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Dr hab. Małgorzata Manowska

Pierwszy Prezes Sądu Najwyższego

## 2024 Rule of Law Report – targeted stakeholders consultation

### I. Judicial System

#### A. Independence

Appointment and selection of judges, prosecutors and court presidents (incl. judicial review)

On 11 December 2023, the Constitutional Tribunal issued a judgment Kp 1/23, on the motion of the President of the Republic of Poland, concerning the compliance of selected provisions of the Law of 13 January 2023 amending the Law on the Supreme Court and certain other acts with the Constitution of the Republic of Poland.. The Tribunal found the challenged provisions to be inconsistent with art. 178 and 180(1), art. 184 and art. 183(1) of the Constitution of the Republic of Poland. The extended mechanism for testing the independence of a judge and the transfer of disciplinary and immunity cases to the Supreme Administrative Court were found to be incompatible especially with the principle of legalism.

With regard to the selection of judges the Law on Amendment of Civil Code and other acts of 28 July 2023 (Journal of Laws 2023, item 1615) shortened the deadline for applying for a judicial position. It states since 15 November 2023 that anyone who fulfils the conditions for the position of a judge of a common court may submit his/her candidature for one judicial post within fourteen days from the date of the announcement on vacancies, instead of 30 days. Amended art. 58 § 1 of the Law on Common Courts states that the examination of the applications shall take place at the same meeting of the court's board convened by the president of the competent court, for a date falling no later than fourteen

days from the date on which the assessment of the qualifications of the last candidate was posted in the teleinformatic system.

Some new rules on the appointment of court clerks (referendarze) were adopted in the Amendment Law of the Code of Civil procedure and other acts (Journal of Laws 2023, item 1860). According to the art. 149 § 1a of the Law on Common Courts the requirements for candidates do not apply to those who, prior to their appointment, have been employed as a full-time assistant judge for a period of at least 5 years. In the case of part-time employment, this period shall be extended proportionally. The amended art. 150 § 1 requires specifically that positive evaluation from the preceding 5 years are relevant while applying for the position of a court clerk (previously no particular assessment time period was specified).

### **Irremovability of judges, including transfers, (incl. as part of judicial map reform), dismissal and retirement regime of judges, court presidents and prosecutors (incl. judicial review)**

With regard to court clerks the Law on Amendment of Civil Code and other acts of 28 July 2023 (Journal of Laws 2023, item 1615) changed rules concerning the transfer to other positions at the request of the assistant judge. It states since 15 November 2023 that the Minister of Justice or the president of the appellate court shall issue a decision on the application of a court clerk for transfer to another official position, taking into account the rational use of the staff of the common judiciary, the needs resulting from the workload of individual courts, as well as the circumstances resulting from the grounds for the application (art. 151a § 1c of the Law on Common Courts). If the application is not granted, the court clerk may submit another application for transfer not earlier than after the lapse of 3 years, unless the reason for not granting the application was only the lack of a sufficient number of vacant positions of the legal secretary in relation to the number of applications. An application submitted before the expiry of this time limit shall be left without consideration. Differently to the previous state of affairs, it does not contain the rule that an application can be refused if the transfer would have taken place to another court in the same city.

### **Promotion of judges and prosecutors (incl. judicial review)**

No legislative changes concerning the promotion of judges and prosecutors occurred in the year 2023.

### **Allocation of cases in courts**

The Law on the State Commission for Investigating Russian Influences on the Internal Security of the Republic of Poland 2007-2022 of 14 April 2023 (Journal of Laws 2023, item 1030) has provided the Chamber of Extraordinary Control and Public Affairs as competent to hear appellations from decisions of the State Commission for Investigating Russian Influences on the Internal Security of the Republic of Poland 2007-2022 (art. 26 § 1 point 8b of the Law on the Supreme Court).

