JUSTICE WITHOUT LITIGATION

Prompting Guide

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LLM and prompting guide for European notaries

Using Large Language Models responsibly in notarial affairs

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1. INTRODUCTION AND PURPOSE OF THE GUIDE

The work of European notaries is undergoing a gradual but profound transformation driven by digitalisation, increased cross-border mobility and growing regulatory complexity. This guide has been developed to support notaries in understanding and using Large Language Models responsibly as tools to help them in their daily work. It aims to provide a structured introduction to generative AI, practical guidance on prompting techniques and concrete examples drawn from EU succession law. The guide is designed as a practical reference rather than a technical manual, emphasising professional judgment, legal responsibility and ethical compliance at all times.

1.1 Background

The professional environment of European notaries is increasingly influenced by digitalisation, cross-border legal relationships and complex regulatory frameworks. In the field of succession law, Regulation (EU) No 650/2012 has introduced uniform rules on jurisdiction, applicable law, recognition, enforcement and the creation of the European Certificate of Succession (ECS). These developments require structured legal reasoning and consistent documentation. At the same time, generative artificial intelligence, particularly Large Language Models (LLMs), is emerging as a support tool for legal professionals. These systems can assist in structuring legal analysis, summarising regulations and preparing procedural outlines.

1.2 Purpose and scope of the guide

The purpose of this guide is to inform European notaries about and to help them use LLMs in a responsible, professional and legally sound manner. The guide aims to:

- Explain the basic functioning of Large Language Models
- Provide general guidance on effective prompting
- Demonstrate practical prompting examples from EU succession law
- Highlight ethical, professional and data protection considerations

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This guide is not a substitute for legal training or professional judgment. All legal assessments, decisions and certifications remain the exclusive responsibility of the notary. Nothing in this guide promotes the use of AI in the formation of the notarial act itself or in the exercise of legal judgement. Its use is confined to preparatory, organisational and drafting support, always under the notary's supervision and responsibility.

1.3 Target audience

This guide is intended for:

- Civil law notaries in EU Member States
- Notarial clerks and legal assistants
- Notarial chambers and professional bodies
- Legal professionals involved in cross-border succession matters

2. What is a Large Language Model (LLM)?

Large Language Models represent a new generation of digital tools capable of producing complex, well-structured text that resembles professional legal writing. Unlike traditional legal software, LLMs do not operate on the basis of predefined rules or databases alone, but generate responses based on patterns learned from extensive collections of text. This enables them to assist with drafting, summarising and structuring legal material in a flexible manner.

For notaries, it is essential to understand that LLMs do not interpret the law or apply legal reasoning in a normative sense. They do not possess legal knowledge or professional responsibility. A clear understanding of how these systems function, as well as their inherent limitations, is a prerequisite for their safe and effective use in the notarial practice.

2.1 Definition and core concept

A Large Language Model is an artificial intelligence system trained on large volumes of text data. Its function is to generate text based on statistical patterns and contextual probabilities. LLMs do not 'understand' the law in a legal sense and do not apply normative reasoning.

Instead, they produce text that resembles professional legal language when appropriately instructed.

2.2 How LLMs process legal queries

When a legal prompt is entered, an LLM does not retrieve a fixed answer from a database nor apply legal rules in a formal, doctrinal manner. Instead, it performs a probabilistic text-generation process based on patterns learned during training. In simplified terms, the model predicts the most likely next words or sentences given the context of the prompt and its prior training data.

In the context of legal and notarial queries, this process typically involves several implicit steps:

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- **Identification of legal terminology and concepts:** The model recognises commonly used legal terms (e.g. 'habitual residence', 'applicable law', 'jurisdiction', 'authentic instrument') and associates them with typical legal contexts in which they appear.
- **Contextual interpretation of the prompt:** LLMs analyse the structure, tone and level of detail of the prompt to infer the expected depth and format of the response. A narrowly framed, task-oriented prompt generally results in more precise and structured output than a broad or abstract question.
- **Pattern-based reconstruction of legal reasoning:** Rather than applying binding legal rules, the model reproduces typical patterns of legal explanation, argumentation or procedural description found in its training material. This can resemble legal reasoning but remains descriptive rather than normative.
- **Text generation under coherence constraints:** The output is generated to be internally coherent, linguistically consistent and aligned with the perceived intent of the user, including professional tone and formatting where specified.

