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Artificial Intelligence in Legal Practice High-Risk Uses, Safeguards and Human Oversight

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Co-organised by Court Administration of the Republic of Latvia

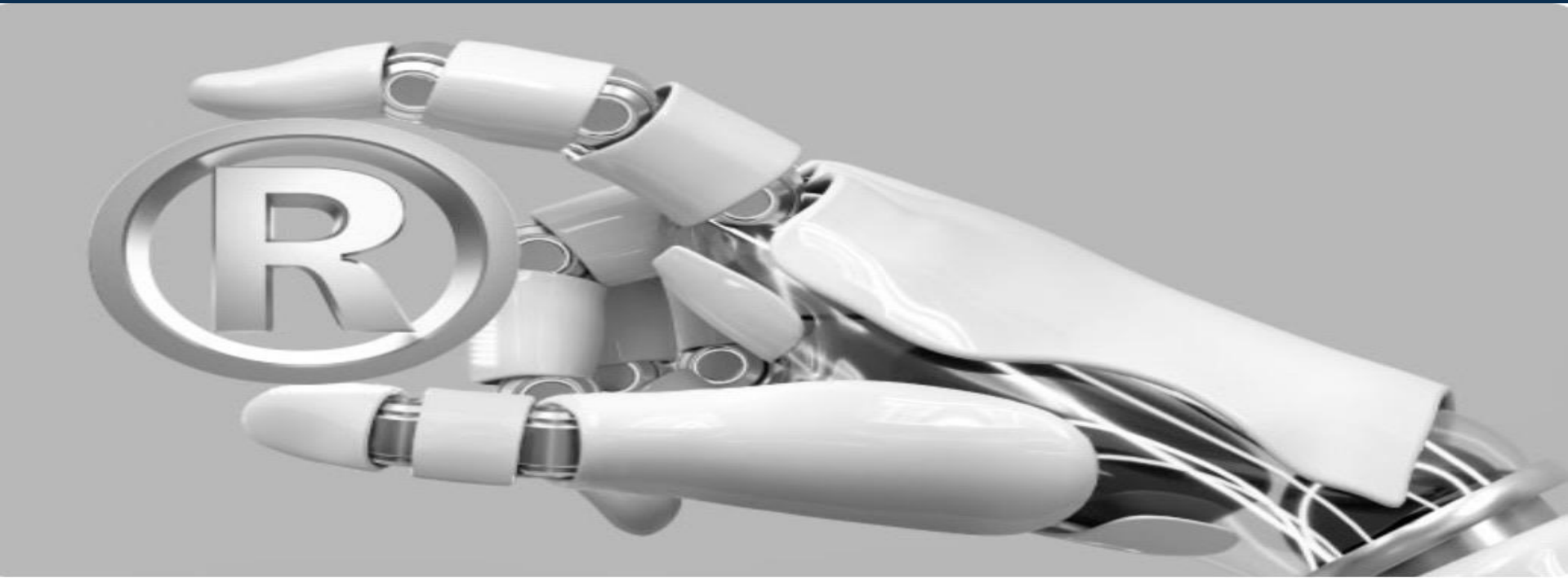
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Registries in the next decade

Registries are undergoing a period of profound change.

How can we preserve trust and legal certainty in an increasingly digital State?



Why the land registry is the ultimate stress test

A registry entry is a legal decision that speaks to the whole world



The AI Act: a risk-based pyramid



In the AI Act:

- **Prohibited AI practices**
  Chapter II – Article 5
  AI exploiting vulnerabilities due to age, disability or a specific social or economic situation.
- **High-risk AI systems**
  Chapter III – Article 6 and Annexes I and III
  Annex III systems that profile natural persons are always high-risk.
- **Transparency obligations**
  Chapter IV – Article 50
  People must be informed that they are interacting with an AI system.
- **Minimal or no risk**
  No specific AI Act obligations.

What could be the risks in the Land Registry?

Day-to-day land registry task	AI Act category	Safeguard
Summarising a property's registration history	Minimal or no risk	Registrar checks the sources
Extracting parties and property data from deeds	Minimal or no risk	Verify against the original deed
Flagging mismatches: area, owner, charges	Minimal or no risk	Registrar reviews every flag
Chatbot on certificates, fees and documents	Transparency obligations	Disclose AI; link to official sources
Proposing the decision in a court-based register	High-risk · Annex III 8(a)	Judge decides and gives reasons
Screening candidates or evaluating staff performance	High-risk · Annex III 4	Human review; inform staff
Social scoring or staff emotion recognition	Prohibited · Art. 5	Not allowed
Registering or refusing with no registrar's qualification	Red line · registry law	**Legality principle; GDPR Art. 22**

AI Act

Annex III, point 8(a): "AI systems intended to be used by a judicial authority or on their behalf to assist a judicial authority in researching and interpreting facts and the law and in applying the law to a concrete set of facts…"



Latvia

- Land Registers kept by the district (city) courts.
- Decisions taken by land registry judges.