Law amending the Law – Teachers' Charter and certain other acts (Journal of Laws 2023, item 1672) added new competence to art. 1 of the Law on the Supreme Court, stating that the Supreme Court is competent to carrying out educational, scientific, publishing and museum activities in the field of the history of the Polish judiciary, with particular emphasis on the history of the supreme courts.

According to the Amendment Law on the Criminal Code and other acts of 7 July 2022 (Journal of Laws 2022, item 2600) the Supreme Court became obliged to publish not only the final verdict together with the reasons, but dissenting opinions as well (new art. 8 of the Law on the Supreme Court, in force since 1 October 2023).

No other legislation concerning the allocation of cases in courts took place in the year 2023.

**Independence (including composition and nomination and dismissal of its members), and powers of the body tasked with safeguarding the independence of the judiciary (e.g. Council for the Judiciary)**

The Law on the State Commission for Investigating Russian Influences on the Internal Security of the Republic of Poland 2007-2022 of 14 April 2023 (Journal of Laws 2023, item 1030) has supplemented the existing provision on incompatibility of adjudicatory activity of a judge delegated by the Minister of Justice to perform his services in the executive. According to the amended art. 77 § 2b of the Law on Common Courts, the provision extends to persons delegated to work in the Chancellery of the Prime Minister. The posting of a judge for a fixed period is also understood to be a posting for the duration of the function or position, if the law specifies the period for which the function or position is held – provides art. 77 § 1a of the Law on Common Courts as added by the Law on Amendment of the Code of Civil Procedure and other acts of 9 March 2023 (Journal of Laws 2023, item 614). There were neither further legislative changes concerning the independence of the Judiciary and its interaction with other powers, nor amendments of the Law on National Council of Judiciary.

### Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal/civil (where applicable) liability of judges (incl. judicial review)

There were no legislative changes in the area of accountability of judges and prosecutors in the year 2023. The disciplinary proceedings were held as in the year 2022 before the Chamber of Professional Liability of the Supreme Court with the respective body of rules remaining unchanged. The only relevant legislative change occurred in the Law on the National Council of the Judiciary, whose art. 3 sec. 2 point 4 and art. 6 were repealed. In consequence the National Council of the Judiciary lost her competence to elect a disciplinary ombudsman for common court judges and court assessors and a disciplinary ombudsman for military court judges (Amendment Law on the Civil code and other acts of 28 July 2023, Journal of Laws 2023, item 1615), in force since 15 November 2023.

### Remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year), transparency on the system and access to the information

With regard to remuneration of judges, SC judges, the judges of Supreme Administrative Court and the judges of Constitutional Tribunal, in December 2022, the First President of the Supreme Court, the President of the Supreme Administrative Court and the National Council of the Judiciary applied to the Constitutional Court for a review of the constitutionality of an episodic provision defining the base rate of judicial remuneration. By judgment of 8 November 2023. K 1/23 (OTK ZU A/2023, pos. 80), the Constitutional Tribunal declared the provisions of this episodic law inconsistent with the Constitution of the Republic of Poland and thus reintroduced the permanent, statutory principles shaping the dynamics of judicial remuneration.

### Independence/autonomy of the prosecution service

N/A

### Independence of the Bar (chamber/association of lawyers) and of lawyers

N/A

### Significant developments capable of affecting the perception that the general public has of the independence of the judiciary

On December 14, 2023, the newly appointed Minister of Justice submitted for inter-ministerial consultations a draft of changes to the regulation of the Minister of Justice of June 18, 2019 - Regulations on the operation of common courts (Journal of Laws 2022, item 2514) (document 652333.pdf (rcl.gov). .pl)), which violate the Constitution and statutory regulations by interfering with the independence of judges and introducing a mechanism of manipulation of randomly selected **adjudicating bench**.

