

# Rule of law and predictive justice

**9-10 December**

Emeroteca - Badia Fiesolana, Via dei Roccettini 9 - San Domenico di Fiesole (Fiesole, Florence)

Organised by the Centre for Judicial Cooperation, RSCAS, European University Institute

## **Introduction**

The digitalisation process and, in particular, the development of AI-based technologies has affected directly and indirectly the judicial system. On the one hand, judicial operators are asked to present and decide cases where the AI-based tools have been adopted, raising issues related to fairness and transparency as well as compliance with fundamental rights. In this context, cases addressing surveillance, facial recognition and filter bubbles emerged, highlighting the impact of AI on the exercise of freedom of expression, the right to non-discrimination and the right to privacy.

On the other hand, not less important, the deployment of AI-based technologies has also started to be embedded in the activities of courts, including case management and facilitation of the decision-making process, up until the creation of online courts. Although the pandemic has fast-forwarded this process, several are the questions that still emerge as regards the independence, accountability and impartiality of such systems.

The training workshop will address both dimensions taking into account the most recent developments of the caselaw in the EU Member States.



## Draft Programme

### 9 December

- 9:00 - 9:15 Welcome address and presentation of TRIIAL 2 project
- Madalina Moraru** | Scientific coordinator TRIIAL 2, European University Institute – Centre for Judicial Cooperation and University of Bologna
- 9:15 - 10:30 **First panel: Digitalisation of justice and the use of AI in the judicial system**
- Moderator: **Tiago Freitas** | Member TRIIAL 2, University of Lisbon
- Analysis of AI tools in CoE countries  
**Anca Radu** | European University Institute
- Digitalisation of justice in EU Member States  
**Antonella Ciriello** | Italian Court of Cassation
- From “documents” to “data”: an epochal shift in Italian justice is possible  
**Amedeo Santosuosso** | IUS Pavia
- FBE Guidelines on the use of CHatGPT by lawyers  
**Maria Dymitruk** | Fédération des Barreaux d’Europe
- 10:30 - 10:45 Discussion
- 10:45 - 11:15 *Break*
- 11:15 - 12:30 **Hypothetical case scenario I: Introductory presentation**  
**Discussion in three parallel working group sessions**
- 12:30 - 13:00 Conclusions of the working groups in the plenary session
- 13:00 - 14:00 *Lunch break*
- 14:00 - 14:30 **Presentation of TRIIAL 2 thematic booklet**
- Federica Casarosa** | Member of TRIIAL 2, European University Institute
- 14:30 - 15:30 **Roundtable Session: AI in the courtroom – different perspectives**
- Moderator: **Joan Solanes Mullor** | Member of TRIIAL 2, Pompeu Fabra University
- Presentation of cases concerning AI and administration, data protection, disinformation, labour law, IP law, etc.
- 15:30 - 16:00 Discussion
- 16:00 - 16:30 *Break*
- 16:30 - 17:30 **Hypothetical case scenario II: Introductory presentation**  
**Discussion in three parallel working group sessions**
- 17:30 - 18:00 Conclusions of the working groups in the plenary session

## 10 December

### 9:30 - 10:45 **Keynote speech – European perspectives on AI**

Moderator: **Gabor Halmai** | Member of TRAILL 2, European University Institute – Centre for Judicial Cooperation

#### **The EU AI Act and the CoE Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law**

**Giovanni Sartor** | European University Institute and University of Bologna

### 10:45 - 11:15 *Break*

### 11:15 - 12:30 **Second panel: Practical experience in delivering digital tools for courts**

Moderator: **Federica Casarosa** | Member of TRAILL 2, European University Institute – Centre for Judicial Cooperation

ADELE and POLINE project

**Federico Galli** | University of Bologna

e-Justice ODR Scheme project

**Zbynek Loebli** | PRK Partners

Algorithmic prediction in justice system

**Lyria Bennett Moses** | UNSW Sydney

### 12:30 - 13:00 Concluding remarks