

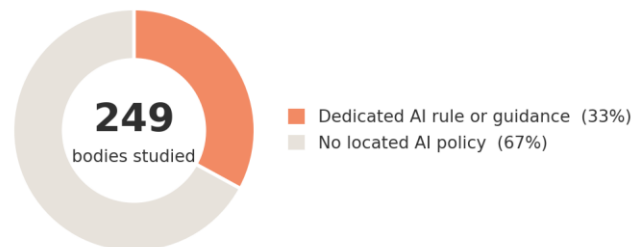
Can I Use AI in Court? Artificial Intelligence Policies at 249 Canadian Courts and Tribunals

Tom Macintosh Zheng, Courtready.ca 2026-07-16



1 Introduction

1. The use of AI by litigants has become a documented and recurring feature of Canadian proceedings, most visibly through filings containing fabricated or “hallucinated” case citations.¹ A distinct question follows from that development, and it is the question this study addresses: what have the courts and tribunals themselves published about how parties may use AI before them?
2. The short answer is that Canada has no national standard. Therefore, each adjudicative body is left to set its own approach. As of July 13, 2026, of the 249 courts and tribunals studied, 82 (33 per cent) had adopted a dedicated AI rule or guidance directed at parties, and 167 (67 per cent) had no located AI-specific policy. Within the 82, 19 bodies (7.6 per cent of the full population) required a party to disclose the use of AI, and 6 (2.4 per cent) imposed a ban or partial ban on a specific AI input or output. Put plainly: at more than nine in ten of the bodies studied, a party may prepare an entire case using AI and is under no published obligation to say so.
3. This report describes those published rules (what they require, how they differ, and where they are concentrated) and, at the end, the method used to identify and monitor them. This report does not measure how often AI is misused, nor how bodies respond after the fact. Those are separate questions, tracked in a companion database (section 5.2). Every classification rests on the body’s own published instrument and is verifiable



¹ Tom Macintosh Zheng, *The Rise of AI-Hallucinated Case Law in Canadian Courts and Tribunals*, Canadian Legal Information Institute, 2026 CanLIIDocs 738, <<https://canlii.ca/t/7ns82>>.

at source through the accompanying public tool, which is updated daily as policies change.

2 What the policies say

4. The 82 dedicated rules are not uniform. They are set out in 45 distinct instruments, as several bodies share a common policy. They fall along four overlapping approaches: *warn, disclose, verify, and prohibit*. These are descriptions of what an instrument does, not mutually exclusive boxes: a single instrument often warns and requires verification at once. Only two of the four, disclosure and ban or partial ban, carry the hard counts reported above; warning and verification are not separately counted. What follows describes each approach and what specific bodies actually require.

Category	Bodies	Share
Courts and tribunals studied	249	100%
With a dedicated AI rule or guidance	82	33%
of which, requiring disclosure of AI use	19	7.6%
of which, imposing a ban or partial ban	6	2.4%
With no located AI policy	167	67%

