<p>In proceedings for the preparation of agreements on the division of marital property, in addition to legal knowledge, knowledge of the basics of social psychology is also useful, which should be included in training and taken into account in the development of digital tools.</p>
4	<p>/</p>
5	<p>For the effective and comprehensive implementation of the digitalisation of procedures in the field of family property law, particularly in relation to the liquidation and division of property, it is essential to institutionalise digital content within the framework of compulsory continuing professional development programmes for notaries, judges and other legal professionals. It is also crucial to establish interoperable and standardised information systems that enable the automated and secure exchange of data between state authorities, registers and judicial actors. In addition, there is a need for legislative codification of procedural rules governing the conduct of proceedings in digital form, including electronic identification, the use of digital signatures and the legal validity of electronically generated and stored documents. At the same time, the information infrastructure should be upgraded, particularly in terms of cyber security and personal data protection, and reliable communication channels for the transmission of sensitive legal information should be established. It is undoubtedly also important to establish support mechanisms for clients, especially vulnerable groups, in the form of advice points, user centres or digital assistants, which would enable equal and effective access to legal services in the digital environment.</p>
6	<p>The most important thing is the education of all participants.</p>
7	<p>My opinion is that digitalisation in the field of justice cannot be successful in the long term. This is a completely wrong and misguided direction for 'development'!</p>

8	Awareness-raising and education on the potential uses of digital technology and security, and relevant legislation
9	<p>Continuous training is part of the legal profession. Every change in legislation and regulations, as well as in court practice, requires us to adapt, learn, and develop with these changes. It is no different with technology. It may be difficult to get used to something new at first, but with the right training, presentation, and technical and other assistance, its advantages will soon become apparent.</p> <p>Changes and upgrades to both national and European legislation will certainly be necessary in the areas of artificial intelligence, security, the establishment of communication channels, and electronic identification. Above all, the exchange of good practices will also be useful here, as some European countries are already very advanced in the field of digitalisation and procedures are running smoothly.</p> <p>It should be noted that such development also involves costs. In many cases, the use of certain platforms or programs requires the purchase of new computers, the installation of separate servers, or the fulfillment of other technical requirements, including those relating to premises and networks, in order to adapt to developments and use new digitised services.</p> <p>Appropriate platforms and tools for secure digital communication in cross-border procedures will also need to be developed.</p> <p>Above all, there is a huge leap in the organisation of work processes and perhaps an even greater leap in mindset. We can embrace digitalisation with open arms and try to keep up with it, or we can isolate ourselves and complain about the changes it brings, but we cannot stop it. I therefore believe that when introducing digitalisation in any area, a great deal of information is first needed, whether through training, workshops, advice, and readily available technical and professional assistance, so that changes can be introduced and put into practice, and then, like everything else, become part of the routine.</p> <p>However, we must not forget the human factor. With digitalisation, things run faster and better, but routinely, without thought, without emotion, which is its purpose, but the end user of these services is a human being, with all their emotions, actions and circumstances, who sometimes just needs someone to listen to them.</p>
10	Procedures in the field of family property law are complex, which is why notaries must deal with each case individually. Therefore, in addition to legal knowledge, they must also apply other skills (e.g., in the field of psychology, etc.). In addition to training in the use of digital technologies, the application of this knowledge must also be included.
11	I do not see any need for significant changes to our work.
12	I believe that training for service providers and informing service users is crucial. With an emphasis on the security of legal transactions on both sides.

Category 4: AI risks perceived

Question

6

Have you encountered or tested predictive models?

If so, how accurate or useful were they in reflecting the outcomes you would expect from a human decision-maker?

