Attachment no. 3

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SUMMARY OF PROFESSIONAL ACCOMPLISHMENTS

1. **Full name**

   Anna Kościółek

2. **Obtained diplomas, scientific/artistic degrees – state the name, place and year of acquisition and the title of the doctoral thesis.**

   I obtained the master's degree in law at the Faculty of Law and Administration at the University of Rzeszów in 2005. I studied from 2001-2005 and graduated with distinction.

   I obtained the PhD degree in legal sciences at the Faculty of Law and Administration of the Maria Curie-Skłodowska University in Lublin in 2011 after the prior public presentation of the doctoral thesis prepared under the supervision of professor Andrzej Jakubecki and titled: "*Elektroniczne czynności procesowe w sądowym postępowaniu cywilnym*" ("*Electronic acts of the civil proceedings*"). The dissertation was reviewed by Professors: Jacek Gołaczyński, University of Wrocław and Sławomir Cieślak, University of Łódź.

3. **Employment in research/artistic entities.**

   From February 1, 2006 to May 31, 2011, I have been employed as an academic assistant at the Faculty of Law and Administration of the University of Rzeszów – initially in the

Department of Comparative Studies and Legal Informatics, afterwards in the Department of Civil and Roman Law.

As of June 1, 2011 I have been employed as an assistant professor in the Department of Civil and Roman Law at the Faculty of Law and Administration of the University of Rzeszów, later transformed into the Department of Civil Law.

4. **Indication of the achievement under art. 16.2 of the act of 14 March 2003 on scientific degrees and scientific title and on art degrees and title (Dz. U. 2016, item 882 as amended in Dz. U. of 2016 , item 1311.):**

a) the title of a scientific/artistic achievment,

„*Zasada jawności w sądowym postępowaniu cywilnym*" (in English: *The principle of openness in the civil court proceedings"*)

b) (author/authors, title/titles of publicatrions, year of issue, publishing house, publishing reviewers),

Anna Kościółek, *Zasada jawności w sądowym postępowaniu cywilnym* (in English: *The principle of openness in the civil court proceedings"*), Warszawa 2018, Wolters Kluwer Publishing Office, pp. 684, ISBN: 978-83-8160-032-3
The monograph was reviewed by professor Andrzej Torbus and was considered "very good" (the highest grade).

c) discussion of the scientific/artistic purpose of the above-mentioned work(s) and achieved results including the discussion of their potential use.

The monograph mentioned above and submitted for review is devoted to the issue of openness of the civil court proceedings.

The impulse to undertake research into the openness of the civil court proceedings was the unquestioned contemporaneity of open court proceedings combined with the

perceived lack of in-depth and comprehensive analysis of this issue in the literature of civil procedure. The current state of Polish science in the field of theoretical reflection regarding the principle of openness of the civil proceedings, unlike even the science of criminal procedural law, is unsatisfactory. In particular, there is no monographic study and the few studies of a contributing nature, although certainly important and making a significant contribution to the literature of the subject, have not yet provided a comprehensive overview of this issue. From this perspective, it was therefore desirable to attempt to address the subject matter.

The main purpose of the dissertation was to explore the issue of openness of the civil court proceedings, mainly from the theoretical point of view. To attain this objective it was necessary to identify and define the foundations, essence, concept, meaning, methods of implementation and scope of the analized openness. Addressing these core issues required implementation of many research methods used in the science of law. For this purpose, the following methods were used: formal dogmatic method, context method, legal-comparative method (almost 90 foreign literature items were analyzed in the study), historical descriptive method as well as the functional method. It should be emphasized that a broad research perspective, extending beyond the civil process, was adopted for the purposes of the analysis. The monograph uses particular types and modes of civil court proceedings in order to exemplify particular issues related to the openness of this proceeding. As a result, it became possible to develop certain general rules in relation to openness recognized in a universal manner, i.e. referred to civil court proceedings as a certain whole. Such broad research perspective provided dissertation with a feature of originality and opened the field for research leading to results that make a significant contribution to the development of legal science.

The structure of the monograph has been subordinated to the afore-mentioned research goals and consists of five chapters. In order to present results of the considerations undertaken in the thesis, it is reasonable to refer to the findings made in particular parts of the work. However, it should be emphasized that the extent of the research carried out in the monograph makes it impossible to present all the conclusions that were formulated as to the subject matter. The key to a self-presentation seems to be the reference of only the most important general work conclusions.

The first chapter presents an analysis of the normative basis of the requirement to shape broadly understood court proceedings, which includes not only civil proceedings, but also criminal and administrative procedures, according to the condition of openness. It has been assumed that the open nature of civil court proceedings is an element of a broader openness, which refers to court proceedings in general, and thus is the effect of implementing provisions contained in legal acts other than the Code of Civil Procedure, in which the motives for rules adopted in this procedure should be sought. Such motives should be sought primarily in the content of legal acts which, in a hierarchically arranged system of legal sources, occupy a place higher than statutes, i.e. in the Constitution and international agreements ratified in accordance with art. 89 paragraph 1 of the Constitution, i.e. with prior consent granted by statute. To this end, reference should also be made to EU law acts which, as a result of Poland's membership in the European Union, constitute a part of the national legal order. As a result of this approach, an analysis of relevant constitutional, international and EU's regulations was presented in this part of the work. This analysis gave grounds to assume that the requirement to shape broadly understood court proceedings, including civil court proceedings, in an open manner has a very well-established normative basis in the Polish legal system. Such an openness is, in fact: one of the components of the constitutionally guaranteed right to court, one of the elements of the right to court provided in Article 10 of the Universal Declaration of Human Rights and Article 14 para. 1 of the International Covenant on Civil and Political Rights, one of the established elements of fair trial within the meaning of Article 6 para. 1 of the Convention on the Protection of Human Rights and Fundamental Freedoms, and it was also included within the right to court, guaranteed in Article 47 Charter of Fundamental Rights. Moreover, the requirement of openness of court proceedings established in acts of international and EU law is repeated and developed in Polish structural regulations, being in particular an element of the Polish system of public courts. Therefore, this part was supplemented with an analysis of the requirement of openness of court proceedings in the light of provisions regarding the system, jurisdiction and proceedings before particular courts.