Serious disruptions in the functioning of the justice system may be caused by the dismissal by the Minister of Justice - Prosecutor General of 144 delegations of prosecutors, including 94 from the National Prosecutor's Office and 50 from Regional Prosecutor's Offices. As indicated by the National Prosecutor's Office, "[T]he simultaneous dismissal of 144 prosecutors who perform their official duties in the National Prosecutor's Office and in the Regional Prosecutor's Offices will result in negative and irreversible legal consequences for the ongoing proceedings, in particular for the aggrieved persons. For example (...) the Cybercrime and Computerization Department, which is responsible for supervising and coordinating the most serious cybercrime proceedings, which are of particular importance today, will practically cease to exist. The situation is similar in the International Cooperation Office".

The actions of the Minister of Justice - Prosecutor General lead to a situation in which attempts are made to achieve specific political goals through actual actions without initiating the legislative process, thus leading to a violation of the law. Moreover, the Minister of Justice - Prosecutor General, being a senator, in addition to general management of the Prosecutor General's Office as the central administrative body, began to perform strictly prosecutorial functions, which is unacceptable in the case of members of parliament and should result in the expiration of his senatorial mandate. In the past, parliamentary mandates were terminated for MPs who were only retired prosecutors and did not undertake any prosecutorial activities

## B. Quality of justice

### Accessibility of courts (e.g. court/legal fees, legal aid, language)

#### 1) Court fees

The Law of 7 July 2023 amending the Law - Code of Civil Procedure, the Law - Law on Common Courts, the Law - Code of Criminal Procedure and certain other acts introduced changes to the Law of 28 July 2005 on court costs in civil cases (u.k.s.c.). The changes include in particular:

- introduction of a preferential court fee in cases with the value of the subject matter of the dispute exceeding PLN 20,000 (it refers to *actio pauliana*, a specific type of legal remedy

that provides a creditor with the possibility to have an act declared ineffective with respect to that creditor, that act having been carried out by a debtor to diminish its assets by passing them on to a third party). Above PLN 20,000, the fee is converted into a fixed fee and regardless of the value of the subject matter of the dispute, it amounts to PLN 1,000. The preference relates not only the lawsuit, but also appeals (the fee for an appeal and a cassation complaint is PLN 1,000, and for a complaint - PLN 200). Reduced fees benefit not only the plaintiff (the person filing the *actio pauliana*), but also the defendant who, for example, files an appeal or a cassation complaint;

- introduction of a fixed fee for the application for reasons;
- extension of exemption from court fees in labor law cases.

## 2) Access to alternative dispute resolution methods

The Law of 7 July 2023 amending the Law - Code of Civil Procedure, the Law - Law on Common Courts, the Law - Code of Criminal Procedure and certain other acts reduced the fee for a petition for summons to a conciliation hearing - in property rights cases. Pursuant to the added art. 23a u.k.s.c. a fixed fee of PLN 120 is charged for a petition to call for a summons to a conciliation hearing in property rights cases when the value of the subject matter of the dispute does not exceed PLN 20,000, and in the amount of PLN 300 - when the value of the subject matter of the dispute exceeds PLN 20,000. In the event of a settlement, three-quarters of the settlement fee is refundable. This is intended to promote the amicable resolution of disputes.

## 3) Special rules on access to justice

In 2023, the Ministry of Justice project "Providing access to justice for people with disabilities" was completed. One of the most important results is the development of the Accessible Court Model. It specifies specific requirements that the court building should meet. This includes: for architectural adaptation, communication inside the building, sanitary rooms. As part of the project, adaptation and construction works are carried out in 35 court buildings throughout Poland. Devices are being installed to enable people with special needs to use justice facilities independently.

The provisions of the Code of Civil and Criminal Procedure, which concerned the conditions of interrogations of minors and persons with mental disorders, were also changed. A friendly interrogation procedure was implemented, intended for victims and witnesses whose interrogation under normal conditions would cause mental discomfort. In addition, judges adjudicating in criminal cases have been obliged to participate in

training in psychology and communication with minors and people affected by disorders (<https://www.gov.pl/web/spowiedzeliwosc/projekt-dostepnosc>).

