

Summary of professional accomplishments

1. Name. Jarosław Stanisław Stasiak

2. Diplomas, scientific or artistic degrees held - stating the entity granting the degree, the year it was obtained and the title of the dissertation.

A) Diploma of higher education from the University of Lodz, Master of Law degree obtained on October 11, 2000 in the field of law (5-year programme) with a good result.

B) LLM diploma, Magister Legum (LL. M.) degree in Law obtained on June 24, 2002 at the Westfälische Wilhelms Universität Münster (1-year programme) with a score of Magna cum Laude.

C) Degree of Doctor of Jurisprudence (PhD) in the field of law awarded by the resolution of the Faculty of Law and Administration of the University of Lodz dated 13.03.2009 on the basis of the doctoral dissertation entitled *Zwolnienie od kosztów sądowych w polskim i niemieckim postępowaniu cywilnym (studium prawnoporównawcze)*. The supervisor of the doctoral dissertation was Prof. Andrzej Marciniak, PhD, reviewers of the doctoral dissertation were: Józef Jagieła, PhD, Prof. at University of Lodz, and Prof. Vytautas Nekrošius from Vilnius University. Diploma rewarded on May 25, 2009.

3. Information on employment.

I have combined my scientific career with my practice as an Attorney-at-Law. The two professional areas are presented below.

1) Working as an Attorney-at-Law.

I completed my Attorney-at-Law training from 2002 to 2006 at the District Chamber of Attorneys-at-Law in Lodz. On February 17, 2006 I was entered into the list of Attorneys-at-Law. Since then, I have been providing legal assistance to units of the public finance sector of the Lodz Voivodship Office in Lodz and the City of Lodz Office. Since its

establishment, I have participated in the work of the Human Rights Committee of the Council of the District Chamber of Attorneys-at-Law in Lodz, providing it with extensive substantive support.

2) Research and educational work.

In the summer semester of 2014 and from 2017 to 2018, I was a lecturer at the University of Computer Science and Skills in Lodz, teaching Private and Administrative Law.

As of October 1, 2018, I was hired by Jan Kochanowski University of Kielce as an Assistant with a doctoral degree. After a year, I was transferred to the position of Assistant Professor for research and education, which I still hold today. From October 1, 2020 to May 31, 2023, I served as Deputy Director for Education in the Institute of Legal Sciences at the Piotrków Trybunalski Branch of the University. As of June 1, 2023 the Branch became an independent public university, the Piotrków Trybunalski Academy. Until 1 October 2024, I managed Administration at the Faculty of Humanities and Administration there, as the Head of the Administration and Legal Department.

4. Description of the achievements referred to in Article 219, paragraph 1, item. 2 of the Act of July 20, 2018, the Law on Higher Education and Science (Journal of Laws of 2021, item 478, as amended).

A. Scientific achievement

As my basic scientific achievement after I obtained my doctoral degree, which constituted a significant contribution to the development of the science of law within the meaning of Article 219, paragraph 1, item. 2 of the Act of July 20, 2018, the Law on Higher Education and Science (Journal of Laws of 2021, item 478, as amended), I recognize the following study published in full (a monograph)

Jarosław Stasiak, *Pozew i powództwo o uzgodnienie treści książki wieczystej z rzeczywistym stanem prawnym*, Wydawnictwo Wolters Kluwer Warszawa 2024 ISBN 978-83-8358-792-9

The monograph was reviewed by Tadeusz Zembruski, PhD, Prof. at UW (University of Warsaw)

B. Subject, objective and research method.

The book is the first full monographic study in the Polish literature on the institution of an action aimed to update the contents of the land and mortgage register according to the current legal status. In the literature there is only the work by Daniel Jakimec, PhD: *Powództwo o uzgodnienie treści księgi wieczystej z rzeczywistym stanem prawnym*, ISBN 9788394671402. This publication, however, has a much narrower character (only about 100 pages, including bibliography and table of contents) and focuses only on a few procedural problems related to the described legal action.