The second chapter focuses on providing a detailed definition of the research area, which was considered crucial for further consideration. To this end, it was necessary to clarify the essence and the concept of openness of civil court proceedings in the first place.

Considering the first of the issues mentioned above, it was assumed that the openness is rightly recognized as a principle of this procedure, whilst for the purposes of understanding the concept of a principle a descriptive approach was used in the monograph. At the same time, it was considered that the descriptive approach does not exclude the parallel directive interpretation to which it is often contrasted. Such a conclusion is supported by the fact that the principle of openness is expressed in the norms regulating civil court proceedings, which are its source. As a result, it was assumed that the reference to openness as a guiding idea important for the description of this procedure does not preclude assigning it also the directive's meaning. Continuing on the subject of openness as a principle, there was a need to consider its place in the system of civil procedural rules, which is internally diversed and includes the ground principles of the administration of justice, the ground principles of civil proceedings as such and principles concerning fragmentary issues of the proceedings. As a result of the conducted analysis, it was considered that the openness of civil court proceedings can be treated as a ground principle of civil proceedings, which is anchored in the ground principle of the administration of justice. Afterwards, relations between the principle of openness and other ground principles of this proceedings were dicussed. This analisys highlighted strong dependecies that occur in relation to the adversarial principle as well as in relation to the principles of proximity, orality and eqality.

The next part of the second chapter includes the analisys of the concept of the principle of openness of the civil court proceedings which came down to an attempt to indicate the essential features of this principle so that it would be possible to reflect its content. It is to be noted that the purpose of the remarks contained in this part was to formulate a general, model approach to the principle of openness, i.e. an abstract rule unrelated to any procedural system. It was assumed that in order to construct a general definition it is necessary to take into account both the personal and material aspects of the analyzed principle. The above features considered together are, in fact, indispensable for the full presentation of its essence. Looking at the principles of openesss from the personal perspective it was assumed that it means openness and accessibility of the proceedings both to parties (participants) of proceedings (so-called internal openness), as well as to the public, i.e. in relation to everyone regardless of their relation to the case (so-called external

openness), whilst from the material point of view it means the possibility of obtaining information related to civil proceedings.

The considerations included in the second chapter were concluded with an analysis of the significance of openness of the civil court proceedings. This analysis came down to indicating certain positively assessed goals and effects of the implementation of the considered principle, which were identified as the participative, control, guarantee, legitimacy, educational and educational functions. However, the analisys also includes remakrs on the potentially adverse impact that its implementation may have on the civil court proceedings. However, awareness of the risks associated with the openness of court proceedings does not lead to the recognition that the negative side of openness outweigh the positive. It should be firmly emphasized that the benefits of openness are so significant that they clearly dominate the potential risks associated with it.

The concept of openness presented in the second chapter was abstract and unrelated to any procedural system. The natural consequence of such an approach to the analyzed principle was the need to consider this issue relation to the binding norms of a specified legal system. As a result, the objective of the next part of the work, i.e. the third chapter, is to analize the shape of the principle of openness in the Polish civil procedural law.

The analysis carried out in this part of the work allowed to state unequivocally that the Polish procedural legislator ensures the implementation of the principle of openness both in its external and internal dimension. It is generally accepted that external openness of the civil court proceedings implies openness to third parties who are not interested in court proceedings directly, whereas internal openness is usually understood as openness to parties and participants of the proceedings. However, the considerations carried out in this respect indicated that both approaches presented in the science of law are imprecise and constitute a certain simplification. On one hand, not every third party can excersise the rights resulting from the implementation of the principle of openness in the external aspect, because this possibility most often depends on meeting certain additional conditions (e.g. reaching a certain age in relation to observation of the course of an open court session, or demonstrating sufficiently justified need to review files in non-contentious proceedings). As far as internal openness is concerned, its precise definition goes beyond the meaning of the party and the participant of the proceedings presented in the science of law. Certain other entities do not

fall into any of these concepts but have the possibility to exercise the rights resulting from the internal openness of the proceedings (e.g., legal representatives, statutory representatives and organs of legal entities and organizational units not being a legal person but to whom an act has granted a legal capacity, as well as persons authorized to act on their behalf).

Continuing on the remarks devoted to the shape of the principle of openness in the Polish legal system in relation to the civil court proceedings, an analisys of the implementation of this principle was presented, separately in relation to in its external and internal dimension. In both cases, however, the analysis was based on the same substantial assumptions. The implementation of both above-mentioned forms of openness was thus analyzed in three main areas, i.e. in relation to court sessions, consideration of the case and resolution of the case. The analysis carried out in this respect has shown that in all of the chosen areas, a number of external and internal openness manifestations are common, although internal openness has a wider scope, which means that it has manifestations that do not occur in relation to external openness or which in relation to this form of openness are implemented to a much lesser extent. Naturally, this does not give rise to any surprise considering that in order for the party or participant of the proceedings to effectively defend their interests in civil proceedings, the actions of all entities involved in the proceedings must be known to them.

The first of the three designated areas, in relation to which the implementation of the principle of openness in civil court proceedings was considered, was the openness of court sessions, which is a manifestation of both external and internal openness. The openness of court sesions is connected not only with their openness to the parties and participants, but also - in principle - to the public, and thus to everyone regardless of their relation to the examined case. It should be emphasized that third parties participate in court sessions as passive observers, while the presence of parties and participants is of an active nature. Looking at court civil proceedings from the perspective of openness of court sessions both to the public and parties (participants) of the proceedings, it should be noted that such openness is particularly clear in a civil process, in which open sessions, especially those in the form of a hearing, constitute a rule. Similar conclusions were made with respect to non-litigious proceedings, however, the possibility to schedule a hearing is limited. In other types of civil court proceedings, closed sessions were considered dominant.

