Artificial Intelligence in German Legal Education

National Report for the International Academy of Comparative Law

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Contents

German legal education stands at a crossroads where centuries-old traditions meet accelerating technological transformation. The country's distinctive two-examination system, which has produced generations of 'unified jurists' through rather rigorous doctrinal training, now faces fundamental questions about how artificial intelligence and digital tools will reshape legal practice and pedagogy. While Germany has been slower than some jurisdictions to embrace educational technology, COVID-19 accelerated digitization, and the 2024 EU AI Act has forced systematic reconsideration of how technology integrates into legal training. Against this background, this report provides an analysis of the traditional model, ongoing digital transformation, regulatory adaptations, and broader implications for the law's role in German society.

The integration of artificial intelligence into legal education has become a pressing concern for law faculties globally. Germany is no exception here. The digital transformation of legal education in general and the use of AI in particular present both opportunities for enhancing teaching quality and critical challenges regarding academic integrity, critical inquiry, examination practices, and professional preparation. As Möslein and Hartmann rightly observe, the question is no longer whether AI can be integrated into the daily work of lawyers, but only how its use can be sensible, responsible, and legally secure.[1]

The practical relevance of AI in the legal profession is beyond dispute. More than two-thirds of legal departments and law firms now use generative AI at least once a week.[2] This widespread adoption creates an urgent need to prepare law students for an AI-mediated professional environment.[3] The Legal Tech Monitor 2025 reveals that over 80% of German legal tech providers integrate AI into their business models, primarily for document analysis and generation.[4]

Against this background, the remainder of the report is structured as follows. Section 1 provides an overview of the traditional model of German legal education. Section 2 details descriptively the integration of digital technologies, including AI tools, in legal education and practice in Germany. The following Section 3 provides a critical evaluation of the use of AI in legally dictation, based on available theoretical discussions and empirical evidence. Section 4 offers an overview of legislative and regulatory developments dealing with AI in education. Based on this overview, Section 5 makes ten specific policy and institutional suggestions for dealing with AI in legal education, ranging from obvious proposals, such as strengthening critical AI literacy, to novel types of examination, and culminating in the proposal of a "mixed strategy" between AI exposure and renunciation in different classes. Section 6 provides perspectives on the law's societal role vis-à-vis the digital transformation, and Section 7 concludes.

Section 1: The Traditional Model of German Legal Education

1. Legal University Education

[1] Florian Möslein and Bernd J Hartmann, 'Künstliche Intelligenz in rechtswissenschaftlichem Studium und juristischer Praxis' (2025) JURA 1271, 1273.
[2] Wolters Kluwer, 'Future Ready Lawyer Studie' (2024) <www.wolterskluwer.com/de-de/know/future-ready-lawyer-2024> accessed 17 December 2025.
[3] Julia Möller-Klapperich, 'Künstliche Intelligenz (KI) in der (universitären) juristischen Ausbildung' (2025) NJ 529, 530.
[4] Legal Tech Verband, 'Legal Tech Monitor' (2025) <www.legaltechverband.de/en/aktivitaeten/legal-tech-monitor-2025-a-market-in-transition/> accessed 17 December 2025.

a) The *Einheitsjurist* and the Two-Examination Pathway

German legal education operates on the foundational principle of the *Einheitsjurist* (unified jurist)[5] – the idea that all legal professionals, whether destined for the bench, the bar, or public administration, should receive identical foundational training. This distinguishes Germany from common-law jurisdictions where legal education follows separate tracks for barristers and solicitors or permits greater early specialization.

The pathway to becoming a fully qualified jurist requires successfully passing two state examinations: the First State Examination and the Second State Examination, with an intervening period of practical training. The first examination, formally known as the 'Erste Juristische Prüfung' since 2003 reforms, comprises two components: a university-administered specialization portion accounting for 30% of the final grade, and a state-administered compulsory subjects examination accounting for 70%. Students face five to eight written examinations depending on their *Bundesland* (state), each lasting five hours, followed by oral examinations. The failure rate is notoriously high: approximately 25-30% fail the First State Examination.[6]

University study preceding the first examination typically spans nine to ten semesters (4.5-5 years). The curriculum divides into the *Grundstudium* (foundation studies) covering introductory civil, criminal, and public law during the first two to three semesters; the *Hauptstudium* (main studies) exploring advanced doctrinal areas through semester six; and the *Schwerpunktbereich* (specialization phase) where students choose from areas such as corporate law, international law, or criminal law. The final two to three semesters are typically dedicated to intensive examination preparation.

b) Traditional Pedagogical Methods

German legal pedagogy traditionally centers on the *Vorlesung* (lecture): large-format sessions of 100-500+ students where professors present doctrinal content systematically. Lectures are supplemented by *Arbeitsgemeinschaften* (working groups), small-group tutorials of 15-30 students led by research assistants or advanced students.

The cornerstone of German legal methodology is the *Gutachtenstil* (expert opinion style), a prescribed analytical structure distinguishing German legal training from approaches elsewhere. The method follows four steps: the *Obersatz* (major premise/hypothesis) formulates the legal question using conditional phrasing; the *Definition* states the abstract legal requirements derived from statute, case law, and doctrine; the *Subsumtion* (subsumption) applies the facts to each element of the definition; and the *Ergebnis* (conclusion) confirms or denies the hypothesis.

d) Assessment and Grading

German legal education employs a distinctive 18-point grading scale: 16-18 points represents 'sehr gut' (very good), 13-15 'gut' (good), 10-12 'vollbefriedigend' (fully satisfactory), 7-9 'befriedigend' (satisfactory), 4-6 'ausreichend' (sufficient/passing), 1-3 'mangelhaft' (poor), and 0 'ungenuegend' (insufficient). Grades of 16+ are almost never awarded; the average

[5] Stefan Korioth, 'Legal Education in Germany Today' (2006) 24 Wis. Int'l LJ, 85, 86; see this instructive article for more details on many of the other idiosyncrasies of German legal education.

[6] Bundesamt für Justiz, *Ausbildungsstatistik, Übersicht über die Ergebnisse der Ersten Juristischen Prüfung im Jahre 2023 (neues Recht)* (as at 11 June 2025) (pass rate of 72.5%); see also Redaktion Beck-aktuell, 'Statistik 2021: Hälfte der erfolgreichen Jura-Prüflinge in Berlin erreicht Prädikat' (*Beck aktuell*, 31 July 2023) <https://rsw.beck.de/aktuell/daily/meldung/detail/statistik-der-juristischen-pruefungen-2021> accessed 6 January 2026.

examination score hovers around 6 points. The threshold for *Praedikatsexamen* is 9 points. This implies that German legal education has, in contrast to other subjects, successfully avoided grade inflation so far.

This demanding system creates intense pressure and has spawned a parallel industry of Repetitorien: private examination preparation courses. Many students attend commercial providers like Alpmann Schmidt, Hemmer, or Jura Intensiv, paying 2,000-4,000+ EUR for comprehensive courses. To counter this tendency, many universities now offer free Universitätsrepetitorien (UniRep programs).

d) Financing of Law Schools

German legal education operates predominantly through publicly funded universities. Since 2014, undergraduate study at public universities has been generally tuition-free throughout Germany. Students pay only modest semester fees of 100-350 EUR covering student services, public transport tickets, and administrative costs.

Three prominent private alternatives exist: Bucerius Law School in Hamburg, founded in 2000 as Germany's first private law school; EBS Law School in Wiesbaden; and the BSP Business & Law School in Berlin.

2. Professional Legal Education

a) The Referendariat: Practical Training

After first examination, aspiring jurists enter the *Referendariat*, a two-year period of compulsory practical training that reflects Germany's tradition of state-supervised professional formation. *Referendare* hold the status of civil servants on probation (*Beamte auf Widerruf*) and receive a very modest monthly salary from the state. The training rotates through mandatory *Stationen* (stages): three to four months at civil courts; a similar period in criminal courts or with public prosecutors, and then with administrative authorities; and several months at law firms. A final elective station permits placements at international organizations, foreign law firms, or in-house legal departments.

The second state examination (*Assessorexamen*) follows the *Referendariat* and emphasizes procedural law and practical legal drafting more heavily than the first examination. Pass rates are considerably higher, typically 85-90%,[7] which reflects both the practical preparation and the self-selection of candidates who have already demonstrated competence by passing the First State Examination.

b) Pathways to Professional Roles

Completion of both examinations qualifies individuals for all regulated legal professions. To become a *Rechtsanwalt* (attorney), graduates apply for bar admission through their regional professional organization. No further exam or training is required. Appointment as a *Richter* (judge) or *Staatsanwalt* (prosecutor) requires competitive grades – typically a *Praedikatsexamen* (distinction) – and proceeds through justice ministry selection. The *Notar* (civil-law notary) position is the most competitive and requires exceptional grades and/or extensive additional experience. Only approximately 30% of candidates achieve

[7] Bundesamt für Justiz, *Ausbildungsstatistik, Übersicht über die Ergebnisse der Zweiten Juristischen Staatsprüfung im Jahre 2023 (neues Recht)* (as at 11 June 2025).

Prädikatsexamen status (9+ points on the 18-point scale) in the first examination, and around 20% in the second.[8]

c) Regulatory Framework

The *Deutsches Richtergesetz* (German Judges Act, DRiG) provides the federal framework for legal education. Section 5 establishes that qualification for judicial office requires both state examinations. Section 5a specifies core subjects (civil law, criminal law, public law, procedural law), and requires coverage of European law, legal methodology, and the philosophical and historical foundations of law. Notably, it mandates engagement with National Socialist and Communist injustice, a reflection of Germany's past and particular historical consciousness.

Because education is a state (*Länder*) competency, each of Germany's sixteen federal states enacts its own *Juristenausbildungsgesetz* (legal education law). The judicial examination offices, typically attached to Higher Regional Courts, administer the state examinations. The *Wissenschaftsrat* (German Council of Science and Humanities) provides advisory recommendations on legal education. Its influential 2012 report on the perspectives of legal study and academia in Germany noted that the limits of studyability had been reached due to curriculum expansion and called for strengthening foundational subjects while increasing interdisciplinarity.[9]

3. Digitization of Primary Legal Sources

Germany has achieved substantial digitization of primary legal materials, though commercial databases dominate comprehensive access. The Federal Ministry of Justice operates a dedicated legal domain, gesetze-im-internet.de, in partnership with juris GmbH, which provides free access to virtually all current consolidated federal laws and ordinances updated daily. English translations of over 100 major statutes are available. For case law, rechtsprechung-im-internet.de and other specific websites of individual courts offer a large amount of decisions from the highest federal courts, but also lower courts.