N	Answer
1	No, nothing
2	I have not yet encountered predictive models.
3	I used the AI (within the legal case law portal) to help analyse case law data, but I found (given the current state of development of this application) that it is better to search for relevant decisions myself and extract the essence from them. In my opinion, it is not yet 100% reliable and is not yet ready for independent and uncritical use.
4	We simply sought answers to difficult questions, which we then verified. The answers so far have been correct.
5	So far, I've only come across predictive models indirectly, not in real-life situations. Although estimates of their accuracy are encouraging, at this stage of development these models have not yet reached a level of reliability that would allow them to be used as an independent, decisive and reliable tool. It is crucial that they retain their role as a support tool that complements the professional judgement of lawyers, but cannot (yet) replace them.
6	No.
7	I haven't encountered this yet.
8	I know them, but I haven't tried them yet.
9	I have not yet encountered predictive models. In theory, I know what they mean, i.e., a very broad spectrum of technologies and tools that enable the collection, processing, and analysis of data. This data can be used to predict future trends, enable more accurate and faster decisions, and in some cases even predict and reduce risks. This can be a very good solution in an economic environment where growth indicators are monitored, etc., but perhaps not such a suitable solution for the legal environment. Above all, I see a major concern here, perhaps even a worry, as I have been noticing for years that the use of modern AI tools is reducing the possibility or capacity for reflection, as solutions are literally at our fingertips—in our phones. capacity for thinking, as

	solutions are literally at our fingertips- on our phones, on the other hand, various 'chatbots' offer us these solutions and regularly follow trends and 'learn', and in line with this 'learning' they also change their answers, which are often questionable, to say the least. When analysing data on patterns in productivity, product sales, price growth, etc., it is of course an advantage if these analyses are performed quickly, efficiently, and impersonally. However, in cases where we are dealing with a person whose future actions may depend on the predictions of artificial intelligence or a model that makes predictions based on previously entered algorithms, it is necessary to develop and implement these things very, very carefully.
10	I am familiar with some of the options offered by AI (translations, judgment analysis, etc.), but in my experience, all AI products need to be checked and corrected.
11	I haven't encountered this yet.
12	At the notary office, we sometimes use these types of templates just to help us draft new agreements, i.e. in cases where we have not yet had/used an agreement/contract with specific content, which is rare in the case of property division, as these are usually fairly standard agreements due to the similar legal basis for property division.

Question

7

What risks do you foresee in using predictive models in family property law; including, but not limited to, over-reliance on these tools, lack of transparency, or limited litigant understanding? Or do you see other risks?

N	Answer
1	All of the above. No artificial intelligence can replace personal notes in the most sensitive personal situations involving property. People who work with people, with clients, would not take it well if this were introduced.
2	As has been said and pointed out many times in this questionnaire, family property law is primarily a matter of a personal approach, which is why parties would find it very difficult to understand if predictive models were used.
3	The risk could be overreliance on these tools, which, given their current state of development, are not yet suitable for independent use. However, they can collect various data, which can then be processed using AI to draft an agreement if the parties are willing to reach an agreement. The result must be verified by a human being, who must also apply knowledge of law and other sciences (e.g., social psychology). If there is no willingness to reach an agreement, the AI can draft a decision, which must also be verified.