The implementation of external and internal openness in civil court proceedings was also analyzed in relation to the consideration of the case. In this respect the possibility of obtaining information about the case and the proceedings by the parties and participants as well as by third parties was considered. Analyzing the external aspect of such openness, it was assumed that in the case of third parties the possibility of obtaining information is so limited that it can be perceived as an exception. As for the rights allowing the openess of the consideration of the case to be implemented in relation to the parties (participants) of the proceedings, they are obviously of a much broader nature because only a properly informed party (participant) is able to effectively defend their rights.

The last area in which the application of the principle of openness in the civil court proceedings was considered was the resolution of the case. It was assumed that such openness expresses itself in the public announcement of a court decission or in providing information on such decission otherwise. The analysis carried out in this area showed that the basic expression of the openness of the resolution of the case, i.e. the public announcement of the court decision, is common to the parties (participants) of the proceedings and to third parties. Its purpose is to inform about the content of the court decission both parties and other participants of the proceedings, as well as all other persons interested in its outcome, who may be in the courtroom at the time of the announcement. Also, the access to court decisions as to public information is available to both third parties and parties (participants) of the proceedings, although in the latter case, of course, it plays a marginal role. Nevertheless, the openness of the resolution considered in the internal aspect goes beyond the above-mentioned manifestations, and thus is characterized by a broader scope than the analogical external openness. This is due to the absolute obligation to disclose the content of the court decissions to parties or participants in the proceedings, whereas disclosure to third persons may be subject to certain restrictions.

The remarks presented in the third chapter in relation to the implementation of the principle of openness in the civil court proceedings also allowed to emphasize the special role of modern technological solutions in the analyzed area. Looking at the process of informatization of administration of justice in civil matters from this perspective, it was recognized that the subsequent actions undertaken in this area strengthen the implementation

of the principle of openness of the civil court proceedings, both in its internal and external dimension.

In the fourth chapter an analysis of the limitations of the openness of the civil court proceedings in Poland was carried out. The analisys allowed to determine the actual scope of its implementation. As a result of the deliberations carried out in this part, it was cnosidered that the principle of open court proceedings is not absolute, and the civil law provisions implement this principle in a manner that takes into account a number of restrictions in the form of excpetions for lack of openness. These restrictions occur in each of the three areas distinguished within the analized issue, i.e. in the openness of court court sessions, openness of the consideration of the case and openness of the resolution of the case. Moreover, these restrictions include both openness to the parties (participants) of the proceedings and openness to third parties. It needs to be emphasized that the analysis of admissible limitations of opennes of the civil court proceedings presented in this part of the monogprahy was conducted not only in relation to the current state of the law but also to the envisaged legislative changes, i.e. the draft law of November 27, 2017 covering a comprehensive amendment to the Code of Civil Procedure. It should be noted that the adoption of this draft will limit the scope of implementation of the analyzed principle in the civil court proceedings in a significant way and on an unprecedented scale.

The last of the five chapters focuses on the presentation of issues related to violation of the principle of openness of the civil court proceedings. As a result of the analisys carried out in this part of the monography, it was considered that the breach of openness constitutes a procedural infringment, the essence of which expresses itself in failing to comply with procedural rules governing manifestations of the principle of openness. For this reason, this breach may in practice take a different form depending on the provision which was infringed in the course of the proceedings. It was emphasized that the infringement may concern both dimensions of openness, i.e. openness to third parties as well as to parties and participants of the proceedings, and this distinction is important as regards the effects that this violation may trigger at the procedural level. The effects of the breach of the internal openness depend on whether it results in the party or participant of the proceedings has been deprived of the right to protect their rights. If so, such a breach results in the invalidity of the proceedings, which may be the basis for an appeal, whereas in other cases this failure may give rise to an appeal

only if it could have affected the outcome of the case. Regarding the breach of external openness, it was generally assumed that such violation is essentially a procedural infringment of the kind that does not render the proceedings void, nor does it justify appealing against the court decision. Nevertheless, it was assumed that it is impossible to a priori exclude cases in which the violation of manifestations of external openness, which is not a violation of openness to parties or participants of the proceedings at the same time, could affect the resolution of the case, and thus can result in the possibility to challenge the court decision.

When making a final summary, it is worth noting that the analysis carried out in the monograph justifies the conclusion that its subject matter will have to be reconsidered more than once. Confirmation of this thesis seems to include the imperfections and deficiencies of already functioning legislative solutions indicated in the elaboration, designed legislative changes that fundamentally affect the current shape of the opennes of the civil court proceedings, as well as the intense technological evolution which affects the modern model of openness. The observations, assessments and assertions presented in the monograph can constitute a starting point and a platform for further scientific discussion on the principle of opennes of the civil court proceedings.

5. Discussion of other scientific and research (artistic) achievements

5.1. Introduction

My other scientific and research achievements mainly include publication activities and active participation in scientific conferences. The discussion of these achievements includes the characteristics of scientific interests, with reference to the main research topics included in the publications and delivered papers, and the indication of certain basic research results.

Prior to distinguishing and presenting the main strands of my scientific and research achievements, I would like to point out that my research was documented by publications of a various nature. I am the author of the monograph *"Elektroniczne czynności procesowe w sądowym postępowaniu cywilnym"* (in English: *"Electronic procedural acts in the civil court proceedings"*), which in 2016 received the award of the Electronic Media Law Forum for the best monograph on new technologies. Other publications of my authorship were published, in particular, in reviewed scientific journals important for the Polish legal community,

among which the following should be indicated: Europejski Przegląd Sądowy (in English: European Judicial Overview), Monitor Prawniczy (in English: Law Review), Państwo i Prawo (in English: The State and the Law), Prawo Mediów Elektronicznych (in English: Electronic Media Law), Przegląd Sądowy (in English: Court Review). These publications included dozens of scientific articles, glosses, legal issues, reviews and reports. In addition, many of my studies have been included in collective works and commemorative books. My achievments also include texts published in English.