AI assisting: likely high-risk

=



Portugal

- Land Registry offices run by the Institute of Registries and Notaries, a public institute, under the Ministry of Justice.
- Decisions taken by Registrars, outside the courts.

AI assisting: likely not high-risk

Same deed. Same presumption, priority and public faith.

Different classification, because the label follows who the user is, not what the decision does.

Use the Omnibus window: act as if high-risk

The deadline moved to December 2027. Adopt the high-risk standard voluntarily, now

Art. 9

Risk management

Across the lifecycle

Art. 10

Data governance

Including old deeds

Arts. 11–12

Documentation & logs

Every output traceable

Art. 13

Transparency

Instructions registrars understand

Art. 14

Human oversight

Built in, not bolted on

Art. 15

Accuracy & robustness

Including cybersecurity



Built in-house: the registry or court administration is the provider: Arts. 8–17 are its own duties.



Bought from a vendor: the registry is the deployer (Art. 26): the rest must be secured by contract.

Safeguards: defence in depth

No single control is enough. Four layers work together.



Governance

- AI inventory and risk classification
- Clear accountability
- Procurement terms and audit rights



Data

- Data quality first
- Personal data and secrecy (GDPR)
- No training on registry data



Technical

- Logging and traceability
- Explanations that cite sources
- Security and manual fallback



Process

- Verification before use
- Registrar decides and gives reasons
- Incident reporting and review

Asymmetry: errors do not weigh the same

In land registration, a wrong decision does not always cost the same. Automation must take this into account.



A wrong "no"

- Refusal or provisional registration;
- Delay and cost for the applicant;
- Reasoned, appealable, correctable.



A wrong "yes"

- A fraudulent sale is registered;
- Third parties rely on it in good faith;
- The true owner may lose the right for good.

A wrong "no" can be corrected. A wrong "yes" may never be.

So AI may help us find reasons to say no. Only a human says yes where the stakes are high.

Human Oversight

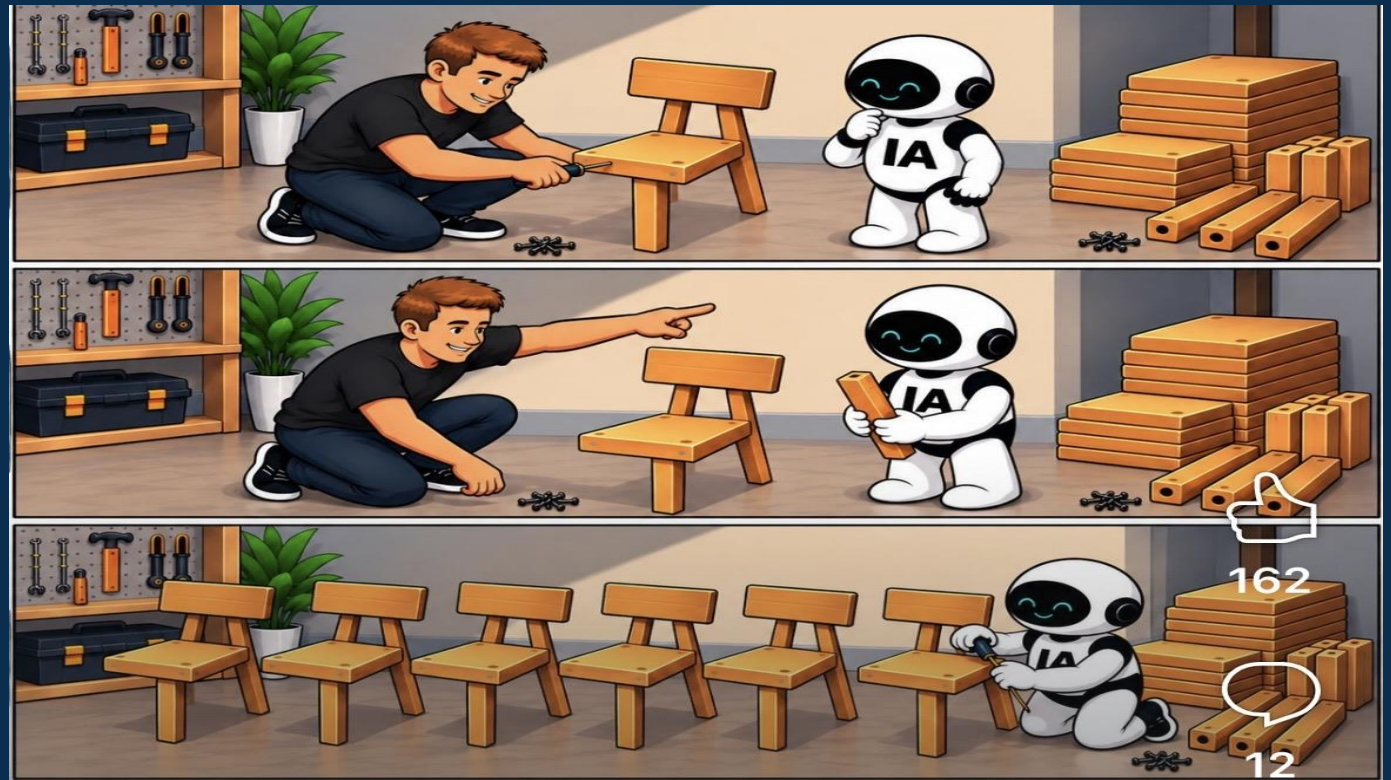
Who answers to the citizen whose right was lost?
The more powerful the technology, the more important it becomes to know who is responsible for the decision.
Responsibility – civil, criminal and disciplinary liability.