However, comprehensive and easily searchable access to historical legislation, lower court decisions, and scholarly commentary requires commercial subscriptions. juris GmbH, partially government-owned, serves as the principal database provider for German courts and governmental authorities. beck-online, operated by leading legal publisher C.H. Beck, provides access to statutes, court decisions, and major commentaries. Beck recently launched Beck-Noxtua, an AI-enabled legal workspace combining database content with large language models trained for legal tasks (see also below, German Legal AI Tools).

Section 2: Integration of Digital Technologies

1. Digital infrastructure in Legal Education

a) Pre-COVID Digital Infrastructure

[8] Jonathan Steudle, 'Prädikatsexamen: Die Noten im Jura-Studium' (*Beck Stellenmarkt*, August 2025) <www.beck-stellenmarkt.de/ratgeber/karriere/studium-berufsstart-weiterbildung/noten-im-jura-studium> accessed 6 January 2026.

[9] Wissenschaftsrat, *Perspektiven der Rechtswissenschaft in Deutschland - Situation, Analysen, Empfehlungen* (Dr S. 25 58-12, 9 November 20122012), 7, 57.

Before March 2020, German higher education's digital infrastructure was notably underdeveloped. A 2019 study found that only 1.7% of German universities rated their teaching digitalization as 'well advanced.'[10] Germany ranked last in the CEPS Index of Readiness for Digital Lifelong Learning in Europe.[11] Research by Olaf Zawacki-Richter at the University of Oldenburg revealed that only 15.4% of students had participated in a fully online course by 2018, and only 20.9% had experienced blended learning.[12] This is not a concerning result per se, as some subjects – such as legal doctrine – may well benefit from in-person classes and pedagogy. But it does show that e-learning did not play a major role, and acceptance was actually declining before COVID: lecture recordings fell from rank 12 in student preferences in 2012 to rank 43 in 2018.[13]

The predominant learning management systems were ILIAS (developed at the University of Cologne in 1998) and Moodle, used primarily as document repositories rather than interactive teaching platforms.[14] Notable early Legal Tech initiatives included Bucerius Law School's Legal Tech Summer Program launched in 2018, and public lectures at various universities.[15]

b) COVID-19 Transformation

The pandemic forced radical acceleration. By peak lockdown, 85% of European universities had shifted to distance learning.[16] German universities implemented 'Emergency Remote Teaching' within weeks, with platforms such as Zoom, Microsoft Teams, and the open-source BigBlueButton rapidly deployed.

German law faculties faced distinctive challenges: infrastructure gaps left many institutions unprepared for video conferencing at scale,[17] faculty digital literacy varied enormously, and the traditional emphasis on handwritten essay examinations proved particularly difficult to adapt.

Post-pandemic preference surveys at the University of Oldenburg found: 19% of students wanted fully online teaching, 42% preferred hybrid formats, and 39% wanted to return to classroom instruction – a result which suggests lasting demand for digital options even as in-person teaching resumed.[18]

c) E-Examen: A Structural Innovation

The introduction of E-Examen (electronic state examinations) represents German legal education's most consequential structural change. Saxony-Anhalt pioneered electronic second state examinations in 2019 – before the pandemic. The rollout has accelerated

[10] Harald Gilch and others, *Digitalisierung der Hochschulen – Ergebnisse einer Schwerpunktstudie für die Expertenkommission Forschung und Innovation* (Hannover: HIS-Institut für Hochschulentwicklung, 2019) 30.
[11] Miroslav Beblavý and others, *Index of Readiness for Digital Lifelong Learning: Changing How Europeans Upgrade Their Skills* (CEPS Final Report, 2019) <www.ceps.eu/wp-content/uploads/2019/11/Index-of-Readiness-for-Digital-Lifelong-Learning.pdf> accessed 6 January 2026.
[12] Olaf Zawacki-Richter, 'The current state and impact of Covid-19 on digital higher education in Germany' (2021) 3.1 Hum Behav Emerg Technol 218, 224.
[13] Zawacki-Richter (n 12) 218, 223.
[14] Maximilian Schochow and Florian Steger, 'State of digital education options in the areas of medical terminology and the history, theory and ethics of medicine' (2015) 32.2 GMS Zeitschrift für Medizinische Ausbildung 1, 3.
[15] Martin Fries, 'Legal Tech an meiner Uni?' (*Legal Tech Blog,* 24 October 2018) <https://legal-tech.blog/legal-tech-an-meiner-uni> accessed 6 January 2026.
[16] Zawacki-Richter (n 12) 218, 218.
[17] Alexander Skulmowski and Günter D Rey, 'COVID-19 as an accelerator for digitalization at a German university: Establishing hybrid campuses in times of crisis' (2020) 2.3 Hum Behav Emerg Technol 212.
[18] Zawacki-Richter (n 12) 218, 219.

dramatically: Saxony followed suit in 2021 and other states as well, such as Berlin/Brandenburg in December 2023, and Bavaria and North Rhine-Westphalia in 2024.

Adoption rates demonstrate overwhelming student preference for electronic format: 99% of Berlin/Brandenburg *Referendare* chose E-Examen in January 2024, and 97% in North Rhine-Westphalia.[19] Handwritten options remain available, electronic examination is voluntary.

In December 2024, the University of Bielefeld conducted a landmark pilot: the first fully digitalized law examination (but not for a state exam). Students used LexMea digital law books with personal annotations, and submissions were corrected by two different AI systems. This was characterized as a 'milestone in digital transformation of German legal education.'[20]

d) Current Hybrid Teaching Models

Post-COVID, German law faculties have institutionalized hybrid approaches. LMU Munich uses Moodle as its primary platform with materials available digitally alongside primarily in-person lectures. My own European University Viadrina combines Moodle with Panopto video management and maintains an e-learning cooperation with WWU Münster through unirep-online.de, an exam preparation network that also includes the Universities of Bielefeld, Bochum, and the FernUniversität in Hagen.[21]

The latter remains Germany's only state distance-learning university and offers the full legal education program through digital formats with limited in-person requirements.

2. German Legal AI Tools

a) AI Tools for General Legal Use

Germany has developed distinctive legal AI tools that emphasize GDPR compliance and European data sovereignty.[22] Beck-Noxtua, branded as 'Europe's first sovereign Legal AI,' represents a partnership between publisher C.H. Beck and Berlin-based AI company Noxtua. Features include deep legal research, document review with matrix analyses, and contract drafting with change tracking. The platform is hosted on European servers (IONOS, Open Telekom Cloud) with certifications that include BSI C5, ISO 42001, 9001, and 27001 – a reflection of German emphasis on data protection and security.

Libra.ai offers a German-developed 'Legal AI Workspace' that integrates multiple AI models (GPT-4o, Mistral, Llama) in a GDPR-compliant environment with ISO 27001 certification. They recently partnered with the large legal publisher Wolters Kluwer for access to further legal materials. BRYTER AI provides AI Agents for law firms with hosting in Germany.[23]

b) AI Tools for Legal Education

German institutions have developed specialized AI tools for legal education.

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[19] Sarah Schopf, 'E-Examen: Staatsprüfung 2.0 oder Digitalisierung auf Deutsch?' (*Beck-aktuell*, 22 March 2025) <https://rsw.beck.de/aktuell/daily/meldung/detail/e-examen-staatspruefung-erstes-zweites-examen-laender-berlin-nrw> accessed 6 January 2026.
[20] Mathilde Harenberg, 'Die erste komplett digitalisierte Juraklausur Deutschlands' (*LTO*, 18 December 18, 2024) <www.lto.de/karriere/jura-studium/stories/detail/klausur-digitalisierung-jurastudium-pilot-online-gesetzbuch> accessed 6 January 2026.
[21] LTO Karriere, 'Jurastudium an der Universität Frankfurt (Oder)' (undated) <www.lto.de/karriere/jura-studium/unis/frankfurt-oder> accessed 6 January 2026.
[22] Verena Schillmöller, 'Besser als ChatGPT? Diese fünf KI-Chatbots für Kanzleien sollten Sie kennen' (*Legal-Tech*, 8 April 2025) <https://legal-tech.de/fuenf-ki-chatbots-fuer-kanzleien/> accessed 6 January 2026.
[23] See https://bryter.com/press-releases/bryter-partners-with-soldan/, accessed January 9, 2026.

aa) OneTutor

lmu.onetutor (OneTutor), originally developed by TUM students and deployed at LMU Munich's Law Faculty beginning Summer Semester 2025, represents a significant educational innovation. The platform offers AI-generated quizzes curated by instructors and a RAG-based chatbot that accesses course-specific materials.[24] The goal is to offer students an alternative to general-purpose large language models, which can produce hallucinations, in the hope that the RAG-based system hallucinates less.[25] Winter 2024/25 pilot statistics were promising: 3,000 students, 100,000 quiz participations, and 50,000 chat messages.[26] The system is now deployed at over 30 German and Austrian universities across disciplines.[27] The project has spun off into a startup and is being studied through the 'AIffectiveness in Education' research project that spans five Bavarian universities.[28]

bb) LegalWriter

Another notable example is LegalWriter, a system developed at the University of Kassel as part of the Komp-HI project.[29] LegalWriter is a writing support system based on natural language processing and machine learning. It helps students learn the *Gutachtenstil* – the formal style of legal argumentation that is central to German legal education.

The system works by analyzing student submissions and marks which sentences conform to the *Gutachtenstil*. It identifies the structural components of legal argumentation, such as the *Obersatz* (definition), the *Subsumtion* (application), and the *Konklusion* (conclusion).[30] The system was trained on 413 case solutions from the general part of the German Civil Code (BGB) and uses a BERT-Transformer model to identify and classify the structure of legal examinations.[31] LegalWriter was first deployed at the University of Hamburg during the winter semester 2022/23 as part of a voluntary exam preparation course.[32]

cc) Other Institutional Tools

The HTW Berlin provides all students and staff with data-privacy-compliant access to GPT-4o through a tool called ChatKI. Users log in with university credentials, and no personal data is transmitted to OpenAI.[33]

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[24] Bayerische Akademie der Wissenschaften, 'Effektiver studieren mit KI: Bayerische Hochschulen erproben Lernerfolg von Künstlicher Intelligenz im Hörsaal', Press Release (17 March 2025) <https://badw.de/en/die-akademie/presse/pressemitteilungen/pm-einzelartikel/detail/effektiver-studieren-mit-ki-bayerische-hochschulen-erproben-lernerfolg-von-kuenstlicher-intelligenz-im-hoersaal.html> accessed 6 January 2026.