4	Due to the principle of adversarial proceedings, there should be no misunderstanding between the parties. In my opinion, family property law is not a source of court backlogs; parties usually settle before judgment, and backlogs are not caused by judges but by the procrastination of the party that finds it convenient. However, there is a risk that AI will start thinking instead of judges, who have been trained to do so, resulting in the dullness of judges and trials based on a single model without seeing the whole picture. We are already seeing dullness due to excessive use of devices in people who play games excessively.
5	When using predictive models in legal proceedings, it is necessary to take into account the lack of transparency, which makes it difficult to understand how artificial intelligence works and the basis on which individual models base their predictions. It is crucial to recognise that artificial intelligence is merely a support tool to assist in decision-making and process rationalisation, and must not become a substitute for legal judgement, professional judgement and human responsibility. The use of such tools must be based on the principles of accountability, explainability and controllability. Any result generated by an AI model must be subject to critical review by a legal expert, as there is a risk that users may rely excessively on the algorithm's recommendations without properly verifying their legal and factual basis. Furthermore, the non-transparent operation of these systems may negatively affect clients' trust in the justice system, reduce the sense of fairness of the proceedings and undermine fundamental procedural guarantees such as the right to a reasoned decision and to an effective remedy. Therefore, the implementation of artificial intelligence in judicial and extrajudicial proceedings is only permissible if strict and specific mechanisms are put in place to ensure transparency, oversight and accountability. It is true that, with time and the gradual and thoughtful introduction of these technologies, as well as with the appropriate legal and technical literacy of users, the general public will also develop a greater understanding of how such tools work. This will further contribute to greater acceptance and trust. In my opinion, the key challenge therefore remains to strike a balance between technological progress and the preservation of the fundamental values of the rule of law.
6	Relying on digitalisation without critical assessment and without additional checks to ensure that something is actually correct.
7	The main risk in this area is the same as in other areas- we will end up with incompetent judges, lawyers, and notaries who will not really know how to do anything. This process is already well underway before our very eyes- more and more judicial officials no longer even understand the issues they deal with on a daily basis!
8	Overreliance on these tools, and above all a limited understanding of the dynamics between customers, where the emotional aspect must also be taken into account.
9	As I mentioned in my previous question, when dealing with a person as a client who wishes to settle their relationships and property by mutual agreement before a notary or in court proceedings, caution, sensitivity, and empathy are always required. In this age of technology and with all the terrible things happening around us, psychologists and therapists constantly remind us of the importance of human contact. Family matters, whether it is simply the division of property, can be very personal, as they often involve the family home, a weekend home where the parties used to spend time together, memories and emotions, and all this requires, not in every case, but very often, a conversation. Before drawing up documents, a notary always conducts an interview with the client to gather all the information necessary for the drafting of the documents. This conversation is often very emotional for the client who is settling their family and property relations, and it is often this conversation that provides the client with comfort, help, that someone understands and listens to them,

	and that they then also receive professional advice and instruction on the legal consequences of their decisions. In this context, we must not forget vulnerable groups, such as the elderly, disabled, or people with low digital literacy, as you have already pointed out in your questions. It is difficult to imagine that a model or algorithm could replace personal contact or even remote contact with a real person, but such a model could offer a standard, pre-programmed solution and service based on the information entered by the client.
10	Currently, excessive reliance on these tools poses risks if natural intelligence or humans do not verify the results of the tools and the credibility of the sources from which the AI draws.
11	I see a risk in this if such a tool were unreliable—that some practices, for example, would be overlooked.
12	I see the risk of over-reliance on digitalisation without additional controls, which could lead to unnecessary content errors.

Question

8

A survey on the digitalisation of asset liquidation-division procedures suggests that AI tools, blockchain technology, and online dispute resolution (ODR) platforms are seen as the most useful innovations.

Which of these technologies do you find most relevant or applicable, and why?

N	Answer
1	It is difficult to say for litigation, but for amicable property settlements, using AI will be difficult, it will not be able to do anything. The problem is that the average person does not use AI at the moment, or in the foreseeable future - AI is not yet at a level where it can be relied upon in legal proceedings.
2	The judges will certainly provide an answer to this question.
3	In my opinion, none of the technologies mentioned can be relied upon 100% at this point. Every method must ultimately be verified by a human being.
4	Artificial intelligence, because it finds answers to all kinds of dilemmas very quickly. I am not familiar with the other two.
5	I find the online dispute resolution (ODR) platform to be the most useful of the new technologies, as it enables effective communication between heirs who are located far apart. In today's world, where many individuals move around the globe for various personal and professional reasons and families often live in different cities, countries or even on different continents, it is essential that legal procedures are adapted to such geographical dispersion. In inheritance proceedings, which often take a long time, the need for repeated physical presence at hearings or meetings can be a considerable burden in terms of both