5.2. Main strands of scientific and research achievments

My scientific achievments after the defence of the doctoral dissertation are thematically varied in relation to the science of the civil procedural law. The main strands of my scientific and research activity revolved around six main reserach areas characterized below.

5.2.1 Openness of the civil proceedings

One of the topics I have tackled in my scientific work covered the openness of the civil proceedings to which I have devoted not only the monograph published in 2018, but also four other articles. Chronologically the first in this respect, i.e. *Zasada jawności w świetle nowelizacji związanych z wykorzystaniem nowoczesnych rozwiązań technologicznych w postępowaniu cywilnym. Zagadnienia wybrane* (*The principle of openness in the light of the amendments related to the use of modern technological solutions in the civil proceedings. Selected issues*) [in:] D. Gil, E. Kruk (ed.), *Zasady postępowań sądowych w perspektywie ostatnich nowelizacji* (*Principles of court proceedings in the perspective of recent amendments*), Lublin 2016, p. 29-47, presents selected transformations within the model of openness of the civil proceedings which resulted from recent amendments pursuing its computerisation. Another study, *Zasada jawności postępowania w świetle ustawy nowelizującej Kodeks postępowania cywilnego z 10 lipca 2015 r.* (*The principle of openness of proceedings in the light of the Act Amending the Code of Civil Procedure of 10 July 2015*), "Prawo Mediów Elektronicznych" 2016, no. 1, p. 8-15, continues on the problem of mutual relations between computerization and openness of proceedings, this time based on changes introduced by the amendment, which entered into force on September 8, 2016.

Among the numerous changes to the procedural provisions introduced under this amendment, there was also a group of regulations significant for the principle of openness. The issue of openness of the civil proceedings was also analyzed in the article *Dostęp do informacji o postępowaniu we współczesnym modelu jawności postępowania* (*Access to information on the proceedings in the modern model of openness*) [in:] M. Jabłoński, K. Flaga-Gieruszyńska, K. Wygoda (ed.), *Reforma ochrony danych osobowych a jawność dostępu do informacji sądowej - aspekty proceduralne* (*Personal data protection reform and openness of access to court information - procedural aspects*), Wrocław 2017, p. 215-225. This article includes remakrs on the possibility of using modern technological solutions to obtain information about civil proceedings, and in particular to obtain information contained in case files. The last article devoted to the isue of openness of the civil proceedings, i.e. *Rozpoznawanie spraw cywilnych na posiedzeniu niejawnym* (*Recognition of Civil Matters at a closed session*) [in:] M. Tomalak (ed.), *Ius est a iustitia apellatum. Księga jubileuszowa dedykowana Profesorowi Tadeuszowi Wiśniewskiemu* (*Ius est a iustitia apellatum. A jubilee book dedicated to Professor Tadeusz Wiśniewski*), Warszawa 2017, p. 232-241, includes a preliminary reflection on the possibilities of examining cases and issuing substantive decisions at a closed session.

The considerations presented in all of the the above-mentioned publications constituted a starting point for detailed research, the final results of which were presented in the monograph devoted to the principle of openness.

The openness of the civil proceedings was also the topic of two papers I have presented at scientific conferences (see attachment no. 5).

5.2.2 Computerisation of the civil proceedings

A special place among my scientific interests is occupied by the issue of computerisation of the civil proceedings. The research conducted in this area is a partial continuation of interests that have arisen whilst conducting studies in order to obtain the academic degree of a doctor in law. One of the first issues that I have undertaken in my scientific work were electronic procedural acts, which I devoted two articles to, even before being awarded the academic degree. A few years' long research on electronic procedural acts resulted in the defence of the doctoral thesis titled "*Elektroniczne czynności procesowe w*

sądowym postępowaniu cywilnym" (*Electronic procedural acts in the civil court proceedings*) in 2011. One year later, a book under the same title was published (Wolters Kluwer Publishing Office, Warszawa 2012, pp. 364), as a corrected version of the doctoral dissertation. The book was the first monograph devoted to electronic procedural acts in the Polish legal science. It presented in a comprehensive manner the issue of using modern technological solutions in connection with procedural acts taken in civil proceedings. It discussed not only the current legislative solutions, but also reported a number of *de lege ferenda* postulates, indicating the possible scope of using modern technology in the future. It systematized and subjected to critical evaluation the majority of positions expressed at the time in science and in practice. The monograph has received favorable reviews and numerous citations in the literature of the subject.

In further scientific work, I continued my interest in the issues of computerisation of civil proceedings, including electronic procedural acts. My interest in these issues resulted in the publication of fourteen subsequent articles (*Systemy automatycznego orzekania w sprawach cywilnych ze szczególnym uwzględnieniem elektronicznego postępowania upominawczego* [*Systems of automatic adjudication in civil cases with particular emphasis on Electronic Proceedings by Writ of Payment*], "Zeszyty Naukowe Uniwersytetu Rzeszowskiego. Seria Prawnicza", Rzeszów 2012, no. 12, p. 91-103; *Protokół z posiedzenia jawnego w postępowaniu cywilnym* [*Minutes of public session in civil proceedings*], "Zeszyty Naukowe Uniwersytetu Rzeszowskiego. Seria Prawnicza", Rzeszów 2014, no. 14, p. 53-65; *Skuteczność pism procesowych wnoszonych drogą elektroniczną w sądowym postępowaniu cywilnym* [*Effectiveness of pleadings submitted electronically in civil court proceedings*] [in:] D. Gil (ed.), *Skutki czynności procesowych w świetle standardów europejskich* [*The effects of procedural acts in the light of European standards*], Lublin 2014, p. 244-255; *Dopuszczalność wniesienia środka odwoławczego drogą elektroniczną. Glosa do uchwały Sądu Najwyższego z dnia 23 maja 2012 r. (III CZP 9/12)* [*The admissibility of filing an appeal by electronic means. Gloss to the resolution of the Supreme Court of May 23, 2012 (III CZP 9/12)*], "Państwo i Prawo 2014", no. 8, p. 127-133; *Elektroniczne postępowanie wieczystoksięgowe* [*Electronic Land and Mortgage Register proceedings*], "Monitor Prawniczy" 2015, no. 14, p. 747-53; *Elektroniczne czynności procesowe – de lege lata i de lege ferenda* [*Electronic procedural acts – de lege lata and de lege ferenda*] [in:] K. Flaga –

