



Lisbon School
of Economics
& Management
Universidade de Lisboa

MASTER
MASTER IN INNOVATION AND RESEARCH FOR
SUSTAINABILITY

MASTER'S FINAL WORK
DISSERTATION

LEGAL DESIGN AND EU LAWMAKING: FEASIBILITY, LIMITS AND
OPPORTUNITIES WITHIN THE ORDINARY LEGISLATIVE
PROCEDURE.

ANGELA MARÍA SERRANO SUÁREZ

JANUARY - 2026



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AI DISCLOSURE

For the sake of transparency, I hereby disclose that certain artificial intelligence (AI) tools were used in the making of this dissertation as follows:

- An AI-based paraphrasing tool was utilized to rephrase selected quotes from other authors for the literature review, nevertheless ensuring that the original author's own ideas or data were always properly cited.
- An AI-assisted grammar-checking tool was utilized for final proofreading of the text, to assure the lack of grammatical, stylistic and syntactical errors and assure the proper level of communicability of the text written by non-native speakers of English.
- A generative AI tool was consulted for outlining the abstract and brainstorming the titles only. All final writing, thoughts, arguments, synthesis, and critical analysis are my own work.

Nonetheless, I have assured that the employment of AI tools has not jeopardized the integrity and originality of my work. All sources of knowledge, whether traditional or AI-assisted, have been properly cited in accordance with the guidelines. This dissertation was prepared with an ethical approach to AI research and writing in mind, and I take full responsibility for the ownership of its content.

Angela M. Serrano S., January 2026.

GLOSSARY AND LIST OF ABBREVIATIONS

GLOSSARY

- Hard Law: Refers generally to legal obligations that are binding rules on the parties involved and which can be legally enforced before court. For example, treaties, conventions, and national legislation.
- Secondary Legislation: Is composed of legal instruments based on treaties, such as regulations, directives, decisions and agreements.
- Soft Law: This term is used to denote agreements, principles, and declarations that are not legally binding, though often respected as customary practice or incorporated into hard law.

LIST OF ABBREVIATIONS

AI – Artificial Intelligence.

EP – European Parliament.

EU – European Union.

OLP – Ordinary Legislative Procedure.

ABSTRACT, KEYWORDS AND JEL CODES

In recent years, Legal Design has emerged as a human-centered approach aimed at improving the accessibility, usability, and transparency of legal systems. While it has been widely applied in private law—particularly in contract design—its relevance and feasibility within public law and legislative processes remain underexplored. This dissertation examines whether and how Legal Design practices can be feasibly integrated into the European Union’s Ordinary Legislative Procedure (OLP), with particular attention to interinstitutional negotiations and citizen-facing stages of lawmaking.

Drawing on a qualitative and conceptual methodology, the research combines a structured literature review with documentary analysis of EU legislative frameworks and semi-structured interviews with practitioners from the European Parliament and the UK Policy Lab. The study addresses two main research questions: whether Legal Design has lost momentum since its initial rise, and at which stages and through which instruments it could be meaningfully applied within the EU’s legislative process.

The findings suggest that the perceived decline of Legal Design is misleading. Rather than disappearing, Legal Design has become embedded within broader practices of public-sector innovation, design for policy, and legal technology, often without being explicitly labeled as such. While significant institutional, legal, and political constraints limit its application to core legislative texts and treaty-level norms, the research identifies substantial opportunities in public consultations, soft law instruments, secondary legislation, and supporting documents used in trilogues negotiations.

The dissertation concludes that Legal Design should not be understood as a stylistic or purely visual tool, but as a communicative and anticipatory approach capable of enhancing transparency, participation, and comprehension in EU lawmaking, particularly when cautiously combined with emerging technologies such as artificial intelligence.

KEYWORDS: Legal Design; EU Law-making; Ordinary Legislative Procedure; Human-Centered Law; Public Policy Design; Participatory Approach.

JEL CODES: E61;K10;K19;K30;K49; L38.

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1. INTRODUCTION

In recent years, there has been a growing interest in making legal systems more accessible, transparent, and user-centered. Legal Design—an interdisciplinary approach that combines user-centered design with legal practice (Law by Design, M. 2018)—has emerged as a promising avenue for collaborative innovation in this direction. Despite its potential and initial momentum, particularly between 2014 and 2018, the integration of Legal Design into the legal field—both in private practice and in public sector policymaking—remains limited.

This dissertation explores the feasibility of adopting Legal Design practices within the European Union’s Ordinary Legislative Procedure (OLP), especially in the interinstitutional negotiations or trilogues. This OLP, while grounded in democratic legitimacy and institutional rigor, is not inherently efficient; its size, diversity, and complexity often make it lengthy and difficult to navigate. Although the European Commission has sought to improve efficiency and transparency through better regulation and increased citizen participation, challenges persist in ensuring that this procedure is comprehensible and accessible to all stakeholders.

The literature review indicates that Legal Design has primarily been applied within the realm of private law—most notably in contract design—where it serves to make legal information more understandable for individuals without legal expertise. Moreover, the review reveals that academic and practical interest in Legal Design peaked between 2015 and 2020, a period marked by the creation of several policy design laboratories. However, this momentum appears to have declined in recent years: scholarly output has diminished, and pioneering initiatives, such as Denmark’s MindLab, have ceased operations (Apolitical, 2018).

Based on these findings, this research is guided by two central questions:

1. Does the Legal Design lose momentum after its initial rise? What factors explain its decline or limited use today, and what lessons can be drawn from these experiences for its potential application within the EU’s Ordinary Legislative Procedure? (Contextual research question)

2. From a legal perspective, at which stages and through which instruments of the European Union's ordinary legislative procedure could Legal Design practices be feasibly introduced? How do comparative experiences from the UK Policy Lab, and the EU Policy Lab illustrate this feasibility?

The study aims to determine whether the implementation of Legal Design within the EU's legislative framework could enhance efficiency and understanding, or conversely, whether it might add further complexity to an already intricate system. Additionally, it seeks to assess whether Legal Design is more viable when applied to hard law (binding legislative instruments) or soft law (non-binding policy tools), as explored by some existing policy labs.

The analysis of two Policy Labs, complemented by interviews with experts in the field, will provide insight into these questions. Ultimately, this dissertation contributes to filling the current gap in the literature on Public Legal Design and underscores the importance of considering Legal Design methodologies within the sphere of public governance and legislative development.

2. LITERATURE REVIEW

2.1 Legal Design as a Human-Centered Approach to Law-making

Contemporary legal systems are often characterized by complexity, technical language, and procedures that prioritize institutional logic over human experience. In response to this tension, Legal Design has emerged as an interdisciplinary approach that seeks to make law more accessible, usable, and responsive to the people it governs. Originating from initiatives at Stanford Law School that brought together law, design, and technology, legal design applies human-centered design principles to legal systems, services, and communication—initially for the private sector—. As Margaret Hagan defines it, Legal Design is *“the application of human-centered design to the world of law, to make legal systems and services more human-centered, usable, and satisfying”* (Hagan, 2018).

Design, understood as a discipline focused on the interaction between people and the man-made environment, brings aesthetic, functional, cultural, and societal considerations (International Council of Design, 2021) into legal problem solving. Within the legal field, Legal Design reframes law not merely as a system of rules, but as a lived experience shaped by interactions between institutions, professionals, and users. In this sense, Legal Design does not replace legal reasoning; rather, it complements it by foregrounding how legal norms are communicated, interpreted, and operationalized in practice.

The literature identifies three overarching objectives of Legal Design. First, it aims to empower both users and legal professionals. For laypersons, this means demystifying legal language and procedures, reducing cognitive barriers, and enabling meaningful participation in legal processes. For professionals, Legal Design promotes more intuitive, client-oriented practices, from contract drafting to litigation strategies (Haapio & Hagan, 2016). Second, Legal Design seeks to improve legal interfaces and infrastructures by addressing both front-end elements—such as documents, platforms, and visual communication—and back-end structures, including institutional workflows and procedural rules. Third, Legal Design supports innovation, functioning either as a complementary tool within traditional legal practice or as a methodology for more transformative, systemic change (Law by Design, 2018).

These objectives extend across multiple domains of lawyering. Legal Design has been applied to legal practice, legal research, legal activism, and policy-making, demonstrating its versatility as an approach rather than a narrowly defined technique (Perry-Kessaris, 2019). In policy-making in particular, Legal Design assists public servants in mediating between political priorities, data, and implementation challenges to address complex societal problems (Kimbell, 2015). Despite this breadth of application, Legal Design remains a contested field and evolving field. While some scholars describe it as an increasingly consolidated discipline (Doherty, 2025), others highlight the absence of a standardized methodology and the predominance of conceptual rather than empirical research, as well that the concept is relatively unknown, even amongst legal practitioners (Hagan, 2020; Parola, G & Poto M.P., 2024) factors that can weaken its legitimacy in institutional environments that privilege hard data and formalized evaluation frameworks.

2.2 From System-Centered to User-Centered Legal Systems

Traditional legal and bureaucratic systems are largely system-centered: they are designed around compliance of procedural requirements, institutional hierarchies, and internal efficiency rather than the needs and experiences of individuals (Karpen & Senova, 2021). As a result, solutions are often designed to “fix” users according to the requirements of the system, based on assumptions about behavior rather than meaningful engagement with end-users (Pearpoint, 2020). In other words, such approaches risk alienating users, reducing trust, and undermining the effectiveness of legal norms.

In contrast, user-centered approaches—central to Legal Design—prioritize empathy, co-creation, and iterative feedback. These approaches seek to understand users as active sense-makers who interpret and apply legal information for specific purposes. By engaging directly with users, Legal Design aims to produce legal systems that are not only formally correct but also practically usable. Examples discussed in the literature include the redesign of court environments to be more welcoming, simplifying legal documents improving legal communication, and the reconfiguration of legal services to better reflect users’ lived realities enhancing comprehension, trust and engagement (Karpen & Senova, 2021).