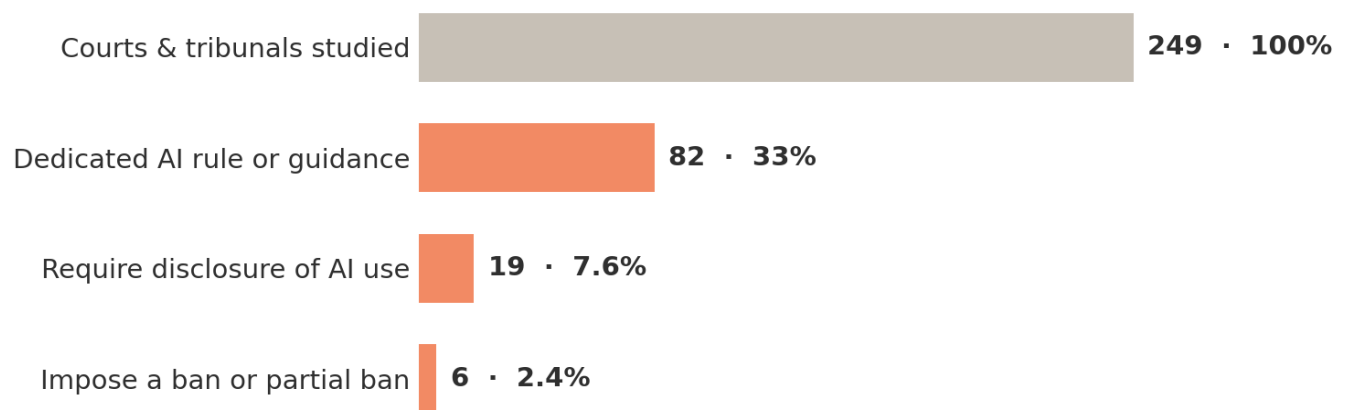


Figure 1. From the 249 bodies studied to the few that require disclosure or impose a ban.

2.1 Warn

5. The largest group of instruments teaches litigants to be cautious. Superior courts in Alberta², Quebec³, Nova Scotia⁴, and Newfoundland and Labrador⁵, and tribunals such as the Canadian Human Rights Tribunal⁶ and Tribunals Ontario⁷, deliver the same three messages: be cautious with AI-derived material, verify citations against authoritative sources, and remember that the party remains responsible for what it files.

2.2 Disclose

6. Nineteen bodies require parties to reveal their use of AI. The approach began in June 2023, when the Court of King's Bench of Manitoba⁸ and the Supreme Court of Yukon⁹ each directed parties to state how AI was used in materials before the court. The Federal Court¹⁰ followed in December 2023, requiring a declaration in the first paragraph of any document containing AI-generated content. The Trademarks

² Court of King's Bench of Alberta, *Notice to the Public and Legal Profession: Ensuring the Integrity of Court Submissions When Using Large Language Models* (dated October 6, 2023), online: <https://albertacourts.ca/docs/default-source/ca/tri-court-notice-to-profession-and-public---large-language-models.pdf>.

³ Cour supérieure du Québec, *Avis à la communauté juridique et au public - L'intégrité des observations présentées aux tribunaux en cas d'utilisation des grands modèles de langage* (daté du 24 octobre 2023), online: https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Communiqués_et_Directives/Montreal/Avis_a_la_communaute_juridique-Utilisation_intelligence_artificielle_FR.pdf.

⁴ Supreme Court of Nova Scotia, *Ensuring the Integrity of Court Submissions When Using Generative Artificial Intelligence (AI)* (last updated February 28, 2025), online: https://www.courts.ns.ca/sites/default/files/notices/Oct%202023/NSSC_Artificial_Intelligence_Feb_28_2025.pdf.

⁵ Supreme Court of Newfoundland and Labrador, *Notice to the Profession and General Public: Ensuring the Integrity of Court Submissions When Using Large Language Models* (last updated October 12, 2023), online: <https://www.court.nl.ca/supreme/files/2023-10-12-Notice-to-Profession-and-General-Public-AI-Submissions.pdf>.

⁶ Canadian Human Rights Tribunal, *Practice Direction: Use of Artificial Intelligence (AI) in Tribunal Proceedings* (issued November 4, 2024), online: <https://www.chrt-tcdp.gc.ca/en/about-us/practice-direction-use-artificial-intelligence-ai-tribunal-proceedings>.

⁷ Tribunals Ontario, *Practice Direction on the Use of Artificial Intelligence (AI) in Tribunal Proceedings* (last updated March 17, 2026), online: https://tribunalsontario.ca/documents/TO/Practice-Direction-on-AI_EN.html.

⁸ Court of King's Bench of Manitoba, *Practice Direction: Use of Artificial Intelligence in Court Submissions* (last updated June 23, 2023), online: https://www.manitobacourts.mb.ca/site/assets/files/2045/practice_direction_-_use_of_artificial_intelligence_in_court_submissions.pdf.

