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Technological challenges, with particular attention being paid to the introduction of digital technology and artificial intelligence into the organisation of the administration and administrative justice

QUESTIONNAIRE

Responses from the Supreme Administrative Court of Sweden

This questionnaire has been prepared in anticipation of the seminar to be held in Turin on 23 and 24 November 2026. In accordance with point 2 of the guiding principles adopted by the Hellenic Presidency of ACA-Europe, it aims to explore the current challenges facing administrative judges, particularly those related to technology, and more specifically the introduction of digitalisation and artificial intelligence into the organisation and functioning of the administration and administrative justice.

In order to gain an in-depth understanding of the various dimensions of these technological challenges, the survey is split into three parts:

Part A - The digitalisation of administrative proceedings, with a focus on the experience of various supreme administrative jurisdictions and the impact of this transformation on the organisation and conduct of judicial activity.

Part B - Automated administrative decision-making and judicial review by administrative courts, particularly issues of technical discretion, automation and the delimitation of judicial powers.

Part C - The role of the administrative judge and the use of artificial intelligence in the performance of judicial functions and in the decision-making process, particularly in light of Regulation (EU) 2024/1689, known as the 'AI Act', as well as other European Union standards and regulations, such as Regulation (EU) 2016/679, known as the 'GDPR', Regulation (EU) 2022/2065, known as the 'DSA', and Regulation (EU) 2022/1925, known as the 'DMA'.

Part A

The digitalisation of administrative proceedings and the use of artificial intelligence tools by the administrative justice system

A.I – Infrastructure and technological organisation

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A.I.1 – Digital equipment and resources

1. What is the level of digital equipment available to judges and administrative staff?

☐ Non-existent
☐ Limited
☐ Intermediate
☐ High
☒ Complete
Please explain if necessary:

The judges and administrative staff are provided with comprehensive level of up-to-date digital equipment and support, functional and continuously developed IT systems, specialised tools that meet the demands of today's judicial operations.

2. Is the technological infrastructure (networks, servers, equipment, connectivity) suited to the day-to-day operational needs of the administrative jurisdictions?

☐ Strongly disagree
☐ Somewhat disagree
☐ Neither agree nor disagree
☐ Somewhat agree
☒ Strongly agree

Please explain if necessary:

The centrally managed infrastructure is perceived by judges and other staff in the court to be both adequate and forward looking, providing stable, secure, and well-maintained technological support for all daily activities within the court.

A.I.2 – Cloud solutions, remote access and interoperability

3. To what extent does your jurisdiction use cloud-based solutions for its information systems?

☐ Not at all
☒ To a limited extent
☐ Moderately
☐ Extensively
☐ Completely
Please explain, where applicable, and, in the absence of cloud solutions, specify the alternative infrastructure solutions implemented:

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Cloud usage is limited, and most essential information systems rely on centrally managed on-premise infrastructure, while future digitalisation efforts may expand the use of secure cloud-based components where appropriate.

3a. Do the adopted technical solutions enable judges and staff to perform their duties remotely using the institutional equipment made available to them? If so, please specify any limitations.

Yes. For security reasons, however, employees may only connect the equipment to known secure networks, such as their home networks. Furthermore, the Supreme Administrative Court's guidelines for remote working only apply to remote work carried out on Swedish territory. This is due to limitations on government agencies, which may only carry out work involving the exercise of public authority from abroad in special circumstances.

3b. Are the applications being used interoperable with other national or cross-border judicial IT systems? If so, please specify the extent of this interoperability.

Applications are interoperable with national judicial systems. Ongoing work also continues to expand the interoperability both nationally and at the European level.