[25] See Ludwig-Maximilians-Universität München, 'lmu.onetutor ai-enhanced learning' (*LMU*, 17 March 2025) <www.jura.lmu.de/de/aktuelles/newsuebersicht/news/lmu.onetutor-ai-enhanced-learning.html> accessed 17 December 2025.

[26] Jannina Schäffer, 'LMU München setzt KI-Tutor für das Jurastudium ein' (*JURios*, 8 May 2025) <https://jurios.de/2025/05/08/lmu-muenchen-setzt-ki-tutor-fuer-das-jurastudium-ein/> accessed 6 January 2026.

[27] Julia Rinner, 'Successful study with AI', TUM Press Release (8 October 2025), <www.tum.de/en/news-and-events/all-news/press-releases/details/successful-study-with-ai> accessed 6 January 2026.

[28] Bayerische Akademie der Wissenschaften (n 23).

[29] Weber and others, 'Intelligente Unterstützung beim Erlernen des Gutachtenstils im rechtswissenschaftlichen Studium' (2024) 11(4) ZDRW 336, 337.

[30] Weber and others (n 29) 339.

[31] Weber and others (n 29) 338.

[32] Weber and others (n 29) 341.

[33] See Hochschule für Technik und Wirtschaft Berlin, 'ChatKI – ChatGPT an der HTW Berlin' (*HTW*, undated) <www.htw-berlin.de/lehre/lehre-gestalten/ki-in-lehre-und-pruefungen/chatki> accessed 17 December 2025.

The University of Bayreuth launched ExamSim in winter 2024/25 – an AI-powered oral examination simulator.[34] At FAU Erlangen-Nürnberg, pilots in 2023/24 used ChatGPT to correct practice examinations in cooperation with the University of Passau's DeepWrite project.[35]

c) Pilot Projects and Research Initiatives

The University of Bielefeld launched a pilot project in 2025 that allows law students in family law to use AI-supported research tools for their seminar papers. The AI tool operates exclusively with verified content from the juris legal database and provides transparent source references. Students must adapt their declaration of independent work to document their responsible use of the technology.[36] The University of Saarbrücken has established the 'Juristisches KI-Projekt Saarbrücken' (JIPS), which investigates the potential of generative language models for legal studies. Initial results indicate that AI makes many errors and often produces only mediocre substantive content, but can already be useful for formal tasks such as checking formatting requirements or finding legal references.[37] In a remarkable project, Christoph Engel and Johannes Kruse from the Max Planck Institute for Collective Goods have designed and trained an LLM-based system that competently drafted an entire legal commentary on freedom of assembly in the European Convention on Human Rights. According to their independent evaluation, the result is on par with its best human written competitor, the guide drafted by the Court itself.[38]

3. Institutional Guidelines, Policies and Specific Courses

a) Institutional Guidelines for AI Use

Several German universities have developed guidelines for the use of AI. The University of Tübingen's guidelines emphasize three core principles: critical-reflective use, transparency, and responsibility in the sense of good scientific practice.[39] The University of Regensburg permits general use of AI tools, subject to the requirement that AI-supported sections be clearly marked.[40] European University Viadrina has a similar policy.[41] In contrast, the

[34] Jannina Schäffer, 'ExamSim: Der KI-gestützte Prüfungssimulator an der Uni Bayreuth' (*JURios,* 19 March 2025)< https://jurios.de/2025/03/19/examsim-der-ki-gestuetzte-pruefungssimulator-an-der-uni-bayreuth/> accessed 6 January 2026.
[35] Friedrich-Alexander-Universität, 'Chat-GPT korrigiert an der FAU juristische Probeklausuren', Press Release (15 October 2023) <www.jura.rw.fau.de/chat-gpt-korrigiert-an-der-fau-juristische-probeklausuren/> accessed 6 January 2026.
[36] See Lisa Janowski, 'Jura-Studierende schreiben als Erste Hausarbeit mit KI' (*Universität Bielefeld,* 07 May 2025) <https://aktuell.uni-bielefeld.de/2025/05/07/jura-studierende-schreiben-als-erste-hausarbeiten-mit-ki/> accessed 17 December 2025.
[37] See Universität des Saarlandes, 'Was bringen KI-Tools im Jurastudium? Juristisches KI-Projekt Saarbrücken stellt Ergebnisse vor' (*Universität des Saarlandes,* 23 September 2025) <www.uni-saarland.de/intern/news/jips-ki-tools-39664.html> accessed 17 December 2025.
[38] Christoph Engel and Johannes Kruse, Professor GPT. Having a Large Language Model Write a Commentary on Freedom of Assembly, Working Paper, 2024.
[39] See Universität Tübingen, 'Guidelines for using generative AI tools' (*Universität Tübingen,* undated) <www.internetofus.eu/uni-tuebingen.de/en/research/support/good-scientific-practice/guidelines-on-generative-ai/index.html> accessed 17 December 2025.
[40] See Universität Regensburg, 'Studium und Lehre Rechtswissenschaften' <www.uni-regensburg.de/rechtswissenschaft/fakultaet/studium/index.html> accessed 17 December 2025.
[41] See https://www.europa-uni.de/de/universitaet/profil/ki-viadrina/ki-richtlinie/index.html, accessed 9 January 2026.

Universities of Cologne and Münster prohibit the use of AI tools for the production of seminar papers.[42]

Free University Berlin offers KI.Assist@FU, a central access point for generative AI hosted on European infrastructures, which is supposed to ensure equitable, legally compliant access for all university members.[43] Heidelberg University established a university-wide framework recognizing AI's transformative potential while encouraging thoughtful, ethical, and legally compliant integration into scholarly endeavors. Students must submit declarations of independence and disclosure for all coursework, which specify AI tool use for text, images, videos, music, and any AI-created elements.[44]

b) Legal Tech Programs at German Universities

German universities have responded to the digitalization of law by establishing specialized programs that integrate AI and technology into legal education. The University of Würzburg offers an LL.M. in Digitalization & Law, which provides knowledge in IT law, legal tech, AI, computer science, and data protection law.[45] The University of Passau pioneered the Bachelor Legal Tech program in 2020, which represents one of the few German universities that offer undergraduate degrees in this field.[46] Bucerius Law School's summer program in AI, Legal Technology, and Operations is an intensive, three-week course designed for students and young professionals to explore the future of the legal services market through classes and a final hackathon.[47]

The Munich Intellectual Property Law Center (MIPLC) has incorporated AI Law and Policy as a key curriculum area within its one-year intensive LL.M. program, alongside Data Economy Law and Digital Competition Law.[48] The University of Osnabrück offers a Master of European Technology Law, which targets graduates from law or informatics backgrounds.[49]

Legal tech programs at German universities have expanded significantly in recent years, typically combining traditional legal education with courses in computer science, data science and digital governance to prepare graduates for technology-driven legal practice. Institutions such as the University of Passau, University of Osnabrück and the University of Regensburg offer dedicated Legal Tech or Legal Informatics degrees that cover IT law, data protection, artificial intelligence and practical skills for designing and managing digital legal services in law firms, companies and public authorities. These programs are generally interdisciplinary,

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[42] Möller-Klapperich (n 3), 530.
[43] See Freie Universität Berlin, 'Guidelines for the Use of AI-Based Systems and Tools in Teaching and Learning' (*FU*, October 2025) <www.ki.fu-berlin.de/_dokumente/Guidelines-for-the-Use-of-AI-Based-Systems-and-Tools-in-Teaching-and-Learning.pdf> accessed 17 December 2025.
[44] See Universität Heidelberg, 'Guidelines on the Use of AI in Teaching and Learning at Heidelberg University' (*Universität Heidelberg*, undated) <https://backend.heiskills.uni-heidelberg.de/de/dokumente/ai-guideline-en/download> accessed 17 December 2025.
[45] See University of Würzburg, 'LL.M. Digitalization & Law' <www.jura.uni-wuerzburg.de/en/studium/postgraduales-studium/aufbau-und-masterstudiengaenge/llm-digitalization-law/> accessed 17 December 2025.
[46] See University of Passau, 'LL.B Legal Tech' <www.uni-passau.de/en/llb-legal-tech> accessed 17 December 2025.
[47] See Bucerius Law School, 'AI, Legal Technology and Operations' <www.law-school.de/international/education/bucerius-summer-programs/legal-technology-and-operations> accessed 18 December 2025.
[48] See Munich Intellectual Property Law Center, <www.miplc.de> accessed 17 December 2025.
[49] See University Osnabrück, <www.uni-osnabrueck.de/fb10/en/fachbereich/institute/elsi/master-of-european-technology-law> accessed 17 December 2025.

often open to both law graduates and technically trained professionals, and aim to train roles like legal engineers and technology-oriented lawyers who can bridge doctrinal analysis with automation, algorithmic tools and innovation in legal service delivery.

At European University Viadrina, legal tech is integrated into the broader digitalization agenda rather than offered as a stand-alone track, with the Master of Digital Entrepreneurship (MoDE) at the European New School of Digital Studies playing a central role by embedding law alongside economics, social science and computer science in project-based work on digital transformation.[50] Within MoDE, where I teach, students work in interdisciplinary teams on practice-oriented projects that address regulatory, entrepreneurial and technical aspects of digital innovation, which naturally includes issues of AI and platform regulation, data governance and algorithmic decision-making.

c) Specialized Courses and Lecture Series

Beyond degree programs, several German universities have introduced dedicated courses on AI in legal education. The University of Bayreuth offers an online lecture series on generative AI in legal training. This series addresses topics such as the use of AI for exam simulations and the preparation of seminar papers (*Hausarbeiten*).[51] Bucerius Law School takes a different approach through its AI Legal Club, which forms part of the school's executive education program. Participants complete an online course to prepare for the age of artificial intelligence.[52]

d) Generative AI Policies at German Universities

The Hochschulrektorenkonferenz (HRK, German Rectors' Conference), which represents 272 member institutions and 90% of German students, has articulated key positions on AI. President Walter Rosenthal emphasized that universities must ensure GDPR-compliant AI use, prohibit personal data in AI prompts, require disclosure of AI use in seminar papers and research applications, and 'rethink exams' with a focus on knowledge application rather than mere recall.[53]

The Hochschulforum Digitalisierung (HFD) has developed a competency framework for AI use with seven recommendations. These include the identification of AI as a strategic institutional priority, promotion of general AI understanding, fostering of source criticism, and creation of spaces for interdisciplinary exchange.[54]

Academic integrity remains a central concern. There is clear consensus that presenting AI-generated text as one's own work constitutes plagiarism. However, AI detection tools remain unreliable, and this has prompted shifts toward oral examinations, competency-based assessment, and mandatory AI disclosure requirements.

