

# COST Action – Grant Application

*Prepared by Francesco Contini, Alina Ontanu and Marco Velicogna based on the input provided by the members of the Working Group on Grants and Projects of the Justice Administration Research Association.*

## 1. COST Action Grant: Some Information About this Type of Funding and the Participants

The Cost Action Grant is **not a grant** that provides funds **for carrying out research or new research projects**. It is a type of grant that should be understood as a **platform to empower networking activities, meeting organisation, exchange of knowledge and coordinate research projects or innovations already carried out by our members at the institutional or personal level**.<sup>1</sup> This type of grant is meant to help connect research initiatives across Europe and beyond and enable researchers, innovators, and practitioners to get in touch with each other, meet through activities (e.g. workshops, conferences, training schools, mobility stays) and grow their ideas by sharing them with their peers. It aims to facilitate the creation of bottom-up networks that can lead to future collaborations, research, and knowledge sharing between young researchers (under 40 years of age) and more experienced researchers, between scholars and practitioners, and across participating countries and beyond.

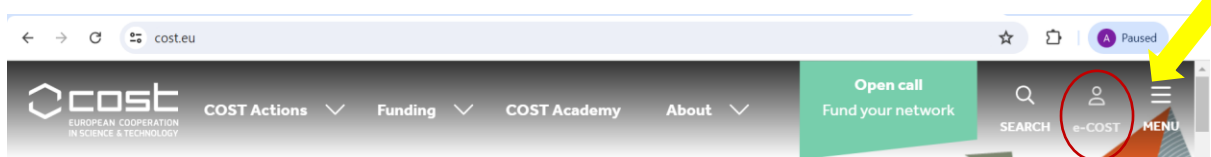
The COST Action Grant is a grant that is based on the **personal participation of individuals; it is not requiring the participation of organisations**. However, participants in the COST Action need to be affiliated with a legal entity (e.g. university, research institute, ministry, professional association, court, prosecutor's office, school for the judiciary, NGO) in order to be able to become a partner of the Action.

The grant, if awarded, is going **to cover networking-building activities costs for a period of four years**.

## 2. How to Become a COST Action Participant ?

In order to participate in the COST Action grant proposal, you need to things:

- 1) receive an **invitation** to be added as partner by Alina Ontanu. For the invitation you can send an email to Alina Ontanu: [e.ontanu@tilburguniversity.edu](mailto:e.ontanu@tilburguniversity.edu) giving her your email address with which you want to be linked to the COST Action;
- 2) create a **COST Account**. This can be created by going on the COST website (<https://www.cost.eu/>) and clicking on the top right bar on **e-COST**:



<sup>1</sup> More information about the grant can be accessed here: <https://www.cost.eu/> and about the call for applications here: <https://www.cost.eu/funding/open-call-a-simple-one-step-application-process/> .

In creating a COST profile, you may choose to use your ORCID ID (if you already have one or if you would like to create one), but this is not mandatory. For those of you who do not have an ORCID ID (Open Researcher and Contributor ID), but would like to create one, this is possible. The ORCID ID is the unique personal identification number used to univocally identify contributors to papers or research activities. It's pretty simple to get it at this link : <https://orcid.org/>.

If practitioners such as, magistrates or lawyers, do not have an ORCID ID and would not like to create one, it is perfectly possible to continue without choosing this option to create a COST profile.

In the creation of the COST profile, you will also be requested the **PIC number** of the **legal entity with which you are affiliated**. PIC is the **Participant Identification Code** required by all organisations involved in projects with the European Commission. If your organisation has already been engaged in any EU research project, we assume this is the case for all researchers and judges since Ministries and Councils are frequently involved in such projects; you can check the PIC at this link: <https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/how-to-participate/participant-register>.

If not, there is a link to register your organisation on the same page: <https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/how-to-participate/participant-register>.

### 3. COST Action Grant Proposal Requirements

Some of the key aspects of the proposal are:

- Having an **innovative proposal**;
- Favouring **interdisciplinarity**;
- Have an initial team of proposers that is **geographically inclusive, age-balanced, and gender balanced**.