⁹ Supreme Court of Yukon, *Practice Direction GENERAL-29: Use of Artificial Intelligence Tools* (last updated June 26, 2023), online: <https://www.yukoncourts.ca/sites/default/files/2023-06/GENERAL-29%20Use%20of%20AI.pdf>.

¹⁰ Federal Court, *Notice to the Parties and the Profession: The Use of Artificial Intelligence in Court Proceedings* (updated May 7, 2024), online: <https://www.fct-cf.ca/Content/assets/pdf/base/FC-Updated-AI-Notice-EN.pdf>.

Opposition Board¹¹, the Canada Industrial Relations Board¹², and the Supreme Court of the Northwest Territories¹³ have since adopted versions of that declaration, and Quebec's Administrative Labour Tribunal¹⁴ and Financial Markets Administrative Tribunal¹⁵ added their own disclosure requirements in late 2025.

7. The depth of disclosure varies. For example, the Saskatchewan Labour Relations Board¹⁶ asks only for a single sentence stating that AI was used. The Alberta Utilities Commission¹⁷ requires more: a declaration that identifies the paragraphs in which AI was used and explains how.
8. A full list of adjudicative bodies requiring disclosure, as of the date of this report, is found in Appendix A.

2.3 Verify

9. A third approach targets the same problem from a different angle, requiring parties to attest that they verified their authorities. Ontario's Rules of Civil Procedure¹⁸ now

¹¹ Trademarks Opposition Board, *Practice Notice: Use of AI in Proceedings Before the Trademarks Opposition Board* (published June 4, 2025), online: <https://ised-isde.canada.ca/site/canadian-intellectual-property-office/en/trademarks-opposition-board/use-ai-proceedings-trademarks-opposition-board>.

¹² Canada Industrial Relations Board, *Policy on the Use of Generative Artificial Intelligence by Parties* (Policy No. 12) (effective November 1, 2025), online: <https://cirb-ccri.gc.ca/en/resources/policy-use-generative-artificial>.

¹³ Supreme Court of the Northwest Territories, *Notice to the Public and Practice Direction: The Use of Artificial Intelligence in Court Proceedings* (last updated October 29, 2025), online: <https://www.nwtcourts.ca/en/files/notices-and-directives/sc/Use%20of%20Artificial%20Intelligence%20in%20Court%20Proceeding.October%2029%2C%202025.pdf>.

¹⁴ Tribunal administratif du travail, *Lignes directrices sur l'utilisation de l'intelligence artificielle dans les activités juridictionnelles du Tribunal administratif du travail* (en vigueur depuis le 6 novembre 2025), online: https://www.tat.gouv.qc.ca/fileadmin/tat/6Le_Tribunal/Publications_et_documents/Directives_politiques_orientations/lignes_directrices_ia_tat.pdf.

¹⁵ Tribunal administratif des marchés financiers, *Avis concernant l'utilisation de l'intelligence artificielle devant le Tribunal administratif des marchés financiers* (daté du 14 novembre 2025), online: https://tmf.gouv.qc.ca/fileadmin/Documents/PDF/Avis_Page_d_accueil/Avis_IA_TMF.pdf.

¹⁶ Saskatchewan Labour Relations Board, *Practice Note 9 - Use of Artificial Intelligence*, online: <https://www.sasklabourrelationsboard.com/policy-statutes-and-regulations/practice-note-9-use-of-artificial-intelligence>.

¹⁷ Alberta Utilities Commission, *Rule 001: Rules of Practice, section 20.3* (approved June 25, 2025), online: <https://www.auc.ab.ca/rules/rule001/>.

¹⁸ Ontario, *Rules of Civil Procedure*, RRO 1990, Reg 194, r 4.06.1, online: <https://www.ontario.ca/laws/regulation/900194#BK46>; Ontario Superior Court of Justice, *Consolidated Civil*

require an authenticity certification in every factum, whether or not AI was involved. Others combine verification with disclosure: the Supreme Court of Yukon, which has required disclosure since 2023, added a certification obligation in 2026¹⁹, and the Ontario Land Tribunal²⁰ builds both into a single declaration in which the filer discloses that AI was used and confirms that every authority cited has been reviewed and verified.