	time and cost. Online platforms that enable remote communication and collaboration contribute significantly to streamlining procedures, as heirs can participate in the process without unnecessary travel and coordination of schedules. At the same time, this method of communication has an additional advantage in cases where there are tensions or disputes between heirs. Digital communication can reduce direct conflicts and contribute to a more calm and constructive resolution of issues by allowing participants to maintain a certain distance. ODR technology is therefore not only a technical advance, but also an important step towards greater access to justice, more flexible procedures and adaptation to modern lifestyles, while contributing to more efficient and often faster resolution of inheritance matters.
6	ODR.
7	I am not familiar with innovations in the field of artificial intelligence because I am not interested in this field; moreover, I am strongly opposed to this type of "progress."
8	Orodja umetne inteligence, saj omogočajo analizo stanja primera in sodne prakse.
9	<p>It is indisputable that blockchain technology brings some new solutions. Extremely robust solutions are being developed in this area to support these systems. This can, of course, represent added value in various legal areas, but there are many open questions. We need to develop solutions that increase trust in the law and carefully integrate these solutions into the existing legal system. Notaries guarantee all clients, equally, a sphere of confidentiality in which everyone can be sure that they will be safe not only in their relationship with the other party, but also in their relationship with the state.</p> <p>With the help of leading Slovenian experts, we have already sought answers in blockchain technology and secure business practices, and reviewed the technological and legal options for implementing a digital yet secure procedure in any property transaction, with simultaneous secure and reliable identification of individuals.</p> <p>Identity verification through a notary is also recognised by EU institutions, which are adopting regulations in the field of company law, electronic access, etc., are expanding the role of notaries, as only they can enable reliable identification, while notaries, through their supervision of data entry, also enable such data to acquire public trust (e.g., land registry, court register, RZPP, etc.).</p>
10	I am only superficially familiar with both technologies, so it is difficult for me to highlight the advantages of one over the other, but human control is still necessary.
11	blockchain- to ensure time stamping.
12	Online dispute resolution.

Question

9

The survey shows that AI applications for predicting outcomes in asset liquidation-division cases are currently used only to a limited extent.

Do you believe this is due to their unavailability, lack of relevance, the immature state of the technology, or are there other reasons?

N	Answer
1	The first reason is the human factor, the need for a personal relationship.
2	I believe that the main reason for this is that the division of property primarily concerns a specific person and respect for their contractual wishes, which is why artificial intelligence does not come into play in contractual property division proceedings.
3	I believe this is due to the immaturity of the technology.
4	Poor knowledge of available tools among lawyers, who are accustomed to traditional legal sources, lack of training.
5	I believe that this is primarily due to the lack of legal regulation in this area in our country and, at the same time, ignorance and lack of knowledge about this field. Artificial intelligence would certainly be better accepted in the aforementioned legal areas if lawyers were better informed about the basis of artificial intelligence, what data it uses to make decisions, and what measures or procedures are available if artificial intelligence makes an incorrect determination or provides incorrect instructions on how to proceed in the event of such incorrect decisions.
6	/
7	I cannot answer that; I only know that the later it happens, the better it will be for people.
8	Low digital literacy and reliance on established procedures and working methods
9	/
10	The human factor and immature technology.
11	Every beginning is difficult- I think this may be due to the inadequacy of the technology.
12	Predicting the outcome of a dispute is likely to influence the future course of events and the behavior of the parties to the dispute/agreement regarding the division of property. Greater use would increase the possibility of an amicable solution/settlement of the matter, as everything would be more predictable for the parties in advance. There is no information that anything similar in terms of predicting the outcome exists in Slovenia. It seems that the parties in

Slovenia resort to something similar by asking questions on various forums and social networks, where there are many anonymous questions and answers, which are unfortunately often legally incorrect.

Slovenia - Mediators

Category 1: Targeted legal processes

Question

1

Which aspects of the asset liquidation-division procedure (amicable and judicial) do you believe are the least efficient or cause the most delays?