A.II – Digitalisation and dematerialisation of judicial administrative proceedings

A.II.1 – Dematerialised administrative proceedings

4. Is a dematerialised judicial administrative proceedings system in place within your jurisdiction?

☐ No
☐ Yes, at an initial stage
☐ Yes, at an intermediate stage
☐ Yes, at an advanced stage
☒ Yes, on a fully integrated basis
Please explain if necessary:

Digitised judicial administrative proceedings is fully integrated into all aspects of the jurisdiction of the court. The few areas that have not been digitised, such as cases classified within a certain security category, have deliberately not been integrated into the dematerialised case management system for security reasons.

4a. When this system exists at least at an initial stage, do judges and staff process and sign documents exclusively in digital format in their everyday working practice?

☐ Never
☐ Rarely
☐ Occasionally
☒ Frequently

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☐ Always

Please explain if necessary:

Electronic signing of judgments is integrated into the vast majority of the Swedish court system. However, to date, only certain decisions may be signed electronically in the Supreme Administrative Court. Judgments and final decisions by the court are still signed physically on paper.

4b. Percentage of paper files prior to the implementation of dematerialised administrative proceedings that have been digitised:

☒ 0–20%

☐ 20–40%

☐ 40–65%

☐ 60–80%

☐ 80–100%

A.II.2 – Digital services for members of the public, lawyers and public authorities

5. Are digital services available for filing documents, consulting files, notifications, payments or other related services? If so, please specify which ones.

There are digital services available for members of the public, lawyers and public authorities with regards to filing documents, payments and some other related services through a system provided by the Swedish National Court Administration (*Domstolsverket*) called "e-service" (*e-tjänst*). It is not possible for the parties to consult files or receive notifications within a specific digital service. Notifications from the court and consultations of files are instead sent by digital means at either the request of a party or at the court's own initiative.

6. Do these digital services guarantee an adequate level of accessibility for people with disabilities?

☐ 0–20%

☐ 20–40%

☐ 40–65%

☐ 60–80%

☒ 80 - 100%

The usage of the digital services regularly requires a person to utilise an electronic ID verification method, which is approved in conformity with the eIDAS Regulation. A

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person with a physical or cognitive disability that would make it difficult for him or her to use such a verification method might encounter problems using the courts' digital services. This could apply, for instance, to persons with intellectual or serious cognitive disabilities, or persons being both deaf and blind. Is such a case, it is always acceptable to send signed documents on paper by regular mail instead, and documents that do not need to be signed can normally be sent to the court by regular e-mail.

7. Are lawyers involved in the design, development and implementation of digital platforms and tools intended for their use?
If so, please specify the terms of this involvement.

The involvement of lawyers depends on how affected they are by the platform or tool in question. If lawyers are only one of several groups of users, they will not always be involved. On the other hand, if they are the main user they will most likely be involved in one way or the other. For example, the Swedish National Court Administration is currently developing an electronic service for digital cost calculations, where the analysis phase has included input from the Swedish Bar Association through a reference group appointed by the association.

8. Are there any support and training measures in place for users outside the court system (lawyers, members of the public, government agencies) regarding the use of the digital tools available to them?
☐ YES
☒ NO

If so, please specify which ones

It is always possible for members of the public, or other users, to contact the court that they are engaging with to get help in using the digital services, but no centralized support or training is available.

A.III – Security of information systems and data protection

A.III.1 – Compliance with the regulatory framework

9. Do your jurisdiction's information systems comply with European and national standards on security, data protection and digital preservation?

☐ Strongly disagree
☐ Agree only slightly
☐ Indifferent
☐ Somewhat agree
☒ Strongly agree

Please explain if necessary:

A.III.2 – Incident management and business continuity

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10. Are IT security incidents dealt with promptly and effectively?
☐ Never
☐ Rarely
☐ Occasionally
☐ Frequently
☒ Always

11. Are business continuity and disaster recovery plans regularly updated and tested?

☐ Never
☐ Rarely
☐ Occasionally
☐ Frequently
☒ Always

A.III.3 – Publicity and dissemination of court decisions

12. Are court decisions available online in their entirety?

☐ Never
☒ Rarely (only for the most significant decisions)
☐ Occasionally
☐ Frequently
☐ Always

Please add any additional information and explain if necessary:

Judgments from the twelve administrative courts and the four courts of appeal are not published online by the courts themselves. The Supreme Administrative Court disseminate, by publication online, only such judgements and decisions that are deemed to have precedential value. These decisions are available in full, but the names of parties who are private individuals have been redacted to protect their privacy.

