

Strasbourg, 26 May 2024

CEPEJ-GT-CYBERJUST(2024)4

**EUROPEAN COMMISSION FOR THE EFFICIENCY OF JUSTICE
(CEPEJ)**

**Working Group on Cyberjustice and Artificial Intelligence
(CEPEJ-GT-CYBERJUST)**

**10th meeting
(Strasbourg, 4-5 March 2024)**

Meeting report

Report prepared by the Secretariat
Directorate General I - Human Rights and the Rule of Law

1. Introduction

1. The Working Group on Cyberjustice and Artificial Intelligence (CEPEJ-GT-CYBERJUST) of the European Commission for the Efficiency of Justice (CEPEJ) held its 10th meeting on 4-5 March 2024, in Strasbourg. The agenda is attached as Appendix I to this report.
2. The working group members were welcomed by Francesco Depasquale, President of the CEPEJ. Maria Giuliana Civinini (Italy) was designated President CEPEJ-GT-CYBERJUST for the mandate 2024-2025.

2. CEPEJ “Tech” Glossary

3. Esmin Berhamovic (Bosnia and Herzegovina), expert, presented a first concept note of the planned “Tech” glossary, as foreseen in the CEPEJ Activity Programme 2024-2025. The glossary should help judicial professionals better understand and contextualise Information and Communication Technology (ICT) terms, particularly in relation to Artificial Intelligence (AI), they are increasingly confronted with in an increasingly digital judicial environment. The glossary should make it possible to easily understand technical terms and their relevance for the work without having a technical educational background.
4. The terms and their definition should be taken from, and acknowledge, already existing sources (e.g. relevant documents of the CEPEJ, Consultative Council of European Judges — CCJE, European Committee on Legal Cooperation - CDCJ, Committee on Artificial Intelligence - CAI), complemented by a brief and illustrative example for the judiciary. To overcome fragmentation of information and increase usability, the glossary should take the form of a simple database embedded in the CEPEJ website and be regularly updated. The glossary would complement the ICT curriculum for judges under development (see below).
5. The working group decided to start by extracting the terms from relevant CEPEJ documents and consulting the members of the European Cyberjustice Network (ECN) and the Pilot Court Network to identify additional terms needing explanation.

3. ICT Training Curriculum for judges

6. An increasingly digital workplace and digital services require appropriate skills and competences of judicial professionals, particularly judges. The working group emphasised the need to develop a model curriculum to guide relevant national bodies in their efforts to increase IT skills and competences within their judiciaries.
7. Following a discussion of different national initiatives, the group decided that the curriculum should focus on reaching judges concerning competencies that should be acquired as a minimum and provide concrete examples how it can be achieved. Exchange and coordination should be achieved with national activities within the European Judicial Training Network (EJTN).

4. Review the Guidelines on videoconferencing in judicial proceedings

8. Marek Świerczyński (Poland), expert, presented a first concept for a review of the Guidelines on remote court hearings (CEPEJ-GT-CYBERJUST(2024)1). While the content of the guidelines was considered still of relevance, the use of remote hearings became more common and regulated, requiring enlarging the focus on newly emerging issues such as hybrid formats and accessibility.
9. The group decided to a) revise the existing checklist to make it more specific and user friendly, following the example of the “Practical Guide on Remote Court Hearings in Civil Administrative and Criminal Proceedings”, b) enlarge the good practice selection, c) address issues of hybrid hearings and accessibility, d) update the European Court of Human rights

(ECHR) case law study, e) provide as much as possible context information such as figures on the use and trends of remote hearings.

5. Tool on the electronic publication of judicial decisions

10. Monica Palmirani (Italy), expert, presented the analysis of the survey that formed the basis for the draft guidelines presented by Simone Ginzburg.

11. The working group decides to present the draft for adoption at the June plenary meeting of the CEPEJ, together with the analysis of the survey. The title of the work should be “Guidelines on Digital Public Case Law and Legal Knowledge Access”.

6. How to bridge the “Digital Divide” in justice

12. The Working group had a first discussion on how to address the digital divide in access and use of digital judicial services. Going beyond spatial solutions, the guidance should stress the application of existing accessibility standards in technology as well as the particular situation for some groups of the population not necessarily fulfilling the requirements for standard procedures e.g., national identification for electronic identification and signature for migrants.

13. The group decided to begin identifying suitable experts to launch an explorative study as soon as possible.

7. European Cyberjustice Network (ECN)

14. The modalities and topics for the ECN webinars in 2024 are discussed. Each working group member should take the lead in one webinar (moderation or presentation). Member states that have not yet been active in the webinars should be directly encouraged to do so. The list of potential topics includes Generative AI, Remote Hearings, Council of Europe Convention on AI, Advanced decision support systems, the CEPEJ AI Ethical Charter assessment tool, ways to involve the society in the development of judicial services.

8. Activities concerning artificial intelligence

15. The Secretariat presented the Resource Centre on Cyberjustice and Artificial Intelligence to the new working group members. The whole group confirmed the added value of the Centre and the commitment to its continuous and progressive development.