N	Answer
1	<p>When dividing joint property between former spouses, mediation often becomes complicated due to the appointment of an expert in the field of geodesy, who may find, for example, that a house or extension is not legalised (which also prolongs the mediation process), property being divided and the joint investments of the former spouses or investments by a third party. The division of property is also linked to the allocation of children (where the children will live) and the determination of maintenance. We also have the division of property linked to inheritance proceedings, which can be lengthy....</p> <p>If the parties are interested in reaching an agreement, they can quickly resolve the dispute through mediation, regardless of whether certain prerequisites are necessary for an agreement before a judge (surveyor, expert appraiser, credit approval, etc.).</p>
2	All property division procedures are highly inefficient, particularly in terms of the involvement and work of the relevant court experts.
3	Most delays in the division of community property in mediation stem from mutual resentment and hostility towards each other and from ignorance of the legal framework in this area (parties who participate in mediation without lawyers do not have an adequate understanding of what constitutes community property and separate property, what the shares are and how they change, what options can be agreed, etc.)
4	Most delays are caused by manual processing of documentation and inconsistencies between customers.
5	<p>In family mediations where the parties wish to resolve disputes also concerning the determination and division of property, no evidentiary proceedings are conducted. Mediation does not determine which spouse contributed and created more property than the presumed half of the property, but seeks a mutual consensus, which may be quite different from what a court would decide after (lengthy) evidence (with court experts).</p> <p>Before the start of the mediation procedure, however, the longest delays are caused by the lengthy exchange of documentation between the parties and the court and by incomplete or unclear documentation on the parties' property.</p>
6	The phase between filing a lawsuit and scheduling the first hearing causes the most delays- accumulation of filings.

7	With regard to the division of property, the most time-consuming proceedings are those for the resolution of disputes concerning the determination of shares in community property, as well as their division or other non-contentious division proceedings in which experts are appointed. Delays are also common in international disputes.
8	Procedures for the division of community property and joint ownership.
9	I am not sure.
10	The lengthy process of collecting data, verifying documents, and coordinating shares between parties causes the most delays.

Question

2

Which aspects of the asset liquidation-division procedure benefit the most from digital transformation or digitalisation?

N	Answer
1	For example, the land registry and GURS (note: Portal of the geodetic administration of the Republic of Slovenia i.e. the spatial information portal) should be linked. The system should also be linked to administrative units. Through procedures and practice, we have also identified errors in the land registry. It also happens that GURS has different data than the land registry. The procedures would be shortened if, for example, digitalisation made it possible to create an online calculator for calculating total assets ... and thus parties would not have to wait and pay expensive appraisers.
2	All aspects.
3	In my opinion, digitalisation would be most useful in the area where users could easily access information that would help them prepare for the division of community property.
4	Digitalisation is particularly useful for tracking cases, accessing records and automating process steps
5	Digital access to property records (e.g. land registers, cadastral registers) and video conferencing mediation are the most useful tools. Electronic filing of applications and documents (once this has been set up) will also be very useful.
6	Up to the first hearing stage.
7	The digitalisation of justice in the area of the division of property is not effective. It would be particularly useful for electronic service and exchange of documents, electronic signing of documents, traceability of assets and related inquiries or verifications of the actual situation, cross-border dispute resolution and perhaps also legal assistance regarding the application of law in international disputes. I am not familiar with the use of predictive justice by judges. However, the latter would undoubtedly be helpful in finding case law and developing uniform case law, as well as in relation to the application of law in international disputes.

8	Sale by public auction.
9	It depends on what kind of digitisation is being introduced. Everything from online meeting possibilities to quick access to the various registers is possible.
10	Digital document filing and automated application sorting significantly reduce delays and increase the transparency of procedures

Category 2: Opinions on technology readiness

Question

3

What digital tools do you currently use in asset liquidation-division procedures?

If these tools are also used by the parties themselves, do you find that they are sufficiently accessible to vulnerable individuals (such as the elderly, people with disabilities, or those with low digital literacy)?

N	Answer
1	None ... Often in mediation proceedings, the parties do not have computer skills ... nor do they have sufficient tools available to resolve such disputes (as is the case abroad, for example).
2	We use all the tools listed under ‘digitalisation of justice’. We regularly use AI, especially that designed for the judiciary (specifically the one developed by Tax-Fin-Lex). Clients generally use digital tools less, and older clients do not use them at all.
3	As a mediator working both in and out of court (clients contact me directly), I use online dispute resolution via video conferencing, where we also sign all forms and settlements remotely at the same time. These tools are not very easy to use for older people, people with disabilities and people with low digital literacy, so as a mediator I make sure to send the parties additional instructions for preparation before the online mediation and I am also available to them to carry out a “dress rehearsal” beforehand to try out how the technology works so that they do not have any problems. In the case of older people, a lawyer or another younger person helps them with technical support.
4	E-files and electronic service. Vulnerable individuals often face difficulties due to a lack of technical support.
5	Most clients prefer live mediation. Online mediation (Zoom, MS Teams) is usually used at the end of the process, when only technical adjustments to the already agreed settlement content are required. The tools are not always accessible to everyone- older people and those with low digital literacy often need help. Additional support and training would be needed.