13. Where a system for publishing decisions online is in place, is there an internal policy to ensure the protection of personal data and respect for the right to be forgotten?

☐ No
☐ No formalised policy; anonymisation is carried out by the registry services on a case-by-case basis
☐ No formalised policy; anonymisation is decided on a case-by-case basis on the instructions of judges
☒ Yes, personal data are systematically anonymised
☐ Yes, personal data are anonymised in accordance with an internal policy providing for targeted exceptions
☐ Other (please specify)

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A.IV – Training and digital skills

14. Does your jurisdiction offer structured and regularly updated digital technology training courses for judges and staff?
Yes.
If so, please specify which ones.
Training courses on cyber security and the protection of sensitive information is held annually for all employees. The courses are distributed via an e-learning platform which is available to all employees.

A.V – Involvement of judges in digital transformation

15. To what extent are judges involved in decision-making and design processes relating to technological innovation and digital transformation in the judiciary? If applicable, please provide details.
Most of the people in the staff at the National Courts Administration working with analysing the development of digital operational support have a background in the courts, mostly as administrators, associate judges, or law clerks. Ordinary judges are also employed by the National Courts Administration, but more often in management positions. In addition, there are specially appointed reference groups for major development work and projects, which often include judges, as well as members of other groups of staff in courts, who are invited to give their views or contribute to providing a picture of practical management in the courts. The National Courts Administration is generally very vigilante to secure the inclusion of different types of expertise from the courts, including judicial staff. Nowadays, there is also a permanent reference group where the National Courts Administration can regularly check development initiatives with court staff. The group consists of court employees, including several judges.

A.VI – Use of AI systems in administrative justice

A.VI.1 – Tools and level of deployment

16. Are artificial intelligence systems currently used to assist in judicial or administrative activities?
Yes.

16a. If so, which ones are used? (Please tick all that apply)

☒ Chatbots

☒ Semantic search tools

☒ Automated anonymisation of decisions

☒ Text analysis and assistance with legal research

☐ Tools to assist with organisation and court management

☐ Other (please specify)

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16b. Overall level of internal deployment of AI systems:

☐ Occasional or isolated use
☒ Trial phase
☒ Development phase
☐ Widespread use
☐ Full integration

Please explain if necessary:
Several AI products, which are developed and administered centrally by the National Courts Administration, are in various stages of development. While some are still in the trial phase and others in the development phase, no AI system is systematically and frequently used throughout the whole of the Swedish court system.

A.VII – Governance, regulation and ethical framework for AI

A.VII.1 – Internal guidelines and regulatory compliance

17. Has your jurisdiction adopted any internal guidelines, charters or policies governing the use of AI systems, in particular in application of Regulation (EU) 2024/1689 (the AI Act), the GDPR and other relevant European instruments?

☒ YES

☐ NO

If so, please specify which ones.
The Swedish National Court Administration has developed subject-specific guidelines, titled *Use of public AI tools in Swedish courts*.

18. Are AI systems subject to prior risk assessments?
☒ YES

☐ NO

If so, please specify the terms of these assessments

19. Are there specific requirements in terms of transparency for the use of AI systems? If so, please provide details.
No.

20. Is the use of AI systems accompanied by human oversight mechanisms?

☒ YES

☐ NO

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If so, please provide details
AI systems in use do not act independently. All systems are subject to human oversight before the result of the work assisted by the AI system reaches individuals outside the courts.