2.4 Prohibit

10. Six bodies bar some use of AI, though none prohibits AI outright. What they prohibit is what goes into an AI tool and what comes out of it. On the output side, the Canada Industrial Relations Board and the Manitoba Labour Board²¹ bar AI-generated witness statements and affidavits; British Columbia's Civil Resolution Tribunal²² bars parties from filing AI-created or AI-altered evidence; and the British Columbia Employment Standards Tribunal²³ prohibits fabricated records and simulated testimony.
11. On the input side, British Columbia's Health Professions Review Board²⁴ forbids putting any part of the record into an AI tool, and the Canadian International Trade Tribunal²⁵ bars counsel who have access to third-party confidential information from entering it

Provincial Practice Direction, Part 12 (Use of Artificial Intelligence), online: <https://www.ontariocourts.ca/scj/filing-procedures/provincial/consolidated-civil-provincial-practice-direction/>.

¹⁹ Supreme Court of Yukon, *Practice Direction GENERAL-35: Conditions on the Use of Generative AI in Written and Oral Representations* (June 2, 2026), online: https://www.yukoncourts.ca/sites/default/files/2026-06/35.%20General%2035%20Conditions%20on%20use%20of%20generative%20AI%20in%20written%20and%20oral%20representations_1.pdf.

²⁰ Ontario Land Tribunal, *Practice Direction on the Use of Artificial Intelligence in Tribunal Proceedings* (last updated January 29, 2026; AI provisions effective March 30, 2026), online: <https://olt.gov.on.ca/wp-content/uploads/AI-Practice-Direction.html>.

²¹ Manitoba Labour Board, *Practice Directive on the Use of Generative Artificial Intelligence*, online: <https://www.manitobalabourboard.ca/resources-forms/practice-directives.html>.

²² Civil Resolution Tribunal of British Columbia, *CRT Standard Rules, Rules 8.3(8) and 8.3(9)* (effective February 1, 2026), online: <https://civilresolutionbc.ca/wp-content/uploads/CRT-Standard-Rules-effective-February-1-2026.pdf>.

²³ British Columbia Employment Standards Tribunal, *Practice Directive 2026-002: Use of Artificial Intelligence* (effective July 1, 2026), online: <https://www.bcest.bc.ca/pd-2026-002-use-of-ai-2026-07-01/>.

²⁴ Health Professions Review Board of British Columbia, *Practice Directive 9: Use of Artificial Intelligence* (dated January 27, 2026), online: <https://www.bchprb.ca/app/uploads/sites/791/2026/01/Practice-Directive-9-Use-of-Artificial-Intelligence.pdf>.

²⁵ Canadian International Trade Tribunal, *Practice Notice: Use of Artificial Intelligence (AI)* (effective January 30, 2026), online: <https://www.citt-tcce.gc.ca/en/practices-and-procedures/use-artificial-intelligence-ai>.

into any AI tool. The prohibitions that exist are therefore narrow: each targets a specific input or output rather than AI use in general.

12. A full list of adjudicative bodies with a ban or partial ban, as of the date of this report, is found in Appendix B.

3 How the rules are distributed

13. The 82 dedicated rules are spread unevenly across the fourteen jurisdictions studied: the federal system, the ten provinces, and the three territories.