Within this framework, visual law and plain language operate as key materializations of Legal Design principles. Visual law translates complex legal information into visual formats—such as diagrams, timelines, flowcharts, infographics, and storytelling tools—enhancing comprehension and recall (Parola & Poto, 2024). Plain language, meanwhile, focuses on how clarity of wording, structure, and design so that intended readers can easily find, understand, and use legal information (Toivonen et al., 2025). Far from sacrificing legal precision, contemporary scholarship and international standards recognize that legal communication can be both precise and accessible, and that plain language can increase accuracy by reducing ambiguity and misinterpretation (International Plain Language Federation, 2025). Together, visual law and plain language exemplify how Legal Design operationalizes user-centered communication without sacrificing legal rigor.

2.3 Design Thinking as a Methodological Foundation for Legal Design

Legal Design draws heavily from design thinking, a problem-solving methodology centered on innovation through human perspectives. Design thinking is typically described as an iterative process involving stages of discovery, definition, development, and delivery (MIT Sloan, 2017). These stages are not linear but cyclical, allowing for continuous refinement through divergent and convergent thinking. The widely cited Double Diamond model (Figure 1) illustrates this dynamic by distinguishing between problem exploration and solution development, each involving phases of divergence and convergence (Choudhary, 2021).

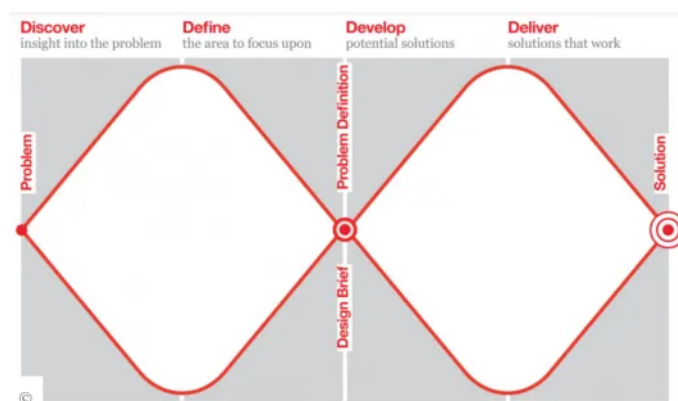


Figure 1: Double Diamond. Source: Design Council © 2015.

While design thinking originated outside the legal domain, its emphasis on empathy, experimentation, and iteration has proven influential in reframing legal challenges. Legal Design borrows these methodological elements to legal contexts, using them to question assumptions about how law should function and to prototype alternative forms of legal communication, services, and procedures. Importantly, design thinking does not displace legal analysis; instead, it provides a complementary framework through which legal problems can be understood as design challenges involving users, contexts, and systems.

2.4 Legal Design, Policy-Making, and Citizen Empowerment

Policy-making is commonly understood as a “*multi-stage process through which governments identify problems, formulate responses, implement decisions, and evaluate outcomes to deliver public value*” (OECD, 2020). Classical definitions of politics, such as Lasswell’s formulation of “*who gets what, when, and how*” have shaped subsequent efforts to conceptualize policy-making as a process of resource distribution and power allocation (Hubert, n. d.). While policy cycles are often presented as linear—agenda-setting, formulation, decision-making, implementation, and evaluation—scholars emphasize that, in practice, policy-making is iterative, political, and shaped by multiple stakeholders including public servants, experts, and citizens (Frameworks Institute, 2018; Kingdon, 2014).

Within this complex governance landscape, Legal Design aligns closely with people-centered and participatory approaches to public policy. By incorporating user research, co-creation, and prototyping, it enables policymakers to engage with citizens not merely as passive recipients of norms but as contributors to policy development. This perspective resonates with the literature on design for public policy, which argues that design methodologies allow policymakers to work with ambiguity, challenge assumptions, and co-develop solutions with diverse stakeholders (Kimbell, 2015).

One institutional manifestation of people-centered and design-led approaches to policy-making is the appearance of Policy Labs within public administration. Policy Labs operate as experimental spaces that apply design methodologies to complex public problems, often with the explicit aim of increasing citizen engagement, improving

policy outcomes, and fostering innovation in governance. Although these initiatives do not typically frame their work explicitly in terms of Legal Design, the methodologies they employ closely align with its core principles.

The UK Policy Lab offers a particularly illustrative example. Operating on demand-driven mode, the Lab collaborates with government departments that request methodological support to address specific policy challenges. Its mission is “*to radically improve policy making through design, innovation and people-centered approaches*” (Buchanan & Sharma, 2024). Methodologically, the UK Policy Lab grounds its work in evidence, participation, and experimentation, combining qualitative and quantitative research tools such as ethnography, interviews, surveys, and creative participatory methods.

Since 2016, the UK Policy Lab has promoted Open Policy Making, an approach that explicitly adopts the iterative phases of design thinking. These phases include: (1) diagnosis, aimed at identifying and reframing the policy problems; (2) discovery, focused on understanding users’ needs and lived experiences; (3) development, involving the generation and testing of alternative policy ideas; and (4) delivery, which emphasizes prototyping, iteration, and continuous improvement. This structure mirrors the methodological foundations of Legal Design, particularly its emphasis on empathy, co-creation, and iterative refinement.

More recently, the UK Policy Lab has experimented with game-based methods to reduce stakeholder anxiety, encourage participation, and stimulate open dialogue in policy discussions (UK Policy Lab, 2025). One such initiative involved the development of a structured methodology based on an eleven-card deck designed to guide collaborative conversations (Appendix A). In addition, the Lab has launched a Co-design Toolkit (UK Policy Lab, 2026) to support local authorities and communities in jointly designing public services (Appendix B). These tools—freely accessible and downloadable—demonstrate how complex policy and regulatory discussions can be made more accessible through visualization, structure interaction, and plain communication.

Another notable methodological tool employed in Policy Lab contexts is Pol.is (UK Policy Lab, 2022), an open-source digital platform that uses machine learning to

analyze large-scale patterns of agreement and disagreement among participants. Pol.is enables participants to respond anonymously to individual statements by indicating agreement, disagreement, or neutrality, while also allowing them to propose alternative statements. Importantly, participants cannot directly reply to one another, which shifts the focus from adversarial debate to collective sense making. From a Legal Design perspective, Pol.is exemplifies a user-centered communication tool that prioritizes clarity, accessibility, and inclusiveness, allowing complex policy positions to be articulated and visualized without requiring technical expertise (Appendix C).

A similar approach can be observed in the EU Policy Lab, launched in 2016 by the European Commission's Joint Research Centre. The EU Policy Lab integrates design thinking, foresight, and behavioral insights to co-create policy recommendations addressing long-term societal challenges, such as sustainability transitions and the future of work (European Commission, n. d.). Conceived as a space for exploration, experimentation, openness, and understanding, the Lab places people's behaviors, perceptions, and experiences at the center of the policy process.

The EU Policy Lab operates across the entire policy cycle, from ideation and agenda-setting to implementation and evaluation. Its methodology emphasizes systems thinking, anticipation, and attention to weak signals of change, combining qualitative insights with visual and participatory tools. By promoting visual thinking, collaborative workshops, and citizen engagement, the Lab seeks to make policy development more transparent, inclusive, and responsive to societal needs (Rudkin & Rancati, 2020).

At the same time, the literature highlights persistent resistance to the institutionalization of such approaches. Many Policy Labs struggle with sustainability due to bureaucratic inertia, risk aversion, and shifting political priorities, highlighting persistent institutional barriers to adopting design-led approaches (Brandsma, 2019). This tension underscores the broader challenge faced by Legal Design: despite its conceptual alignment with contemporary governance ideals, it often remains marginal within formal legal and legislative procedures.

2.5 The Ordinary Legislative Procedure of the European Union and the Limits of Institutional-Centered Lawmaking.

Legislation is the first way to translate preferences into binding legal norms. Consequently, the way in which legislation is designed and communicated plays a crucial role in shaping policy implementation, bureaucratic behavior, citizen compliance, and governments' capacity to address complex societal challenges (Hurka et al., 2025). For instance, understanding how legislation is produced is essential for assessing the potential application of Legal Design within lawmaking procedure.

In the European Union, under the Treaty of Lisbon, co-decision formally became the Ordinary Legislative Procedure (OLP), establishing it as the default mechanism for adopting legislation within the European Union. The OLP reflects a model of genuine bicameralism in which legislative power is exercised jointly by the European Parliament (EP) and the Council of the European Union (the Council). While the EP represents the EU citizens and the functions as the lower chamber, the Council represents the interest of the Member States and acts as the upper chamber (Cabral, 2020). Both institutions must ultimately agree on identical text for a legislative proposal to be adopted.

Formally, the OLP unfolds through a sequence of stages: proposal, first reading, second reading, conciliation, and the third reading (European Parliament, 2017). The right of legislative initiative lies exclusively with the European Commission, which submits the proposal to both co-legislators. During the first and second readings, the EP and the Council may approve, amend, or reject the proposal. If agreement is not reached, a Conciliation Committee is convened, composed of representatives from both institutions, with the aim of producing a joint text. Should conciliation succeed, the proposal proceeds to a third reading for final adoption; if it fails, the proposal is abandoned (Appendix D).

While this procedural structure appears linear and transparent in theory, its practical operation is considerably more complex. In order to avoid the time-consuming and politically sensitive conciliation stage, the institutions frequently resort to informal negotiations known as trilogues. These meetings involve representatives of the European Parliament, the Council, and the Commission, with the latter typically acting as a mediator. Trilogues may take place at various stages of the procedure—often

during the first or early second reading—with the objective of reaching a provisional compromise acceptable to both co-legislators (European Parliament, 2017; Cerdá, 2020).

Trilogues have significantly increased the efficiency of EU lawmaking. Empirical evidence indicates that approximately 97 % of legislative acts are now adopted at first or early second reading, while full second readings and third readings have become increasingly rare (Cabral, 2020). From an institutional perspective, trilogues contribute to fastest decision-making and reduce the risk of legislative deadlock. However, this efficiency has come at the cost of transparency and accessibility.

Scholars have consistently criticized trilogues for their informal nature, limited documentation, and restricted public oversight (Brandsma, 2019; Guillem, n. d.). These negotiations are conducted behind closed doors by small, informally constituted teams, and they rely on highly technical working documents—often a four-column document—that are not standardized and are difficult to interpret for non-experts. Documents produced during trilogues are generally not accessible to the public and the institutions have frequently been resisted for disclosure (Cabral, 2020).