4) Special arrangements for victims of violence against women/domestic violence, child-friendly justice system

In 2023, new legal solutions came into force to strengthen the protection of people experiencing domestic violence. The provisions of the Law of 9 March 2023 amending the Law on counteracting domestic violence and certain other acts (Journal of Laws, item 535) provide that a person using physical violence constituting a threat to the life or health of household members must, pursuant to a police decision, leave the apartment immediately. He is also banned from approaching the home for 14 days, and the courts have tools at their disposal to hear the case faster. By 1 July 2023, a total of 10,127 orders were issued for perpetrators of violence to leave a shared apartment and its immediate surroundings, as well as prohibitions to approach the apartment and its immediate surroundings. Solutions have also been introduced to isolate people who use domestic violence when they pose a threat to the life or health of other people, also outside the shared apartment. The Police and Military Police were authorized to issue an immediate order against such a perpetrator: a ban on approaching a person affected by violence at a distance specified in meters; a ban on contacting a person affected by domestic violence in order to prevent him from being harassed also by means of distance communication (e-mail, telephone, instant messengers); a ban on entering and staying in specific places, such as the workplace, school or educational, care and artistic facilities, as well as sports facilities attended by a person affected by domestic violence or their children. The Act also introduced solutions in the field of criminal procedure friendly to the vulnerable persons. According to the new regulations, the authority conducting the proceedings will, based on a detailed questionnaire, determine the individual needs of the injured party. Thanks to this, the interview will be prepared taking into account his personal situation - limitations and needs. Changes also occurred in the procedure for providing instructions on the rights and obligations of participants in the proceedings. They must be prepared in simple, understandable language. For persons who are incapable due to age or health, or persons who are under 18 years of age, additional explanations regarding their rights and obligations are provided. Depending on the target group, they will be provided in a descriptive or (for the youngest) graphic form (Victims of violence have gained even greater protection and assistance - Ministry of Justice - Gov.pl Portal ([www.gov.pl](http://www.gov.pl)))

**Resources of the judiciary (human/financial/material) (Material resources refer e.g. to court buildings and other facilities. Financial resources include salaries of staff in courts and prosecution offices)**

1) Pursuant to § 2 of the Regulation of the President of the Republic of Poland of 14 July 2022 - Rules of Procedure of the Supreme Court, the number of judge positions in the Supreme Court is 125. At the end of 2023, 95 judges sat in the Supreme Court. In 2023, the President, acting on the request of the National Council of the Judiciary, appointed 8 judges. In 2023, 3 judges retired. At the end of 2023, the number of vacancies is 30.

2) The basic remuneration of a Supreme Court judge is a multiple of the basis for determining this remuneration, using a multiplier of 4.13. The basis for determining the basic remuneration of a Supreme Court judge in a given year is the average remuneration in the second quarter of the previous year, announced in the Official Journal of the Republic of Poland "Monitor Polski" by the President of the Central Statistical Office pursuant to art. 20 point 2 of the Law of 17 December 1998 on pensions and annuities from the Social Insurance Fund (Journal of Laws of 2022, items 504, 1504 and 2461). If the average remuneration is lower than the average remuneration announced for the second quarter of the previous year, the basis for determining the basic remuneration of a Supreme Court judge is the current amount. The remuneration of a Supreme Court judge is determined at the basic or promotional rate. The promotion rate is 115% of the basic rate. When taking up the position, a judge of the Supreme Court receives basic remuneration at the basic rate. After 7 years of service in the Supreme Court, the basic salary of a Supreme Court judge is increased to the promotion rate. In connection with the performed function, a judge of the Supreme Court is entitled to a function allowance, the amount of which is determined using the multipliers of the basis for determining the remuneration.

3) The expenditure plan of the Supreme Court includes an amount of PLN 219 million, i.e. over PLN 22 million more than in the plans for 2022.