6	Electronic filing, video conferencing, e-mail. These are easily accessible, but they don't know how to use them.
7	Electronic filing of applications, video conferencing, e-procedures (enforcement, land registry, etc.) No, they are not accessible.
8	Electronic land register and cadastre, online public auctions, online databases of laws and court practice, artificial intelligence.
9	Not applicable
10	We use electronic filing and e-communication with the court. Vulnerable groups often have problems accessing these tools.

Question

4

How is the digitalisation of asset liquidation-division procedures perceived by you personally and by your professional legal community involved in these procedures?

Do you see digitalisation in the justice system, and especially in asset liquidation-division procedures, more as an opportunity for innovation or as a challenge to existing roles and practices?

(If you perceive it as an opportunity): What legal, organisational or cultural obstacles do you see as hindering the introduction of digital tools in asset liquidation-division procedures?

(If you perceive it as a challenge or risk): Which are the main risks you foresee?

N	Answer
1	For me personally, it's a challenge. Digitalisation is a risk that does not take into account the human factor and the personal wishes of clients (e.g. in practice, we had a case where even crockery or a painting were divided... the clients also included animals in their joint property- specifically a parrot, a dog and a cat (which is not yet regulated by our legislation)).
2	I definitely see digitalisation as a great opportunity, but the obstacle is the rigidity and inefficiency of our judiciary.
3	I see digitalisation as an opportunity. I have been conducting online mediation since 2018. Family mediation is even 100% successful when conducted online. Since 2020, I have been conducting workshops where I teach mediators how to set up Zoom and how to conduct online mediation and sign agreements. Initially, I heard a lot of doubts and fears about this from many mediators. Those who attended my workshop realised that online mediation can be done. However, some remain sceptical from a distance. In my opinion, the introduction of digital tools into the practice of community property division is limited by: - The fact that we have not yet managed to provide a secure and sophisticated platform where there would be no doubts or possibility of someone "eavesdropping" on Zoom mediation and where it would be easy to sign agreements within the platform. certain concerns would be eliminated.

	<ul style="list-style-type: none"> - Users and mediators would need to be familiar with digital tools that have been tested in advance and work perfectly - A public awareness campaign would be necessary. - Users would need to be aware of what the actual legal process is, as they have an idealised and unrealistic view of it that it is fast and that the judge will only believe them - it would be easier if they had a more realistic idea that the judicial process is very expensive (a digital tool could calculate the estimated costs) that it takes many years (a digital tool could calculate the estimated duration of the proceedings), that the judge may decide differently than they want, that the judge will not listen to them regarding legally irrelevant facts (which are most important to them in order to express what has hurt them), that the judge will decide, not them, etc.
4	Practitioners see digitalisation as an opportunity. A key obstacle is the gap between the legal profession and technological innovation.
5	<p>From the perspective of a mediator, I believe that digitalisation does not significantly affect the implementation and effectiveness of mediation. When seeking a common solution in mediation, the emotional involvement of the parties is crucial, which is based on intangible factors such as hurt, fear, economic and social (in)dependence, subordination, (dis)respect, tradition, attachment, power, etc., which make it difficult to reach an agreement.</p> <p>In court proceedings, however, I see digitalisation as an opportunity for greater efficiency and access to publicly available data for the courts.</p> <p>I see (legal) uncertainty regarding the use of digital evidence, resistance to changes in established working methods in the legal profession and a lack of training for judicial staff in the use of new tools as obstacles.</p>
6	Digitalisation is positive and an opportunity for innovation. The hurdles are poor digital equipment in courts.
7	This is both an opportunity and a challenge, because the information support systems used by the judiciary are unfortunately not functioning and are not designed to provide users with fast and effective support (there is no connection via Windows systems, electronic filing and e-procedures are unnecessarily time-consuming, systems often crash or take too long, video conferences are held within operating systems that are outdated and far from comparable systems or platforms (Zoom, MCTeams), minutes are still dictated or transcribed from audio recordings, etc.).
8	<p>I see the digitalisation of procedures as something positive, particularly in terms of speed and greater efficiency. My opinion is that the professional legal community is somewhat more cautious in this regard.</p> <p>I see digitalisation in the judiciary as an opportunity, but it is hampered by rigid legal norms and organisational structures, as well as general reluctance, and sometimes ignorance and misunderstanding.</p>
9	<p>I see digitalisation as a good opportunity to simplify some aspects of the process. However, most of us are still a long way from using digitalisation in our procedures on a regular basis.</p> <p>I see several reasons for this: users' lack of knowledge in this area, the age of the users (younger generations, who are growing up with technology, will automatically bring this into their work), practitioners' being used to using traditional methods and to do it "old way", etc.</p>
10	I see digitalisation as an opportunity. The main obstacles are inadequate training, resistance to change and unclear regulations.

