

Strasbourg, 26 November 2024

CEPEJ-GT-CYBERJUST(2024)9

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

**WORKING GROUP ON CYBERJUSTICE AND ARTIFICIAL INTELLIGENCE
(CEPEJ-GT-CYBERJUST)**

11th meeting
17-18 October 2024, Strasbourg

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 11th meeting in Strasbourg on 17-18 October 2024. The agenda is attached as Appendix I to this report.

2. Addendum to the Guidelines on videoconferencing in judicial proceedings

2. Marek Świerczyński (Poland), expert, presented the draft document that should complement the CEPEJ Guidelines video conferencing in judicial proceedings and replace the good practice selection (CEPEJ-GT-CYBERJUST(2024)7).

3. The document entails a) an analysis of the use and availability of remote hearings in Council of Europe member States, based on CEPEJ evaluation 2022 data, b) a study on the respective case law of the European Court of Human rights (ECHR), c) an enlarged good practice selection and d) a user-friendly checklist on how to conduct effective remote hearings.

3. Public jurisprudence databases (use of metadata and anonymisation)

4. Alexandre Palanco (France), expert, presented the draft Guidelines for the online publication of judicial decisions and access to legal knowledge (Document CEPEJ-GT-CYBERJUST(2024)3Rev7).

5. The working group decided to present the draft for consideration to the CEPEJ at its December plenary meeting with a view to its adoption.

4. CEPEJ Glossary on Cyberjustice and Artificial Intelligence (AI)

6. Esmin Berhamovic (Bosnia and Herzegovina), expert, presented the draft Glossary on Cyberjustice and AI (CEPEJ-GT-CYBERJUST(2024)8). The Glossary should help judicial professionals to better understand and contextualise terms of Information and Communication Technology (ICT), particularly in relation to AI. The Glossary should be embedded in the CEPEJ website and be regularly updated.

7. The working group members reviewed together all terms, definitions and use cases and decided to present the draft for consideration to the CEPEJ at its December plenary meeting with a view to its adoption.

5. European Cyberjustice Network (ECN)

8. The draft programme of the 4th Annual Meeting of the European Cyberjustice Network (ECN), taking place 21 November 2024, is finalised, focusing on the Guidelines on online alternative dispute resolution adopted by the CEPEJ in December 2023.

9. The presentation of the guidelines will be followed by a presentation of good practices from Portugal and the United Kingdom. Masha Medvedeva, researcher from Leiden University, the Netherlands, should be invited to present the possibilities and limitations of Artificial Intelligence (AI) systems with a view to legal practice.

6. Study on the use of Generative AI

10. Following the Information note on the Use of Generative AI by judicial professionals in a work-related context (Document CEPEJ-GT-CYBERJUST(2023)5), the group members agreed, that despite the risks of generative AI in the legal domain, the study to be conducted should highlight actual and possible applications and use cases, to accommodate the needs of judicial professionals.

7. Activities concerning artificial intelligence (AI)

11. Pedro Almeida (Portugal) informs about the progress made in the formulation of the Human Rights Impact Assessment Methodology (HUDERIA), accompanying the "Council of Europe Framework Convention on Artificial Intelligence and human rights, democracy and the rule of law" (CETS 225). Foreseen finalisation of HUDERIA is late 2024.
12. The Working group proposed to orient its work towards the monitoring of the Framework Convention for the domain of justice. The Resource Centre on Cyberjustice and AI and the Assessment tool of the AI ethical Charter would be ideal starting points.
13. The Secretariat presented the ongoing revision of the Resource Centre on Cyberjustice and AI, proposed by the Artificial Intelligence Advisory Board (AIAB). It was proposed to list systems used by the public sector only, and even to remove some types of these systems (e.g. e-filing systems, public electronic case law databases and electronic land or criminal registers). Instead, the listed systems should also be those in early development stages which would provide relevant information for monitoring in the framework of the Council of Europe Framework Convention on Artificial Intelligence and human Rights, Democracy and Rule of Law.
14. The Working group a draft annual report summarising the findings of the monitoring of emerging AI applications through the Resource Centre on Cyberjustice and AI so far. The report should be published in the spring following the reference year (at the first AIAB meeting in Spring 2025).
15. The Secretary of CEPEJ-GT-QUAL presented the progress of the piloting phase of the tool for assessing AI systems in the judicial sector (Document CEPEJ-GT-QUAL(2024)1).
16. The AIAB has selected four piloting systems: (1) an anonymisation tool, "Open data for court decisions" (France), (2) a speech-to-text "textualization" tool (Spain), (3) a tool for automatically assigning criminal trials, GIADA2 (Italy) (5) a solution for audio recording, transcription, and the generation of minutes, "Salme" (Estonia).
17. The first workshop bringing together all the representatives of these systems took place on 16 September 2024, and will be followed in November by individual practical workshops per system, helping to complete the self-assessment questionnaires. The expert's first report is due January 2025.
18. Bojan Muršec (Slovenia), and Alejandro Fernandez (Spain), demonstrated the automatic recording and transcription tools used in Slovenia and Spain, aiming at supporting the judge in its work. The AI systems will be added to the Resource Centre on Cyberjustice and AI