#### **Training of justice professionals (including judges, prosecutors, lawyers, court staff, clerks/trainees)**

In 2023, conferences of the Supreme Court's chambers (the Chamber of Professional Responsibility and the Chamber of Extraordinary Control and Public Affairs) were held by the Supreme Court, in which both judges and judges' assistants took part. The topics of speeches and discussions included: around current doctrinal and jurisprudential problems. Regardless, as every year, Supreme Court judges took an active part in the exchange program of the Network of Presidents of the Supreme Courts of the EU. In 2023, the receiving courts were Lithuanian and Dutch.



Digitalization (e.g. use of digital technology, particularly electronic communication tools, within the justice system and with court users, procedural rules, access to judgments online)

1) Pursuant to the applicable regulation of the President of the Republic of Poland of 29 June 2021 on the manner of dealing with files of the Supreme Court (Journal of Laws, item 1193), court cases, books and recording devices of court cases of the Supreme Court, constituting repertory and indexes, are conducted in electronic form, in the Supreme Court's IT system. Via the website of the Supreme Court, it is possible to access information about court cases (e-wokanda) and information about planned court hearings (e-wokanda).

2) The First President of the Supreme Court issued Ordinance No. 137/2023 of 12 October 2023 on making available Supreme Court judgments, dockets and information on court cases in the Supreme Court and making public judgments of disciplinary courts on the website of the Supreme Court.

3) Website of the Supreme Court: contains clearly visible and understandable information; is also available to non-native speakers; contains e-mails through which citizens can get answers to their queries; can be read on a smartphone; contains clearly visible and understandable information regarding court fees.

4) It is possible to submit documents in the form of electronic documents to the Supreme Court using the Electronic Inbox on the ePUAP platform or by delivering documents on an IT medium to the Supreme Court Submission Office located at information point 0N37 between 8 a.m. and 4 p.m.

5) Staff and referees can work safely remotely; remote communication technology is used, secure electronic communication is available.

**Use of assessment tools and standards (e.g. ICT systems for case management, court statistics and their transparency, monitoring, evaluation, surveys among court users or legal professionals)**

1) The Ministry of Justice, the Department of Statistical Management Information in the Department of Strategy and European Funds collects statistical data on the activities of common and military courts, grouped by fields of law, instances of jurisprudence, structure of the ministry and administrative division of the country. Statistical information is obtained

as part of official statistics on the basis of the Law of 29 June 1995 on public statistics (consolidated text: Journal of Laws of 2020, item 443).

2) Pursuant to art. 5 of the Law of 8 December 2017 on the Supreme Court (consolidated text: Journal of Laws of 2023, item 1093), the First President of the Supreme Court shall annually submit to the President of the Republic of Poland and the National Council of the Judiciary information on the activities of the Supreme Court and the findings identified in connection with significant problems therein, including those arising from case law. The First President of the Supreme Court also submits this information to the Sejm and the Senate. There is no voting on information.

**Geographical distribution and number of courts/jurisdictions ("judicial map") and their specialization, in particular specific courts or chambers within courts to deal with fraud and corruption cases**

There are five chambers in the Supreme Court: the Civil Chamber, the Criminal Chamber, the Chamber of Labor and Social Insurance, the Chamber of Extraordinary Control and Public Affairs, and the Chamber of Professional Responsibility.

## C. Efficiency of the justice system

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined under section 2)

### Length of proceedings

Detailed information on case traffic in individual chambers of the Supreme Court, along with a list of the number of cases resolved and the manner in which they were resolved, as well as information on the duration of the proceedings, is available on the website of the Supreme Court at the following address: Case traffic statistics (sn.pl) (accessed 5/01. 2024).

The speed at which matters are resolved depends on the type of case.