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Category 3: Opinions on how to implement digital technologies

Question

5

What changes in training, infrastructure, organisation, or regulation do you consider essential for successful digitalisation of family property law cases; particularly in asset liquidation-division procedures?

N	Answer
1	In the judiciary, I believe that much remains to be done in terms of digitalisation. First and foremost, judges and other staff need to be trained in the use of computers, or a programme needs to be developed to scan files, increase security and assign access rights to those who need to work on them. Artificial intelligence can be used for short summaries, allowing you to quickly identify the main problem... This would be a better starting point for mediators. Mediators could also use artificial intelligence to assess assets and propose solutions to the parties.
2	Above all, the digitalisation of the judiciary, which is still in its infancy, must be accelerated, accompanied by appropriate training for all those involved in the administration of justice. Of course, this requires resources that the judiciary does not receive in sufficient quantities for this purpose. They have too few IT specialists because they cannot offer them adequate remuneration, so they leave or do not apply for jobs.
3	It would be crucial to prepare a digitised overview of family property law that users could use as an interactive conversation with the UI.
4	Investment is needed in IT infrastructure, centralised databases, and legislative changes to enable the use of digital assets.
5	I believe that additional mandatory training for court staff and judges is needed, as well as improvements to the digital infrastructure in courts and legislative changes to enable the use of digital evidence.
6	Digital equipment for courts. Training for all key stakeholders involved in property division proceedings.
7	Use of Windows instead of Open Office, use of modern and compatible platforms for video conferencing, use of programmes for automatic recording and minute-taking, simplification of procedures for electronic submission of applications and simplification of e-procedures.
8	Training of all participants.
9	Probably changes that would be needed in all areas, not just the family property law cases. More training on the subject, the introduction of easy-to-use tools that actually make work easier, not harder. Less administration related to the introduction of technology.
10	There is an urgent need for ongoing training, digital support for courts, updating regulations, and harmonising practices between institutions.

Category 4: AI risks perceived

Question

6

Have you encountered or tested predictive models?

If so, how accurate or useful were they in reflecting the outcomes you would expect from a human decision-maker?

N	Answer
1	No, I have not.
2	We use predictive AI models, including professional ones, but they are not 100% reliable and need to be verified. They are not yet developed enough to replace, for example, an attorney candidate.
3	I haven't used it myself yet. However, a colleague judge told me that she entered a legal dilemma into Chat GPT and described a judgment that had already been handed down in such a case, but she couldn't remember which one it was. The AI gave the wrong judgment. After a second unsuccessful attempt, the judge made an effort and found the correct ruling herself. She concluded that these cases are not (yet) working.
4	No.
5	I have not yet used such models in practice.
6	I've partially encountered them - searching for case law. They were partially accurate and useful - as assistance in drafting applications.
7	YES. They serve as an excellent resource when searching for case law, legislation and improving individual responses, naturally with critical judgement.
8	No.
9	Not yet.
10	No.

Question

7

What risks do you foresee in using predictive models in family property law; including, but not limited to, over-reliance on these tools, lack of transparency, or limited litigant understanding? Or do you see other risks?