Gieruszyńska, J. Gołaczyński, D. Szostek (ed.), *Informatyzacja postępowania cywilnego. Teoria i praktyka* [*Computerisation of civil proceedings. Theory and practice*], Warszawa 2016, p. 29-45; *Wpływ rozporządzenia eIDAS na skuteczność elektronicznych pism procesowych w postępowaniu cywilnym* [*The impact of the eIDAS regulation on the effectiveness of electronic pleadings in civil proceedings*] [in:] K. Flaga – Gieruszyńska, J. Gołaczyński, D. Szostek (ed.), *Media elektroniczne. Współczesne problemy prawne* [*Electronic media. Contemporary legal problems*], Warszawa 2016, p. 23-33; *Elektroniczne czynności procesowe – wczoraj, dziś i jutro* [*Electronic procedural acts – yesterday, today, tomorrow*] [in:] E. Marszałkowska-Krześ, I. Gil, Ł. Błaszczak (ed.), *Kodeks postępowania cywilnego z perspektywy pięćdziesięciolecia jego obowiązywania. Doświadczenia i perspektywy* [*The Code of Civil Procedure from the perspective of its 50th anniversary. Experience and perspectives*], Sopot 2016, p. 395-408; *Automatyzacja czynności orzekania w europejskim postępowaniu nakazowym* [*Automation of adjudication in the European order for payment procedure*] [in:] B. Śliwczyński, L. Łuczak – Noworolnik (ed.), *e-Wymiar sprawiedliwości w aspekcie europejskim* [*e-Justice in the European aspect*], Poznań 2016, p. 37 – 52 (co-author: A. Banaszewska); *Elektronizacja doręczeń i zawiadomień w postępowaniu wieczystoksięgowym* [*Electronicisation of deliveries and notifications in land and mortgage register proceedings*] [in:] A. Marciniak (ed.), *Sądowe postępowanie egzekucyjne. Zasadnicze kierunki zmian z 2016 roku* [*Judicial enforcement proceedings. The main directions of changes of 2016*], Sopot 2017, p. 77-88; *Informatyzacja europejskich postępowań transgranicznych a polskie regulacje procesowe* [*Computerisation of European cross-border proceedings and Polish procedural regulations*] [in:] M. Kraska, S. Mamrot (ed.), *Cyfrowe usługi publiczne w Europie* [*Digital public services in Europe*], Poznań 2017, p. 23-36 (co-author: A. Zalesińska); *Informatyzacja postępowania wieczystoksięgowego* [*Computerisation of land and mortgage register proceedings*] [in:] K. Flaga-Gieruszyńska, J. Gołaczyński, D. Szostek (ed.), *E-obywatel, E-sprawiedliwość, E-usługi* [*E-citizen, E-justice, E-services*], Warszawa 2017, p. 234-244; *Elektroniczne postępowanie upominawcze w świetle zmian legislacyjnych* [*Electronic Proceedings by Writ of Payment in the light of legislative changes*] [in:] K. Flaga-Gieruszyńska, A. Jakubecki, J. Misztal-Konecka (ed.), *Elektroniczne postępowanie upominawcze. Doświadczenia i perspektywy* [*Electronic Proceedings by Writ of Payment. Experience and perspectives*], Lubin 2017, p. 161-182; *Elektroniczne czynności*

procesowe w świetle nowelizacji z 10.07.2015 r. [*Electronic procedural acts in the light of the amendment of 10/07/2015*], "Prawo Mediów Elektronicznych" 2017, no 1, p. 4-10). The issue of computerisation raised in studies published after the defense of the doctoral dissertation - although is a partial continuation of interests that have arisen whilst conducting studies in order to obtain the academic degree of a doctor in law - cannot be reduced to a simple repetition of research results presented in the monograph devoted to electronic procedural acts. It should be emphasized that the analyzed area is subject to dynamic development which justifies the continuation of the research conducted so far, whose results - especially regarding de lege lata remarks - cease to be valid along with succesive amendments. That is why in the above-mentioned studies I dealt with, first and foremost, the analysis and assessment of normative solutions implementing the idea of computerisation of civil proceedings, which were adopted and entered into force after the publication of a monograph on electronic procedural acts. In addition, the issues raised in these publications are broader than the subject matter of the doctoral thesis, as they cover not only the computerisation of procedural acts, but also civil proceedings in general.

Issues related to computerisation of civil proceedings were also the subject of sixteen papers delivered during scientific conferences (see attachment no. 5).

5.2.3 Evolution of the Polish civil procedural law

The issue of the evolution of the Polish civil procedural law, which is the subject of another area of my scientific research, oscillates around changes in this law and problems arising in connection with them both in theory and in practice. The rationale for this area of research is, above all, the numerous and often extensive amendments that in recent years have affected the civil procedural law in Poland.