Jurisdiction	Bodies studied	Dedicated rules	Disclosure of AI use	Ban or partial ban
Quebec	49	29	2	0
Ontario	49	17	2	0
Federal	27	9	4	2
British Columbia	23	7	3	3
Alberta	27	5	1	0
Nova Scotia	14	4	2	0
Saskatchewan	11	3	1	0
Manitoba	8	2	2	1
Prince Edward Island	8	2	0	0
Yukon	5	2	1	0
Newfoundland and Labrador	8	1	0	0
Northwest Territories	7	1	1	0
New Brunswick	10	0	0	0
Nunavut	3	0	0	0
Total	249	82	19	6

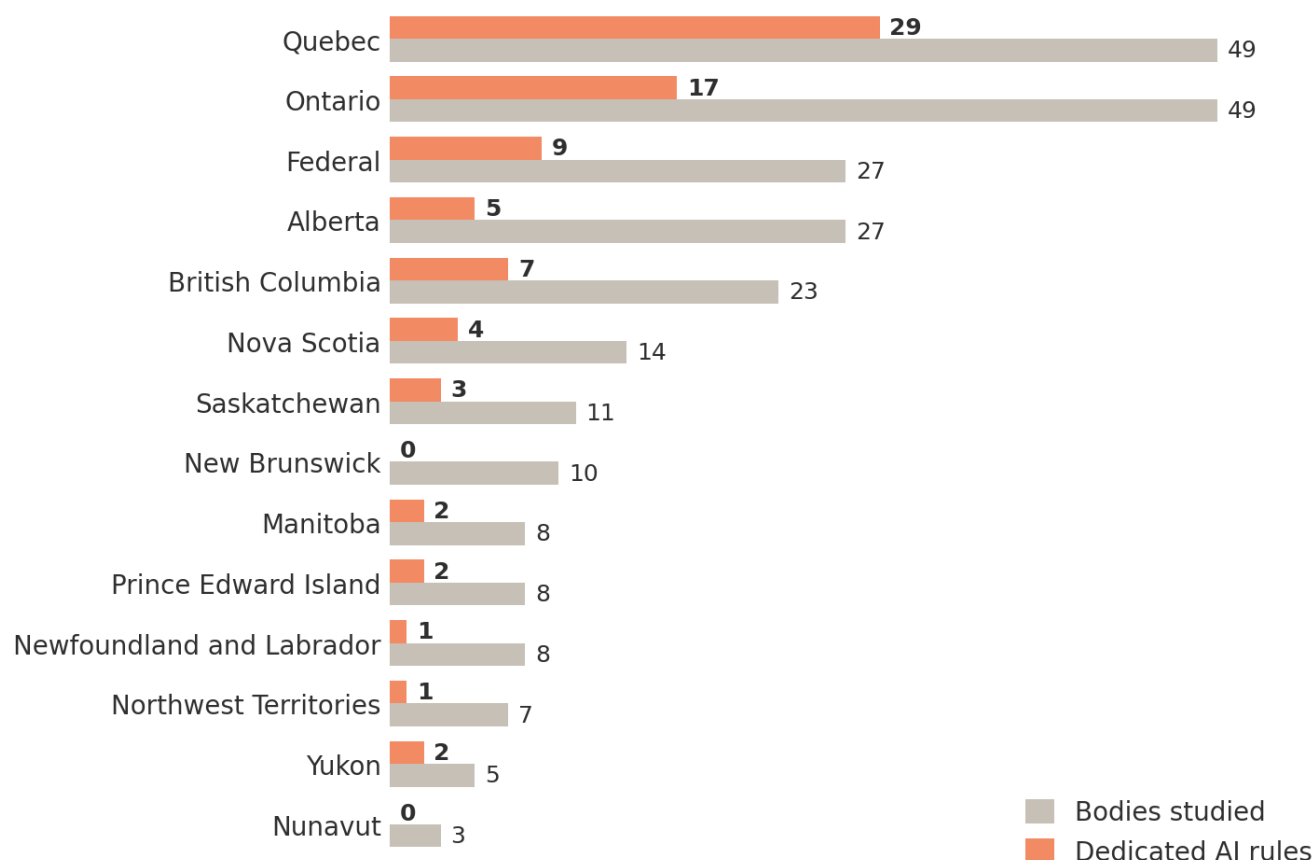


Figure 2. Bodies studied and dedicated AI rules, by jurisdiction.