From a democratic perspective, this lack of transparency raises significant concerns. EU citizens are entitled to understand how legislation is negotiated and adopted on their behalf. Yet, the technical language, fragmented documentation, and absence of user-oriented communication hinder meaningful public scrutiny. Rapporteurs' reports and legislative summaries published in institutional websites are typically drafted for insiders and fail to adopt a human-centered approach, limiting their usefulness for citizens without specialized legal or institutional knowledge (Tribunal de Cuentas Europeo, 2020).

2.6 Artificial Intelligence, Legal Design, and Law

There is no single, universally accepted definition of artificial intelligence (AI). However, it is commonly understood as the technology that enables computers and machines to simulate human learning, comprehension, problem solving, decision-making, creativity, and autonomy in order to achieve specific objectives (IBM, 2021). In recent years, research and development have increasingly focused on generative

artificial intelligence, understood as systems capable of producing novel synthetic content—such as text, images, audio, or video—based on user prompts or instructions (IBM, 2021).

Within the legal field, technological innovation has long been associated with improvements in legal research and information retrieval. Since the late twentieth century, the digitization of legal sources and the development of increasingly sophisticated search tools have relied heavily on machine learning techniques. Machine learning involves training algorithms to make predictions or decisions from data, often through supervised learning using labeled datasets to classify information or predict outcomes (IBM, 2021). In legal contexts, such tools have been used, for example, to identify relevant legal requirements, predict judicial outcomes, or support access to justice initiatives (Collenette et al., 2023).

The emergence of generative AI has significantly expanded the scope of technological application in law. Beyond supporting legal research, generative AI systems are increasingly used to assist in drafting legal texts, including contracts, regulatory documents, affidavits, wills, and lawsuits (Villasenor, 2024). These tools can also facilitate access to legal services by helping individuals—particularly those with limited resources—understand their rights, initiate legal claims, and prepare documents without immediate legal representation. In addition, public administrations and legal service organizations have begun to explore in-house AI tools to support legal communication and service delivery (Villasenor, 2024).

From a conceptual perspective, these developments align closely with the objectives of Legal Design. Across its various applications, AI is increasingly deployed to improve legal communication—mainly in the private sector—by adapting complex legal information to users' cognitive capacities and practical needs. Scholars have argued that such tools may contribute to the emergence of personalized law, understood as an approach that tailors legal rules and solutions to individuals' personal characteristics and specific circumstances, supported by big data and AI technologies (Toivonen et al. 2025). This orientation resonates with Legal Design's emphasis on human-centered, proactive, and anticipatory lawyering.

Proactive law, as articulated in the literature, encompasses two complementary dimensions: prevention and promotion. Prevention seeks to address the root causes of legal knowledge as a tool to support positive outcomes and real-world goals (Haapio & Rossi, 2023; Toivonen et al., 2025). Generative AI, when combined with Legal Design principles, may support both dimensions by enabling clearer communication, earlier intervention, and more accessible legal information.

Nevertheless, the increasing use of AI in legal contexts also raises significant risks. Scholars and practitioners have highlighted concerns related to algorithmic bias, hallucinated or fabricated outputs, opacity in decision-making procedures, and potential violations of data protection and equality before the law (Infobae, 2025; El País, 2025). High-profile cases in which AI-generated content has been relied upon without adequate verification—such as fabricated case law cited in judicial proceedings—underscore the limitations of these technologies and the dangers of uncritical adoption.

Judicial decision-making, legislative drafting, and legal interpretation require normative judgment, contextual understanding, and accountability—elements that cannot be delegated to automated systems. Courts have explicitly affirmed this positions, emphasizing that AI cannot substitute the logical reasoning and human evaluation required to assess evidence, justify decisions, and adjudicate cases (Constitutional Court of Colombia, Judgment T-323/2024).

In sum, AI represents a powerful but ambivalent development for the legal field. Its most promising contribution lies not in automating legal judgment, but in enhancing the communicative and preventive dimensions of law. When aligned with Legal Design principles—particularly human-centered design, visualization, and plain language—AI may contribute to a more accessible, transparent, efficient, and proactive legal system. At the same time, these benefits can only be realized within a robust legal and ethical framework that safeguards fundamental rights and democratic values.

2.7 Legal Framework for Artificial Intelligence in the European Union

The rapid deployment of AI across sectors has prompted the European Union to develop a comprehensive regulatory framework aimed at ensuring that technological innovation remains compatible with fundamental rights, democratic values, and the rule of law. The EU's approach to AI governance has evolved gradually, beginning with

soft-law instruments and ethical guidelines, and culminating in the adoption of binding legislation.

An early milestone in this process was the adoption of Resolution 2341 (2020) by the Parliamentary Assembly of the Council of Europe, which articulated a set of foundational ethical principles to guide the development and use of AI systems. These principles emphasized transparency, fairness and non-discrimination, human responsibility for decisions, safety and security, and the protection of privacy and personal data (Council of Europe, 2020). The Resolution stressed that AI systems should be designed and deployed in a manner consistent with human rights, democracy, and the rule of law, and called for the establishment of a legally binding framework to ensure accountability and effective oversight. In this context, responsibility for the proper functioning of AI systems remains with the organizations and individuals involved in their design, deployment, and use (Presno Linera & Meuwesw, 2025).

Building on this ethical foundation, the European Union adopted the Artificial Intelligence Act (Regulation (EU) 2024/1689), representing the first comprehensive and binding regulatory framework for AI worldwide. The AI Act introduces a risk-based regulatory model that differentiates obligations for AI providers and user according to the level of risk posed by specific AI applications. Risk is defined as “*the combination of the probability of an occurrence of harm and the severity of that harm*” (Article 3(2), AI Act).

Under this framework, certain AI practices are classified as presenting an unacceptable risk and are therefore prohibited, while others are categorized as high-risk due to their potential impact on health, safety, or fundamental rights (Chapter III, AI Act). High-risk AI systems are permitted on the EU market only if they comply with a set of mandatory requirements, including risk management, data governance, transparency, human oversight, and post-market monitoring. Essentially, the AI Act does not provide a general exemption for public authorities, signaling that the use of AI by public administrations—including in legal and legislative contexts—falls within the scope of the Regulation where fundamental rights may be affected.

Although the AI Act does not expressly regulate or prohibit the use of AI for drafting legislation or legal documents, such applications may nonetheless be subject to

its provisions depending on their purpose and effects. For example, AI systems used in migration, asylum, law enforcement, or judicial cooperation may be classified as high-risk due to their direct implications for individuals' rights. This regulatory approach underscores that AI-assisted legal drafting or decision-support tools cannot be treated as neutral or purely technical instruments when they influence public decision-making processes.

In addition to the AI Act, the use of AI in legal and legislative must comply with existing EU data protection law, particularly the General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679). Where AI systems process personal data, public authorities must ensure the existence of a valid legal basis, respect the principles of data minimization and purpose limitation, and guarantee the rights of data subjects. Transparency obligations are particularly relevant, as individuals must be informed when automated systems are used in ways that affect them, directly or indirectly.

In the context of legislative procedures, this regulatory landscape has important implications. The potential use of AI tools to assist in drafting, summarizing, or visualizing legislative texts must be assessed not only in terms of efficiency, but also in light of transparency, democratic accountability, and citizen comprehension. When guided by Legal Design principles and constrained by the AI Act and data protection law, AI may contribute to clearer legislative communication without undermining institutional responsibility or legal certainty.

In conclusion, the European Union's legal framework for artificial intelligence establishes both the opportunities and the limits of AI in the legal domain. While the AI Act does not preclude the use of AI in legislative or legal drafting procedures, it imposes a set of obligations designed to safeguard fundamental rights and democratic values. Within these boundaries, AI can serve as an enabling technology that supports Legal Design objectives—particularly plain language, accessibility, and user-centered communication—while preserving the essential role of human judgment in lawmaking and legal interpretation.

3. METHODOLOGY APPROACH

To assess the feasibility of applying Legal Design to the European Union's Ordinary Legislative Procedure (OLP), this research adopted a qualitative and conceptual methodology, rooted in interpretive analysis. The study relied primarily on documentary examination of reports, publications, and methodological toolkits by various Policy Labs; the EU legal framework, including but not limited to the provisions of the Treaty of Lisbon governing the OLP; working documents of the three main EU legislative institutions; rules and regulations such as the Joint Handbook for the presentation and drafting of acts subjects to the ordinary legislative procedure, and their code of conduct.

The literature review began with combined search terms such as “Legal Design AND lawmaking”, and “Legal Design AND policy making”. Given the limited number of results addressing both concepts simultaneously, the terms were subsequently separated and searched independently. These searches included “what is legal design?”, “participatory design and law”, “EU legislative procedure”, “EU ordinary legislative procedure”, “trilogues negotiations”, and “design for policy”. Results were selected based on relevance indicated by titles and abstracts, as well as accessibility, prioritizing open-access sources.

The review was conducted using Google, Google Scholar, Taylor & Francis Online and EBSCO, as well as specialized and institutional websites, including the Legal Design Alliance, Law by Design, the Legal Design Journal, official EU institutional websites, and Policy Lab Platforms. The selected literature was organized thematically, resulting in the following distribution of sources according to the Table I below:

Figure 2:

Distribution of Sources by Topic.

Topic	Number of selected results
Legal Design	23
Legal Design + policy making	21
EU Ordinary Legislative Procedure / Lawmaking	16

Legal design + AI	15
Total	75

In addition to documentary analysis, a set of semi-structured interviews was conducted with relevant practitioners and expert in the field of public-sector innovation and EU legislative practice. Expert interviews were chosen as a qualitative research method due to their capacity to provide in-depth insights grounded in professional experience. Given the theory-generating purpose of this research, interviews were used to capture subjective interpretations and practical perspectives related to real-world legislative and innovation practices.

Initial contact attempts were made through professional networks; however, as these contacts did not align closely with the research focus, potential interviewees were subsequently identified through LinkedIn. Sanjan Sabherwal, former Head of Innovation & Design at the UK Policy Lab, agreed to participate. For interviews with EU institutional officials, formal request were submitted via email and through institutional contact forms. The European Parliament accepted the request, clarifying that the opinions expressed would not represent the institution. The European Commission did not agree to participate in an interview. Consequently, the empirical component of the study is limited to the interviews that were successfully conducted.