16. The Secretariat informed the working group members on the status of the Artificial Intelligence Advisory Board (AIAB) appointment procedure, which was ongoing at the time of the meeting.

9. Pilot application of the Assessment Tool for the Operationalisation of the European Ethical AI Charter

17. Matthieu Quiniou (France), expert, presented the piloting plan for the Assessment tool for the Operationalisation of the European Ethical AI Charter, which will be discussed also at the upcoming CEPEJ-GT-Qual meeting and piloted after obtaining agreement with the national authorities.

10. Potential effects of the use of AI tools on court effectiveness and efficiency

18. The CEPEJ-GT-CYBERJUST exchanged with the Secretary of CEPEJ-SATURN how to potentially measure the effects of AI on court efficiency. Matthieu Quiniou presented a draft concept note suggesting possible avenues for future research and steps that included the development of an assessment methodology to evaluate the impact of the concrete AI tools.

19. This will be a common work of the CEPEJ working groups.

11. Study on the use of Generative AI in the field of justice

20. The group exchanged on possible directions on further work on the use of generative AI in the administration of justice, following the Information note on the Use of Generative AI by judicial professionals in a work-related context (CEPEJ-GT-CYBERJUST(2023)5), published earlier this year on the CEPEJ Website.

21. Jeannette Verspui (the Netherlands) will animate a thematic workshop on this topic, to better understand the courts' needs at the upcoming CEPEJ Pilot Court Network meeting 10 April.

12. Any other business

22. The date for the next CEPEJ-GT-CYBERJUST meeting was preliminarily set for 17 and 18 October 2024.

APPENDIX 1

CEPEJ-CYBERJUST(2024)OJ1

EUROPEAN COMMISSION FOR THE EFFICIENCY OF JUSTICE (CEPEJ)

10th meeting of the Working Group on Cyberjustice and Artificial Intelligence (CEPEJ-GT-CYBERJUST)

AGENDA

1.	Opening of the meeting and designation of the President of the CEPEJ-GT-CYBERJUST
2.	CEPEJ “Tech” Glossary
3.	ICT Training Curriculum for judges, ensuring the acquisition of knowledge and skills necessary in an increasingly digital judicial environment
4.	Review the Guidelines on videoconferencing in judicial proceedings by adding a good practice compendium and updating the checklist
5.	Tool on the electronic publication of judicial decisions with a view to emerging opportunities and risks of new technologies
6.	How to bridge the “Digital Divide” ensuring that digital justice services remain accessible for all
7.	European Cyberjustice Network (ECN)
8.	Briefing and discussion on activities concerning artificial intelligence
9.	Pilot application of the Assessment Tool for the Operationalisation of the European Ethical AI Charter
10.	Potential effects of the use of AI tools on court effectiveness and efficiency
11.	Study on the use of Generative AI in the field of justice in view of its potential applied in controlled environments and its risks in uncontrolled settings
12.	Any other business

APPENDIX 2

LIST OF PARTICIPANTS

MEMBERS

Pedro ALMEIDA, Head, International Cooperation Unit, Ministry of Justice, PORTUGAL (online)

Maria-Giuliana CIVININI, Former Judge and President of the Tribunal of Pisa, ITALY, CEPEJ-GT-CYBERJUST President

Camille LE DOUARON, Cheffe du département numérique, Service administratif régional, Cour d'appel de Paris, FRANCE

Bojan MURŠEC, Director, Centre of Information Technology, Supreme Court, SLOVENIA

Jan SPOENLE, Judge, High Regional Court, Responsible for Organization and IT, Stuttgart, GERMANY

Jeannette VERSPUI, Head of the Strategy Department at the Council for the Judiciary, Senior judge at the District Court of Gelderland, THE NETHERLANDS

Francesco DEPASQUALE, The Honourable Mr Justice, Superior Courts, Valleta, MALTA, CEPEJ President

DEPUTY MEMBERS

Kata BENCZE, Senior Government High Counsellor, Head of Unit, Ministry of Justice, HUNGARY (online)

Leonard CARUANA, Magistrate, Judicial determinations in cases of a criminal and civil nature, MALTA (online)

SCIENTIFIC EXPERTS

Alejandro FERNANDEZ, Head of Section, Support Unit to the Director General, DG for Digital Transformation, Ministry of Justice, Madrid, SPAIN (online)

OBSERVERS

ASSOCIATION OF EUROPEAN ADMINISTRATIVE JUDGES (AEAJ / FEJA)

Germana LO SAPIO (online)

COUNCIL OF BARS AND LAW SOCIETIES OF EUROPE

Ana DROZD, Senior Legal Advisor (online)

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Robert Ranquet

EUROPEAN UNION AGENCY FOR FUNDAMENTAL RIGHTS (FRA)

Alice Hamilton (online)

EUROPEAN UNION OF RECHTSPFLEGER AND COURT CLERKS

Stefan DAMBÖCK (online)

EXPERTS

Esmin Berhamovic, Rado Brezovar, Simone Ginzburg, Monica Palmirani, Matthieu Quiniou,
Marek Świerczyński

SECRETARIAT

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