With regard to participating countries, COST has the following division:

**COST Full Members:** Albania, Armenia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Republic of Moldova, Montenegro, Netherlands, Republic of North Macedonia, Norway, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Türkiye, Ukraine, and United Kingdom.

**COST Cooperating Member:** Israel

**Partner Member:** South Africa

**COST Near Neighbour Countries:** Algeria, Azerbaijan, [Belarus], Egypt, the Faroe Islands, Jordan, Kosovo, Lebanon, Libya, Morocco, Palestine, [Russia], Syria, and Tunisia.

**COST Inclusiveness Target Countries:** **EU Member States:** Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Greece, Hungary, Latvia, Lithuania, Malta, Poland, Portugal, Romania, Slovakia, and Slovenia; **EU Member States Outermost Regions:** French Guiana, Guadeloupe, Martinique, Mayotte, Reunion Island and Saint-Martin (France), Azores and Madeira (Portugal), and the Canary Islands (Spain); **Full Members that are not EU Member States:** Albania, Armenia, Bosnia and Herzegovina, Georgia, Moldova, Montenegro, North Macedonia, Serbia, Türkiye, Ukraine

For making a COST Action funding **proposal the minimum requirement** is to have a network of proposers from at **least 7 different COST Full or Cooperating Members** among which **at least 50% shall be from COST Inclusiveness Target Countries**. There can be more than one proposer from the same country. There is no maximum number of proposers from the same country. For example, it can be a university, research institute, court, prosecutor's office, Ministry of Justice, Bar Association from the same country being partners in the submission of the proposal.

#### 4. Why us?

We started with the JAR-Association (<https://jar-association.eu/>) because the association has the advantage of being a large group that brings together researchers and practitioners (judges, prosecutors, lawyers, and consultants), and we also have some institutional members, but we want to reach also other practitioners, scholars, policymakers who are not part of this association and share ideas about justice innovation and think of the way forward in justice innovation.

As a group we are genuinely multidisciplinary, and we share the idea that engaged research and justice reforms and innovation projects require and benefit from the plurality of disciplinary perspectives and the exchanges between researchers and practitioners. So, we think that as a group, we are well suited to make a sound proposal, and this will allow us to organise more activities in our areas of interest, as well as contribute to the 'growing' of a younger generation of researchers and practitioners in justice administration, favour an intergenerational and interprofessional dialogue, and consider the issues of our research or professional activity from a multidisciplinary perspective.

We hope you will be interested in joining us as our partner for this application.

With these goals in mind, the COST Action topic we want to propose is a project that can support networking, mutual learning, and boost the projects already in place on which the partners work, have worked or will finalise working on in the coming period or which the partners are starting to undertake. By the end of the COST Action, the network that we build will also facilitate the rise of new initiatives and projects between the created network.

#### 5. Additional Questions?

If you have additional questions regarding the **COST Action Grant scheme**, please send an email to: Alina Ontanu ([e.ontanu@tilburguniveristy.edu](mailto:e.ontanu@tilburguniveristy.edu)) and Mariana Zuleta Ferrari ([M.ZuletaFerrari@tilburguniversity.edu](mailto:M.ZuletaFerrari@tilburguniversity.edu)).

If you have a question concerning the **topic of the proposal**, please send an email to Alina Ontanu ([e.ontanu@tilburguniveristy.edu](mailto:e.ontanu@tilburguniveristy.edu)), Francesco Contini ([francesco.contini@cnr.it](mailto:francesco.contini@cnr.it)) and Marco Velicogna ([marco.velicogna@cnr.it](mailto:marco.velicogna@cnr.it)).