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[50] European New School of Digital Studies (n 46).
[51] See Universität Bayreuth, 'Generative KI in der juristischen Ausbildung' <www.jura.uni-bayreuth.de/de/studium/ki-im-studium/index.html> accessed 17 December 2025.
[52] See Bucerius Law School, 'AI Legal Club', <www.law-school.de/executive-education/im-fokus/ai-legal-club> accessed 17 December 2025.
[53] Katrin Schmermund, 'Hochschulen müssen sichtbarer werden' (*Forschung und Lehre*, 6 November 2023) <www.forschung-und-lehre.de/management/hochschulen-muessen-sichtbarer-werden-6019> accessed 6 January 2026.
[54] Alexander Filipovic and others, *Künstliche Intelligenz: Grundlagen für das Handeln in der Hochschullehre - Ergebnisse der Arbeitsgruppe 'Künstliche Intelligenz: Essenzielle Kompetenzen an Hochschulen* (Hochschulforum Digitalisierung, Arbeitspapier Nr. 86, 2025) 30 et seqq.

e) European University Viadrina Policy on AI-Assisted Writing Tools

European University Viadrina has developed a detailed policy on the use of AI-assisted writing tools in examinations (adopted April 2025). The policy supports responsible, reflective, and transparent use of AI tools such as Large Language Models and systems like ChatGPT. It distinguishes them from tools that provide only language corrections (e.g., Grammarly, ProWritingAid), which are not covered.

The policy establishes labeling obligations for text creation. If text passages are generated by AI and adopted verbatim by the student, they must be treated as direct quotes. They should be enclosed in quotation marks and properly cited in a footnote that indicates the AI tool used, the input prompt, and the date of generation. By contrast, if a student rewrites a text generated by AI, the passage does not require quotation marks but must be linguistically indicated as indirectly adopted. The footnote should specify the AI tool used, the input prompt, and the date of generation. The student should also indicate whether the text was adopted as-is or significantly altered.

For text editing and correction, other rules apply. If AI tools are used to rewrite or paraphrase text written by another person (e.g., QuillBot), the original author, source, AI tool, input prompt, and date must be cited. Texts translated with AI tools (e.g., DeepL) must include the original author, source, the AI translation tool used, and the date. If AI-generated content is only used for personal understanding and not directly or indirectly included in the examination, it does not need to be cited.

For long text pieces such as the MA thesis, students must submit a declaration that affirms that all AI-assisted writing tools used in the creation of the examination have been properly labeled and documented. The declaration should confirm that the work was independently written and only the indicated sources and tools were used. When assessed, an examination will be rated as insufficient if it merely consists of assembled AI-generated text passages.

f) MOOCs and Digital-Centered Legal Education

German law offerings on international platforms like Coursera and edX remain limited due to the specificity of German legal content. Domestic platforms dominate. The Virtuelle Hochschule Bayern (vhb) offers three program types: CLASSIC vhb (credit-bearing courses free for consortium students), OPEN vhb (free courses for everyone), and SMART vhb (shorter learning units). Law courses include International Criminal Law (LMU), administrative law, criminal law preparation, and comprehensive civil law offerings from University of Würzburg.

The unirep-online.de network connects WWU Muenster, University of Bielefeld, Ruhr-Universität Bochum, European University Viadrina, and FernUniversität in Hagen with exam preparation resources, and this includes a database of 500+ original examination cases and self-test modules.

Section 3: Evaluation of Legal AI Practices

1. Empirical Evidence from Classroom Experiments

The empirical literature on AI in legal education is growing but remains fragmented. A two-year classroom experiment conducted by Thibault Schrepel at the Vrije Universiteit

Amsterdam provides instructive evidence.[55] The experiment divided students into three groups: one barred from using ChatGPT, one exposed to it without instruction, and one that received structured training in prompting and critical evaluation.

The results reveal several important findings. First, AI had almost no measurable effect on factual recall. Multiple-choice test scores were essentially flat across all groups, with performance gaps of only 0.12 to 0.21 points.[56] Second, structured AI training produced clear gains in open-ended exams and legal writing tasks. In 2024, the trained group scored 7.65 on the take-home exam, compared to 6.67 for the group without AI access.[57] By 2025, these differences narrowed as students became more familiar with AI tools on their own, but the trend remained: the trained group consistently outperformed others.[58] Third, and perhaps most importantly, the group without access to ChatGPT consistently finished last across both years. This finding suggests that prohibiting AI may have undesirable consequences as those who comply with this rule may be structurally disadvantaged concerning graded course outcomes vis-à-vis those who break the rule in unnoticed ways – a valid concern given the difficulty of detecting AI-generated writing faithfully.[59]

2. Evaluation of the LegalWriter System

These results mirror the outcomes of another study. The LegalWriter system was evaluated empirically at the University of Hamburg. The course was divided into two groups: a control group that worked without technical aids, and a treatment group that used the system.[60] The results showed positive effects on both *Gutachtenstil* adherence and overall exam grades. Students who trained with LegalWriter demonstrated better application of the formal argumentation style and achieved higher scores on their practice exams.

The system offers several advantages over traditional instruction, according to the authors. It provides immediate feedback, which allows students to correct errors and improve their writing in real time. The guidance is directly constructive, meaning students can implement suggestions at once rather than waiting for instructor comments. The system is available independent of location, time, and instructor availability, which is particularly valuable for students who cannot attend office hours or who prefer to study at unconventional times.[61]

3. Generic LLM Performance in Legal Tasks

This assessment is different for generic LLMs. Studies show that such large language models currently continue to struggle with specific tasks in the legal domain. In legal writing tasks, ChatGPT performs worse than average law students on assessments of substantive legal reasoning.[62] LLMs often fail to accurately summarize court decisions, as they miss relevant

[55] Thibault Schrepel, 'Generative AI in Legal Education: A Two-Year Experiment with ChatGPT' (forthcoming, 2026) *Law Innov Technol* 36 et seqq.
[56] Schrepel (fn. 55), 42 et seqq.
[57] Schrepel (fn. 55), 44.
[58] Schrepel (fn. 55), 45.
[59] Gerard de Melo, 'Detecting AI-generated Content: Challenges and Opportunities' in Philipp Hacker and others (eds), *The Oxford Handbook of the Foundations and Regulation of Generative AI* (OUP 2025) <https://doi.org/10.1093/oxfordhb/9780198940272.013.0008> accessed 6 January 2026.
[58] Weber and others (n 29), 341.
[59] Weber and others (n 29), 341 f.
[62] Jonathan H Choi and others, 'ChatGPT Goes to Law School' (2023) 71 Journal of Legal Education 387, 391.

arguments or mischaracterize the holdings.[63] In the legal domain, Magesh and others (2025) evaluated, in the first preregistered empirical setting, several commercial AI legal research tools that claim to eliminate hallucinations through retrieval-augmented generation (RAG). The authors tested LexisNexis's Lexis+ AI, Thomson Reuters's Ask Practical Law AI, Westlaw's AI-Assisted Research, and GPT-4 with over 200 legal queries. The study revealed that the marketing claims of major legal research providers are overstated: hallucination rates ranged from 17% to 33% for the proprietary RAG-based tools. The authors identified several recurring failure modes, which included naive retrieval, inapplicable authority, sycophancy, and basic reasoning errors such as misunderstanding case holdings and failing to distinguish between legal actors.[64] These limitations highlight the importance of teaching students to verify AI outputs and to use the technology as a starting point rather than a final product.

The risk of hallucinations is particularly acute in legal contexts. German courts have already addressed cases where lawyers submitted fabricated citations generated by AI tools. The AG Köln stated that lawyers must refrain from such practices because they hinder the finding of law, mislead uninformed readers, and damage the reputation of the rule of law.[65] The LG Frankfurt similarly noted that it should be among the basic duties of lawyers not to invent legal citations or to adopt unverified text sources proposed by chatbots.[66]

4. Cognitive Offloading and Critical Thinking

While the use of AI tools may improve the grades of students in specific areas in the short-term, empirical research highlights the long-term problem of cognitive offloading. When students rely heavily on AI tools, their engagement in deep reflective thinking decreases.[67] Studies have found that younger users who frequently relied on AI had measurably lower critical thinking scores than those who did not use such tools regularly.[68] This finding raises concerns about whether allowing or encouraging AI use might handicap students' intellectual growth. Ultimately, the challenge is to manage the degree of offloading so that it supports learning rather than undermining it.

5. Academic Integrity and Plagiarism

Academic integrity presents a significant challenge. By 2024, approximately 92% of UK undergraduates reported using AI tools for assessments.[69] Similar usage rates have been reported at Harvard.[70] Law professors grading exam answers have failed to recognize answers written entirely by ChatGPT. In one study, ten AI-generated answers were mixed with real

[63] Aniket Deroy, Kripabandhu Ghosh and Saptarshi Ghosh, 'How Ready are Pre-trained Abstractive Models and LLMs for Legal Case Judgement Summarization?' (2023) Proceedings of the Third International Workshop on Artificial Intelligence and Intelligent Assistance for Legal Professionals in the Digital Workplace 8, 11.
[64] Varun Magesh and others, 'Hallucination-Free? Assessing the Reliability of Leading AI Legal Research Tools' (2025) 22(2) J Empir Leg Stud 216.
[65] AG Köln, KIR 2025, 341 n. 24.
[66] LG Frankfurt/Main, NJW 2025, 3174 n. 3.
[67] Michael Gerlich, 'AI Tools in Society: Impacts on Cognitive Offloading and the Future of Critical Thinking' (2025) 15 Societies 6.
[68] Gerlich (fn. 67), 6; Schrepel (fn. 55), 25.
[69] Josh Freeman, *Student Generative AI Survey 2025* (HEPI Policy Note 61, 26 February 2025) <www.hepi.ac.uk/reports/student-generative-ai-survey-2025/> accessed 6 January 2026.
[70] Shiko Hirabayashi and others, *Harvard Undergraduate Survey on Generative AI, 2024* <https://arxiv.org/abs/2406.00833> accessed 6 January 2026.

student exam papers without the graders' knowledge; none of the graders suspected those answers were machine-produced.[71]

Traditional plagiarism detection tools typically rely on matching text to known sources, but AI generates new text that often evades such detection.[72] AI-output detectors exist, but they have high error rates and can mislabel original work as AI, which raises due process issues.[73] These findings suggest that relying solely on an honor system and punitive approaches may be insufficient; proactive pedagogical strategies are needed.