For the notarial practice, it is essential to understand that this process does not include verification against authoritative legal sources, nor does it ensure compliance with current law. The LLM does not distinguish between binding law, scholarly commentary or outdated information unless this distinction is explicitly enforced through prompting or technical safeguards such as Retrieval Augmented Generation.

Accordingly, LLM outputs should be understood as drafting and structuring assistance, not as legal conclusions. The quality and reliability of the result depends, to a considerable extent, on the precision of the prompt, the inclusion of legal sources and the professional review by the notary.

2.3 Capabilities relevant to the notarial practice

When used carefully and within clearly defined boundaries, LLMs can support various aspects of notarial work, particularly in areas that benefit from structured presentation, standardisation and multilingual clarity. Their value lies primarily in assisting with preparatory and organisational tasks rather than substantive legal decision-making.

Relevant capabilities include, in particular:

- **Summarising EU regulations and legal provisions:** LLMs can produce concise overviews of lengthy legal texts, such as Regulation (EU) No 650/2012, highlighting structure, scope and key articles. This can be useful for internal reference, training purposes or initial case orientation.
- **Structuring legal analyses and reasoning:** By generating outlines or step-by-step frameworks, LLMs can help notaries organise their legal assessment, for example when analysing jurisdiction, applicable law or the validity of a choice of law. This supports methodological consistency, especially in complex cross-border cases.
- **Drafting procedural descriptions and internal guidelines:** LLMs can assist in drafting neutral, professional descriptions of internal procedures, such as workflows for issuing a European Certificate of Succession or checklists for succession files involving multiple EU Member States.

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- **Brainstorming and verifying checklists and workflows:** Based on clearly defined prompts, LLMs can generate structured checklists covering typical factual and legal questions (e.g. documents required, factual elements to verify, procedural steps). These outputs can improve completeness and reduce the risk of oversight, provided that they are reviewed and adapted.
- **Supporting multilingual legal communication:** In cross-border succession matters, LLMs can help draft or translate non-binding explanatory texts in different EU languages, facilitating communication with foreign authorities or parties. Such use requires particular caution to ensure terminological accuracy and legal neutrality.

These capabilities can enhance efficiency, consistency and clarity in the notarial practice. However, they must always be exercised under the notary's supervision and responsibility. LLMs do not replace legal expertise, do not assess evidence and do not resolve legal uncertainty. Their role is supportive and preparatory, contributing to well-organised and professionally drafted notarial work while leaving all substantive legal judgments to the notary.

2.4 Limitations and risks

LLMs have major limitations:

- They do not verify facts or legal accuracy
- They may produce incomplete or incorrect information
- They do not automatically reflect recent legal developments
- They carry no professional liability

All AI-generated content must therefore be reviewed and verified by a human expert. As a rule of thumb, every legal proposition generated by an LLM must be verified against the primary authoritative source before any use and unchecked AI output may never itself be relied upon or cited as a legal authority.

3. General hints and guidance for prompting

The usefulness of a Large Language Model depends largely on how it is instructed. Prompting is therefore a key skill when working with generative AI, particularly in a legal context where precision, structure and completeness are essential. Poorly formulated prompts can lead to vague, incomplete or misleading outputs, whereas carefully designed prompts can produce structured and practically useful results.

This chapter introduces fundamental principles of effective prompting tailored to the notarial practice. It explains how role definition, task specification, legal referencing and output structuring can significantly improve the quality of AI-generated text. The goal is to enable notaries to use LLMs as reliable drafting and structuring assistants while retaining full control over legal content and conclusions.

3.1 Prompting as a professional skill

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Effective prompting is comparable to precise legal drafting. Vague prompts lead to general or unreliable answers, while precise prompts produce structured and usable outputs.

Good prompting reflects legal methodology and procedural clarity.

3.2 Defining the role of the AI

Specifying the role of the AI guides the tone, depth and terminology of the response.

> Example:
> "You are an expert in EU succession law and the notarial practice."

3.3 Clear description of the task

The prompt should clearly state the intended task, such as:

- Legal explanation
- Procedural overview
- Structured legal analysis
- Checklist or template creation

Clear instructions reduce ambiguity and improve relevance.