It should be noted that the institution analysed in my monograph is standardised in both procedural and substantive law. It serves to secure property rights of fundamental importance (the basic asset of most legal entities), hence the basic research assumption was to verify whether the current regulation allows for effective protection of rights in court proceedings. If judicial protection was impossible to obtain, it would be right to ask the question of the compatibility of the regulations governing the procedure for updating of the contents of the land and mortgage register with Article 6(1) of the ECHR and Article 1 of Protocol No. 1 to the ECHR. The extensive literature makes it possible to start a discussion on this issue. The divergent judicial jurisprudence, created over the years, on various aspects of the implementation of the legal action described in the monograph, does not serve to protect the previously mentioned human rights. It creates far-reaching uncertainty as to exercising the rights. The scientific research carried out served to verify the thesis in question and to seek solutions that would guarantee legal certainty to a greater extent than the current regulation.

Against the background of the general object of research thus set, I formulated several specific lines of research, subordinated to the general goal. The first of these was the historical and legal analysis of the registers of rights

and obligations related to real estate. It was necessary to determine what the aim of their creation was, what purpose they served historically, and still serve in the changing relationship between government and society. The transformation of subjects into citizens, typical of democratic legal states, also changed the purposes and tasks of the records kept. This assumption made it possible to conclude that the transfer of the conduct of proceedings for updating of the content of the land and mortgage register in accordance with the current legal status to the procedural mode should not have led to the establishment of a fully adversarial system in the proceedings described in the monograph. This perspective contrasts with the newly emerging trend in judicial jurisprudence, including the stance of the Supreme Court, which, in fact, reinforces the formalism and complexity of the proceedings conducted to update the contents of the land and mortgage register.

A necessary element of the research was the still inconsistently understood nature of the action itself. Views on the nature of the claim described in the monograph are umpteen in different variants, and the scientific dispute in this regard has basically lasted in the literature from the beginning of the functioning of the institution described in the Polish law. In the absence of a definite resolution, each of the views had to be verified in detail, given its advantages and disadvantages. Finally, one of them had to be adopted and arguments had to be presented in defence of such thesis.

The subject of extensive discussion in the legal literature is the competition between the procedure for updating the contents of the land and mortgage register and other procedures that can result in changing the contents of the land and mortgage register. This can, in particular, be a legal action with a demand formulated on the basis of Article 189 of the Civil Procedure Code to determine the existence of a right or legal relationship, land and mortgage register proceedings, or proceedings to determine the acquisition of property by acquisitive prescription. The purpose of the research was to ask whether the paths to legal protection are dichotomously divided or whether, in some situations, the choice made by the entity seeking legal protection is irrelevant.

It was therefore necessary to examine each of the ‘competing’ proceedings, to indicate their objectives and attempt to distinguish between them and the legal action that is the subject of the monograph.

The difficult part was to present the construction of the claim itself, relying on the principle of disposability, now almost an impassable limit in civil proceedings. However, the lack of sufficient precision in the described area should not, as in other civil cases, lead to the dismissal of an action, which is also brought in the public interest. After all, it is difficult to defend the thesis that the court could just leave the defective content of the land and mortgage register as is – allowing it to provide misleading information to the entity for which it is in fact kept - to a third party. A compromise had to be sought on the grounds of civil procedure, reconciling the two seemingly mutually exclusive values.

It was also impossible to avoid answering questions about the entities involved in the proceedings. Much more often than in a typical trial, there are numerous entities on the plaintiff and on the defendant sides in this type of cases. An issue that has been widely discussed in the literature is how to persuade to participate in the procedure entities, other than the active entity, seeking to update the content of the land and mortgage register, that are also co-claimants of the same right, subject to disclosure or deletion from the land register. Their passive attitude may waste efforts to ensure compliance of the land and mortgage register with the actual legal status. Also in need of empirical verification was the thesis, present in the literature, on the broad involvement of entities that may act as a party to proceedings, namely the Prosecutor and the Ombudsman, in efforts to keep the land and mortgage registers up to date. It was necessary to obtain mathematical data on the number of proceedings initiated or taking place with the participation of the described entities.

