

The aim of the project is to analyze the impact of artificial intelligence on the justice system, taking into account the principle of effective judicial protection under EU law and selected Member States. The justice system remains one of the areas where AI systems can be applied, which is already widespread (e.g., the Polish Random Allocation of Cases System or the Dutch LexIQ system). However, AI systems used in the justice system have been classified as high-risk under the EU AI Act, and concerns were raised during the drafting of regulations that the use of AI, with its specific characteristics (such as the black box effect, complexity, data dependency, autonomous behavior), may have a negative impact on several fundamental rights enshrined in the Charter of Fundamental Rights.

The specificity of the justice system requires that AI systems introduced into it comply with increased obligations, particularly regarding transparency. This stems, among other reasons, from the need to ensure compliance with the principle of effective judicial protection, which is a general principle of EU law arising from the common constitutional traditions of Member States.

The implementation of specific tasks within the project will help answer the following detailed questions: (1) how can the application of AI in the justice system affect the values and rules derived from the principle of effective judicial protection, and in what manner? (2) what are the main risks associated with implementing AI in the justice system in terms of ensuring the observance of effective judicial protection – whether and if so, how is it changing? (3) what are the differences in the approach to the use of AI in the justice system between Member States and the EU? (4) how is the EU system of liability for damages caused by AI systems shaped, and does it respond to technological challenges associated with AI development? (5) can risks related to the use of AI in the justice system concerning data protection be mitigated through the application of existing national, EU, or selected Member State laws? (6) does the current framework of copyright regulations in Poland, the EU, and Member States influence the emergence of risks associated with the use of AI in the justice system?

The novelty of the project lies in its comprehensiveness, interdisciplinary nature, and EU focus. The proposed analysis encompasses not only legal but also economic (including forecasts of the impact of proposed changes on court proceedings) and sociological aspects (pertaining to the evaluation stage). The results of its implementation may contribute to presenting an optimal model for the application of artificial intelligence systems in the justice system for Member States. Additionally, the expected outcome of the project will include formulating practical implementation conclusions and directions for national legislative changes.

The most significant anticipated outcomes of the project will be the preparation of at least 4 scientific articles in English published in reputable scientific journals, as well as participation in at least 2 international scientific conferences. The project also holds crucial importance for my forthcoming doctoral dissertation on the impact of artificial intelligence on the justice system.