3.4 Providing legal sources

Including relevant legal texts or references ensures that the output is grounded in authoritative sources and aligned with applicable law.

3.5 Specifying the output format

Requesting a specific format improves usability, for example:

- Bullet points for checklists
- Numbered steps for procedures
- Neutral and professional legal language

4. Prompts for notaries: Succession planning and the European Certificate of Succession

Succession law under Regulation (EU) No 650/2012 presents a particularly suitable field for demonstrating the practical use of LLMs. The regulation requires notaries to assess factual circumstances, apply connecting factors such as habitual

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residence, evaluate possible choices of law and follow defined procedural steps for issuing a European Certificate of Succession. These tasks benefit from structured legal reasoning and consistent documentation.

This chapter provides concrete prompting examples drawn from notarial succession practice. It illustrates how LLMs can be used to structure legal analyses, outline procedures and develop checklists without replacing the notary's legal judgment. The examples are designed to support efficiency, consistency and clarity in cross-border succession cases.

4.1 Structuring legal questions with prompts

LLMs are particularly effective when legal questions are broken down into distinct elements, such as:

- Habitual residence
- Applicable law
- Choice of law
- Procedural requirements

Structured prompts help ensure completeness and consistency.

4.2 Habitual Residence under Regulation (EU) No 650/2012

Habitual residence is the main connecting factor under Article 21 of the Regulation. Its assessment requires a factual evaluation of the deceased's life circumstances at the time of death.

> Example prompt:
> "What are the specific articles regarding habitual residence in Regulation (EU) No 650/2012 and what is their legal relevance?"

Note that the analysis performed by a large language model (LLM) using the example prompt above is limited to a pre-selected and predefined scope of applicable rulings specified in the prompt. Legal expertise and human judgment remain essential to avoid any false sense of precision (*Scheingenauigkeit*), particularly in light of additional relevant rulings, such as court decisions, which may not be captured by the prompt.

4.3 Assessing the applicable law (Articles 21 and 22)

Prompts can be used to structure the assessment of applicable law by addressing:

- The general rule of habitual residence
- The exception for a manifestly closer connection
- The possibility of a valid choice of law

Such prompts support a systematic and well-documented approach.

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4.4 Creation of the European Certificate of Succession (ECS)

The ECS is a procedural instrument. Prompts should therefore focus on:

- Legal prerequisites
- Procedural steps
- Required documentation
- Practical use in cross-border cases

Example prompt:
"Describe the process of creating a European Certificate of Succession under Regulation (EU) No 650/2012 in procedural steps."

4.5 Structured information retrieval example

Advanced prompts can request structured legal reasoning, for example:

Example prompt: Assessing the applicable law in a cross-border succession case

Role and perspective
You are an expert in notary services and EU succession law.

Task
Assess the text below from a European Union regulation and answer in a professional and legally precise manner.

Legal question
How could an efficient process to assess the applicable law in a succession case be designed?

Output requirements

- Structure your answer in clear bullet points
- Use neutral, professional legal language suitable for the notarial practice

Legal source text

Text from the Regulation:

Regulation (EU) No 650/2012 of the European Parliament and of the Council of 4 July 2012 on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession and on the creation of a European Certificate of Succession.

Relevant provisions:

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Article 21 – General rule
Unless otherwise provided for in this Regulation, the law applicable to the succession as a whole shall be the law of the State in which the deceased had his habitual residence at the time of death.

Where, by way of exception, it is clear from all the circumstances of the case that, at the time of death, the deceased was manifestly more closely connected with a State other than the State whose law would be applicable under the first paragraph, the law applicable to the succession shall be the law of that other State.

Article 22 – Choice of law
A person may choose as the law to govern his succession as a whole the law of the State whose nationality he possesses at the time of making the choice or at the time of death.

A person possessing multiple nationalities may choose the law of any of the States whose nationality he possesses at the time of making the choice or at the time of death.

The choice shall be made expressly in a declaration in the form of a disposition of property upon death or shall be demonstrated by the terms of such a disposition.

The substantive validity of the act whereby the choice of law was made shall be governed by the chosen law.