The interviews included a conversation with Sanjan Sabherwal (Appendix E), who agreed to be cited by name. A second interview was held with two officials from the European Parliament's Directorate for Committee Coordination and Legislative Activities (Appendix F). These officials consented to being recorded and cited by reference to their institutional roles and are identified in the Finding Chapter as EP Official 1 and EP Official 2. Their joint interview provided insight into the internal coordination mechanisms that underpin the Parliament's participation in the ordinary legislative procedure. The interviews were conducted online via Microsoft Teams; lasted approximately 50 minutes, and consisted of eight open-ended questions related to the expert's professional experience. The recording remained stored on Team for 60 days, and a downloadable transcript was made available.

This research has a primarily theoretical and propositional pursue, it does not attempt to test or validate this model empirically in the field. Instead, it offers a theory-

informed contribution that synthesizes insights from organizational studies, public-sector innovation frameworks, and Legal Design literature. The expected outputs include: (1) an opportunity map identifying where Legal Design could be applied in the Ordinary Legislative Procedure; (2) a comparative analysis of Policy Lab practices and their limitations; and (3) an institutional strategy proposal for incorporating Legal Design into the EU's Ordinary Legislative Procedure, with particular attention to two stages: i) the trilogues negotiations, and ii) strengthening the relationship between citizens and EU institutions by improving the legal literacy and comprehensibility of the legislation produced through this legislative procedure.

4. FINDINGS

This section presents the main findings derived from semi-structured interviews conducted with officials from the European Parliament and Sanjan Sabherwal, a former practitioner from the UK Policy Lab. The interviews aimed to explore existing understandings and practices related to Legal Design, citizen participation, and innovation within legislative and policy-making processes. The European Parliament interviewees clarified that the opinions expressed during the interview reflect their personal views derived of their work and do not represent the official position of the institution.

4.1 Limited Awareness of the Term “Legal Design”

None of the interviewees had previously encountered the term Legal Design, either in their professional background (Law, bio archeology and design) or within institutional discussions. In all cases, it was necessary to provide contextual clarification prior to addressing substantive questions. When asked whether they had come across the concept of Legal Design before the interview—either in their professional practice or within their institution—the answer was consistently negative.

Despite this lack of familiarity with the terminology, the interviews revealed that several existing practices align closely with the core principles commonly associated with Legal Design.

At the European Union level, interviewees highlighted a strong institutional focus on better regulation, simplification, effective implementation, and the use of digital drafting tools such as LEOS. These efforts, although not explicitly framed as Legal Design, reflect concerns that sit at the core of the discipline.

A similar alignment was observed in the work of the UK Policy Lab. Although the term Legal Design is not explicitly used, its core objective—empowering citizens and stakeholders to co-create policies that ultimately improve legislation—is effectively pursued. This is illustrated by Sanjan Sabherwal’s description of his work:

“My first kind of role was around applying user-centered design research approaches, running and facilitating workshops with citizens, stakeholders, policy professionals, doing a lot of material design. (...) I then ended up being

the head of policy innovation in the Lab, which involved overseeing a portfolio of projects, while also advocating for newer participatory approaches like serious games or legislative theatre, where we could push the boundaries in terms of decentralizing or changing power dynamics between central government and the people beyond it.” (UK Policy Lab Interviewee, 2025).

4.2 Institutional transparency and citizen engagement

Both the European Parliament and the UK Policy Lab demonstrated a clear awareness of the need to improve their relationship with citizens. Officials from the European Parliament emphasized their commitment to openness, describing the Parliament as *“the most open institution to citizens in the EU”*.

In this context, they challenged claims found in the literature regarding a lack of transparency in trilogues negotiations. EP Officials argued that although trilogues are informal, they are nonetheless institutionalized processes in which transparency has increased over time:

“It’s not full transparency because it’s a negotiation, but you do have access to the documents that are discussed. In the past, you didn’t know when discussions were taking place; now all this is public.”

EP Official 1 defended closed-door negotiations as a necessary condition for effective decision-making, emphasizing that trilogues involve representatives from all political groups, thereby reflecting the entire electorate. According to this view, a minimum degree of confidentiality enables the trust required for meaningful negotiation, while mechanism remains in place to inform the public of progress and outcomes.

Additionally, EP Official 2 noted that the Rules of Procedure of the European Parliament require briefing sessions to inform the public about negotiation progress. These briefings take various forms, including press releases, four-column documents, and web-streamed committee sessions, which can be accessed upon request.

4.3 Direct Community Engagement in the UK Policy Lab

In contrast, the UK Policy Lab places stronger emphasis on direct community engagement. Sanjan described his current work with local authorities, service providers and civil society actors to address issues such as

improving employment opportunities for young people leaving school. Engagement strategies are adapted depending on the audience and policy objective.

Although no single formal framework is used, participatory approaches are central to the Lab's work. Sanjan identified the participatory ladder as one of the most effective frameworks in central government, alongside design thinking methodologies such as co-production and co-design. When full co-production is not feasible, ethnographic research and lived-experience methods are employed to inform policy decisions through rich qualitative evidence.

4.4 Legal Design Across the Legislative Procedure

When asked at which stage of the legislative cycle Legal Design could be most useful both European Parliament officials identified the public consultation phase as particularly relevant. This stage was described as the most citizen-oriented process, providing stakeholders and citizens with an opportunity to express positions, criticism, and constructive input on legislative proposals.

4.5 Softlaw and Secondary Legislation as Entry Points

All interviewees agreed that Legal Design is not feasible at the level of the EU treaties, given their complexity, negotiation requirements, and general nature. Instead, they identified soft law instruments and secondary legislation as the most promising terrain for Legal Design initiatives, including guidelines, recommendations, strategy papers and memorandum of understanding.

Sanjan provided concrete examples of participatory design applied to secondary legislation. One project focused on developing regulatory guidance for autonomous ships operating in UK waters. Over the course of a year, more than 300 stakeholders—including regulators, technologists, international organizations, and ethic experts—were engaged through participatory research process. This approach generated robust evidence base that ultimately supported policy changes ratified by Parliament.

A second project addressed fisheries management, specifically concerning sea bass stock. Prior to formal consultation, the Lab engages approximately 1,400 stakeholders using ethnography, workshops, games, and collective intelligence tools. According to Sanjan, games played a crucial role in

facilitating constructive dialogue among stakeholders, as they provide shared rules and structures for negotiations.

4.6 Limitations

Despite recognizing the potential of Legal Design, interviewees also identified significant constraints. From Parliament, these include obligations arising from EU treaties and formal drafting rules that limit the degree of flexibility in legislative texts. EP official 2 emphasized that legislative drafting must ensure legal accuracy, multilingual consistency, and judicial robustness—responsibilities largely entrusted to lawyer-linguists.

Another limitation relates to contemporary information consumption patterns. EP Official 1 expressed concern about the difficulty of translating complex legislative procedure into bite-sized formats suitable for social media without risking misinterpretation. While the European Parliament has developed tools such as the Legislative Observatory and the Joint Legislative Tracker, officials acknowledge that public engagement with these resources remains limited.

Sanjan identified three main obstacles to participatory and design-led approaches. First, such methods are not suitable for all policy contexts and may encounter resistance from policymakers who perceive them as insufficiently serious. Second, time constraints often limit the feasibility of meaningful engagement, as effective participatory processes require extended periods for research and trust building. Finally, managing expectations is essential once trust has been established, particularly when policy outcomes cannot fully reflect stakeholders input.

4.7 The Role of Artificial Intelligence (AI) in Legal Design

All interviewees agreed that AI should be used with caution at the institutional level, particularly in legislative drafting. While AI can support tasks such as curating guidance or synthesizing information, it should remain under human control.

EP Official 2 stressed that the human dimension is central to Legal Design, as AI systems cannot fully capture nuance, lived experience, or emotional insight. At the same time, Sanjan described how the UK Policy Lab is

experimenting with open-source tools such as collective intelligence called Pol.is to scale participatory engagement. These tools use AI-supported clustering to enhance qualitative analysis and explore future possibilities for AI-assisted policy innovation within government departments.

Overall, the interview findings reveal a gap between the explicit use of the term Legal Design and the widespread presence of practices aligned with its principles. While institutional constraints limit its application in certain legislative contexts, significant opportunities exist in public consultations, soft law instruments, work documents, secondary legislation, and participatory policy design. Finally, the cautious integration of AI emerges as a complementary tool rather than a substitute for human-centered approaches.

5. DISCUSSION

This chapter discusses the findings of the research in light of the literature review and the empirical evidence gathered through expert interviews. It addresses the two research questions guiding this dissertation by interpreting the results through a legal and institutional lens, and by situating Legal Design within contemporary debates on public-sector innovation, policymaking, and artificial intelligence in the European Union.

5.1 Has Legal Design Lost Momentum? From Apparent Decline to Functional Evolution.

The first research question asked whether Legal Design has lost momentum after its initial rise and which factors may explain its apparent decline or limited use today. The findings of this research suggest that the perception of decline is misleading. Rather than losing relevance, Legal Design appears to have undergone a process of transformation and functional displacement (Doherty, 2025).

The literature review confirms that early Legal Design initiatives—particularly between 2014 and 2020—were strongly associated with tangible outputs such as visual contracts, simplified legal documents, and graphical representations of legal information, mostly within the domain of private law (Haapio & Hagan, 2016). As academic attention shifted and some high-profile Policy Labs were discontinued—such as the Denmark’s MindLab—this visible momentum appeared to fade. However, the interviews and more recent sources indicate that Legal Design has not disappeared; instead, it has migrated toward less visible but more structural layers of the legal system (Rossi & Haapio, n. d.; Perry-Kessaris, 2019).

This evolution is closely linked to the rise of digitalization and artificial intelligence in legal practice. Automation tools, AI-assisted drafting, document management systems, and personalized legal information increasingly shape how law is produced, communicated, and applied (Koulu, 2024; Villasenor, 2024). These developments align with the core objectives of Legal Design: improving legal communication, reducing cognitive and procedural barriers, and adapting legal systems to users’ real needs. Importantly, this shift does not undermine the human-centered

approach; rather, it reinforces it by requiring even greater attention to plain language, explainability, and user trust in technologically mediated legal environments (Toivonen, N et Al. 2025).