#### Civil Chamber

CSK				CSKP				CO			
Up to 3 months	Up to 6 months	Up to 9 months	Over 9 months	Up to 6 months	Up to 12 months	Up to 18 months	Over 18 months	Up to 2 months	Up to 3 months	Up to 6 months	Over 6 months

285	482	982	1973	82	101	237	427	367	418	206	132
<b>CZP</b>				<b>CZ</b>				<b>CA</b>			
Up to 3 months	Up to 6 months	Up to 9 months	Over 9 months	Up to 2 months	Up to 3 months	Up to 6 months	Over 6 months.	Up to 6 months	Up to 12 months	Up to 18 months.	Over 18 months
1	14	32	32	27	60	152	139	-	-	-	-
<b>CNP</b>				<b>CNPP</b>				<b>CN</b>			
Up to 3 months	Up to 6 months	Up to 9 months	Over 9 months	Up to 6 months	Up to 12 months	Up to 18 months	Over 18 months	Up to 6 months	Up to 12 months	Up to 18 months	Over 18 months
7	24	23	44	1	2	3	8	-	-	-	-
<b>CB</b>				<b>CBO</b>							
Up to 2 weeks	Up to 1 month	Up to 2 months	Over 2 months	Up to 2 weeks	Up to 1 month	Up to 2 months	Over 2 months				
3	14	8	22	-	-	-	-				

## Professional Liability Chamber (in months)

<b>ZSK</b>				<b>ZOW</b>				<b>ZK</b>			
Up to 2	Up to 3	Up to 6	Over 6	Up to 1	Up to 2	Up to 3	Over 3	Up to 1	Up to 2	Up to 3	Over 3
-	-	4	10	-	-	-	68	-	8	15	93
<b>ZSG</b>				<b>ZPI</b>				<b>ZI</b>			
Up to 1	Up to	Up to 3	Over 3	Up to 1	Up to 2	Up to 3	Over 3	Up to 2	Up to 3	Up to 6	Over 6
-	1	1	7	-	-	-	51	12	8	16	20
<b>ZPUA</b>				<b>ZZP</b>				<b>ZZ</b>			
Up to 1	Up to 2	Up to 3	Over 3	Up to 1	Up to 2	Up to 3	Over 3	Up to 1	Up to 2	Up to 3	Over 3
-	-	-	-	-	-	1	2	-	-	1	8
<b>ZIZ</b>				<b>ZPU</b>				<b>ZW</b>			
Up to 1	Up to 2	Up to 3	Over 3	Up to 1	Up to 2	Up to 3	Over 3	Up to 1	Up to 2	Up to 3	Over 3
-	-	1	19	-	-	-	1	37	-	-	-
<b>ZB</b>				<b>ZBO</b>				<b>ZO</b>			
Up to 2 w weeks	Up to 1	Up to 2	Over 2	Up to 2 weeks	Up to 1	Up to 2	Over 2	Up to 1	Up to 2	Up to 3	Over 3
66	1	6	13	-	-	-	-	36	40	32	138

## Criminal Chamber (in months)

<b>KK</b>				<b>KZ</b>				<b>KO</b>			
Up to 2	Up to 3	Up to 6	Over 6	Up to 1	Up to 2	Up to 3	Over 3	Up to 1	Up to 2	Up to 3	Over 3
863	547	623	919	55	112	69	46	173	208	84	171

KS				KA				KZP			
Up to 1	Up to 2	Up to 3	Over 3.	Up to 1	Up to 2	Up to 3	Over 3	Up to 2	Up to 3	Up to 6	Over 6
14	102	78	67	-	-	2	16	-	-	9	2
KB				KBO							
Up to 2 weeks	Up to 1	Up to 2	Over 2	Up to 2 weeks	Up to 1	Up to 2	Over 2				
21	14	16	42	-	-	-	1				<del>1-2</del>

The Chamber of Extraordinary Control and Public Affairs (in months)