The results of research carried out in this area have so far been presented in nine scientific papers. In these publications I have analyzed:

- the most important changes introduced by the Act of 16 September 2011 on the amendment to the Civil Procedure. Code and certain other acts (*Nowelizacja kodeksu postępowania cywilnego – wybrane zagadnienia – część I* [*Amendment to the Code of Civil Procedure - selected issues - part I*], "Przegląd Sądowy" 2012, no. 5, p. 5-21 (co-author: A. Arkuszewska); *Nowelizacja kodeksu postępowania cywilnego –*

wybrane zagadnienia– część II [*Amendment to the Code of Civil Procedure - selected issues - part II*], "Przegląd Sądowy" 2012, no. 6, p. 34-53 (co-author: A. Arkuszewska);

- changes aimed primarily at strengthening the position of the debtor in enforcement proceedings based on judgments issued in closed session, i.e. in enforcement proceedings conducted on the basis of an enforceable title based on: a payment order issued in electronic proceedings by writ of payment, a payment order issued in payment-order proceedings or writ-of-payment proceedings, European payment order and default judgment (*Wzmocnienie pozycji dłużnika w postępowaniu egzekucyjnym w świetle ustawy z dnia 10 maja 2013 r. o zmianie ustawy – Kodeks postepowania cywilnego* [*Strengthening the position of debtors in the enforcement proceedings in the light of the Code of Civil Procedure Amendment Act the of 10 May 2013*], "Przegląd Sądowy" 2013, no. 7-8, p. 90 – 103);
- changes in the rules concerning the submission of pleadings by the parties to civil proceedings domiciled, habitually resident or having their head offices in a Member State other than Poland (Article 165 § 2), as well as rules on service of documents to such parties (Article 1135^5 of the Code) in order ro resolve a conflict with the EU law (*Usunięcie sprzeczności między treścią art. 165 § 2 i 1135^5 KPC a prawem europejskim* [*Removing contradiction between the content of the Article 165 § 2 and Article 1135^5 of the Code of Civil Procedure and EU law*], "Europejski Przegląd Sądowy" 2014, no. 4, p. 26 – 31);
- changes aimed at strengthening the position of the debtor in enforcement proceedings by means of ensuring precise verification of the defendant's identity at the stage of the examination proceedings (*Niewskazanie przez powoda danych pozwalających na ustalenie numeru identyfikującego pozwanego a zawieszenie postępowania* [*Failure to indicate data allowing for identification of the defendant and suspension of proceedings*], "Monitor Prawniczy" 2014, no. 17, p. 930 – 933);
- changes introducing the possibility of taking minutes using modern technological solutions (*Zmiany zasad utrwalania przebiegu posiedzenia jawnego w postępowaniu cywilnym* [*Amendments to the principles of taking minutes of a public session in civil proceedings*], "Monitor Prawniczy" 2014, no. 23, p. 1231-1237;

- changes in the regulation of the form of procedural acts that were related to the computerization of civil proceedings implemented on the basis of the Act of 10 July 2015 amending the Civil Code, the Code of Civil Procedure Code and some other acts (*Forma czynności procesowych po nowelizacji z dnia 10 lipca 2015 r.* [*Form of procedural acts after amendment of 10 July 2015*], "Wrocławskie Studia Sądowe" 2016, no. 2, p. 68 – 87 (co-author: A. Arkuszewska);
- the impact of recent legislative changes, i.e. the Act of 10 July 2015 amending the Civil Code, the Code of Civil Procedure and some other legal acts and the Act of 15 January 2015 amending the Code of Civil Procedure and some other legal acts, implementing next stages of informatization of civil proceedings, on the issue of seizure of immovable property (*Zajęcie nieruchomości w świetle ostatnich nowelizacji Kodeksu postępowania cywilnego* [*Seizure of immovable property in the light of recent amendments to the Civil Procedure Code*], "Zeszyty Naukowe Uniwersytetu Rzeszowskiego. Seria Prawnicza" 2017, no. 20, p. 27-42);
- the issue of the annulment of the security of monetary claims in the light of changes introduced under the Act of 7 April 2017 on Amendments to Certain Acts to Facilitate Debt Recovery (*Upadek zabezpieczenia roszczeń pieniężnych w świetle zmian mających na celu ułatwienie dochodzenia wierzytelności* [*The annulment of the security of monetary claims in the light of changes aimd at facilitating debt recovery*], "Studia Prawnicze. Rozprawy i Materiały" 2017, no. 2, p. 129-142).

The evolution of the Polish civil procedural law was also the topic of six lectures I have given at scientific conferences (see attachment no. 5).

I would also like to emphasize that on my initiative the issue of the evolution of the civil procedural law in Poland and problems connected with this evolution has become the central theme of the "I Seminarium Młodych Badaczy Postępowania Cywilnego" (the 1st Seminar of Young Researchers of Civil Procedure), which took place in Warsaw, 10 October 2016, and of which I am a co-initiator and in which organization I actively participate.

5.2.4 Alternative dispute resolution methods

Another area of my scientific activity includes the issue of alternative dispute resolution methods. Research in this area is therefore focused on issues related to out-of-court

procedures conducted with the participation of a neutral third party, which are to be an alternative to the resolution of the dispute by a court of law. The research in this field resulted in the publication of four papers devoted to mediation and three studies on arbitration.

Two of the studies on mediation were co-authored by Dr. Aneta Arkuszewska. In one of them, we analyzed the peaceful methods of ending a civil dispute, with particular emphasis on mediation ending with a settlement before a mediator (*Ireniczne formy zakończenia sporu cywilnego* [*Irenist forms of ending a civil dispute*] [in:] R. Sztychmiler, J. Krzywkowska (ed.), *Problemy z sądową ochroną praw człowieka* [*Problems with judicial protection of human rights*], Olsztyn 2012, p. 321-343), while the second one, which is part of a collective work devoted to analyzing the mediator's work methodology in civil matters, we have presented a detailed course of mediation, starting from its initiation, through the mediator's activities before the mediation meeting begins and after getting into conflict resolution, up until the end of mediation (*Fazy i etapy mediacji* [*Phases and stages of mediation*] [in:] J. Plis, A. Arkuszewska (ed.), *Zarys metodyki pracy mediatora w sprawach cywilnych* [*Outline of the mediator's methodology of work in civil matters*], Warszawa 2014, p. 105-136). The study devoted to the mediator's work methodology also included a study of my own authorship, in which I identified and discussed personal traits and skills desirable for a proper performance of mediator functions as well as roles and tasks performed by the mediator in the mediation process (*Cechy i zadania dobrego mediatora* [*Features and tasks of a good mediator*] [in:] J. Plis, A. Arkuszewska (ed.), *Zarys metodyki pracy mediatora w sprawach cywilnych*, [*Outline of the mediator's methodology of work in civil matters*], Warszawa 2014, p. 90-104). In my research on mediation, I also dealt with the issue of electronic mediation. In the study devoted to such a subject, I analyzed in particular: the potential scope of mediation in the electronic environment in civil matters, possible ways of conducting electronic mediation, admissibility of conducting electronic mediation in civil matters in Poland and the advantages and disadvantages of such a solution (*Elektroniczna mediacja w sprawach cywilnych* [*Electronic mediation in civil matters*], "Kwartalnik ADR" 2014, no. 4, p. 33-43).