## Proposal Idea: The Responsible Justice Innovation Network (ReJI)

### The COST Action Topic

#### Introduction

The last 30 years have witnessed a transformation, often slow and sometimes hidden, of European judicial institutions. Changes have been pushed by **three main drivers: managerialisation, digitalisation, and the Europeanisation of procedures.**

Since the 90s, the three drives have started to change justice institutions, with innovations and reforms addressed to “modernise” the administration of justice. Changes brought in new ideas: justice is seen as a service, users are ideally placed at the centre of the stage, digital technologies automate, and support operations and managerial methods are needed to use the available limited resources better and increase transparency. In its turn, values like efficiency and accountability complemented the classical fundamental values of European traditions spelt out by the Art. 6(1) ECHR and Article 47 Charter of Fundamental Rights.

At the same time, these drivers, which come from outside the traditional judicial circuits, led to failures and piecemeal innovations, as well as step-by-step development that were later consolidated in structural changes. Overall, changes have been hard to observe and assess. They are partially hidden, nonlinear, but definitively cumulative. Research has typically focused on single initiatives, while the research has suffered from a narrow disciplinary approach, being managerial, technological, or legal. Taking a more comprehensive perspective, after thirty years of reforms and innovation, European judiciaries changed in directions that are neither wholly captured nor assessed in terms of impacts on the subjects involved, on service delivery, and, ultimately, on the values that the administration of justice must fulfil. This calls for action to create a new approach towards justice sector innovation that on one side ease its design and deployment, and on the other side ensures that fundamental values are protected or improved by the innovation process.

This Action is meant to answer this call for action by developing a **Responsible Justice Innovation Network (ReJI)**. ReJI will rely on the creation of a network for to foster the cooperation of researchers and justice stakeholders, and the definition of new **participatory methods** for designing, implementing, and assessing the impact of innovation in the justice sector.

#### Common Patterns & Drivers of Change in Justice Administration

While the various national experiences must be accounted for in their local specificities, common patterns can be found around the three main drivers of change: managerialisation, digitalisation, and Europeanisation of procedures.

*Managerialisation:* The managerial methods were introduced to make the administration of justice more effective, efficient, accessible, accountable, and user-oriented. Methods like workload assessment, time management, performance-based budgeting (PBB), and management by objectives (MBO) are considered key for a sound administration of courts and justice systems. Further, the tenets of New Public Management (NPM) and the guidelines of international institutions promoted alternative dispute resolution to offload courts’ caseload. On a more symbolic level, justice seekers are portrayed as taxpayers and the reforms are mainly addressed to improve efficiency and effectiveness. Results have been mixed, with increased productivity sometimes coupled with too much pressure on judges and the lack of time for the proper consideration of cases.

*Digitalisation:* Digitalisation is ubiquitous. The idea of filing a court claim in paper format - and not digitally - is seen as an embarrassment by judicial policymakers. Thus, any single justice action should be carried out using digital media from filing to disposition. Going digital is expected to deliver more efficient, transparent and accountable justice, streamline and standardise procedures, and ease access to justice. Hence, improving also the managerialisation results. The latest developments to be adopted by justice services are e-Justice platforms that are evolving towards new digital working environments where judicial procedures unfold (e.g. eCodex, Citius). Digital standardised procedures aim to make access to justice easier, faster and simpler in national, as well as cross-border setting. However, the results reached are sometimes ambiguous and not always those desired or expected.

*Europeanisation of the administration of justice* is enframing the process of aligning European national judicial systems with norms, laws, standards, soft law and “best practices”, fostering legal harmonization, cross-border judicial cooperation and mutual trust, fair trial and the rule of law. It primarily concerns the influence of the European Union, the Council of Europe and other European institutions on the multifaceted aspects of the administration of justice. This unfolds in different areas: the regulation of cross-border proceedings and judicial cooperation (e.g. European Arrest Warrant - EAW), the definition of common procedural standards (Taking of evidence) and uniform procedures (European Order for Payment - EOP), technological developments at operational and regulative levels (eCodex, GDPR, Digital Service Act, AI Act), the identification of preferred governance arrangements (Judicial Councils), the definition of benchmarks (EU Justice Scoreboard, CEPEJ evaluation report), and rulings of supranational courts’ (CJEU and ECHR). These actions have set procedural and substantive regulative frameworks, and proposed measures aimed at shaping, management and digitalisation actions towards common directions. They have built a multi-layered governance system in which new actors (International organisations, EU institutions and agencies, EU Networks), play relevant roles in defining court operations and how courts must solve disputes. While from a European perspective all changes are taken to allow judiciaries to contribute to achieve the objectives stipulated in the Treaties, their impact on the operations and institutional settings of the national justice administration differ and lead to various results.