The findings therefore suggest that one key reason for the perceived loss of momentum is conceptual invisibility. Legal Design no longer always appears as a clearly labeled discipline, but as an embedded approach within legal tech, innovation practices, and organizational reform (Prifti, K. Et al, 2024; Legal Design Journal, 2025). This has implications for the EU legislative context: Legal Design should not be understood as a stylistic add-on, but as a methodological contribution to making law more anticipatory, preventive, and communicative, in line with proactive law theory (Rossi & Haapio, n.d.).

5.2 The Terminological Gap: Legal Design Without the Label

A central empirical finding of this research is the existence of a clear gap between the term Legal Design and the practices it denotes. None of the interviewees—neither from the European Parliament nor from the UK Policy Lab—were familiar with the concept as such. At first glance, this could be interpreted as evidence of Legal Design’s marginal relevance in the public sector. However, a closer analysis reveals the opposite.

Both the literature review and the interviews demonstrate that the methodologies strongly aligned with Legal Design are widely used in public policymaking, particularly within Policy Labs. Design thinking, participatory approaches, co-creation, ethnographic research, visual thinking, and iterative experimentation are well-established practices in spaces such as the UK Policy Lab and the EU Policy Lab (UK Policy Lab Interviewee, 2025). The absence of the Legal Design label thus reflects a problem of fragmentation and disciplinary overlap, rather than a rejection of its underlying principles (Bason, C. 2018).

This finding directly contributes to answering the first research question by identifying a structural explanation for Legal Design’s limited visibility: in the public sector, it is often subsumed under broader frameworks such as *design for policy*, *public sector innovation* and *foresight* (European Commission – Joint Research Centre. 2016-2024). At the same time, it helps answer the second research question by demonstrating

that institutional conditions for Legal Design already exist within the EU, even if they are not explicitly framed as such.

The EU Policy Lab is particularly illustrative in this respect. Its works on future studies, speculative design, behavioral insights, and AI-related foresight reflects a proactive and anticipatory orientation that closely mirrors the objectives of Legal Design (European Commission – Joint Research Centre, 2022). These practices show that Legal Design is not incompatible with EU institutions; rather, it is already operating implicitly within them. Recognizing and systematizing this implicit presence could therefore strengthen its contribution to EU lawmaking.

5.3 Feasibility and Limits of Legal Design Within the European Union's OLP.

The second research question focused on identifying at which stages and through which instruments Legal Design could be feasibly introduced into the EU's Ordinary Legislative Procedure. The findings indicate that Legal Design is not universally applicable across all stages, but that it holds significant potential when applied selectively (UK Policy Lab Interviewee, 2025; European Parliament Interviewees, 2025).

Both, the literature review and the interviews converge on the conclusion that Legal Design is extremely difficult—if not infeasible—to apply to the drafting of EU treaties or primary legislative acts. These instruments are shaped by complex political negotiations, strict formal requirements, multilingual constraints, and judicial enforceability concerns that leave limited room for experimentation or iterative design (European Parliament Interviewees, 2025).

However, this limitation does not preclude the use of Legal Design elsewhere in the legislative procedure. The research identifies three areas or stages where its application is both realistic and potentially impactful.

First, public consultations emerge as a key entry point. Interviewees from the European Parliament identified this phase as the most citizen-oriented stage of the legislative cycle. Legal Design methodologies—such as plain language, visual explanations, and participatory tools—could enhance the quality of citizen input and reduce barriers to meaningful engagement.

Second, trilogues negotiations represent a more constrained but still relevant opportunity. While Legal Design cannot reshape the legal content negotiated behind closed doors, it could improve supporting elements such as working documents, information flows, and the visualization of institutional positions. This could indirectly contribute to transparency and internal efficiency without undermining the confidentiality necessary for negotiation.

Third, soft law and secondary legislation offer the greatest flexibility. Guidelines, recommendations, strategy papers, and interpretative documents are less rigid in form and play a crucial role in the practical application of EU law. Both interviewees and literature suggest that these instruments are particularly well suited for Legal Design interventions, allowing for clearer communication, better implementation, and stronger alignment with users' needs.

5.4 Legal Design, AI, and the Anticipatory Function of Law

Across all findings, the interaction between Legal Design and AI emerges as a crosscutting theme. Interviewees expressed caution regarding the use of AI in legislative drafting, emphasizing the need for human oversight, legal reasoning, and accountability. At the same time, AI-supported tools—such as collective intelligence platforms or information synthesis systems—are already being used to scale participation and analyze complex inputs (Uk Policy Lab Interviewee, 2025; Holden, L. 2022).

This tension reinforces a central insight of the discussion: Legal Design's value lies not in replacing legal judgment, but in enhancing legal communication and anticipation (Rossi & Haapio, n. d.; Legal Creative, 2024). By combining human-centered design with cautious technological integration, Legal Design can support a more proactive conception of law—one that prevents disputes, improves understanding, and strengthens trust between institutions and citizens.

5.5 Reframing Legal Design in EU Lawmaking

Taken together the findings of this research, the prevailing narrative that Legal Design has lost relevance following its initial rise. Rather than evidencing a substantive decline, the analysis suggests that Legal Design has undergone a process of conceptual diffusion and functional integration.

Recent scholarship indicates that Legal Design is increasingly articulated not as a standalone or clearly bounded discipline, but as a set of human-centered, anticipatory and communicative practices embedded within broader frameworks such as legal technology, public sector innovation, and design for policy (Hagan, 2020; Doherty, 2022; Legal Design Journal, 2025).

This helps explain why the term Legal Design itself remains relatively absent from public-sector discourse and from the vocabulary of practitioners interviewed in this study. The absence of the label should not be interpreted as a rejection of its underlying principles, but rather as a reflection of disciplinary fragmentation and methodological overlap, characteristic of emerging and interdisciplinary fields (Bason, 2018; Kimbell, 2025). More recent confirm that Legal Design today operates across multiple domains—ranging from legal education and policy experimentation to infrastructural and technological reform—often under alternative conceptual umbrellas such as design for policy, foresight, or innovation governance (Rudkin & Rancati, 2020; Legal Design Journal, 2025).

Within the European Union context, this reframing is particularly relevant. The practices observed in the EU Policy Lab, including speculative design, future-oriented policy exploration and experimentation with AI-supported tools, demonstrate that Legal Design principles are already present—albeit implicitly—within EU institutions. These practices align with an understanding of law not merely as a reactive mechanism for dispute resolution, but as a proactive and anticipatory system of governance, aimed at preventing legal problems and improving the intelligibility and legitimacy of normative outputs (Haapio & Rossi, 2023).

From this perspective, Legal Design's value does not lie in replacing legal expertise or judgment, not in simplifying complex legal realities to the point of distortion. Rather, its contribution consists in enhancing legal communication, supporting anticipation, and strengthening trust in increasingly complex and technologically mediated legal environments. As the integration of automation and artificial intelligence continues to reshape how law is produced and applied, the need for plain language, explainability and user-centered approaches becomes more—not less—pressing (Toivonen, N et Al. 2025).

Accordingly, the findings suggest that the key question for EU lawmaking is not whether Legal Design should be introduced as a novel methodology, but how existing practices aligned with its principles can be recognized, systematized, and strategically deployed within the ordinary legislative procedure. This reframing provides a coherent bridge to the concluding chapter, which will outline concrete recommendations for integrating Legal Design in a manner that respects legal certainty while enhancing transparency, participation and democratic legitimacy.

6. CONCLUSIONS

This dissertation set out to explore whether and how Legal Design practices could be feasibly integrated into the European Union's Ordinary Legislative Procedure. It did so examining the evolution of Legal Design as a field, its relationship with public-sector innovation and policy-making, and its potential contribution to specific stages of EU lawmaking, drawing on both a literature review and empirical findings.

6.1 Final conclusions

The findings of this research lead to three overarching conclusions. First, the study challenges the assumption that Legal Design has lost relevance following its initial rise. While its visibility in academic literature and institutional discourse may appear reduced, this should not be interpreted as a substantive decline. Rather, Legal Design has evolved from a set of highly visible practices—such as contract visualization—towards more embedded and structural applications within legal systems, including automation, AI-assisted drafting, information design and participatory policy processes. This evolution explains why Legal Design is less frequently identified as a discrete discipline, while its principles continue to inform contemporary legal and policy practices.

Second, the research demonstrates that the limited use of the term Legal Design in the public sector reflects a problem of terminology and disciplinary overlap rather than a rejection of its underlying values. In EU institutions and Policy Labs, methodologies closely aligned with Legal Design—such as design thinking, participatory approaches, co-creation, foresight and experimentation—are already in use under broader frameworks such as design for policy and public sector innovation. This implicit presence suggests that Legal Design is compatible with the institutional culture of EU, even if it is not explicitly recognized as such.

Third, the analysis confirms that Legal Design is not equally applicable across all stages of the EU's Ordinary Legislative Procedure. Structural, legal and political constraints limit its feasibility at the level of treaty drafting and core legislative texts. However, significant opportunities exist in more flexible and participatory spaces of the legislative cycle, particularly in public consultations, soft

law instruments, secondary legislation, and supporting documents used during interinstitutional negotiations. In these contexts, Legal Design can contribute to improving comprehensibility, transparency and stakeholder engagement without undermining legal certainty or institutional balance.

Taken together, these conclusions support a reframing of Legal Design not as a marginal or aesthetic tool, but as a human-centered, anticipatory and communicative approach that can complement traditional legal techniques in complex governance environments such as the European Union.

6.2 Recommendations: Integration of Legal Design in EU lawmaking

Building on these conclusions, this dissertation proposes two targeted recommendations for the practical integration of Legal Design within the EU's Ordinary Legislative Procedure.

6.2.1 Strengthening Legal Design in the public consultation phase.

Public consultation represents the most suitable entry point for Legal Design within the EU legislative cycle. They are explicitly designed to gather citizen and stakeholder input, yet often remain inaccessible due to technical language, complex documentation and limited feedback loops.

A Legal Design-informed approach could enhance this phase by:

- Using plain language summaries and visual explanations of legislative proposals;
- Structuring consultation questions around real user journeys and practical impacts rather than abstract legal categories;
- Incorporating participatory tools, such as workshops, digital deliberation platforms or scenario-based consultations, to enable more meaningful engagement;
- Improving feedback mechanisms to demonstrate how contributions are considered in subsequent legislative stages.