As for the studies devoted to the issue of arbitration, an important place is taken by a cross-cutting publication included in the commentary to the Code of Civil Procedure edited by prof. dr hab. Andrzej Marciniak, i.e. a section on an action for annulment of an arbitration award (*Komentarz do artykułów 1205 - 1211 k.p.c.* [*Commentary to articles 1205 - 1211 of*

the Code of Civil Procedure] [in:] A. Marciniak (ed.), *Kodeks postępowania cywilnego. Tom IV. Komentarz do art. 1096–1217* [*The Code of Civil Procedure. Volume IV. Commentary on Articles 1096-1217*], Warszawa 2017, p. 658-675). In this publication I have made a detailed analysis of all the provisions contained in the Title VII of Part Five of the Code of Civil Procedure. While conducting scientific research on arbitration, I also dealt with the issue of its historical development. Two studies have been the result of this research, one of which - prepared in collaboration with prof. dr hab. Renata Świrgoń-Skok - presents an outline of the development of arbitration from Roman law to contemporary regulations (*Arbitration as an alternative dispute resolution method – from antiquity until the present day* [in:] B. Sitek, C. L. Guillamón, A. Bauknecht, K. Ciućkowska-Leszczewicz, J. Szczerbowski, S. Kursa (ed.), *Alternative Disputes Resolution: From Roman Law to Contemporary Regulations*, Poznań 2016, p. 23-37), while the second focuses primarily on the development of arbitration in Poland in the twentieth century, when the idea of arbitration was subjected to changes which gave it a contemporary shape as an interesting alternative to resolving a dispute by the court of law (*Zarys polskiego sądownictwa polubownego w XX wieku* [*Outline of the Polish arbitration in the Twentieth century*] [in:] E. Leniart, R. Świrgoń-Skok, W. P. Wlaźlak (ed.), *Sądownictwo w Europie w XIX i XX wieku* [*Judiciary in Europe in the 19th and 20th century*], Kraków 2016, p. 115-129).

I also devoted four lectures delivered at scientific conferences to the research topic discussed in this section (see attachment no. 5).

5.2.5 Entities of the civil proceedings

Issues found among my scientific interest include the issue of broadly understood entities of the civil proceedings. I devoted seven scientific articles to that topic.

In three of them I dealt with a group of entities that can be collectively described as protectors of the public interest. One of these studies presents a general overwiev of a large group of entities and bodies whose individual legal sphere does not require protection but which are granted the right to institute civil proceedings or to take part in it, on the grounds that there is a need to protect the public interest in civil proceedings (*Rzecznicy interesu społecznego w postępowaniu cywilnym* [*Protectors of the public interes in the civil proceedings*] [in:] D. Gil, E. Kruk (ed.), *Role uczestników postępowań sądowych – wczoraj,*

dziś i jutro. Tom 2 [*Roles of participants in court proceedings - yesterday, today and tomorrow. Volume 2*], Lublin 2015, p. 89-104). The analysis presented in this study includes both a retrospective look, necessary to assess the legitimacy of the current normative approach to the analyzed issue, as well as de lege lata and de lege ferenda remarks. The next articles on the subject matter are more detailed and focus on specific entities and bodies acting as protectors of public interest (*Udział organizacji pozarządowych w postępowaniu cywilnym w świetle nowelizacji dokonanej ustawą z dnia 16.09.2011 r.* [*Participation of non-governmental organizations in civil proceedings in the light of the Act of 16.09.2011*], "Monitor Prawniczy" 2012, no. 21, p. 1135-1141; *Udział prokuratora w postępowaniu cywilnym – uwagi de lege lata i de lege ferenda* [*Prosecutor's participation in the civil procceedings - de lege lata and de lege ferenda remarks*] [in:] K. Markiewicz, A. Torbus (ed.), Postępowanie rozpoznawcze w przyszłym Kodeksie postępowania *cywilnego* [*Examination proceedings in the future Code of Civil Procedure*], Warszawa 2014, p. 529-548, co-author: A. Arkuszewska).

The next three studies were devoted to the institution of a guardian appointed in civil proceedings for a party whose place of stay is unknown. My research first focused on the provisions governing the appointment of a guardian, with special reference to analisys of a number of requirements necessary for appointment to be possible and valid (*Z problematyki ustanowienia kuratora dla osoby nieznanej z miejsca pobytu* [*Remarks on appointment of a guardian for a person whose place of stay is uknown*], "Przegląd Sądowy" 2015, no. 5, p. 56-67). I have also analyzed the basic duty of a guardian appointed for a person whose place of stay is unknown, which is to take a procedural burden to defend their rights and potential liability for damage caused by non-performance or improper performance of this obligation (*Z problematyki obowiązków kuratora dla osoby nieznanej z miejsca pobytu* [*Remarks on obligations of a guardian appointed for a person whose place of stay is unknown*], "Państwo i Prawo" 2015, no. 10, p. 57-68). Continuing on a subject specified in this area, I devoted the next article to the analisys of selected issues related to the institution of a guardian appointed for the debtor whose place of stay is uknown (*Kurator procesowy dla dłużnika nieznanego z miejsca pobytu* [*Guardian appointed for a debtor whose place of stay is unknown*], "Zeszyty Naukowe Uniwersytetu Rzeszowskiego. Seria Prawnicza", Rzeszów 2015, no. 16, p. 60 - 73).