8. Study on potential effects of the use of AI tools on court efficiency

19. The CEPEJ-GT-CYBERJUST exchanged views, together with the Secretary of CEPEJ-SATURN on the Concept Note on Artificial Intelligence and Efficiency of Justice (Document CEPEJ-SATURN(2024)19). This work will be undertaken in collaboration with the CEPEJ-SATURN and CEPEJ-GT-EVAL. The Concept Note included a proposed methodology, a potential way forward, and suggestions for AI tools to be used as case studies in the research. The primary goal will be to develop a practical checklist to assist judicial authorities in assessing the potential impact of AI tools on court efficiency prior to their acquisition or implementation (ex-ante). Alternatively, an evaluation tool designed to measure the impact of AI tools on court efficiency after deployment (ex-post) could be developed.
20. The CEPEJ-GT-CYBERJUST members agree to provide information on the development process of AI tools developed in their jurisdictions. This should lead to a better understanding of what data was used and collected in this process.

9. Tool to improve work life balance in the judiciary

21. The CEPEJ-GT-CYBERJUST exchange views, together with the Secretary of CEPEJ-SATURN on the Concept Note to improve work-life balance in the judiciary (Document CEPEJ(2024)3). The Secretariat underlined that this is a joint effort involving all working groups of the CEPEJ and informed the members of the discussion held in these groups as well as some collected practices (e.g. Belgium, France, and Italy).

22. The Working group members suggested that the tool should consider also new technology, aiming at better work distribution through management tools and flexibility in the work organisation. In this context non-judicial staff should also be addressed by the tool, as they often have less flexibility in their work organisation than judges.

23. An ad hoc Working Group could be set up, composed of one member of each CEPEJ Working Group and in charge of the development of the possible future tool. The CEPEJ-GT-CYBERJUST nominated Maria-Giuliana Civinini (Italy) as a potential member of this ad hoc working group.

10. Any other business

24. Francesco Depasquale reported on his recent mission to Kazakhstan and the automated procedure implemented by their courts. The CEPEJ-GT-CYBERJUST proposed to invite a delegation from Kazakhstan to present and discuss it at the next meeting.

25. The date for the next CEPEJ-GT-CYBERJUST meeting was preliminarily set for 27 and 28 March 2025.

APPENDIX 1

11th meeting of the Working Group on Cyberjustice and Artificial Intelligence (CEPEJ-GT-CYBERJUST)

AGENDA

1.	Opening of the meeting
2.	Addendum to the Guidelines on videoconferencing in judicial proceedings
3.	Public jurisprudence databases (use of metadata and anonymisation)
4.	CEPEJ Glossary on Cyberjustice and Artificial Intelligence (AI)
5.	European Cyberjustice Network (ECN)
6.	Study on generative AI
7.	Briefing and discussion on activities concerning AI
8.	Study on potential effects of the use of AI tools on court efficiency
9.	Tool to improve work-life balance in the judiciary
10.	Any other business

APPENDIX 2

LIST OF PARTICIPANTS

MEMBERS

Pedro ALMEIDA, Head, International Cooperation Unit, Ministry of Justice, PORTUGAL

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

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)

SCIENTIFIC EXPERTS

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

OBSERVERS

CEPEJ Artificial Intelligence Advisory Board (AIAB)

Alfonso PERALTA, Magistrate of the First Instance and Criminal Investigation Court No. 2 of
Guadix, Granada, (online)

Council of Bars and Law Societies of Europe (CCBE)

Anna DROZD, Senior Legal Advisor (online)

European Expertise and Expert Institute

Priscilla PISANI, Expert consultant, member

European Union of Rechtspfleger (EUR)

Ute HOLZER-STERN (online)

High Judicial Council of Bosnia and Herzegovina

Admir SULIAGIC, Director (online)

EXPERTS

Esmin Berhamovic (Bosnia and Herzegovina), Alexandre Palanco (France), Marek Świerczyński (Poland)

SECRETARIAT

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