NSK				NSKP				NO			
Up to 2	Up to 3	Up to 6	Pow. 6 mies.	Over 6	Up to 12	Up to 18	Over 18	Up to 1	Up to 2	Up to 3	Over 3
22	22	48	34	37	37	2	1	17	2	6	20
NSNk				NZP				Up to 1			
Up to 2	Up to 3	Up to 1	Over 6	Up to 2	Up to 6	Up to 12	Over 12	Up to 1	Up to 2	Up to 3	Over 3
6	2	8	7	1	1	4	1	4	7	6	18
NSNc				NKRS				NSW			
Up to 2	Up to 3	Up to 6	Over 6	Up to 2	Up to 6	Up to 12	Over 12	Up to 1	Up to 2	Up to 3	Over 3
71	38	175	147	12	45	23	8	2382	1155	2	6
NP				NPP				NB			
Up to 1	Up to 2	Up to 3	Over 3	Up to 2	Up to 3	Up to 6	Over 6	Up to 2 weeks	Up to 1	Up to 2	Over 2
1	-	2	2	-	-	-	-	-	-	2	4
NSP				NWW				NBO			
Up to 1	Up to 2	Up to 3	Over 3	Up to 1	Up to 2	Up to 3	Over 3	Up to 2 weeks	Up to 1	Up to 2	Over 2
47	86	73	73	232	103	63	85	1	-	-	-

Other – please specify

N/A

#### IV. Other institutional issues related to checks and balances

Please provide information on measures taken to follow-up on the recommendations received in the 2023 Report regarding the system of checks and balances (if applicable)

The recommendations concerning the system of checks and balances in Report 2023 do not apply to the Supreme Court of the Republic of Poland. However, it can be provided that the Supreme Court submitted comments on the presidential draft law amending the Law of 14 April 2023 on the State Commission for investigating Russian influence on the internal security of the Republic of Poland in 2007-2022, mentioned in the Report (the Sejm paper No. 3318), in the scope of appeals and evidentiary measures.

#### A. The process for preparing and enacting laws

Framework, policy and use of impact assessments and evidence based policy-making, stakeholders'[1]/public consultations (including consultation of judiciary and other relevant stakeholders on judicial reforms), and transparency and quality of the legislative process both in the preparatory and the parliamentary phase

[1] This includes also the consultation of social partners

Pursuant to art. 1(4) of the Law of 8 December 2017 on the Supreme Court, the Supreme Court shall be a judiciary body responsible for issuing opinions on legislative bills and other normative acts under which courts adjudicate and function, as well as other legislative bills to the extent that they affect cases within the jurisdiction of the Supreme Court.

In 2023, 259 draft laws or regulations were submitted to the Supreme Court for opinion, some of which had effects beyond the scope of the Supreme Court's opinion within the meaning of art. 1(4) of the Law on the Supreme Court. The Supreme Court issued opinions to 48 draft acts. Drafts came from the Government, groups of MPs, the Senate and the President of the Republic of Poland.

The Supreme Court was consulted in draft laws and regulations on judicial reform in 2023. The Supreme Court provided its opinions to the government's draft act amending the Law - Code of Civil Procedure, the Law - Law on Common Courts, the Law - Code of Criminal Procedure and certain other acts (UD262) and to two draft regulations of the Minister of Justice amending the regulation - Regulations on Procedures for Common Courts (B736 and B784).

Rules and use of fast-track procedures and emergency procedures (for example, the percentage of decisions adopted through emergency/urgent procedure compared to the total number of adopted decisions)

Of the 183 bills submitted to the Sejm in 2023 that have been put into motion, the urgent procedure has been adopted for two bills. They concerned energy issues and none of

them fell within the competence of the Supreme Court to issue opinions on legal acts in the light of art. 1(4) of the Law on the Supreme Court.

Rules and application of states of emergency (for analogous regimes), including judicial review and parliamentary oversight

N/A

Regime for constitutional review of laws

N/A

opr. dr. iur. Aleksander Grebieniow, dr hab. Joanna Pawlikowska, dr hab. Ewa Wojtaszek-Mik