As part of scientific interests devoted to the issues of entities of the civil proceedings, I also conducted research on the procedural position of a court clerk. The result of these studies were two scientific publications. One of them, prepared in cooperation with Dr. Aneta Arkuszewska, presents general remarks on the procedural position of the court clerk in Poland (*Jurisdictional Status of the Polish Rechtspfleger*, "Annales Universitatis Apulensis, Series Jurisprudentia" 2012, no. 12, p. 7-28), and the second focuses on the position in the electronic proceedings by writ of payment (*Pozycja procesowa referendarza sądowego w świetle regulacji elektronicznego postępowania upominawczego* [*Procedural position of a court clerk in the light of the electronic proceedings by writ of payment regulations*], "Kwartalnik Stowarzyszenia Sędziów Polskich "IUSTITIA"" 2015, no. 3, p. 127-133).

The analyzed area of scientific and research activity also includes a study devoted to the problems of the political position and the duties of the judge's assistance, co-authored by Dr. Aneta Arkuszewska (*Assistant to a judge in common courts – structural position and range of activities*, "Annales Universitatis Apulensis, Series Jurisprudentia" 2013, no.16, p. 7-15).

5.2.6 Means of appeal

Another topic that I have subjected to scientific explorations consists of means of appeal. As a result of the research done in that area, five articles were published. These articles included analisys on selected issues related to the cassation complaint (*Nadzwyczajny charakter skargi kasacyjnej w postępowaniu cywilnym a kasacji w postępowaniu karnym* [*Extraordinary nature of a cassation complaint in civil proceedings and cassation in criminal proceedings*] [in:] D. Gil (ed.), *Szczególne środki zaskarżenia w ujęciu komparatystycznym* [*Special means of appeal in a comparative perspective*], Lublin 2013, p. 123-140), objection to an order of payment in the electronic proceedings by writ of payment (*Sprzeciw w elektronicznym postępowaniu upominawczym – uwagi na tle obowiązujących oraz projektowanych rozwiązań legislacyjnych* [*Objection to an order of payment in the electronic proceedings by writ of payment – remarks under applicable and projected legal provisions*], "Monitor Prawniczy" 2013, no. 13, p. 677-686; *Sprzeciw od nakazu zapłaty wydanego w elektronicznym postępowaniu upominawczym a uzupełnienie opłaty sądowej od pozwu* [*Objection to an order of payment issued in the electronic proceedings by writ of payment and supplementation of the court fee on the claim*], "Monitor Prawniczy" 2014, no. 11, p.

598-601) as well as objection to a European order for payment (*Sprzeciw jako środek obrony pozwanego w europejskim postępowaniu nakazowym* [*Objection as a mean of defense in the European order for payment proceedings*], "Europejski Przegląd Sądowy" 2014, no. 11, p. 14-19; *Sprzeciw od europejskiego nakazu zapłaty a wdanie się w spór. Glosa do wyroku Europejskiego Trybunału Sprawiedliwości z dnia 13 czerwca 2013 r.* [*Opposition to the European order for payment and gthe entry of an appearance. Gloss to the judgment of the European Court of Justice of 13 June 2013*], "Zeszyty Naukowe Uniwersytetu Rzeszowskiego. Seria Prawnicza", Rzeszów 2014, no. 15, p. 205-214).

I included a detailed list of published scientific papers and the detailed information about didactic achievements, scientific cooperation and popularization of science in the Attachment no. 5. Because of that, I shall limit this self-presentation to the summary of my previous scientific and research achievements after gaining the academic degree of a doctor in legal sciences:

- I am the author of two scientific monograpsh, the author of 25 articles published in scientific magazines including two articles in English, 21 scientific publications in edited collective works, 3 glosses to judgments, the co-author of a Commentary to the Code of Civil Procedure and the author of a review of one monograph. My entire scientific contribution after being granted the academic degree of a doctor consists of 53 scientific publications (attachment no. 5, point I and II.Ba-g). In attachment no. 5, I also mentioned my 9 scientific publications from before the defence of the doctoral dissertation (attachment no. 5, point II.Bj).
- I am a scientific co-editor of one scientific monograph. (attachment no. 5, point II.Bf)
- I participated in 34 international and national scientific conferences at which I delivered papers (attachment no. 5, point II.I)
- I performed the functions of the chairman of the organizational committee of one scientific conference and a member of the organizational committee of four scientific conference, including the "I Seminarium Młodych Procesualistów Cywilnych" (the 1st Seminar of Young Researchers of Civil Procedure), of which I am a co-initiator (attachment no. 5, point III.C).
- I am an active member of one scientific organisation (attachment no. 5, point III.H).

- I received the award of the Electronic Media Law Forum for the best monograph on new technologies the award of the Rector of the Univeristy of Rzeszów for obtaining the academic degree of a doctor in law before the age of 30 (attachment no. 5, point II.H and III.D).
- I participated in European programs and other international and domestic programs, which allowed me to take 9 scientific and teaching trips to academic centers in Europe - Czech Republic, Spain, Portugal, Slovakia, Ukraine, Great Britain, including 5 after obtaining a PhD (attachment no. 5, point III.Aa and III.Ab). I also did two foreign scientific internships (attachment no. 5, point III.L).
- In my didactic work, I have been giving lectures and conducting classes at master, bachelor and postgraduate studies, both in Polish and English, at the Faculty of Law and Administration of the University of Rzeszów. I have been giving lectures at traineeship organized by the Chamber of Court Executive Officers in Rzeszów (attachment no. 5, point III.Ia).
- I am a tutor of the Student Scientific Cirle of Civil Procedure at the Faculty of Law and Administration of the University of Rzeszów (attachment no. 5, point III.J).
- I was the supervisor and promoted 23 bachelors of administration executing the seminar on civil law at the Faculty of Law and Administration at the University of Rzeszów (attachment no. 5, point III.Ia).
- I help popularize science, especially as a member of the jury of the contest of legal knowledge on civil law for students (attachment no. 5, point III.Ib).
- I perform or continue to perform a range of organizational functions at the University of Rzeszów (attachment no. 5, point IIIQ).

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