6. The Challenge of Long-Form Assignments

The emergence of generative AI compels academia to reconsider not only day-to-day assessments but also the role of long-form assignments, such as master theses in European curricula (see also below in the policy proposals, "Redesign Assessments"). Traditionally, the thesis has been valued as a culminating exercise. Students are expected to synthesize the literature, formulate a research question, and sustain an argument in written form. Its distinctive virtue lay in forcing students to undergo a prolonged process of research and writing, an exercise in intellectual endurance that shorter memos prepared during the year cannot replicate.[74]

AI undercuts this rationale. By scaling writing in minutes, tools such as large language models, and especially the new 'deep research' functions, strip away the pedagogical value of long-form engagement that once justified the thesis. With sufficient prompting, current models produce literature reviews that meet accepted standards of coherence. As detection is unreliable, the thesis increasingly loses its function as a test of individual mastery.[75]

Section 4: Legislative and Regulatory Adaptations

1. The legislative Framework

a) German Legislation Governing AI in Education

Germany lacks dedicated federal legislation that specifically governs AI use in education. The regulatory framework instead relies on horizontally applicable regulations: the DSGVO/GDPR[76] governs all personal data processing in educational contexts, and this includes AI-based systems; it is supplemented by the *Bundesdatenschutzgesetz* (BDSG).[77] Higher education laws (*Hochschulgesetze*) are enacted at the state level, and most have not yet been specifically updated to address AI tools.

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[71] Armin Alimardani, 'Generative artificial intelligence vs. law students: an empirical study on criminal law exam performance' (2024) 16 Law Innov Tech 777, 819.
[72] Schrepel (fn. 55), 21.
[73] Schrepel (fn. 55), 22.
[74] Schrepel (fn. 55), 32 ff.
[75] Schrepel (fn. 55), 33.
[76] Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation), OJ L 119, 4.5.2016, 1.
[77] Bundesdatenschutzgesetz in der Fassung der Bekanntmachung vom 30. Juni 2017 (BGBl. I S. 2097), das zuletzt durch Artikel 7 des Gesetzes vom 23. Juni 2021 (BGBl. I S. 1858) geändert worden ist = Federal Data Protection Act of 30 June 2017 (Federal Law Gazette I p. 2097), as last amended by Article 10 of the Act of 23 June 2021 (Federal Law Gazette I, p. 1858; 2022 I p. 1045).

According to academic analysis, fundamental questions remain legally unsettled: whether unmarked use of AI writing tools like ChatGPT in academic papers constitutes academic dishonesty under existing regulations, and whether examination regulations require modification.[78] The *Datenschutzkonferenz* (DSK, conference of German data protection authorities) published guidance in May 2024 ('Orientierungshilfe Künstliche Intelligenz und Datenschutz') that provides data protection principles applicable to educational AI use.[79]

b) EU AI Act: Classification of Educational AI as High-Risk

The EU AI Act[80] represents the world's first comprehensive AI regulatory framework with direct applicability in Germany. The implementation timeline proceeds in stages: February 2, 2025 marks the date when prohibited AI practices take effect and AI literacy requirements applied;[81] August 2, 2025 is when General Purpose AI model obligations started;[82] August 2, 2026 is when most high-risk AI system requirements become fully applicable, even though this deadline is currently under negotiation in the AI Omnibus package;[83] and August 2, 2027 marks the deferred and currently also discussed application deadline for certain high-risk AI in regulated products.[84]

Under Annex III, Section 3 (Education and vocational training), the following are classified as high-risk AI systems: AI that determines access or admission to educational institutions; AI that evaluates learning outcomes (this includes AI that steers learning processes); AI that assesses appropriate education levels; and AI that monitors and detects prohibited behavior during tests (proctoring).[85] Recital 56 explicitly states that 'AI systems used in education or vocational training [...] should be considered high-risk, since they may determine the educational and professional course of a person's life.'[86]

Additionally, emotion recognition in educational institutions has been prohibited as of February 2025 (except for medical or safety reasons).[87] Universities that use AI for admissions, grading, or learning assessment are considered 'deployers' under Article 3(4).[88] Compliance requirements include risk management systems, data governance, technical

[76] Dennis Zielinski, 'ChatGPT in German Examination Law' (2024) 12 International Journal of Academic Research and Reflection, 10.
[79] Datenschutzkonferenz, 'Orientierungshilfe der Konferenz der unabhängigen Datenschutzaufsichtsbehörden des Bundes und der Länder: Künstliche Intelligenz und Datenschutz', Version 1.0, 6.5.2024.
[80] Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 laying down harmonised rules on artificial intelligence and amending Regulations (EC) No 300/2008, (EU) No 167/2013, (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1139 and (EU) 2019/2144 and Directives 2014/90/EU, (EU) 2016/797 and (EU) 2020/1828 (Artificial Intelligence Act), OJ L 2024/1689, 12.7.2024.
[81] Regulation (EU) 2024/1689 of the European Parliament and of the Council [2024] OJ L2024/1689, Arts. 113(a), Art. 4 AI Act.
[82] Regulation (EU) 2024/1689 of the European Parliament and of the Council 2024] OJ L2024/1689, Art. 113(b).
[83] Regulation (EU) 2024/1689 of the European Parliament and of the Council 2024] OJ L2024/1689, Art. 113; see also Philipp Hacker, Robert Kilian and Jana Costas, "Simplifying" European AI Regulation. An Evidence-based Study, Bertelsmann, 2025, https://www.bertelsmann-stiftung.de/en/publications/publication/did/simplifying-european-ai-regulation-an-evidence-based-study.
[84] Regulation (EU) 2024/1689 of the European Parliament and of the Council 2024] OJ L2024/1689, Art. 113(c).
[85] Regulation (EU) 2024/1689 of the European Parliament and of the Council 2024] OJ L2024/1689, Art. 6(2) in conjunction with Annex III, Section 3(a)-(d).
[86] Regulation (EU) 2024/1689 of the European Parliament and of the Council 2024] OJ L2024/1689, Recital 56.
[87] Regulation (EU) 2024/1689 of the European Parliament and of the Council 2024] OJ L2024/1689, Art. 5(1)(f).
[88] Regulation (EU) 2024/1689 of the European Parliament and of the Council 2024] OJ L2024/1689, Art. 3(4).

documentation, transparency, human oversight, adequate performance, post-market surveillance, and registration in a dedicated EU database.[89]

c) German AI Act Implementation: the KIMIG

The *KI-Marktüberwachungs- und Innovationsförderungsgesetz* (KI-MIG), building on an earlier draft (KIMÜG) from late 2024 that aimed to designate national enforcement authorities for the AI Act, was delayed by the February 2025 federal elections.[90] The Federal Ministry for Digital Affairs and Government Modernisation (BMDS) now bears responsibility for the German implementation. The new coalition government has reaffirmed commitment to 'low bureaucracy, innovation-friendly' AI Act implementation.[91] In February 2024, the Federal Ministry of Justice (BMJ) also emphasized this, and characterized the AI Act as product regulation rather than research regulation – a signal of intent to avoid excessive compliance burdens on universities and research institutions.[92]

2. Lawyerly and Professional Guidelines

a) BRAK Guidelines: Professional Ethics for AI Use

The *Bundesrechtsanwaltskammer* (BRAK, Federal Chamber of Lawyers) published comprehensive guidance on AI use in December 2024 ('Hinweise zum Einsatz von künstlicher Intelligenz').[93]

Core principles derive from existing professional obligations. Section 43 BRAO (Federal Lawyers Act) requires '*gewissenhafte Berufsausübung*' (conscientious professional practice) – AI serves for support only, not replacement.[94] Section 613 BGB (Civil Code) mandates personal responsibility: lawyers must conduct independent review and final control of all AI outputs.[95] There is currently no obligation to use AI, though Section 5 BORA (Rules of Professional Practice, office requirements) may require AI and Legal Tech in mass proceedings contexts.[96]

Attorney-client privilege under Section 43a(2) BRAO creates additional specific constraints.[97] Confidential client information must remain protected when AI is used. BRAK recommends 'abstract' prompts and anonymization of uploaded documents.[98] AI use

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[89] Jannike Ehlers, 'AI Act: This applies to AI in universities and research' (KPMG Law, 20 March 2025) <https://kpmg-law.de/en/ai-act-this-applies-to-ai-in-universities-and-research> accessed 6 January 2026.
[90] Bundesministerium für Digitales und Staatsmodernisierung, Entwurf eines Gesetzes zur Durchführung der Verordnung (EU) 2024/1689 des Europäischen Parlaments und des Rates vom 13. Juni 2024 zur Festlegung harmonisierter Vorschriften für künstliche Intelligenz KI-Marktüberwachungs- und Innovationsförderungsgesetz – KI-MIG) (Referentenentwurf, 12.09.2025), <https://bmds.bund.de/service/gesetzgebungsverfahren/gesetz-zur-durchfuehrung-der-ki-verordnung> accessed 5 January 2026; Bundesministerium für Digitales und Staatsmodernisierung, *KI-Aufsicht: Start für Konsultationen zum Gesetzentwurf* (12.09.2025) Pressemitteilung 11/2025, <. https://bmds.bund.de/aktuelles/pressemitteilungen/detail/ki-aufsicht-start-fuer-konsultationen-zum-gesetzentwurf> accessed 5 January 2026.
[91] Koalitionsvertrag zwischen CDU, CSU und SPD, 21. Legislaturperiode, April 2025, 70.
[92] Bundesministerium der Justiz, *Positionspapier: Innovationsfreundliche und praxistaugliche Umsetzung der KI-Verordnung*, Februar 2024, 2.
[93] Remmertz, 'Hinweise zum Einsatz von künstlicher Intelligenz', *BRAK-Mitt.* (2024).
[94] Section 43 BRAO.
[95] Section 613 BGB.
[96] Remmertz (fn. 93), 2.33; Section 5 BRAO.
[97] Section 43a(2) BRAO.
[98] Remmertz (fn. 93), 3.1, 3.

