European Ethical Charter on the use of artificial intelligence in judicial systems and their environment
Background - European Ethical Charter of the use of AI in judicial systems and their environment

AI in judicial systems – a growing phenomenon in Europe, mostly led by the private sector

Different AI applications:
✓ To support legal professionals in performing legal research
✓ To ensure a better predictability of court decisions
✓ To support registries’ work and court administration
✓ To inform and advise citizens
European Ethical Charter on the use of AI in judicial systems and their environment

**PRINCIPLE 1:**

**PRINCIPLE OF RESPECT FOR HUMAN RIGHTS**

Ensure that the design and implementation of artificial intelligence tools and services are compatible with fundamental rights.
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**PRINCIPLE 2:**

**PRINCIPLE OF NON-DISCRIMINATION**

Specifically prevent the development or intensification of any discrimination between individuals or groups of individuals.
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PRINCIPLE 3:

PRINCIPLE OF QUALITY AND SECURITY

With regard to the processing of judicial decisions and data, use **certified sources** and **intangible data** with models conceived in a **multi-disciplinary** manner, in a **secure** technological environment.
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**PRINCIPLE 4:**

**PRINCIPLE OF TRANSPARENCY, IMPARTIALITY AND INTELLECTUAL INTEGRITY**

Make data processing methods accessible and understandable, authorise **external audits**
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PRINCIPLE 5:

PRINCIPLE “UNDER USER CONTROL”

Preclude a prescriptive approach and ensure that users are informed actors and in control of the choices made.
IA applications

Artificial intelligence (AI): possible use with case law

1. Search engines
2. Administration of justice
3. Chatbot
4. Predictive justice

European Commission for the Efficiency of Justice
Commission européenne pour l’efficacité de la justice
Use of AI

- Legal research
- E-discovery
- Risk assessment in contracts
- Document discovery and review
- Checking large amounts of information accurately
- Evidence-based decision-making
- Determining the chances of success in litigation
- Predicting case outcomes
- Identifying precedents
- Conflict checks and due diligence
- Billing

Blockchain
- Smart contracts
- Verifying signatures on legal documents
- Simplifying conveyancing

Analytics
- Processing large amounts of legal data
- Analysing a judge’s prior actions for strategic insights
- Text analytics for contracts
Technological solutions in the legal system

• Automation
  • Contract management, IP, drafting
  • Online production, negotiation and signing of contracts
  • Archiving and retrieval
  • Automated back office and shared services (e.g. scheduling)

• Self-service for clients
  • Chat bots
  • Online service portals, dispute resolution
  • Tools connecting lawyers to clients

Virtual
  • Virtual reality technology for remote participation
  • Cloud-based services; rise of virtual law firms
  • Virtual courts

Further applications
  • Electronic billing and legal fee estimation
  • Electronic case management
  • Facial expression recognition
  • Law education through gamification
International examples

- **Digital platforms & services**
  - uitelkaar.nl (Netherlands): online divorce platform
  - Augusta (Argentina): used by Supreme Court of Buenos Aires, allows users to find legal documents, files, etc.
  - Online Dispute Resolution platform (EU)
  - Internet courts, blockchain copyright protections of online evidence, online trial services, including on WeChat (China)
  - Lex Machina (US): legal analytics
  - ROSS Intelligence (US): legal researcher employed by law firms

- **Chat bots**
  - Eesti Oigusbüroo (Estonia) & Norton Rose Fulbright (Australia): law firms using chat bots

- **Upcoming**
  - Al judge (Estonia) — aims to adjudicate small claims disputes
  - Online dispute resolution for motor accident claims (Singapore)
  - Virtual courts could include remote video hearings, online pleas and video replay tools for jurors (UK)
Thank you!

Questions / Discussion

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