This prompt is well designed because it provides clear and structured instructions that align with professional notarial practice. By explicitly defining the role of the AI as an expert in notary services and EU succession law, the prompt guides the tone, terminology and level of legal precision expected in the response. This reduces the risk of overly general explanations and ensures that the output reflects the language and structure commonly used in legal and notarial contexts.

Furthermore, the prompt clearly separates the question, the output requirements and the legal source text. This structure mirrors legal methodology and supports a systematic analysis of Articles 21 and 22 of Regulation (EU) No 650/2012. By including the relevant regulatory provisions verbatim and requesting a bullet-point structure, the prompt enhances legal reliability, transparency and usability, making the resulting output suitable for internal documentation, training or procedural guidance within a notarial office.

Note again, in real cases, data minimalisation should be kept in mind: the factual elements should be abstracted or anonymised before being entered into a general-purpose model. Only non-personal, non-identifying information should be used unless a closed, compliant environment is in place.

5. Retrieval Augmented Generation (RAG) for notaries

While general-purpose LLMs can assist with drafting and structuring, their outputs are not inherently limited to authoritative legal sources. Retrieval Augmented Generation addresses this limitation by combining language models

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with curated collections of trusted documents, such as EU regulations, national laws and internal notarial guidelines. This approach significantly enhances reliability and legal relevance.

For the notarial practice, RAG offers a way to integrate generative AI into existing legal knowledge systems while maintaining high standards of legal certainty. This chapter introduces the concept of RAG and explains how it can be used to support research, drafting and internal knowledge management in a controlled and compliant manner.

5.1 Concept

Retrieval Augmented Generation combines an LLM with a defined set of trusted legal documents. The AI generates answers based on those documents rather than general training data.

5.2 Benefits for the notarial practice

- Increased legal reliability
- Reduced risk of outdated or incorrect references
- Better alignment with national and EU law
- Improved internal compliance

5.3 Practical use cases

- Internal databases of EU and national succession law
- ECS templates and precedent files
- Notarial manuals and training materials

6. Ethics, professional responsibility and disclosure

The use of generative AI in the notarial practice raises important ethical, legal and professional questions. Notaries are bound by duties of independence, impartiality, confidentiality and legal certainty. Any technological tool used in the performance of notarial duties must respect these fundamental principles and must not undermine public trust in the notarial profession.

This chapter addresses ethical considerations related to the use of LLMs, including transparency, professional responsibility and data protection. It emphasises that generative AI must remain a supportive instrument and not a substitute for legal expertise or decision-making. Clear internal rules and awareness of ethical boundaries are essential for responsible use.

6.1 Professional obligations

Notaries must ensure that AI use respects:

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- Professional independence
- Impartiality
- Legal certainty
- Professional secrecy

AI tools must never replace legal judgment.

6.2 Transparency and disclosure

Notaries should be transparent about internal AI use, while ensuring that clients are not misled regarding the nature of legal services provided.

6.3 Data protection and confidentiality

- Personal data must not be entered into unsecured AI systems
- GDPR-compliant tools should be used
- Internal policies governing AI use are recommended
- It is important to be aware of any governance restrictions that allow or forbid the use of LLMs and AI systems

As a rule, clients' personal, special category or estate data as such should never be entered into general purpose or consumer AI services. Where such tools are used, the facts should first be abstracted or pseudonymised, and closed, contractually bound (and preferably EU-hosted or on-premise) environments should be preferred. Notaries and chambers should also remain aware of applicable obligations under the EU AI Act (Regulation (EU) 2024/1689) and of national professional rules governing AI use where applicable.

7. Closing remarks

The integration of Large Language Models into the notarial practice is not a question of replacement, but of responsible augmentation. When used thoughtfully, these tools can enhance efficiency, improve consistency and support the organisation of complex legal information, particularly in cross-border succession matters.

The concluding chapter summarises the key messages of the guide and reinforces the importance of professional judgment, legal verification and ethical discipline. It encourages notaries to approach generative AI with both openness and caution, ensuring that technological innovation serves the enduring values of the notarial profession.

Large Language Models can support European notaries by improving efficiency, structure and consistency in legal work, particularly in complex cross-border succession cases.

Their proper use requires:

- Precise and professional prompting
- Careful legal verification
- Strict adherence to ethical and professional standards

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When used responsibly, generative AI serves as a valuable assistant while preserving the notary's role as an independent legal authority.

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