



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 judges 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

8:45	Registration <i>Salone dei Busti</i>
9:00 9:30	Welcome & presentation of JuLIA AI/ADM and Judicial Decision Making Survey <i>Saloncino dei Busti</i> Gianluca Grasso (Scuola Superiore della Magistratura) Mireia Artigot i Golobardes (Ramon y Cajal Researcher, Universitat Pompeu Fabra, Barcelona)
9:30 10:00	Definition and discipline on the use of artificial intelligence in Europe: a European regulation Session Chair: Paola Iamiceli 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 10:15	Questions & answers
10:15 10:45	The use of artificial intelligence for the application of the case law of the European Court of Human Rights Session Chair: Gianluca Grasso Giovanna Bilò Seconded Judge at the European Court of Human Rights
10:45 11:00	Questions & answers
11:00 11:15	Coffee break <i>Sala Tartaglione</i>
11:15 12:00	How different AI systems works from the technical point of view. Using ChatGPT in ruling Session Chair: Federica Casarosa? Silvio Ranise Fondazione Bruno Kessler
12.00 12:45	The use of artificial intelligence in judicial systems: ethics and efficiency Session Chair: Andrés Boix? Valeria Piccone Judge of the Italian Court of Cassation and Member of the CCJl

	& Filippo Donati University of Florence
12:45 13:00	Questions & answers
13:00 14:30	Lunch break <i>Sala Tartaglione</i>
14:30 15:30	<p style="text-align: center;"> Comparative experiences on the use of artificial intelligence in predictive justice: present and future (1st part). Session Chair: </p> <p style="text-align: center;"> Judges or staff of the justice ministries responsible for buying/developing AI or automated processes will give a perspective of: </p> <p style="text-align: center;"> 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. </p> <p> Italy: Antonio Corbo and Alessio Scarcella, Italian Court of Cassation; Vincenzo De Lisi, DGSIA </p> <p> France: Etienne Verges, Professor of University Grenoble Alpes; Géraldine Vial, Associate Professor at Grenoble Alpes University </p> <p> Netherlands: J.L.L. (Anne) Tahapary LL.M., Senior advisor international activities, SSR International; Herman van Harten, Judge </p>
15:30 16:00	Questions & answers
16:00 16:15	Coffee break <i>Sala Tartaglione</i>
16:15 17:15	<p style="text-align: center;"> Comparative experiences on the use of artificial intelligence in predictive justice: present and future (2nd part). Session Chair: </p> <p style="text-align: center;"> Judges or staff of the justice ministries responsible for buying/developing AI or automated processes will give a perspective of: </p> <p style="text-align: center;"> 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. </p> <p> Portugal: Alexandre Oliveira, CEJ </p> <p> Romania: Amelia Onisor, NIM </p> <p> Spain: José María Fernandez Seijo, Judge in commercial court - Barcelona </p>
17:15 17:45	Questions & answers

Tuesday, 19th September 2023

9:00 9:30	Transparency and control of AI tools Session Chair: Andrés Boix Universitat de València Law School <i>Saloncino dei Busti</i>
9:30 9.45	Questions & answers
9.45 11.00	Working groups to test the application of artificial intelligence to predictive justice Session Chair: Introduction: Federica Casarosa, Scuola Superiore Sant'Anna ed EUI 1) ADELE Federico Galli, University of Bologna 2) Layla Beatrice Marone, University of Pavia / Mariavittoria Catanzariti, IUE 3) Sant'Anna project with Court of Pisa Giovanni Comandè, Scuola Superiore Sant'Anna <i>Saloncino dei busti</i>
11:00 11:15	Coffee break <i>Sala Tartaglione</i>
11:15 12.00	Working groups to test the application of artificial intelligence to predictive justice Session Chair: <i>Saloncino dei Busti/Aula Tartaglina/Saloncino piano ammezzato</i>
12.00 12.30	Presentation and some conclusions from the working groups Session Chair: <i>Saloncino dei Busti</i>
12.30 12:45	Conclusion & Final Survey and presentation of survey results