### **Assessment of the Innovative Developments**

Even a sketchy evaluation of all the changes in the three areas – managerialisation, digitalisation, and Europeanisation - shows how these developments inject complexity. At the same time, the complexity does not necessarily end in systematic gains.

The dominant narrative related to the registered changes emphasises how, for court users, it can be simpler to access legal information and electronic procedures. Some procedural tasks have been streamlined and automatised. Dashboards provide real-time pictures of court operations, supporting data-driven case management. However, the most recent statistical data by the European Commission for the Efficiency of Justice (CEPEJ) show how, in several EU countries, the number of decided cases per judge is decreasing. The data, which requires a thoughtful assessment, matches with the hypothesis that digitalisation and managerialisation did not lead to improved efficiency or accountability. The results are driven by a decrease in the number of cases that are coming to courts in several European countries. Also, evidence shows how some changes created functional dependencies between the justice system and service providers and made the delivery of justice subject to a growing number of external actors. This new multi-layered governance, in which service and technology providers, managerial consultants and new institutional players influence the delivery of justice, is making responsible justice innovation choices more difficult.

## The COST Action Aim

While a growing number of scholars and research institutions investigate various aspects of the administration of justice, most of the work is still done within a single disciplinary domain, failing to capture the big picture and its intricacies. Researchers from fields like public administration, information systems, sociology and political science have flanked the traditional work of legal scholars, but increasing collaboration between research institutions and other parties is becoming highly desirable in order to be able to explore more varied perspectives and encourage a systematic dialogue and a joint analysis between scholars in different fields and a broad range of key players: policymakers, judges, prosecutors, court managers, lawyers, advisors and developers.

For this the **Action's challenge is to develop a Responsible Justice Innovation network and approach**. Facing the challenge requires map out, understand and find ways to address the key question of how to innovate justice institutions while safeguarding and upholding the principles of fair trial and the rule of law and their embedded values provided by Article 6 ECHR and Article 47 of the Charter. This multidisciplinary approach is essential to get the overall picture of the changes that occurred and of their effects on justice administration. Also, it is needed to capture the combined impact of the different innovations, their entanglements, and combined effects.

A better understanding of current features and dynamics is needed for practitioners to better cope with their changing environment and its emerging challenges. Ultimately, it aims to improve institutional strength, innovation process, daily operations of courts, and better align the administration of justice with the framework provided by Article 6(1) ECHR and Art. 47 of the Charter and a human-centric approach towards the development of justice solutions.

For this the ReJI challenge can be tackled as follow:

- 1) **Re-Tuning research** on innovation in judicial administration with a strong multidisciplinary connotation and a new cooperation between academia and stakeholders ;
- 2) **Understanding the dynamics** of justice systems transformations at institutional-constitutional, operational-organisational, and social-individual levels;
- 3) **Assessing the impact** of specific innovations such as GenAI, databases, budgeting, management by objectives, case weighting, uniform EU procedures, ADR and ODR;
- 4) **Analysing the effects** of innovations on justice governance, systems operations and ultimately on the balance between fair trial, RoL, and efficiency;
- 5) **Improve, as a result of the previous points**, justice systems innovations and reforms dynamics, their alignment with fundamental values;
- 6) **Developing** three levels of knowledge: **scientific** (result of the project and other research endeavours), **practical knowledge** (how to ...) **awareness** (result in outreaching the general public and stakeholders); and
- 7) **Enhance the cooperation between academia and stakeholders** with the creation of an epistemic community.