does not trigger Section 203 StGB (criminal breach of confidentiality) penalties if properly managed through contractual and technical safeguards.[99]

IT-outsourcing rules under Section 43e BRAO govern relationships with AI providers.[100] Providers may access confidential information only if necessary, and the need-to-know principle applies strictly.[101] Providers must be contractually bound to confidentiality with acknowledgment of criminal law consequences. BRAK expresses preference for EU/German server locations and notes that OpenAI was not EU-US Data Privacy Framework certified as of December 2024 – a fact which requires extra measures for US-based tools.[102]

b) Positions of the German Lawyers' Association

The *Deutscher Anwaltverein* (DAV, German Lawyers' Association) issued its AI Working Group's July 2025 initiative statement, which affirms that AI use is permitted under strict observance of professional ethics, data protection, copyright, and trade secret protections.[103] Mandatory independent verification of AI outputs is required. External AI and cloud providers may be used without client consent if necessary and if they are contractually bound under Section 43e BRAO. There is no general anonymization duty when properly contracted service providers are used – free public tools, however, require complete anonymization before any confidential information is input.[104]

Earlier DAV positions include Position Paper 57/2021, which supported the risk-based approach of the then-proposed AI Act while criticizing the narrow AI definition. DAV advocated for five risk levels rather than binary high/non-high risk classification, called for prohibition of fully automated judicial decisions, and supported biometric surveillance bans.[105] In 2025, DAV partnered with BRYTER to provide its approximately 60,000 member lawyers access to the BEAMON AI platform.[106]

c) European Professional Guidelines

The Council of Bars and Law Societies of Europe (CCBE) and the European Lawyers Foundation jointly published the 'Guide on the use of Artificial-Intelligence-based tools by lawyers and law firms in the EU' in 2022, which emerged from the AI4Lawyers Project (2020–2022).[107] The CCBE also contributed to the 'European Ethical Charter on the Use of AI in Judicial Systems'[108] by the European Commission for the Efficiency of Justice (CEPEJ) and published 'CCBE Considerations on the Legal Aspects of Artificial Intelligence.'[109] Key concerns include independence when AI tools may interfere with

[99] Section 203 StGB; Remmertz (fn. 93), 3.
[100] Section 43e BRAO.
[101] Remmertz (fn. 93), 3.2, 3.
[102] Remmertz (fn. 93), 3.3, 4.
[103] Deutscher Anwaltverein, 'Initiativ-Stellungnahme zum Einsatz von KI in der Anwaltschaft', *DAV-SN* Nr. 32/2025, Juli 2025.
[104] Id., 11.
[105] Deutscher Anwaltsverein, 'Stellungnahme zum Vorschlag der EU-Kommission für eine Verordnung zur Festlegung harmonisierter Vorschriften für künstliche Intelligenz', DAV-SN Nr. 57/2021, November 2021.
[106] Deutscher Anwaltverein, 'Neuer DAV-Kooperationspartner: BRYTER bringt KI in die Kanzleien', *DAV-Depesche* 27(2025)7/25, 11.7.2025.
[107] Council of Bars and Law Societies of Europe/European Lawyers Foundation, 'Guide on the use of Artificial Intelligence-based tools by lawyers and law firms in the EU' (31 March 2022).
[108] Council of Europe, 'European Ethical Charter on the use of Artificial Intelligence in Judicial Systems and their environment' CEPEJ(2018)14, (4 December 2018).
[109] CCBE, 'CCBE Considerations on the Legal Aspects of Artificial Intelligence' (2020)CCBE.

lawyer autonomy, and warnings about large clients potentially pressuring smaller firms regarding AI adoption. The European Bars Federation (FBE) published 'European Lawyers in the Era of ChatGPT' (2023), which the BRAK (Bundesrechtsanwaltskammer) recommends as supplementary guidance.[110]

3. Judicial Perspectives and AI Strategy

The June 2025 *Bund-Länder-Digitalgipfel* (federal-state digital summit) produced a joint declaration that adopted a *KI-Strategie* (AI Strategy) for the German judiciary.[111] Core principles emphasize that human decision-making must remain paramount: that technology only serves to support, not to replace human judiciaries.

Current AI pilot projects in German courts include: OLGA (OLG Stuttgart) for AI-assisted analysis of diesel scandal appeals[112]; FraUKE (AG Frankfurt) for adjudicating mass proceedings, like flight passenger rights Codefy for document structuring in complex cases (LG Frankfurt)[113]; AKIRA (Baden-Wuerttemberg) as an AI assistant for social courts developed with Aleph Alpha[114]; JANO for AI anonymization of judgments (Baden-Wuerttemberg/Hessen)[115]; ALeKS (Bavaria/Niedersachsen) for AI anonymization and headnote creation[116]; and GSJ (*Generatives Sprachmodell der Justiz*) as a Bavaria/NRW joint project with TU Munich and Cologne University[117].
The 200 million EUR *Digitalisierungsinitiative für die Justiz* (2023–2026) supports a central AI platform for shared solutions across jurisdictions. Goals include an increase in court decision publication rates from the current level below 3%.[118] AI systems 'intended to assist a judicial authority in researching and interpreting facts and the law' are classified as

[110] Federation des Barreaux d'Europe, 'European Lawyers in the Era of ChatGPT: Guidelines on how lawyers should take advantage of the opportunities offered by large language models and generative AI' (FBE Report, June 2023): Guidelines on how lawyers should take advantage of the opportunities offered by large language models and generative AIFBE Report June.
[111] Die Justizministerinnen und Justizminister des Bundes und der Länder, 'Gemeinsame Erklärung zum Einsatz von Künstlicher Intelligenz in der Justiz', Sechster Bund-Länder-Digitalgipfel, (Juni 2025); E-Justice-Rat, 'Strategie für den Einsatz von Künstlicher Intelligenz in der Justiz', Version 1.0 (, April 2025).
[112] Jan Spoenle, 'Künstliche Intelligenz im Einsatz bei Dieselverfahren' (2023) *DRiZ* 68.
[113] Hessisches Ministerium der Justiz, '„KI-Projekt Codefy am Landgericht Frankfurt gestartet'" (*Hessisches Ministerium der Justiz*, 2023) <https://justizministerium.hessen.de/presse/pressearchiv/ki-projekt-codefy-am-landgericht-frankfurt-gestartet> accessed 5 January 2026.
[114] Ministerium der Justiz Baden-Württemberg, ''Assistenzprogramm zur Aktenstrukturierung in der Justiz gestartet' (*Ministerium der Justiz Baden-Württemberg*, 2024) <https://www.baden-wuerttemberg.de/de/service/presse/pressemitteilung/pid/assistenzprogramm-zur-aktenstrukturierung-in-der-justiz-gestartet> accessed 5 January 2026.
[115] Hessisches Ministerium der Justiz, 'Hessen und Baden-Württemberg setzen KI-Tool JANO künftig in der Justiz ein' (*Hessisches Ministerium der Justiz*, 2025) <https://justizministerium.hessen.de/presse/hessen-und-baden-wuerttemberg-setzen-ki-tool-jano-kuenftig-in-der-justiz-ein> accessed 5 January 2026.
[116] Niedersächsisches Ministerium der Justiz, 'Künstliche Intelligenz und Automation in der Justiz' (*Niedersächsisches Ministerium der Justiz*, 2023) <www.mj.niedersachsen.de/startseite/kunstliche_intelligenz_und_automation_in_der_justiz/kunstliche-intelligenz-und-automation-in-der-justiz-246705.html> accessed 5 January 2026.
[117]Bayerische Staatskanzlei, 'Künstliche Intelligenz im Einsatz für die Justiz: Start für gemeinsames Forschungsprojekt von Bayern und NRW – Generatives Sprachmodell soll Richterinnen und Richter entlasten' (*Bayerische Staatskanzlei*, 2024) <www.bayern.de/kuenstliche-intelligenz-im-einsatz-fuer-die-justiz-start-fuer-gemeinsames-forschungsprojekt-von-bayern-und-nrw-generatives-sprachmodell-soll-richterinnen-und-richter-entlasten-wissenschaftliche> accessed 5 January 2026.
[118] Bundesministerium der Justiz und für Verbraucherschutz, 'Gerichtsentscheidungen durch KI leichter veröffentlichen' *(Bundesministerium der Justiz und für Verbraucherschutz, 2023)*<www.bmjv.de/DE/themen/digitales/digitalisierung_justiz/digitalisierungsinitiative/laendervorhaben/_doc/artikel_vorhaben_14_ALeKS.html> accessed 5 January 2026.

high-risk under Annex III Nr. 8a of the AI Act – though this applies to judicial authorities, not to lawyers who use AI for case preparation.[119]

The *34. EDV-Gerichtstag* (September 2025, Saarbrücken) convened under the theme 'Next Generation Law – Von AI bis ZPO digital,' and addressed effective civil law enforcement, access to justice, Legal Tech, AI's transformation of work, and media regulation modernization.[120]

Finally, in a rare case involving potential rights for an AI system, the BGH DABUS Decision (June 11, 2024, X ZB 5/22) confirmed that only natural persons can be inventors under German patent law – AI systems cannot be named as inventors.[121]

Section 5: Policy and Institutional Recommendations

The observations in the preceding sections lead to ten policy and institutional recommendations, which culminate in the suggestion of a 'mixed strategy' approach: it combines AI-free foundational courses where students master core legal research, analysis, and writing skills with dedicated AI-enhanced courses that teach responsible use of AI tools and systematic verification techniques to address the hallucination problem.