Such measures would not require changes to the formal legislative framework, but rather an adjustment in how consultation processes are designed and communicated. By lowering cognitive and informational barriers, Legal Design could strengthen the legitimacy and quality of citizen participation in EU lawmaking.

6.2.2 Supporting trilogues negotiations through design-informed practices

Trilogues negotiations pose greater constraints due to their informal and confidential nature. Legal Design should therefore not aim to intervene in the substance of negotiations or the drafting of binding legal texts. Instead, its contribution could focus on supporting practices surrounding trilogues.

Possible interventions include:

- Improving the clarity and consistency of working documents, such as four-column document, through better information design;
- Visualizing institutional positions and points of convergence to support internal understanding and coordination;
- Designing internal tools that enhance traceability and institutional memory without compromising confidentiality;
- Developing clearer post-trilogues communication materials to explain outcomes to non-expert audiences.

These measures would not increase transparency in a formal sense, but they could enhance internal efficiency and external intelligibility, thereby addressing some of the legitimacy concerns associated with trilogues while respecting their functional role in EU lawmaking.

Finally, this dissertation reflects the academic and methodological training acquired during the Master's program. One of the most significant contributions of the program was the development of a broader and more critical understanding of innovation—not as purely technological phenomenon, but as a socio-institutional process shaped by participation, experimentation and governance structures. This perspective proved essential for analyzing Legal Design beyond its most visible manifestations and for situating it within public sector and policy contexts.

A central element of these results was the emphasis placed on communication as a foundational dimension of law. Legal practice—in general—can be understood as communicative space in which individuals convey facts, arguments, and interpretations, which are then processed by legal and political institutions. These institutions, in turn, respond by producing normative outputs and decisions that circulate back into society, generating new information, expectations and effects. Recognizing law as an ongoing

communicative process—rather than as a purely technical or formal system—was key to framing Legal Design as a tool for improving how legal meaning is constructed, transmitted and understood.

The participatory approaches explored throughout the program directly informed the analytical framework of this research. Concepts such as co-creation, participatory action research, and stakeholder engagement were not treated as abstract ideals, but as practical tools for understanding how Legal Design operates in real institutional settings. This proved particularly relevant when analyzing policy labs and public consultations, where communication is not only a means of gathering input, but also a condition for meaningful participation and legitimacy.

Moreover, the exposure to future studies and foresight methodologies provided a valuable lens for interpreting the work of the EU Policy Lab. What initially appeared as a theoretical component of the curriculum became concrete through the recognition that speculative design and scenario building are already applied within EU institutions. This connection reinforced the central argument of the dissertation: that Legal Design, when understood as a communicative, anticipatory and human-centered approach, is not external to EU law-making, but already embedded within it.

In this sense, the Master's program did not merely provide analytical tools, but enabled a shift in perspective—one that made it possible to bridge legal analysis, design methodologies and public governance through a shared emphasis on communication, participation and anticipation.

Lastly, this research was shaped by the author's professional background as a practicing lawyer. The topic was motivated by personal and professional interest in exploring how innovation can be meaningfully integrated into legal practice, and in demonstrating that the legal profession can move beyond overly rigid approaches without compromising legal rigor, legal certainty or analytical depth. Legal Design offered a particularly suitable framework for this inquiry, as it bridges legal expertise with human-centered and participatory methods while remaining grounded in core legal principles.

At the same time, the non-standard nature of the topic posed methodological challenges. Access to quantitative or institutional data proved limited, as most European institutions—with the notable exception of the European Parliament—were not willing

to actively participate in the research process. As a result, the empirical dimension of the dissertation relied primarily on qualitative interviews. Despite these constraints, the interviews conducted with the three experienced practitioners proved to be particularly valuable. Their professional insights revealed that the initial assumption underlying the first research question—namely, that Legal Design had declined in relevance after its initial rise—was, in fact, misleading. This shift in understanding was not derived from abstract theorization, but from the practitioners’ direct experience within EU and policy innovation contexts, reinforcing the validity of the revised analytical framework adopted in this study.

REFERENCES

- Bason, C. (2018) *Leading Public Sector Innovation (Second Edition): Co-creating for a Better Society*. BRISTOL: Policy Press. Available at: <https://research.ebsco.com/linkprocessor/plink?id=98133a35-58c5-3cc3-8f89-5aaaaf20e4fc> (Accessed: May 2025).
- Brandsma, G. J. (2019) *Transparency of EU informal trilogues through public feedback in the European Parliament: promise unfulfilled*, *Journal of European Public Policy*, 26(10), pp. 1464-1483, doi: 10.1080/13501763.2018.1528295.
- Buchanan, C. and Sharma, N. (2024) *People-centred and participatory policymaking*. Available at: <https://openpolicy.blog.gov.uk/2024/11/19/people-centred-and-participatory-policymaking/> (Accessed: May 2025).
- Cabral, T. S. (2020) *A Short Guide to the Legislative Procedure in the European Union*, UNIO - EU Law Journal, 6(1), pp. 161-180, Available at SSRN: <https://ssrn.com/abstract=3962953> (Accessed: August 2025).
- Cerdá Barrera, A.R. (2020) *Diálogos tripartitos en el procedimiento legislativo ordinario: La efectividad en la toma de decisiones en detrimento de la transparencia*, *Repositorio.comillas.edu*. Available at: <https://repositorio.comillas.edu/rest/bitstreams/406218/retrieve> (Accessed: August 2025).
- Collenette, J., Atkinson, K. and Bench-Capon, T. (2023) *Explainable AI tools for legal reasoning about cases: A study on the European Court of Human Rights*, *Artificial Intelligence*, 317, p. 103861, ISSN 0004-3702. Available at: <https://doi.org/10.1016/j.artint.2023.103861> (Accessed: November 2025).
- Constitutional Court of Colombia. (2024) Sentencia T-323/2024, Corte Constitucional Colombiana. Available at: <https://www.corteconstitucional.gov.co/relatoria/2024/t-323-24.htm> (Accessed: November 2025).
- Council of Europe. (2020), Resolution 2341 (2020). *Need for democratic governance of artificial intelligence*. Parliamentary Assembly. Available: <https://pace.coe.int/pdf/0b472b0ef9de710970a8106e0bbaf0d10fe3b0119e48da83a286ab652d6e66b9/res.%202341.pdf> (Accessed: December 2025).
- Choudhary, S. (2021) *Design Thinking: Divergence and Convergence Cycles - Shubhangi Choudhary - Medium*, 'Medium', 7 December. Available at: <https://medium.com/@i.shubhangich/design-thinking-divergence-and-convergence-cycles-3ce7a6f27815> (Accessed: May 2025).

- Design Council (2026) *The Double Diamond. A universally accepted depiction of the design process* Available at: <https://www.designcouncil.org.uk/our-resources/the-double-diamond/> (Accessed: May 2025).
- Doherty, M. (2025) *Editorial – Disciplinary maturity in legal design*. Legal Design Journal. Volume 2, Issue 1, 2025. Available at <https://ojs.library.lancs.ac.uk/ldj/article/view/194/199> (Accessed: December 2025).
- Doherty, M. (2022) *Disciplinarity and the modes of legal design*, in Lockton, D., Lenzi, S., Hekkert, P., Oak, A., Sádaba, J., Lloyd, P. (eds.), DRS2022: Bilbao, 25 June - 3 July, Bilbao, Spain. <https://doi.org/10.21606/drs.2022.537>
- En P.L.G. (2025) *Histórico fallo de la Corte Suprema sobre uso de la IA en Colombia: por primera vez anuló una decisión judicial apoyada en citas falsas*. Available at: <https://www.infobae.com/colombia/2025/11/12/historico-fallo-de-la-corte-suprema-sobre-el-uso-de-la-ia-en-colombia-por-primera-vez-anulo-una-decision-judicial-apoyada-en-citas-falsas/> (Accessed: November 2025).
- European Parliament. (2008) *Código de conducta para la negociación en el marco del procedimiento legislativo ordinario* Available at: https://www.europarl.europa.eu/cmsdata/215148/C2_ES.pdf (Accessed November 2025).
- European Union. (2016) *Regulation (EU) 2016/679 of the European Parliament and of the Council*, Europa.eu. Available at: <https://eur-lex.europa.eu/eli/reg/2016/679/oj/eng> (Accessed: December 2025).
- European Union. (2024) *Regulation - EU - 2024/1689 - EN - EUR-Lex*, Europa.eu. Available at: <https://eur-lex.europa.eu/eli/reg/2024/1689/oj/eng> (Accessed: December 2025).
- Framing and Policy Making - Framework Institute* (2018). <https://www.frameworksinstitute.org/articles/framing-and-policy-making/> (Accessed: May 2025).
- From risk mitigation to value creation: Preventive and Proactive Law – Differences and Similarities* (2024) Legal Creative. Available at: <https://www.legalcreatives.com/blog/from-risk-mitigation-to-value-creation-preventive-law-and-proactive-law-differences-and-similarities> (Accessed: December 2025).
- Guillen Carrau, J. (2014) *Los trílogos en el procedimiento legislativo de la UE: El “informal law making” en la nueva agenda legislativa europea*. Revista de Las Cortes Generales, (92-93). 45-74. <https://doi.org/10.33426/rcg/2014/92-93/1208>
- Haapio, H and Hagan, M. (2016) *Design Patterns for Contracts*. Proceedings of the 19th International Legal Informatics Symposium IRIS 2016. Österreichische Computer Gesellschaft OCG, Wien 2016, pp. 381-388 (ISBN 978-3-903035-09-6). Jusletter IT, 25 February 2016. Available at: <https://law.stanford.edu/wp-content/uploads/2017/08/SSRN-id2747280.pdf> (Accessed: May 2025).