21. Are specific methodologies implemented during the design, development and deployment of AI systems to ensure their traceability, reliability, integrity and accuracy? If so, please provide details.
The Supreme Administrative Court is not actively involved in the development of the Swedish court system's AI systems in such a way that it has insight into the specific methodologies used in their design, development and implementation.

A.VIII – Innovation, prospects and future needs

A.VIII.1 – Current innovation projects

22. Are there any innovation projects currently under way in the following areas? (please tick all that apply)

☐ Process automation
☒ System interoperability
☒ Modernisation of existing systems
☒ Advanced digital services for external users
☒ AI systems
☐ Other (please specify)

A.VIII.2 – Barriers to digital transformation

23 What do you consider to be the main barriers to the digital transformation of administrative justice? (please tick all that apply)

☐ Complexity of the regulatory framework
☒ Insufficient financial resources
☐ Lack of specialised human resources
☐ Organisational complexity
☒ Resistance to change and digital skills gap
☒ Cybersecurity risks and challenges
☐ Other (please specify)

A.VIII.3 – Investment priorities

24. What do you think should be the priority areas for investment over the next few years? (please tick all that apply)

☐ Modernisation of infrastructure
☒ Cybersecurity

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☐ Training and skills development
☒ Deployment of AI systems
☐ Interoperability at European level
☐ Complete digitalisation of administrative procedures
☐ Other (please specify)

25. Please describe one or more good practices in digitalisation that have been implemented or are planned within your jurisdiction.
The court wishes to emphasise – although already common in many countries' court systems – the importance of the transition from physical to digital files. This digitisation has enabled more efficient work within the court and more effective communication between the court and the parties, as well as between the court and its lower courts. The court's digital case management system also increases internal security regarding unauthorised access to cases and files. By restricting which categories of employees that can access which cases in the system, and by regularly monitoring logs, unauthorised access to documents is deterred and minimised.

Part B
Automated administrative decisions and judicial review

B.I – Automated administrative decisions: substantive legality and procedure

1. Are there provisions in your legal system that authorise public administrations to use digital or algorithmic technologies in the exercise of their powers?

☒ YES

☐ NO

If so:

1.a. According to these provisions, what are the authorised tools, and the objectives pursued by their use?
The primarily applicable provision, Section 28(1) of the Administrative Procedure Act (2017:900), does not impose any restrictions on the tools that may be used in automated decision-making, nor does it specify the objectives pursued by their use. Nevertheless, certain restrictions may follow from other provisions, e.g. Article 22(1) of the General Data Protection Regulation. Certain sector specific provisions may also restrict the use of automated decision-making, inter alia by restricting the use to instances where av a clarifying justification for the decision may be omitted, i.e. where the reasoning of the decision does not have to be elaborated in the individual case. This applies for instance regarding the Swedish Tax Agency's decision on pensionable income (Chapter 112, Section 6 of the Social Insurance Code). Regarding the objectives pursued, the Swedish Agency for Digital Government has, in its general communication concerning automated decision-making, stated that the use of automated decisions can bring several benefits such as increased efficiency, lower costs, and faster decisions.

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1.b. What types of acts can be adopted using these technologies?
In particular, is the use of algorithms permitted for the adoption of administrative decisions involving discretionary powers?
General procedural provisions, such as Section 28(1) of the Administrative Procedure Act, do not impose any formal restrictions on the types of decisions that can be taken by using automated means of decision-making. As stated above, however, specific restrictions may flow from data protection rules or provisions in sector specific regulations. Moreover, certain types of decisions, such as those relating to discretionary powers, are particularly ill-suited to automated decision-making. The fact that decisions are taken by automated means does not relieve the authority of its responsibility to ensure that the decision meets the requirements that otherwise apply to decisions made by authorities, such as, for example, the requirements of objectivity and impartiality as core values of the legal system. Hence, the responsibility always rests on the authorities to abide by constitutionally set standards in their decision-making.