4 What a good policy looks like

14. For the two-thirds of Canadian courts and tribunals without a policy, the good news is that they need not invent anything. In the author's view, the strongest elements already exist across the bodies that have acted, and they mainly need to be combined. The author has three suggestions in that regard.²⁶
15. First, require disclosure, but make clear that disclosure will not attract an adverse inference. A party who admits to using AI must know that the body will not hold the use of AI against them. Otherwise, some litigants may choose to stay silent.

²⁶ The author has also drafted a model practice direction on the use of artificial intelligence for Canadian courts and tribunals. This model practice direction is found at: <<https://courtready.ca/model-ai-practice-direction-courts-tribunals/>>.

16. Second, add guidance that teaches rather than merely warns. The Social Security Tribunal of Canada tells parties, in plain language, to search for a case on CanLII, and that if they cannot find it, it may not exist.²⁷ Telling a self-represented litigant to “verify the record” is not the same as showing them where the correct information lives.
17. Third, give people a way out. British Columbia’s Property Assessment Appeal Board tells parties to correct the record as soon as they discover an error.²⁸ Almost every policy describes what happens when a party is caught; almost none describes what to do when a party catches their own error.
18. The underlying idea for all three suggestions is this: a party who tells the truth about AI should never be worse off than one who stays quiet.

5 Methodology

5.1 Scope and inclusion

19. The study covers adjudicative bodies (courts, tribunals, boards, and commissions) before which parties appear. A body was included where it had at least 100 reported decisions on the Canadian Legal Information Institute (CanLII), a threshold lowered to 50 for smaller jurisdictions such as Prince Edward Island. Bodies that have been dissolved or superseded were excluded.
20. The study tracks rules governing the use of AI by the parties appearing before a body. It does not track a body’s own use of AI, or its adjudicators’ use of AI, in performing their functions. The study also does not track law society professional-conduct guidance directed at legal professionals.

²⁷ Social Security Tribunal of Canada, *Practice Direction: Using Artificial Intelligence in Appeals at the Social Security Tribunal* (effective July 9, 2026), online: <https://sst-tss.gc.ca/en/decisions-laws-rules-and-policies/using-artificial-intelligence-appeals-social-security-tribunal>.

²⁸ British Columbia Property Assessment Appeal Board, *Participant Code of Conduct*, s. 6.2 (version current April 2, 2025), online: https://www.assessmentappeal.bc.ca/download_file/view/407/.

5.2 Sources and verification

21. Every classification rests on the body's own published instrument. Where a body has issued a practice direction, notice to the profession, rule, or policy, that instrument is read directly and linked from the public tool, hosted on courtready.ca, so that each classification can be independently verified at its source.
22. The public tool is updated as changes are confirmed, so the dataset is a living record rather than a one-time survey. A companion database of decisions in which adjudicators have identified fictitious or AI-attributed citations is maintained separately at <https://courtready.ca/fictitious-citations-in-canadian-courts/> and is not part of this study's dataset.

5.3 Limitations

23. Several limitations bear on these figures.
24. First, the reported percentages are computed over the 249 bodies that met the inclusion threshold, not over every adjudicative body in Canada. Very low-volume bodies were excluded by design.
25. Second, whether a particular instrument constitutes a dedicated AI rule can require a judgment call, and such calls are made transparent by linking the underlying instrument for every adjudicative body.
26. Third, the study records the existence and content of published rules, not how they are enforced or whether they change behaviour.
27. Finally, reporting a body as having no located AI-specific policy is a statement about what this study located, not a representation that the body permits AI or has taken any position.

5.4 Data availability

28. The full dataset is public. For every adjudicative body, the classification, the underlying instrument, and the last-verified date are available through the interactive tool at <https://courtready.ca/ai-in-canadian-courts/> and its per-jurisdiction pages. Any classification can be checked by following the linked instrument to its source.