- Haapio, H. and Rossi, A. (2023) *Towards Human-Centered Standards for Legal Help AI*. Philosophical Transactions of the Royal Society A: Mathematical, Physical and Engineering Sciences. Publication Forthcoming. Available at: <https://ssrn.com/abstract=4582745> (Accessed: November 2025).
- Hagan, M. (2020) 'Legal design as a thing: a theory of change and a set of methods to craft a Human-Centered legal system,' *Design Issues*, 36(3), pp. 3–15. https://doi.org/10.1162/desi_a_00600
- Homepage. (2025) *EU Policy Lab*. European Commission. https://policy-lab.ec.europa.eu/index_en (Accessed: May 2025).
- How Denmark lost its MindLab: the inside story | Apolitical (2018). <https://apolitical.co/solution-articles/en/how-denmark-lost-its-mindlab-the-inside-story> (Accessed: May 2025).
- Hubert, D. (n.d). *Attenuated Democracy. A Critical Introduction to U.S. Government and Politics*. <https://slcc.pressbooks.pub/attenuateddemocracy/> (Accessed 17 May 2025).
- Hurka, S., Rueß, S., Cowburn, M. and Kaplaner, C. (2025) *Laws as blades: A conceptual framework of legislative design*. *Policy Sciences*, 58, 733–752 (2025). <https://doi.org/10.1007/s11077-025-09593-6> (Accessed: January 2025).
- Interinstitutional negotiations for the adoption of EU legislation (2017) European Parliament <https://www.europarl.europa.eu/olp/en/interinstitutional-negotiations> (Accessed: October 2025).
- International Plain Language Federation. (2025) *Press release Part 2 - International Plain Language Federation*. Available at: <https://www.iplfederation.org/press-release-part-2/> (Accessed: December 2025).
- Karpen, I.O. and Senova, M. (2021) *Designing for Trust: Role and Benefits of Human-Centered Design in the Legal System*, *International Journal for Court Administration*, 12(3). <https://doi.org/10.36745/ijca.422>
- Kimbell, L. (2015) *Applying Design Approaches to Policy Making: Discovering Policy Lab*. United Kingdom: University of Brighton. Available at: https://researchingdesignforpolicy.wordpress.com/wp-content/uploads/2015/10/kimbell_policylab_report.pdf (Accessed: July 2025)
- Kingdon, J. W. (2014) *Agendas, Alternatives, and Public Policies*. Longman. 2nd edn. United States: Pearson.
- Koulu, R & Pohle, J. (2024) 'Legal Design Patterns: New Tools for Analysis and Translations Between Law and Technology', *Digital Society*, vol. 3, 22. <https://doi.org/10.1007/s44206-024-00109-y>
- Law by Design. Hagan, M. (2018). <https://lawbydesign.co> (Accessed: May 2025).
- Legaldesign-journal.com. (2024). *Legal Design Journal – The first online journal dedicated solely to Legal Design*. Available at: <https://legaldesign-journal.com/>

- MIT Sloan. (2017) *Design Thinking explained*. Available at: <https://mitsloan.mit.edu/ideas-made-to-matter/design-thinking-explained> (Accessed: May 2025).
- Sentencias falsas, leyes extranjeras y filtrado de datos: los riesgos de usar ChatGPT se cuelan en los despachos de abogados* (2025). <https://elpais.com/economia/2025-02-18/sentencias-falsas-leyes-extranjeras-y-filtrado-de-datos-los-riesgos-de-usar-chatgpt-se-cuelan-en-los-despachos-de-abogados.html> (Accessed: November 2025).
- OECD (2020) *Building Capacity for Evidence-Informed Policy-Making: Lessons from Country Experiences*, OECD Public Governance Reviews, OECD Publishing, Paris, <https://doi.org/10.1787/86331250-en>
- Ordinary Legislative Procedure Overview* (2017) European Parliament. <https://www.europarl.europa.eu/olp/en/ordinary-legislative-procedure/overview> (Accessed: October 2025).
- Parola, G., Poto, M.P. (2024). *Legal Design and Visual Law: The Roadmap*. In: Poto, M.P., Parola, G. (eds) *Building Bridges for Effective Environmental Participation: The Path of Law Co-Creation . Human Rights Interventions*. Palgrave Macmillan, Cham. https://doi.org/10.1007/978-3-031-52791-3_2
- Pearpoint, J. (2020) *Person-Centered vs System Centered – Beth Mount*. <https://inclusion.com/2020/person-centered-vs-system-centered-beth-mount/> (Accessed: May 2025).
- Presno Linera, M. Á. and Meuwese, A. (2025) ‘*Regulating AI from Europe: a joint analysis of the AI Act and the Framework Convention on AI*’, *The Theory and Practice of Legislation*, 13(3), pp. 292–311. doi: 10.1080/20508840.2025.2492524.
- Prifti, K; Morley, J; Novelli, C. et al. (2024) *Regulation by Design: Features, Practices, Limitations, and Governance Implications*. *Minds & Machines* 34, 13 (2024). <https://doi.org/10.1007/s11023-024-09675-z>
- Perry-Kessarar, A. (2019) *Legal Design for practice, activism, policy and research in* Forthcoming Summer 2019 *Journal of Law & Society* Available at: <https://ssrn.com/abstract=3295671>
- Rossi, A. and Haapio, H. (n.d.). *Proactive Legal Design: Embedding Values in the Design of Legal Artefacts*. [online] Available at: https://orbi.lu.uni.lu/bitstream/10993/39921/1/proactive_legal_design.pdf.
- Rudkin, J-E. and Rancati, A. (2020) *Design for Policy*. <https://doi.org/10.1016/B978-0-12-822596-7.00013-9>
- Toivonene, N; Ketola, A & Haapio H (2025) *Transforming Norms: Legal Design, Plain Language and AI for personalized Law* in *Journal of Ethics and Legal Technologies* – Volume 7(1) – June 2025

- Villasenor, J. (2024) *Generative Artificial Intelligence and the Practice of Law: Impact, Opportunities, and Risks* in 25 MINN. J.L. SCI & TECH. 25. Available at: <https://scholarship.law.umn.edu/mjlst/vol25/iss2/8> (Accessed: November 2025).
- What is artificial intelligence (AI)?* (2021) IBM [online] Available at <https://www.ibm.com/think/topics/artificial-intelligence> (Accessed: November 2025).
- What is Design?* (2021) International Council of Design. <https://www.theicod.org/en/professional-design/what-is-design/what-is-design> (Accessed: May 2025)
- Tribunal de Cuentas Europeo (2020) *El proceso legislativo de la Unión Europea tras casi 20 años de mejora de la legislación* in Análisis No. 02
- UK Policy Lab (2016) *Open Policy Making toolkit - Guidance - GOV.UK*. [online] www.gov.uk. Available at: <https://www.gov.uk/guidance/open-policy-making-toolkit>
- Uk Policy Lab (2022) *Using collective intelligence in government: a view from the Policy Profession Unit – Policy Lab*. [online] Blog.gov.uk. Available at: <https://openpolicy.blog.gov.uk/2022/12/13/using-collective-intelligence-in-government-a-view-from-the-policy-profession-unit/> (Accessed: November 2025).
- UK Policy Lab (2025) *Serious games to support organisation design – Policy Lab*. [online] Blog.gov.uk. Available at: <https://openpolicy.blog.gov.uk/2025/12/09/serious-games-to-support-organisation-design/> (Accessed: November 2025).
- UK Policy Lab (2026) *Launching a new Co-design Toolkit for Early Years Services – Policy Lab*. [online] Blog.gov.uk. Available at: <https://openpolicy.blog.gov.uk/2026/01/06/launching-a-new-co-design-toolkit-for-early-years-services/> (Accessed: January 2026).
- Using Collective Intelligence in government: a view from the Policy Profession Unit* (2022) Leticia Holden <https://openpolicy.blog.gov.uk/2022/12/13/using-collective-intelligence-in-government-a-view-from-the-policy-profession-unit/> (Accessed: December 2025).

APPENDICES

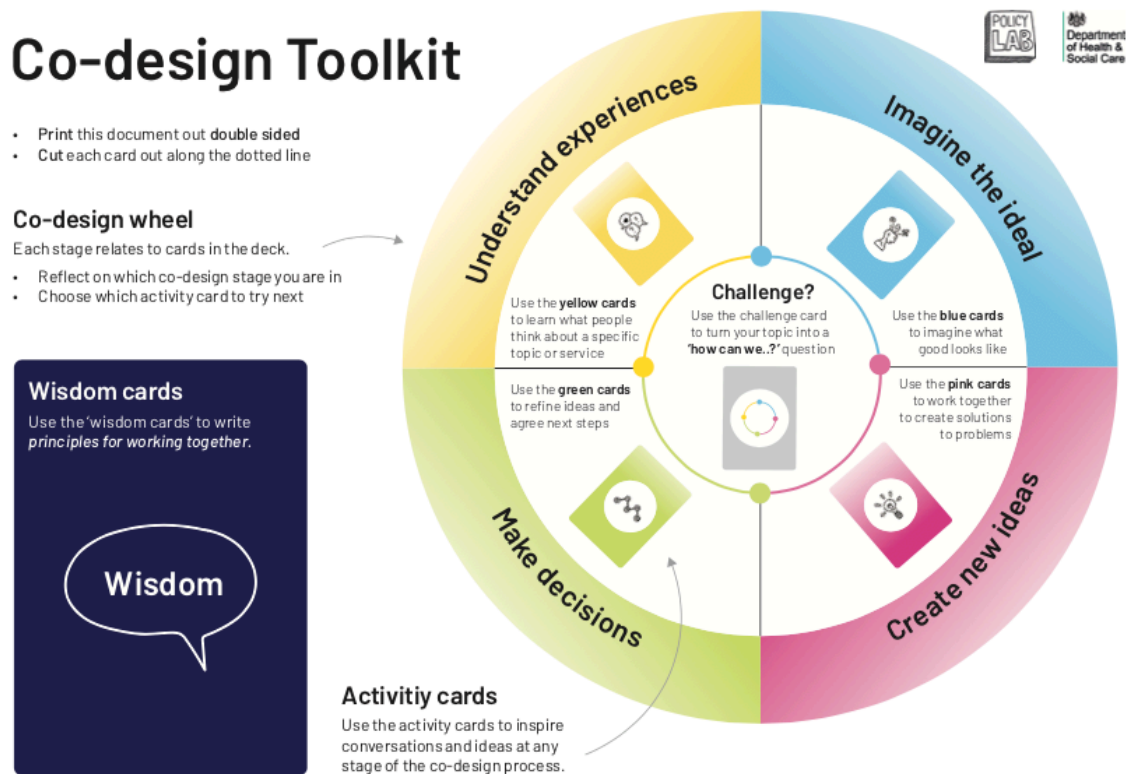
Appendix A: UK Policy Lab Game-methods Example

Screenshots of the experimental policy design methods pack.