2. Are there provisions in your legal system governing the design, deployment and use of artificial intelligence systems employed by public administrations?

☐ YES

☒ NO

If so,

2.a. what type of implementation measures are these? (for example, legislative or soft law):

2.b. Is there an obligation for public administrations to inform the public or individuals about the use of AI systems?

2.c. Are any authorities or bodies responsible for developing general rules or standards for the use of artificial intelligence within public administrations?

3. What conditions must be met to ensure the legality of administrative procedures involving the use of artificial intelligence systems?
In particular:
It goes without saying, but could nonetheless be underscored, that the responsibility always rests upon the courts to safeguard the rule of law, including the requirements of objectivity and impartiality. They must safeguard all the key features of the administrative procedure, such as the right to be heard, the right to have access to the case file, and the obligation to give reasoned decisions. The courts are obviously also responsible for the outcome of the judicial review, the legality of the proceedings being a central aspect of that review in order to safeguard the right to a fair trial.

3.a. Is the decision-making administration required to indicate the type of algorithmic system used and its principal characteristics?

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No. Not according to any national legislation applicable for the time being.

3.b. At what stage of the procedure must the administration provide information about the use of an algorithmic system and its characteristics?

3.c. Does the interested party have the opportunity to comment on or challenge the use or operation of the AI system before the final decision is made?
No. Not according to any national legislation applicable for the time being.

4. Are specific areas of administrative law in your country subject to express authorisation for the use of administrative decisions based on artificial intelligence systems?
No.

5. Are there specific areas of administrative law in which the use of artificial intelligence systems for issuing administrative decisions is expressly prohibited?
No.

B.II – Judicial review of automated administrative decisions

6. Does national case-law recognise the legality of automated administrative decisions?

☐ YES
☐ NO

Please explain if necessary:
No case-law from the Supreme Administrative Court exists on this issue. But as long as the decision-making do not contravene with any of the few restrictions applicable, it would not be struck down or considered illegal.

If so:
6.a. What principles and conditions have been identified by national case-law as necessary for these decisions to be legally valid?
Not applicable.

6.b. Have any limitations been identified with regard to the possibility of delegating the administration's decision-making power to algorithmic systems?
Not applicable.

6.c. In particular, which of the following principles must be respected, according to national case-law, when adopting an automated administrative decision? (Please tick all that apply)

☐ Principle of transparency
☐ Principle of non-exclusivity of human intervention ('human in the loop')
☐ Principle of non-discrimination
☐ Principle of knowledge and comprehensibility of algorithmic functioning

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☐ Principle of attributing the decision to an authority vested with power
☒ Other (please specify)
No case-law exists.

7. Has national case-law ruled on the nature and legal classification of the algorithm or AI system used for administrative decision-making?
No.

8. What are the limits of the judicial review that administrative judges can exercise over automated administrative decisions?
There are no established limitations with regard to the judicial review that administrative judges can exercise over automated administrative decisions compared to decisions made by humans. The level of scrutiny that may be exercised is thus in principle the same.

9. According to national case-law, is the right of access to the algorithmic process that led to the automated administrative decision recognised?

☐ YES
☒ NO
No case-law exists at the moment.

If so:
9.a. What information relating to the AI system (data, logic, key parameters) must be made available to the party concerned?
Not applicable.

Part C
Administrative judges and the use of artificial intelligence in the performance of judicial functions and in the decision-making process, in light of Regulation (EU) 2024/1689 (the 'AI Act') and other European Union standards and regulations, such as the GDPR, the DSA, the DMA, etc.

1. Does your country recognise, at constitutional level, principles that expressly refer to the use of artificial intelligence in the performance of judicial functions?

☐ YES
☒ NO

If so, please specify which ones.

2. Has your country adopted or is it in the process of adopting national measures to implement Regulation (EU) 2024/1689 (the AI Act) concerning the use of artificial intelligence to support judicial decision-making, which is classified as a 'high-risk' activity (Annex III, point 8(a))?