1. Maintain Pedagogical Freedom

The first credo in legal education should be pedagogical freedom, within the constraints of the mixed strategy pursued by the institution as a whole. Calls for centralized and uniform rules that dictate what individual members of the teaching body may or may not do should be resisted. Such approaches run contrary to the ethos of intellectual independence that sustains higher education. Professors should be encouraged to experiment with different ways of integrating AI into the classroom without fear of restrictive guidelines.[122] Pedagogy thrives on ownership, not prescription, so professors must remain free to experiment. Overall, the institution only needs to ensure that, between the different formats chosen by different teachers, the mixed strategy remains active and in place. This may, in some cases, require specific rules on the use or prohibition of AI for certain professors who teach core classes in the mixed strategy approach.

2. Invest in Faculty Training

Many instructors currently feel ill-equipped to provide AI instruction themselves.[123] Effective teaching with technology requires technological knowledge, pedagogical knowledge, and content knowledge.[124] This is known as the TPACK model (Technological Pedagogical Content Knowledge).[125] Law professors need support in all three areas to teach effectively with AI: understanding the AI tools, knowing how to teach with them, and integrating them

[119] Art. 6(2) in conjunction with Annex III, Section 8(a) AI Act.
[120] 74. Deutscher Juristentag, Thesenpapier: Next Generation Law – Von AI bis ZPO digital, September 2024.DGVB, 'Neuer Schwung für die Justizdigitalisierung – Der 34. EDV-Gerichtstag setzt die Agenda'(DGVB, 2025) < https://dgvb.de/neuer-schwung-fuer-die-justizdigitalisierung-der-34-edv-gerichtstag-setzt-die-agenda> accessed January 5 2026.
[121] BGH, Decision of 11.6.2024 – X ZB 5/22, *GRUR* 2024, 1182.
[122] Schrepel (fn. 55), 49.
[123] Schrepel (fn. 55), 50.
[124] Bliss, 'A conversation with John Bliss on the benefits and risks of generative AI for lawyers', Harvard Law School, Center on the Legal Profession, (14 February 2024).
[125] Rodríguez Moreno, Agreda Montoro and Ortiz Colon, 'Changes in teacher training within the TPACK model framework' (2019) 11 Sustainability 1870.

appropriately into the legal subject matter. Institutional efforts should include formal workshops, continuing legal education modules, peer-to-peer faculty exchanges, and partnerships with industry experts. Wherever possible, open-source and locally hosted tools should be used for reasons of data protection and data sovereignty.[126]

3. Develop AI Literacy as a Core Competence

AI literacy should be treated as a core lawyering skill, akin to legal writing or statutory interpretation.[127] The competencies that need to be taught can be organized according to the 'AI Literacy Heptagon,' which conceptualizes AI literacy as a set of seven interrelated competencies spanning technical, legal, ethical, and societal dimensions. Within the context of legal education, the needed competencies include the ability to critically evaluate AI outputs, to verify sources and citations, to understand the limitations and risks of AI tools, to use AI in compliance with professional responsibility rules, and to document the use of AI in legal work products.[128]

The competencies required for AI use in legal practice can be divided into three leve: basic competencies (*Basiskompetenzen*), application competencies (*Anwendungskompetenzen*), and development competencies (*Entwicklungskompetenzen*).[129] Basic competencies include understanding the relationship between prompts and output quality, as well as the legal risks associated with AI use, such as copyright infringement, data protection violations, and professional responsibility issues. These basic competencies should be part of university education from the beginning of legal studies. The other competences can be added at later stages.

4. Redesign Assessments

Notably, traditional assessment formats require reconsideration. If an AI can produce a passing answer on a law school exam, traditional assessments may no longer effectively distinguish students' knowledge.[130] A group of German law professors recently proposed a differentiated framework for legal assessments in 2030.[131] Their core premise is that legal education should test skills that correspond to a modern legal work environment – skills that current examination formats no longer adequately capture. They suggest three layers of increasingly digitally meditated examinations, and revised rules for take-home exams.

A first and rather straightforward response is to preserve examinations without AI access. The ability to critically evaluate AI-generated content presupposes that students have first acquired legal knowledge and methodological competence on their own. Situations will persist – in oral arguments, client consultations, or scholarly debate – where lawyers must recall knowledge without technological assistance. For this reason, conventional written exams without access to databases or AI tools remain necessary. This corresponds to the AI-free zones in the mixed strategy.

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[126] See also Kai Zenner et al., The European Way, Report, 2025.
[127] Schrepel (fn. 55), 50-51.
[128] Veronika Hackl, Alexandra Müller and Maximilian Sailer, 'The AI Literacy Heptagon: A Structured Approach to AI Literacy in Higher Education' (arXiv preprint arXiv:2509.18900, 2025) <https://arxiv.org/pdf/2509.18900> accessed 6 January 2026.
[129] Möller-Klapperich (n 3), 531.
[130] Schrepel (fn. 55), 29 ff.
[131] Martin Fries and others, 'Juristisches Prüfen 2030' (*Verfassungsblog*, 23 September 2025) <https://verfassungsblog.de/juristisches-prufen-2030/> accessed 6 January 2026.

A second, additional response according to the authors is to introduce 'hybrid exams' with limited digital tools. Similar to examinations in the German second state exam that allow access to legal commentaries, universities could permit access to a restricted set of online legal databases without large language models. Students would face numerous standard legal problems and demonstrate their ability to quickly identify and correctly analyze issues. The expectation of performance rises because students no longer need to memorize schemas and definitions.

The third response is to create 'AI exams' with full digital access. Students would have access to all available digital tools – legal databases, large language models, and other AI applications – to produce a legal opinion under supervision within a limited time (for example, five hours). The assigned fact patterns would contain significantly more and more demanding legal problems. The evaluation would assess both the capacity to handle complex legal questions and the competent, critical use of the permitted digital tools. Students could be required to include linked source references, as they would in a research paper.

For take-home assignments such as term papers, AI use will become practically impossible to prohibit.[132] Rather than abolish these formats, they can be transformed into 'AI-assisted papers.' AI tools would be permitted for text generation, but students would remain responsible for verifying sources and following the principles of good scholarly practice. When the AI fabricates citations or plagiarizes, the student bears responsibility. The difficulty of the assignment and the expected quality of the work must rise accordingly. Topic-based papers that raise entirely new questions – such as an analysis of a recent judgment with little existing commentary – are particularly well-suited to this approach.

Such AI-assisted papers should, where feasible, be supplemented by rigorous oral examinations. This combination allows instructors to verify whether students have engaged with the material in depth and can answer follow-up questions spontaneously. The oral component might be weighted more heavily, or a single combined grade might be awarded.

Next to this proposed framework, Schrepel suggests an alternative to the traditional master thesis as a 'Master Dossier.' Rather than evaluate students solely on a final written product, this model would assess how students process legal knowledge in a world with AI. On top of the quality of the argument, the dossier would evaluate how students prompt, verify, and refine AI outputs, how ethically they deploy the technology, and how they demonstrate professional judgment in the identification of errors and limitations. Students would be required to submit a personal reflection that documents their journey with AI use over the course of the program.[133]

5. Establish Clear Policies

Universities should set clear policies and honor code rules around AI usage, paired with education on those policies. As Schrepel suggests, policies should state plainly when an assignment requires exclusive human authorship. For other evaluations, instructors may allow AI use but require full disclosure, such as mandating that students append the raw AI output and cite any AI-generated language.[134] Transparency should also apply to privacy, copyright,

[132] Id.
[133] Schrepel (fn. 55), 54.
[134] Schrepel (fn. 55), 31.

and other legal constraints. Students should be informed about the privacy implications of any AI tools they are required to use,[135] as well as potential copyright implications.

6. Document and Share Best Practices

Law schools have prioritized classroom trials over sustained investment in faculty development, experimentation, and evaluation. Hence, new projects are needed, but they require consistent documentation and rigorous assessment. The objective is to create an extensive, practice-oriented repository of instructional strategies. To extract meaningful insight from this worldwide effort, institutions need a standardized framework for recording methods and performance indicators that support comparison and shared learning across schools.[136] German law faculties should share their experiences through publications, conferences, and inter-institutional networks.

7. Invest in Infrastructure and Resources

The use of AI does not come without cost. Open-source tools may, among other advantages, lower upfront costs. Beyond this, however, universities also need to invest in the required technical infrastructure for training and deploying AI in legal education. This includes campus-wide reliable high-speed internet, classroom technology supporting hybrid and online instruction, and learning management systems that integrate effectively with AI tools. As the Wissenschaftsrat emphasizes, technical systems and applications should be as simple and user-friendly as possible, accessible to all faculty and students, designed with low barriers, and supported by adequate training and assistance.[137]

Shared infrastructure across institutions can increase efficiency and reduce costs. State-level initiatives should develop common platforms for legal education technology, AI tool licenses negotiated collectively, and shared repositories of teaching materials. The Wissenschaftsrat recommends that federal and state governments build a cross-state infrastructure for Open Educational Resources (OER), and that they link existing collections and repositories through a meta-search engine to improve findability and accessibility of educational materials nationally.[138]

8. Harmonize Regulatory Frameworks

Germany requires clear, consistent legal frameworks governing AI use in higher education. Data protection frameworks require clarification. The AI Act classifies AI-supported assessment and selection procedures in education as 'high-risk' systems subject to comprehensive compliance requirements. Universities must understand precisely what obligations this imposes: documentation requirements, risk assessment procedures, human oversight mechanisms, and transparency standards.

The examination legal framework (*Prüfungsrecht*) also requires modernization, as current regulations were not designed for AI and create ambiguities about what constitutes independent work, permissible assistance, and academic misconduct.[139]

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[135] Anil Balan, 'Examining the ethical and sustainability challenges of legal education's AI revolution' (2024) 31(3) Int J Legal Prof 330.
[136] Schrepel (fn. 55), 51.
[137] Wissenschaftsrat, 'Empfehlungen zur Digitalisierung in Lehre und Studium' (2022), 10.
[138] Wissenschaftsrat (n 133), 12.
[139] Rolf Schwartmann, Sonja Kurth and Moritz Köhler, 'Der Einsatz von KI an Hochschulen–eine rechtliche Betrachtung' (2024) 3 Ordnung der Wissenschaft, 163.