Technology can read the deed.
Only the registrar can answer for it.
If no one can answer, no one was in control.

AI may assist the Registrar.
It must never replace the Registrar's judgment.

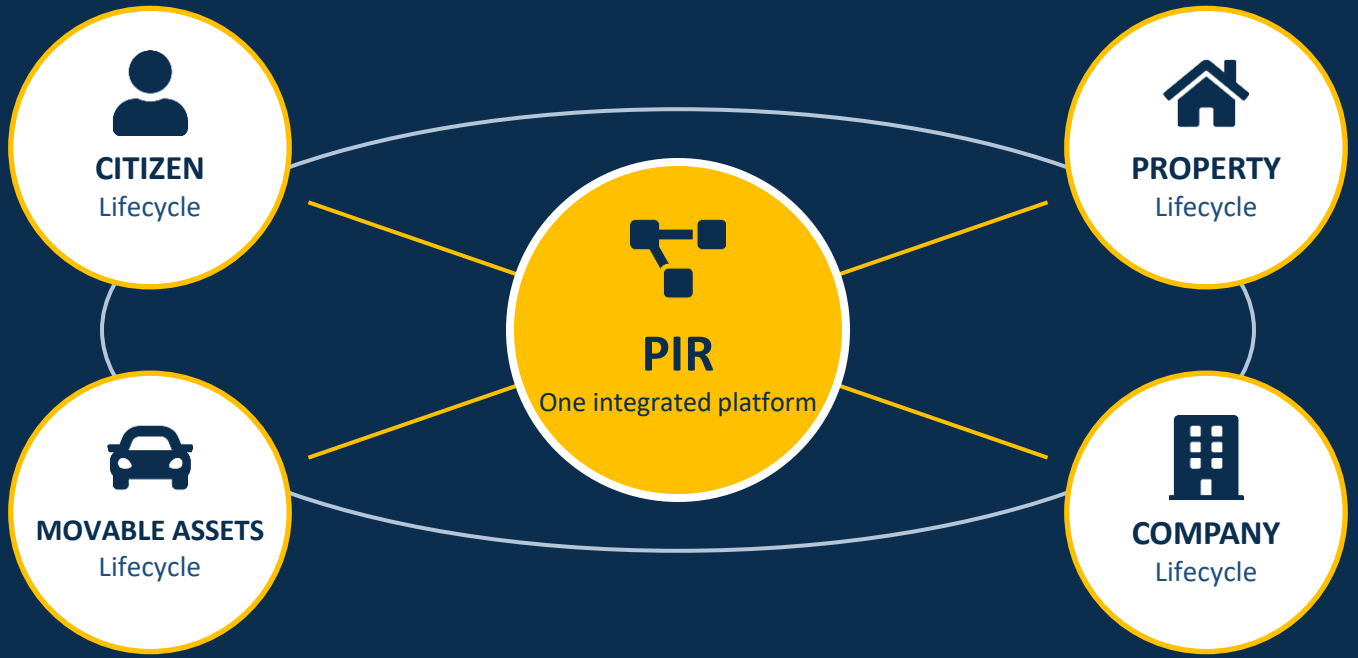


AI does not automatically correct what is wrong.
It can scale up errors.



A new Platform

instituto dos registos e do notariado



Integrated Registry Platform

1

Registration application

Deeds, documents, origin and legitimacy.

AI adds value

2

Drafting

Information supporting the act.

AI adds value

3

Qualification

Analysis, applicable rules, principles, knowledge and decision.

Registrar only · no AI

4

Fee payment

Fee calculation.

AI adds value

AI and automation organise and support. Qualification remains the registrar's: knowledge, analysis and decision.

Integrated into the Platform. Present in operations.

PIR · THE VALUE OF THE FINANCIAL MODULE

LESS

Manual preparation

Risk of human error

MORE

Automation

BETTER

Consistency, accuracy and information security

Which improvement would be most visible in your Registry?

The future of Registries will be digital.

Trust will remain human and will depend entirely on the people who work in Registries.



Would your Registry pass these tests today?

1

The red line

No refusal without the Registrar's own qualification.

2

The asymmetry test

AI may help us find reasons to say no. Only a human says yes where the stakes are high.

3

Measure the override

Record when and why Registrars disagree with AI. A rate of zero is a warning, not a success.

Will it still pass them in the next decade?

Thank you!

I look forward to the debate.