



Supreme Court of Victoria

The Use of Artificial Intelligence by Judicial Officers

1. INTRODUCTION

- 1.1 These Guidelines outline the parameters around the use of Artificial Intelligence (AI) by Judicial Officers of this Court.
- 1.2 These Guidelines have been informed by the eight principles formulated by the Victorian Law Reform Commission to guide the safe use of AI in courts and tribunals.¹

2. DEFINITIONS

- 2.1 In these Guidelines:

Artificial Intelligence (AI) means a machine-based system that, for explicit or implicit objectives, infers from the input it receives, how to generate outputs such as predictions, content, recommendations, or decisions that can influence physical or virtual environments. Different AI systems vary in their levels of autonomy and adaptiveness after deployment. AI is an umbrella term that captures the following:

- (a) *generative AI (GenAI)*: Software systems that generate content as text, images, music, audio and videos, based on a user's prompts.
- (b) *public AI*: AI tools that are openly accessible to the public, typically via the internet. Public AI tools are trained on broad, often public datasets, most commonly for general purpose use.
- (c) *closed AI*: The phrase 'closed AI' is defined in contrast to public AI. Closed AI tools are generally not openly accessible to the public and information used in closed AI tools remain within a controlled environment. When an AI tool is 'closed' there are controls to reduce risks related to privacy or confidentiality settings that protect information from being made publicly available or used to train the AI tool.

¹ Victorian Law Reform Commission, *Artificial Intelligence in Victoria's Courts and Tribunals* (Report, October 2025).

Judicial Officer means a Judge, Associate Judge or Judicial Registrar of this Court, including a Reserve Judge and Reserve Associate Judge.

3. USE OF AI

- 3.1 Judicial Officers must not use GenAI for judicial decision-making.
- 3.2 Judicial Officers consider each matter that comes before them and exercise their judgment to reach a decision and, where appropriate, provide reasons for that decision.
- 3.3 Paragraph 3.1 above does not prevent supportive uses of AI by Judicial Officers or Court staff.
- 3.4 Permissible supportive uses of AI include using it to organise and locate case materials, produce summaries and chronologies from case materials, as an aid to legal research and for proof-reading. These uses are not a substitute for reading and/or listening to evidence and submissions, or fact finding when that is called for in judicial decision-making.
- 3.5 For case related matters, Judicial Officers and Court staff must only use AI tools approved by the Court. Approval by the Court will be given having regard to appropriate protection of confidentiality and amelioration of other risks.
- 3.6 Judicial Officers should provide the staff assisting them with clear directions regarding the appropriate use of AI and the level of disclosure the Judicial Officer requires.
- 3.7 It is intended that as technology and the experience of the Court changes these Guidelines will be reviewed.

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