

Study visit by President Massimo Ferro of the Italian Supreme Court of Cassation to the Cour de cassation

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From October 16 to 20, 2023, Mr. Massimo Ferro, President of the First Civil Chamber of the Italian Supreme Court of Cassation, paid a study visit to the Cour de Cassation.

As part of the enhanced cooperation between the Cour de Cassation and *the Corte Suprema di Cassazione*, and as part of the Network of the Presidents of the Supreme Judicial Courts of the European Union, President Massimo Ferro was welcomed for a one-week visit, during which he had the opportunity to exchange views with various magistrates of the Court in order to strengthen his understanding of the institution, its working methods and its operations.

Following the progress of the appeal, Mr. Molinié, President of the French Bar Association (Ordre des avocats au Conseil d'Etat et à la Cour de cassation), met with Mr. Ferro, President of the French Bar Association. Together, they discussed the role played by lawyers in cassation proceedings, and the advantages of the specialized bar system, in the presence of Mr. Thomas Lyon-Caen, President-designate.

Mr. Patrick Matet, Honorary Elder Judge to the First Civil Chamber, then presented the organization, functioning and circuit of the Court's appeals. Emphasizing the similarities and differences between our systems, President Ferro was

able to question Mr. Matet on recent reforms in the guidance of appeals and the tools available to judges in drafting their decisions.

Mr. Edouard Rottier, Judge referee in charge of Open Data for court decisions, at the Service de la Documentation, des Etudes et du Rapport, explained the major Open Data project for court decisions and the use of new technologies by the Cour de cassation. These issues are of particular importance given that the Italian court has implemented a major digitization plan and recently introduced an electronic signature. President Ferro, who is in charge of the digitization plan for his court in Italy, was also given a presentation of the Virtual Office, a digital work interface for the French court's magistrates.

Ms. Florence Marguerite, Judge referee, special advisor of the First President's office, spoke to President Ferro about the reforms being carried out by the Cour de cassation. Some of these reforms are the fruit of the Cour de cassation 2030 report, presented and commented by André Potocki, Honorary Judge, former French judge at the European Court of Human Rights, and chairman of the commission that produced the report. Discussions were particularly lively on the role and place of legal assistants within the Cour de cassation. The Italian Supreme Court of Cassation, having benefited from a European recruitment plan for these specialized jurists, has had to adapt its procedures and workload distribution in order to build a team around the judge. His feedback was invaluable to the Cour de cassation, which initiated the introduction of legal assistants in its chambers last year.

The presidents of the Social, Criminal and First Civil Chambers received Mr. Ferro prior to the hearings he attended, enabling him to see this information illustrated by concrete examples. They discussed issues of particular importance to both courts, including the distribution of proceedings, the role of the reporting judge, the position of the elder judge and, more generally, case stock management. The meeting with President Champalaune provided an opportunity to compare practices between the two sister chambers.

Finally, Mr. Ferro met with Ms. Catherine Courcol-Bouchard, First Honorary Advocate General of the Social chamber, who discussed with him the functioning and organization of the Prosecutor General's Office, as well as the methodology for drafting opinions. A number of interesting questions emerged from this exchange, notably concerning the function of honorary magistrate, which does not exist in Italy.

These exchanges between magistrates promote dialogue between judges through a better understanding of different legal systems, and contribute to the strong links between the two courts. This visit marked a new stage in the enhanced cooperation with the Italian Supreme Court of Cassation, as called for in the First President's international strategy.