## COST Action Grant Structure

The activities to be undertaken as part of a COST Action Project are structured around six working groups. The following structure of Working Groups (WG) has been envisaged:

WG1 Project management, dissemination, communication and exploitation

WG2 Managerialisation

WG3 Digitalization

WG4 Europeanisation of procedures and standards

WG5 Innovation drivers' interconnections and comparative analysis

WG6 Development, assessment, testing and sustainability of the ReJI approach.

The first WG is related to the management and dissemination of the outcome of the project. The next three WGs will work to analyse and assess dynamics and impacts generated by the three drivers of change and contribute to the identification and analysis of the thematic focuses in which specific issues (crosscutting) will be analysed. The last two WG will look at the interaction of the three drivers in innovation and the ReJI approach.

## **COST Action Envisaged Activities**

### **Coordination meetings**

Given the rules of the COST Action, each WG is expected to have at least one online and one in person organisational meetings each year. For saving and practical reasons, meetings can be organised in conjunction with workshops or other in-person events. These meetings will be addressed, among others to support networking, **plan study visits and short-term exchanges**, and organising the activities envisaged by the project: conferences, summer schools, workshops and innovation lab. These activities are better outlined below.

### **Two COST Action conferences**

Given the timeframe of four years, two conferences will be organised at the end of Year 1, working also as external kick-off event, and at Year 4 working also as final public event. The first conference will be addressed to identify and discuss **the current challenges of justice administration and transformation**, second will give the opportunity to present the **overall results of the project, and foreword actions to consolidate and broaden the network**. Relevant EU institutions and international organisations will be invited.

### **Two summer schools**

The summer schools will be addressed mainly to young researchers and professionals (e.g. graduates, PhDs, post-docs, young professionals) and support the knowledge sharing between more experienced scholars and professionals and the younger generations. They will be organised in conjunction with the two conferences to maximise participation and reduce costs and environmental impact. The summer school will be focused on both research methodology, development of skills in empirical judicial studies, and substantive issues allowing the cultivation of a multi-cross-disciplinary approach to judicial transformation; summer school participants will also be invited to present their works at the conference. Participants will be invited to reflect on the potential or actual impact of the conference and of the school on their research projects or professional activities.

### **Workshops**

The working groups will organise workshops in hybrid format, to ease the participation of stakeholders with busy agendas, and discuss how each driver of change is penetrating judicial institutions, how their transformative effects are affecting the service delivery (functioning and organisation) and impacting on the values underpinning the administration of justice. With this approach, while moving from a specific driver of change, workshops will also consider the interplay between them, and the ReJI approach. Workshops will be pivotal in generating the knowledge

required to assess the ongoing changes and challenges on the delivery of justice and design the ReJI approach. The workshops will be pivotal in assessing the ongoing changes and challenges in the delivery of justice. In their turn, the findings will be relevant to organize innovative training programs for a new generation of researchers and practitioners.

### **Innovation Lab Methodology**

The Innovation Lab is envisaged as a collaborative space designed to experiment the ReJI approach in real-world settings, with specific innovations like 'e-filing platforms', 'cross-board taking of (e-)evidence', 'performance monitoring'. It brings together researchers and stakeholders from various countries to collectively identify challenges, test solutions, and assess the impact of the designed model. The lab employs a three-step process: first, participants present how a chosen innovation has been implemented in their countries, to identify shared challenges. Next, they apply the ReJI approach to address these challenges and simulate its functioning. The lab may use controlled environments or "sandboxes" to safely test high-risk technologies, such as AI in judicial proceedings, and simulate real-life scenarios to ensure practicality and robustness. Finally, the ReJI assessment methodology is used to gauge the innovation's impact on operations, fair trial and the rule of law. By fostering a multidisciplinary perspective, and empowering the dialogue between scholars and stakeholders, the Innovation Lab serves as a platform for collective problem-solving, driving innovation in judicial systems through informed and effective innovation strategies in line with justice fundamental values.

Through the exploration of potential improvements and the assessment in real cases of how the three drivers of change affect the delivery of justice, the innovation labs will also foster the development of communities of practices engaging people who, in their professional or academic jobs, work on the same practice areas.