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☐ YES
☒ NO
Legislation has not yet been adopted. However, an Inquiry has recently published a Report – *Adaptations to the AI Regulation: Safe Use, Effective Control and Support for Innovation* (SOU 2025:101) – and proposes a new law that is currently under referral for consultation by stakeholders. Proposals by Public Inquiries to enact new legislation usually undergo more or less significant changes after a consultation phase, before they form part of a proposal by the Government to the Parliament to enact a new law. Therefore, it is not possible to provide reliable answers to the questions on this subject based on the proposals in the report.

If so:
2.a. What is the nature of these measures (legislative, regulatory, guidelines, soft-law instruments)?
Not applicable.

2.b. For what purposes is the use of AI permitted? (Please tick all that apply)

☐ Research and interpretation of the law

☐ Research and assessment of the facts

☐ Application of the law to a specific factual situation

☐ Administrative activities that are purely ancillary (recital 61 of Regulation (EU) 2024/1689)

Please explain if necessary:
Not applicable.

2.c. What measures are taken to ensure human oversight (Article 14 of Regulation (EU) 2024/1689)? In particular, under what conditions is the user able to ignore, cancel or override the result produced by the artificial intelligence system (Article 14(4)(d) of the AI Act), or to suspend or interrupt its use (Article 14(4)(d) of the AI Act)?
Not applicable.

2.d. What regulatory measures have been adopted to ensure the transparency, accuracy and robustness of the artificial intelligence system used (Articles 13 and 15 of Regulation (EU) 2024/1689 – the AI Act)?
Not applicable.

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3. Are there any official forms of testing or use of artificial intelligence systems for decision-making or generating judicial decisions currently in place in your country?
☐ YES
☒ NO

Please explain if necessary:

If so:
3.a What do they consist of?

3.b. What data sets are used?

3.c. Is the software used publicly owned or provided by private operators?

3.d. Have any biases been identified in its operation? If so, what kind?

4. Are measures planned in your country to ensure a sufficient level of artificial intelligence literacy specifically for judges (Article 4 of Regulation (EU) 2024/1689)?
☐ YES
☐ NO
Not to our knowledge.

If so:
4.a. What do these measures consist of?
Not applicable.

4.b. Is specific training planned to prevent or limit the phenomenon known as 'automation bias' (Article 14(4)(b) of the AI Act)?
☐ YES
☐ NO
Please explain if necessary:
Not applicable.

5. Is the use of generative or agentic artificial intelligence systems permitted in your country to assist in the drafting of procedural documents or court decisions?

To help you understand the question better: **generative artificial intelligence (AI)** is a category of AI models which, thanks to machine learning and training on vast amounts of data, are capable of creating original content (text, images, videos, music, etc.). **Agentic AI** is described as a system capable of autonomously planning, making decisions and executing complex tasks with minimal human intervention to achieve a defined objective [source: OECD].

There is currently no Swedish legislation that specifies AI as an area of law, nor is there any Swedish legislation that specifically concerns AI systems. Consequently, there is no legislation that neither prohibits nor actively permits the use of generative or agentic AI systems to assist in the drafting of procedural documents or court decisions. However, regardless of what tool is used and how it is used, that use must always be in line with

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the Swedish National Court Administration's subject-specific guidelines and applicable data protection legislation.

6. Has the national case law of your country addressed issues concerning the interpretation and application of EU Regulation 2024/1689?
☐ YES
☒ NO
Please explain if necessary:
No case-law has emerged so far.

6.a. If yes, which principles have been established?

7. Have national courts of your country submitted preliminary rulings to the Court of Justice of the European Union regarding EU Regulation 2024/1689?
☐ YES
☒ NO
Please explain if necessary:

7.a. If yes, which questions were referred? What answers has the Court of Justice of the European Union provided?

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