

## Summary

### Mandatory legal representation in civil proceedings

The subject of this dissertation is the issue of mandatory legal representation in civil proceedings. In civil litigation, an important element is the procedural actions of its participants, in particular, the parties to the proceedings. The fact that a party (participant in the proceedings) has procedural capacity does not in every case determine the effectiveness of independent performance of procedural acts. Both in civil proceedings and in other proceedings before adjudicatory bodies, situations arise when actions on behalf of a party and with direct effect for them are taken not by themselves, but by another person, referred to as a substitute.

In the first chapter, terminological remarks and the systematics of mandatory legal representation are presented. It is explained what the substitution is and how it is understood. The ways of acting as a deputy are defined. An attempt was made to distinguish substitution from similar concepts. In addition, the characteristic elements of substitution were presented along with its location in civil proceedings. A summary of the concept of postulatory capacity and mandatory substitution in civil proceedings is provided. The first chapter ends with a presentation of the terminological assumptions for mandatory representation in civil proceedings.

The second chapter is devoted to the general characteristics of mandatory legal representation in civil proceedings. In order to understand the issues addressed in the dissertation, the motives and historical conditions shaping mandatory legal representation in civil proceedings were presented. The chapter also addresses the assumptions of mandatory legal representation from the perspective of civil proceedings. The regulation of mandatory legal representation in civil proceedings in the Polish legal order is also presented. The study also juxtaposes mandatory legal representation in civil proceedings with institutions that coincide and are found in selected court proceedings and before other adjudicatory bodies. It is of particular significance for this dissertation to take into consideration the mandatory legal representation in civil proceedings in selected legal orders of the European Union countries.

In the perspective of the presented research assumptions, the study also presents the distinctiveness that characterizes mandatory legal representation in civil

proceedings. The discussion of this issue would not be possible without distinguishing four subchapters, the titles of which reflect either the stage of the proceedings or relate to strictly specified types of cases in which the legislator has established mandatory legal representation in civil proceedings.

The last chapter addresses the issue of performing procedural acts while taking into account the provisions on mandatory legal representation in civil proceedings. The introduction to the topics covered in this chapter was the issue of procedural acts from the perspective of mandatory legal representation in general. In addition, issues related to the scope of performing procedural acts under mandatory legal representation in civil proceedings were addressed. The consequences of failing to observe mandatory legal representation which take place in the course of civil judicial proceedings, were also presented. The final issue addressed in the fourth chapter was the problem of violating the provisions on mandatory legal representation in civil proceedings in the context of the invalidity of the proceedings.

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