6 Conclusion

29. The overall picture is of a system still working out its response. As of mid-2026, two-thirds of the courts and tribunals studied have published no guidance on the use of AI by parties. Where bodies have acted, they have drawn on a small and increasingly familiar set of tools: cautioning parties, requiring disclosure, demanding verification, and prohibiting particular inputs and outputs. What no single instrument yet does is combine the features that the most thoughtful policies already contain, namely disclosure without penalty, guidance that teaches parties to catch AI's errors, and a way to correct the record after a mistake. Because each of those elements is already in force somewhere in Canada, the work ahead is more assembly than invention.

Appendix A: Bodies requiring disclosure (19)

30. The bodies whose published instrument obliges a party to affirmatively declare the use of AI are set out below by jurisdiction. A dagger (†) marks an adjudicative body that also appears in Appendix B imposing a ban or partial ban), illustrating that the two obligations overlap.
31. In the federal system (4): the Federal Court; the Trademarks Opposition Board; the Canada Industrial Relations Board (†); and the Social Security Tribunal of Canada.
32. In Alberta (1): the Alberta Utilities Commission.
33. In British Columbia (3): the British Columbia Employment Standards Tribunal (†); the Health Professions Review Board of British Columbia (†); and the British Columbia Property Assessment Appeal Board.
34. In Manitoba (2): the Court of King's Bench of Manitoba; and the Manitoba Labour Board (†).

35. In Nova Scotia (2): the Nova Scotia Provincial Court²⁹; and the Nova Scotia Bankruptcy Court³⁰.
36. In Ontario (2): the Ontario Land Tribunal; and the Information and Privacy Commissioner of Ontario³¹.
37. In Quebec (2): the Tribunal administratif du travail; and the Tribunal administratif des marchés financiers.
38. In Saskatchewan (1): the Saskatchewan Labour Relations Board.
39. In the Northwest Territories (1): the Supreme Court of the Northwest Territories.
40. In Yukon (1): the Supreme Court of Yukon.

Appendix B: Bodies imposing a ban or partial ban (6)

41. The bodies whose published instrument bars a specific AI input or output are set out below; none prohibits AI use outright, and a dagger (†) marks a body that also requires disclosure (Appendix A).
42. In the federal system (2): the Canada Industrial Relations Board (†), which bars the use of generative AI to create content that reports or reflects evidence; and the Canadian International Trade Tribunal, which bars counsel with access to third-party confidential information from inputting that information into any AI tool.
43. In British Columbia (3): the Civil Resolution Tribunal, which bars false or fabricated evidence, including evidence created or altered by an AI tool; the Employment Standards Tribunal (†), which bars AI-created or AI-altered evidence; and the Health Professions Review Board (†), which bars putting any part of the record into an AI tool.

²⁹ Nova Scotia Provincial Court, *Use of Artificial Intelligence (AI) and Protecting the Integrity of Court Submissions in Provincial Court* (last updated October 27, 2023), online:

https://www.courts.ns.ca/sites/default/files/notices/Oct%202023/NSPC_Artificial_Intelligence_Oct_27_2023.pdf.

³⁰ Nova Scotia Bankruptcy Court, *Use of Artificial Intelligence (AI) in Proceedings before the Registrar in Bankruptcy* (last updated October 4, 2024), online: [https://www.courts.ns.ca/sites/default/files/notices/2024-](https://www.courts.ns.ca/sites/default/files/notices/2024-10/AI_Directive_Registrar_in_Bankruptcy_Oct_4_2024.pdf)

[10/AI_Directive_Registrar_in_Bankruptcy_Oct_4_2024.pdf](https://www.courts.ns.ca/sites/default/files/notices/2024-10/AI_Directive_Registrar_in_Bankruptcy_Oct_4_2024.pdf).

³¹ Information and Privacy Commissioner of Ontario, *Code of Procedure*, s. 20 (Use of Artificial Intelligence) (effective September 9, 2024), online: <https://www.ipc.on.ca/en/access-organizations/code-of-procedure>.

44. In Manitoba (1): the Manitoba Labour Board (†), which bars AI-created witness statements, affidavits, and other documents relied on as evidence.