9. Expand Professional Training

Legal professionals already in practice require accessible continuing education on AI competencies. Judges and prosecutors also require specialized training. The judiciary's unique position requiring both technological competence and independence demands careful attention to training design. Whether AI can fulfill functions in the judiciary efficiently while strengthening basic rights, democracy, and the rule of law depends significantly on acceptance by members of the judiciary, which in turn depends on understanding and trust.[140]

10. Adopt a 'Mixed Strategy' for AI Integration

Overall, institutions should pursue a mixed strategy that combines AI-free learning environments with dedicated AI-enabled instruction. This dual approach recognizes that students must first master foundational legal skills before they can use AI tools responsibly and effectively.

Certain courses should be designated as AI-free zones. In these classes, students learn the core techniques of legal research, analysis, thinking, and writing without technological assistance. The rationale is straightforward: students who have never conducted legal research manually cannot evaluate whether an AI tool has retrieved the correct sources. Students who have never constructed a legal argument from scratch cannot assess whether an AI-generated argument is logically sound. The traditional *Gutachtenstil*, case briefing, statutory interpretation, and doctrinal synthesis require deliberate practice that AI shortcuts would undermine. These foundational courses – typically in the early semesters – should emphasize slow, careful work that builds the cognitive patterns necessary for expert legal reasoning.

Other courses should be dedicated to AI-enhanced learning. In these classes, instructors guide students through best practices for AI use, with a particular focus on the hallucination problem. Research demonstrates that this problem is severe. Chelli and others (2024) found that when ChatGPT and Google Bard were asked to retrieve scientific references for systematic reviews, hallucination rates – the proportion of fabricated or non-existent references – ranged from 28.6% (GPT-4) to 91.4% (Bard).[141] Even real papers were often retrieved with incorrect metadata or applied to inappropriate contexts. In the legal domain, Magesh and others (2025) noted high hallucination rates even among specific legal tools.[142]

These findings have direct pedagogical implications. AI-enabled courses should incorporate exercises that expose students to these failure modes. One effective approach is to present students with AI-generated legal analysis and require them to identify errors – a form of critical evaluation that reinforces substantive knowledge while building AI literacy. Students should learn systematic verification techniques: checking every citation against primary sources, confirming that quoted language actually appears in the cited document, verifying that cases remain good law, and assessing whether cited authorities are jurisdictionally appropriate. Assessment criteria in these courses should reward students who identify AI errors rather than accept outputs uncritically.

The sequencing matters. Students should complete AI-free foundational courses before progressing to AI-enhanced instruction. A student who has never struggled to find the relevant

[140] University of Freiburg, 'Artificial Intelligence in the Judiciary' (19 February 2025) <https://uni-freiburg.de/en/artificial-intelligence-in-the-judiciary/> accessed 17 December 2025.
[141] Chelli and others, 'Hallucination Rates and Reference Accuracy of ChatGPT and Bard for Systematic Reviews: Comparative Analysis' (2024) 26(1) J Med Internet Res, e53164.
[142] Magesh and others (n 62).

statute or to articulate why one case controls over another will lack the judgment necessary to evaluate AI outputs. The mixed strategy thus serves both pedagogical and professional goals: it produces graduates who possess genuine legal competence and who can deploy AI tools without becoming dependent on systems that remain, for the time being, unreliable.

Section 6: Perspectives on Digital Technologies and Law's Societal Role

1. The 'Code is Law' Thesis in German Legal Scholarship

Lawrence Lessig's seminal 'Code is Law' thesis has been extensively discussed in German legal scholarship, though with critical nuances that reflect the country's distinctive regulatory tradition.[143] German scholars like Wilhelm Steinmüller had developed related concepts of technological variability, dynamics and (over)complexity that influence regulatory outcomes before Lessig's work.[144] Austrian-trained Viktor Mayer-Schönberger offered fundamental discussions of Lessig's theorization of the technology-society relationship.[145]

German engagement with 'Code is Law' has focused particularly on platform regulation. Germany pioneered the *Netzwerkdurchsetzungsgesetz* (NetzDG, 2017), which requires social networks to remove illegal content within 24 hours – this represents Germany's attempt to reassert state sovereignty over algorithmic platform governance.[146] This law served as a model for the EU's Digital Services Act.[147] The subsequent *Digitale-Dienste-Gesetz* (DDG) implements the DSA while maintaining strong platform oversight.[148]

2. Access to Justice and Legal Technology

Professor Giesela Rühl has documented how legal tech companies are addressing Germany's access-to-justice gap.[149] German local courts have lost approximately 60% of their cases since the early 2000s – many lower-value claims simply go unenforced or move to other venues.[150] Legal tech companies, including *Flightright* (air passenger rights)[151] and *wenigermiete.de* (rent law),[152] have entered the market since approximately 2015 and use contingency fees and digital accessibility to reach consumers who would otherwise not pursue claims. They fill the gaps left by a court system viewed as unattractive by many consumers of claimants of small claims.

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[143]Lawrence Lessig, *Code and Other Laws of Cyberspace*, 1999; *id.*, *Code: Version 2.0*, 2006.
[144] Wilhelm Steinmüller, *Informationstechnologie und Gesellschaft: Einführung in die Angewandte Informatik*, 1993, 134-153 and 385-388.
[145] Viktor Mayer-Schönberger, The Shape of Governance: Analyzing the World of Internet Regulation, *Virginia Journal of International Law* 43 (2003), 605 ff.
[146] Netzwerkdurchsetzungsgesetz (NetzDG), BGBl. I 2017, 3352.
[147] Regulation (EU) 2022/2065 of 19 October 2022 on a Single Market For Digital Services (Digital Services Act), OJ L 277, 27.10.2022, 1.
[148] Digitale-Dienste-Gesetz (DDG) vom 6. Mai 2024, BGBl. I 2024 Nr. 149.
[148] Gisela Rühl, Legal Tech Companies and Access to Justice in Germany, in: Freeman Engstrom and Freeman Engstrom (eds.), *Rethinking The Lawyer's Monopoly: Access to Justice and the Future of Legal Service*s, CUP 2025, 300 ff.
[150] Rühl (fn. 148), 300 f.
[151] See https://www.flightright.de accessed 17 December 2025.
[152] See https://www.wenigermiete.de accessed 17 December 2025.

The Legal Tech Act of 2021 (*Gesetz zur Förderung verbrauchergerechter Angebote im Rechtsdienstleistungsmarkt*) attempted to balance regulation between traditional attorneys and legal tech debt collection services.[153] As Rühl observes, the focus has been on digital transformation of analog processes rather than reimagining legal services – a situation which suggests potential for more fundamental reform, for example concerning the admission of financial investors, the funding of litigation, and the use of contingency fees, but also the use of digital technology throughout the whole pipeline of court proceedings.[154] In my view, this may, for example, include feedback from approved chatbots to parties, especially those without legal counsel, monitored in novel ways by judges and, potentially, by new techno-legal counsels at the courts.

3. The Future of the German Legal Profession

In this impending transformation, new professional roles are emerging: legal data analysts, legal operations managers, AI compliance specialists, and legal engineers. The TUM Legal AI Use Case Radar 2025 documents current applications in document analysis and generation, legal research automation, contract review, and compliance monitoring.[155] However, limitations remain significant – *MIT Technology Review* rightly notes that while 47.8% of attorneys at large US law firms use AI,[156] 'LLMs are still far from thinking like lawyers' – models struggle with novel questions, have difficulty synthesizing scattered sources, and frequently hallucinate case citations.[157]

Section 7. Conclusion

German law faculties are responding to the rise of AI with a variety of initiatives. However, most law students still complete their education with minimal systematic exposure to technologies that increasingly shape legal practice. The basic law degree program (*Staatsexamen*) does not introduce prospective lawyers to AI and legal tech systematically, which forces students to seek additional courses if interested.

The empirical evidence suggests that structured AI training may improve student performance on complex analytical tasks. However, in the longer run, significant reliance on AI tools may undermine critical thinking and deprive students of core competences they need to build and foster. Yet, prohibiting AI may leave students at a disadvantage and, given imperfect enforcement, punish those actually adhering to the rule.

The regulatory landscape remains in flux, with the EU AI Act's creation of new compliance obligations while professional bodies like BRAK and DAV develop guidance that emphasizes human oversight and ethical constraints. The German judiciary's explicit commitment to

[153] Gesetz zur Förderung verbrauchergerechter Angebote im Rechtsdienstleistungsmarkt vom 10. August 2021, BGBl. I 2021, 3415.
[154] Rühl (fn. 148), 314 f.
[155] TUM Legal AI Use Case Radar 2025 <https://legal-ai-radar.de/> accessed 6 January 2026.
[156] Calaguas, 2024 Artificial Intelligence TechReport (2025) available at https://www.americanbar.org/groups/law_practice/resources/tech-report/2024/2024-artificial-intelligence-techreport/ accessed 23.12.2025.
[157] Michelle Kim, 'AI Might Not Be Coming for Lawyers' Jobs Anytime Soon', *MIT Technology Review,* 15.12.2025, available at https://www.technologyreview.com/2025/12/15/1129181/ai-might-not-be-coming-for-lawyers-jobs-anytime-soon/ accessed 23 December 2025; see also above, Magesh and others (n 62).

‘support, not replacement’ articulates a consensus that AI tools should enhance rather than substitute for human legal judgment.

The path forward requires a balance between innovation and caution. Hence, I suggest a “mixed strategy.” Institutions should designate early-semester courses as AI-free zones to build foundational legal competencies, while later courses should integrate AI instruction with a focus on identifying hallucinations and verifying outputs. Within this mixed strategy, law schools should maintain pedagogical freedom, invest in faculty training, develop AI literacy as a core competence, redesign assessments for the AI era, establish clear policies, document and share best practices, invest in infrastructure, harmonize regulatory frameworks, and expand professional training opportunities. The challenge for German legal education is to produce jurists capable of operating in both registers: masters of the sophisticated doctrinal reasoning who also understand how algorithms shape the legal landscape they will navigate.

The question is no longer whether AI will transform legal education, but how. German and international law faculties that invest in thoughtful integration of AI – for both students and faculty – will be better positioned to prepare the next generation of lawyers for an AI-enabled legal profession. Success requires commitment from multiple actors: universities must prioritize digital transformation and provide necessary resources; faculty must engage with pedagogical innovation and develop new competencies; students must take responsibility for their learning in technology-augmented environments; federal and state governments must provide funding, create appropriate legal frameworks, and modernize examination systems; and professional associations must ensure practicing lawyers maintain current, adequate, and critical competencies.