N	Answer
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1	Overreliance on tools due to incorrect information, because it is limited or even entered incorrectly into the system, which means that the possibility of negotiation that mediation brings is reduced. I see artificial intelligence being used to resolve disputes in commercial mediation in the future, where there is less potential for a lack of transparency....Family mediation, on the other hand, is often linked to emotions.
2	I see a risk in the decline of direct communication between professionals and clients, and a reduction in empathy and human interaction in general.
3	I also see an additional problem in changing judicial practice.
4	The main risks are the lack of transparency of algorithms, bias in data, and the possibility of misinterpreting results.
5	I believe that excessive use of such models and reliance on them may lead to a reduced role for sound human judgement. There is a risk of errors in the functioning of the models, resulting in incorrect data, or of intentional manipulation of data if protection is inadequate.
6	Limited understanding of the parties involved in the proceedings
7	Lack of critical judgement in responses, i.e. over-reliance on these tools.
8	I'm not familiar with that.
9	Yes, all of these.
10	Risks include over-reliance on models, lack of oversight, and unclear understanding of results by users

Question

8

A survey on the digitalisation of asset liquidation-division procedures suggests that AI tools, blockchain technology, and online dispute resolution (ODR) platforms are seen as the most useful innovations.

Which of these technologies do you find most relevant or applicable, and why?

N	Answer
1	I must admit that due to my lack of knowledge of these technologies, it is difficult for me to answer this question. For example, the ODR platform- mediation or arbitration between spouses. <ul style="list-style-type: none"> • It includes an interface for the exchange of evidence, settlement proposals and legal advice. • It can be linked to blockchain, which records all steps and agreements made. • Possibility of using artificial intelligence for fair division proposals.
2	Mainly AI tools, because they can speed up text analysis and case law searches. I don't use blockchain technology and don't know it well enough.

3	I believe that artificial intelligence tools are the most important, as they enable responses to be adapted to complex input data entered by the user, thereby preparing them for mediation and enabling them to make more informed decisions during the process.
4	Blockchain technology- provides security, traceability, and data protection
5	I am not personally familiar with the Online Dispute Resolution (ODR) platform, but I assume that it enables faster and cheaper dispute resolution, especially when the parties are geographically distant.
6	I don't know - I don't know enough.
7	/
8	I am not sufficiently familiar with any of these innovations in the context of liquidation and asset distribution procedures to be able to give a reliable answer.
9	ODR- it enables quick and cheap procedures without people having to travel and without needing legal representation.
10	ODR seems to be the most useful, as it directly relieves the judicial system and enables faster agreements

Question

9

The survey shows that AI applications for predicting outcomes in asset liquidation-division cases are currently used only to a limited extent.

Do you believe this is due to their unavailability, lack of relevance, the immature state of the technology, or are there other reasons?

N	Answer
1	Lack of knowledge about the use of these technologies and incorrect data already entered into the systems (e.g. In the land registry and GURS- Surveying and Mapping Authority of the Republic of Slovenia) ...
2	These systems are still underdeveloped, at least in our country, and there is considerable conservatism and backwardness in the mindset of those involved in the judiciary.
3	In mediation, predicting the outcome in cases involving the division of community property is too narrow, as under Slovenian law the parties to mediation can agree on more imaginative (and, for them, more appropriate) ways of dividing property than would be possible in court. Therefore, for the purposes of mediation, such predictions can only be useful as a reality check, allowing the parties to see in advance how the court might decide in such a case (and if they do not like it, they can try harder and find a solution in mediation that is more tailored to them, their interests and their situation).
4	The reasons are a combination of mistrust, a lack of tested models, and fears of reduced legal certainty.
5	I believe that the main reasons are a lack of confidence in the correctness and appropriateness of the decision and legal and ethical issues regarding the use of AI in decision-making.



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6	/
7	/
8	I am not familiar with how good AI is at predicting results, but I can imagine that its limited use is due to a combination of mistrust, ignorance, and perhaps technology that is not yet good enough.
9	Not knowing these tools.
10	The use of AI is limited due to the immaturity of the technology, lack of trust, and legal uncertainty in the field.