JuLIA- JUSTICE, FUNDAMENTAL RIGHTS AND ARTIFICIAL INTELLIGENCE

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PROJECT PARTNERS

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Studiecentrum Rechtspleging– Bruno Kessler Foundation (FBK) – Scuola Superiore
della Magistratura

TRANSNATIONAL TRAINING

*"Judicial Decision Making, artificial intelligence and fundamental rights: the limits
of predictive justice in civil and criminal proceedings"*

18th – 19th September 2023

Scuola Superiore della Magistratura

NAPOLI – Castel Capuano
Via Concezio Muzii, 2
80139

The seminar aims to address the use of artificial intelligence in judicial decision-making to enable a structured debate on the limits and opportunities of predictive justice in civil and criminal law.

Many questions arise in this field. In particular, by focusing on current and planned future developments at European and national level, the seminar aims to open a debate on some crucial aspects of jurisdiction and the rule of law.
Among the issues that will be addressed:

1) ***AI as an instrument for assessing how judge's do justice -*** Learning, evaluating and monitoring how justice is implemented. Judges generally do not like this but from a public service perspective algorithms and AI allow for photographing how justice is being done and learn potential biases and rooms for improvement.

2) ***Algorithms as instruments and initiatives - eventually already implemented - of automatization for assisting in standard proceedings.*** Particularly in the context of mass litigation some proceedings allow for some automatization - personal fresh start proceedings, organizing dockets,

3) ***AI instruments for fastening and helping judges*** - Assisted reading, assisted writing tools, elaboration of template cases, predictive justice based on past case law ....

4) ***Constitutional issues -*** legitimacy of the use of these instruments, compliance with fundamental rights

5) ***Challenges for judicial decision making when judging decisions totally or partially adopted by algorithms and AI***

6) ***The uses of AI in the judicial system for purposes other than predictive justice***: supporting the judge's activity, organising the judge's activity, producing the judicial decision, even if subject to the judge's final validation, etc.

Concerning methodology, the sessions will alternate between presentations and discussions, as well as experience panels and working groups.

PROGRAMME

18th September 2023

	Registration
9:00 – 9:15	**Welcome & presentation**
9:15 – 10:00	**Definition and discipline on the use of artificial intelligence in Europe: a European regulation** **Giuliana Civinini** President of the working group "cyberjustice and Artificial Intelligence" (CEPEJ-GT-CYBERJUST) **Teresa Rodriguez De Las Heras** Profesora Titular de Derecho Mercantil / Professor of Commercial Law Departamento de Derecho Privado Universidad Carlos III de Madrid
10:00-10:30	**The use of artificial intelligence for the application of the case law of the European Court of Human Rights** **Giovanna Bilò** Seconded Judge at the European Court of Human Rights
10:30-10:45	**Questions & answers**
10:45-11:00	**Coffee break**
11:00 -11:30	**How different AI systems works from the technical point of view. Using Chat GPT in ruling** **Silvio Ranise** Fond. Bruno kessler
11.30 -12:15	**The use of artificial intelligence in judicial systems: ethics and efficiency** **Valeria Piccone** & **Filippo Donati**

12:15-12:30	**Questions & answers**
12:30-14:00	**Lunch Break**
14:00-15:00	**Comparative experiences on the use of artificial intelligence in predictive justice: present and future (1st part).** **Judges or staff of the justice ministries responsible for buying/developing AI or automated processes will give a perspective of:** **1) what do they use as of now** **2) what are they developing** **3) what they think could be useful to have (this should be a judge) and ideally** **4) what are the concerns they have about it.** Italy: **Antonio Corbo and Alessio Scarcella**, Italian Court of cassation - Vincenzo De Lisi DGSIA (TBC) France: **Etienne Verges**, Professor of University Netherlands: Herman van Harten, Judge Court of Appeal the Hague
15:00-15:30	**Questions & answers**
15:30-15:45	**Coffee break**
15:45-16:45	**Comparative experiences on the use of artificial intelligence in predictive justice: present and future (2nd part).** **Judges or staff of the justice ministries responsible for buying/developing AI or automated processes will give a perspective of:** **1) what do they use as of now** **2) what are they developing** **3) what they think could be useful to have (this should be a judge) and ideally** **4) what are the concerns they have about it.** Portugal: CEJ (TBC) Romania: **Amelia Onisor**, NIM Spain: **José María Fernandez Seijo**, Judge
16:45-17:15	**Questions & answers**

Tuesday, 19th September 2023

9:00-9:30	**Transparency and control of AI tools** Andrés Boix
9:30-9.45	**Questions & answers**
9.45-11.00	**Working groups to test the application of artificial intelligence to predictive justice** **Introduction:** **Federica Casarosa**, IUE **1) ADELE** **Francesca Lagioia** (o Federico Galli) UNI Bologna **2) Layla** **Beatrice Marone**, Uni Pavia / **Mariavittoria Catanzariti**, IUE **3) Sant'Anna project with Court of Pisa** **Giovanni Comandè**
11:00-11:15	**Coffee break**
11:15-12.00	**Working groups to test the application of artificial intelligence to predictive justice**
12.00-12.30	**Presentation and some conclusions from the working groups**
12.30-12:45	**Conclusion**