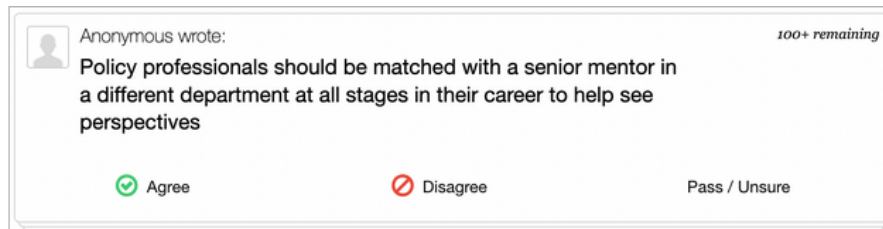
Appendix B: UK Policy Lab Co-design Toolkit

Instructions of how to use the Co-design Toolkit

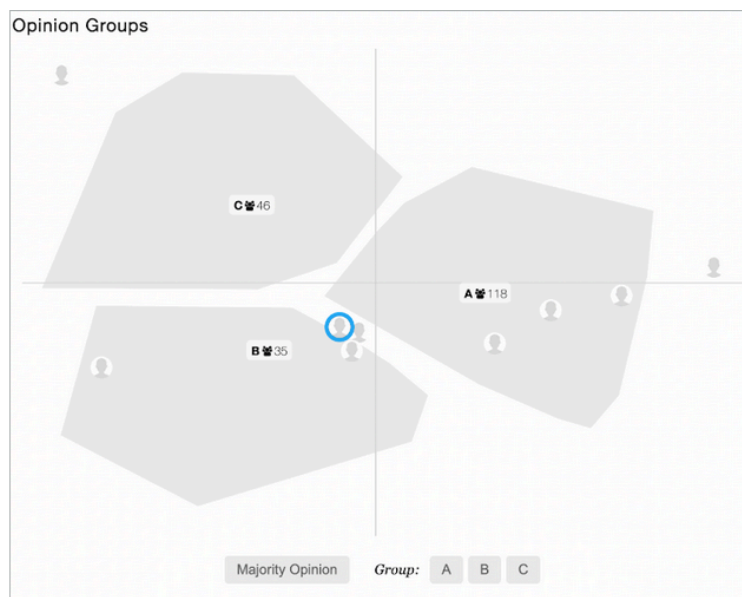


Appendix C: Pol.is

Screenshot of a Pol.is debate, showing how participants can submit their own statements and vote on each other perspectives.



Screenshot of the opinion groups generated by Pol.is, based on the way participants vote (agree, disagree, pass/unsure) on statements.



APPENDIX D

EUROPEAN UNION’S OLP

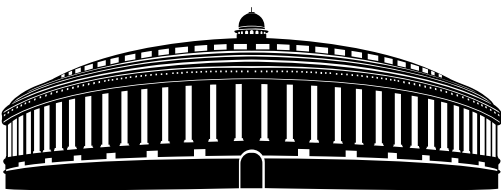
01. THE PROPOSAL

The European Commision presents a legislative proposal to the European Parliament (EP) and the Council.



02. FIRST READING

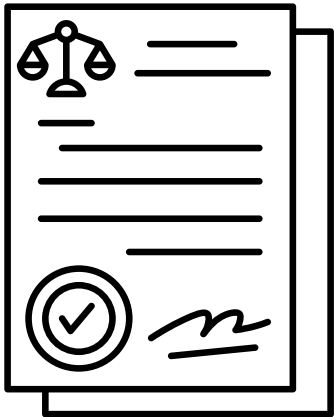
Both the EP acting first, and the Council subsequently examine the proposal. They may approve it, suggest amendments or trigger the second reading.



IN THE MEANTIME, TRILOGUES MAY TAKE PLACE

03. SECOND READING

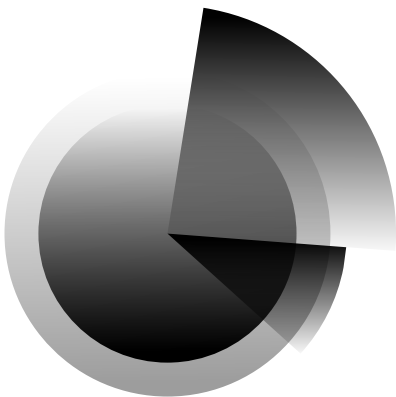
The EP examines the position adopted by the Council. The Council then reviews EP’s position. If the Council does not accept all amendments, a Conciliation Committee must be convened.



IN THE MEANTIME, TRILOGUES MAY TAKE PLACE

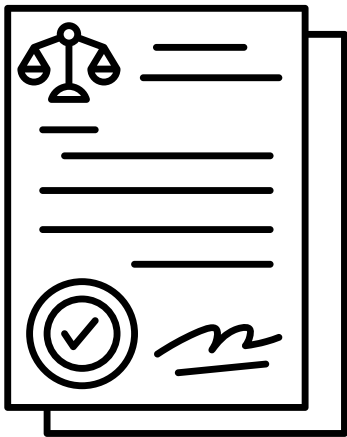
04. CONCILIATION

The Conciliation Committee seeks to reach agreement on a joint text. If the Committee fails to agree, the legislative act is not adopted and the procedure comes to an end. If a joint text is agreed, it is transmitted to both institutions for a third reading.



05. THIRD READING

The EP examines the joint text and votes on it in plenary. The text may not be amended. If EP rejects the joint text or fails to take a decision, the act is not adopted and the procedure ends. The Council also examines the joint text. If both the EP and the Council approve the joint text, the legislative act is considered adopted.



Appendix E: Interview Guidelines – UK Policy Lab Official

This interview is part of an academic study for the Master's program in Innovation and Research for Sustainability at ISEG – Lisbon School of Economics & Management. The study explores the feasibility of applying Legal Design—understood as the use of human-centered design to make legal systems and services more understandable and user-friendly—within the EU ordinary legislative procedure, with particular focus on trilogues negotiations and on improving citizens' understanding of EU legislation. The purpose of this interview is to understand more about how Policy Labs work, and gain some insights into how to overlap or translate your experiences into these stages of the Legislative Procedure.

The insights collected in this interview will help deepen the understanding of the legislative procedure.

By participating in this interview, you confirm that:

- You understand the purpose of the study.
 - You agree to the recording of the interview for transcription purposes.
 - You authorize the use of your statements, quoted and attributed by position or role, exclusively for academic research.
-
1. For the purpose of contextualizing this interview, could you please indicate your professional background and the position?
 2. I know that I have given you some context before about what Legal Design is, but I would like to know if before this interview, had you previously come across the concept or term Legal Design, either in your professional practice or in institutional discussions?
 3. What do you consider to have been the main achievements of the Lab?
 4. Which methodologies or tools do you apply?
 5. What were the main challenges or obstacles you encountered in implementing innovative practices such as Legal Design?

6. At the time when Legal Design practices were being introduced in Policy Labs, AI was not yet a central tool. Looking back, how do you think AI could have supported or transformed the work you were doing with Legal Design?
7. Is there anything we haven't discussed that you think is important for understanding the role of Legal Design in policymaking?
8. How do you see the role of the EU Policy Lab in supporting innovation in legislative procedure?
9. How do you see the future of Legal Design in Europe, particularly in the EU legislative context?
10. What do you think about Legal Design is more viable when applied to *hard law* (binding legislative instruments) or *soft law* (non-binding policy tools).

Appendix F: Interview Guidelines – European Parliament Officials

This interview is part of an academic study for the Master's program in Innovation and Research for Sustainability at ISEG – Lisbon School of Economics & Management. The study explores the feasibility of applying Legal Design—understood as the use of human-centered design to make legal systems and services more understandable and user-friendly—within the EU ordinary legislative procedure, with particular focus on trilogues negotiations and on improving citizens' understanding of EU legislation.

The insights collected in this interview will help deepen the understanding of the legislative procedure.

By participating in this interview, you confirm that:

- You understand the purpose of the study.
- You agree to the recording of the interview for transcription purposes.
- You authorize the use of your statements, quoted and attributed by position or role, exclusively for academic research.

1. For the purpose of contextualizing this interview, could you please indicate your professional background and the position you currently hold within the European Parliament?
2. I know that I have given you some context before about what Legal Design is, but I would like to know if before this interview, had you previously come across the concept or term Legal Design, either in your professional practice or in institutional discussions?
3. There is a strong focus at EU level on better regulation, simplification, effective implementation, and digital drafting tools like LEOS. However, these efforts do not necessarily reflect an openness of the legislative procedure to approaches such as Legal Design, which affect how legislation is made, structured, written, and understood by its users. From your perspective, how open is the legislative procedure itself to innovation approaches such as Legal Design? Do you see this

openness mainly at the level of drafting tools, or also in the conceptual design of legislation?

4. In your view, what should we realistically expect from the integration of AI into Legal Design and EU lawmaking in the coming years?
5. From what I've read, trilogues—interinstitutional negotiations—have become more common in recent years. Since they are informal and held behind closed doors, they don't produce formal working documents to disclose the negotiation, documentation is often scarce, and the 4-column document they do use is often hard to understand. Do you think applying Legal Design could make trilogues negotiations more transparent or easier for citizens to understand?
6. In which other phases of the legislative cycle (agenda-setting, drafting, consultation, implementation) do you think Legal Design could be most useful?
7. Do you believe Legal Design would be more feasible to apply in hard law (treaties, directives, regulations) or in soft law instruments such as guidelines and communications? Why? When producing infographics, do you follow any specific guidelines or parameters? For example, when explaining important directives? Could you give an example of an infographic you've created and how you decided on its design?
8. What institutional or political constraints might limit the use of Legal Design in EU lawmaking?
9. Artificial intelligence is increasingly being discussed in the context of EU policymaking and legislative drafting. From your perspective, how is AI currently being implemented in legislative production, and what role could it play in combination with Legal Design?