It was also necessary to examine the course of the proceedings themselves and more broadly describe the situations occurring in them that differ from a ‘regular civil trial.’ A very important issue is the extent to which a court

considering an action for updating of the content of the land and mortgage register is bound by an administrative decision, a certificate created under the provisions of the Code of Civil Procedure, or a decision created in other civil proceedings. It was necessary to answer the question to what extent the consistency of the legal system in the present proceedings must be preserved, as well as to what extent a court of general jurisdiction may determine matters for itself in cases for updating of the content of the land and mortgage register.

The most difficult element of the analysis was examining the extent to which the difficulties of disclosing in the register a decision made in a case for updating of the content of the land and mortgage register, resulting from the construction of the land and mortgage register proceedings, affect the institution described in the monograph. For some authors, the construction and conduct of the land and mortgage register proceedings form the basis for evaluating the entire institution. The validity of this assumption should have been verified. The opposite direction should also have been considered, constituting a kind of Copernican revolution, by answering the question of the extent to which the technical provisions concerning keeping the land and mortgage registers should be subject to an interpretation consistent with the purposive interpretation of the substantive and procedural provisions governing an action for updating the legal status disclosed in the land and mortgage register.

An indispensable element when analyzing an issue of a universal nature, found in most legal orders, is to study the solution of the same problem in other, especially culturally close, jurisdictions. Legal and comparative analysis is, with this type of consideration necessary for the formulation of the final research conclusions.

The research made it possible to provide answers to the general research assumptions and allowed the formulation of conclusions about the necessary changes in the law. To this end, a significant number of Supreme Court and common court rulings was used, in attempt to determine the directions of interpretation of unclear regulations. Also helpful were a number of relevant,

although fragmentary, studies of Polish and foreign-language literature, the results of empirical research, as well as an analysis of the voices of practitioners, pointing to problems concerning the use of legal remedy for the implementation of procedural actions.

C. Scope and layout of the book

The specific nature of the subject of the study resulted in dividing this extensive matter into the following segments, corresponding to the research assumptions made earlier. The historical-legal part contains a description of the evolution of the systems of registration of rights and obligations related to real estate, as well as the very action for updating the content of the land and mortgage register with the actual legal status. The next part of the work contains general characteristics of the described institution and a voice in the still lively discussion about the nature of this claim. Further on, some specific issues were distinguished - the characteristics of the described institution, allowing to distinguish it from other types of cases of a similar nature, known to civil proceedings, the manner of formulating the claim in the lawsuit as a consequence of the choice of a certain theory about the nature of the legal action, the characteristics of the party to the described civil proceedings, the judgment made in the proceedings, and its implementation. This is followed by a legal and comparative analysis with selected jurisdictions, with particular reference to German law, as the legislation of the country from whose law the said institution was adopted. The conclusion of the work contains its summary and “*de lege ferenda*” postulates about the changes that should be introduced in the legal system.

Chapter I deals with the historical analysis of the development of systems for registering rights and obligations. The importance of registers of rights and obligations related to real estate has been highlighted here. It has been shown that keeping such registers is a common phenomenon related to the emergence of the institution of the State and public authority. In the early days, however, the main purpose of the registers was to strengthen the secular

and clerical power itself. Knowing which citizens had the most property (property ownership was the most significant part of resources of the subjects) helped organize fiscal policy or military service, as well as reduce litigations. In the Middle Ages, such registers also begin to perform legal functions, the acquisition of rights to real estate becoming possible only if the legal predecessor was listed in the relevant register. In the 19th century, with the popularisation of the institution of mortgages as a loan collateral, registration becomes universal and widely known. In contrast, in a democratic State governed by the rule of law, where public institutions perform servant functions to citizens, the registers are considered to play a supportive role for honest entities, who are provided with information about the legal status of real estate guaranteed by a public authority. This assumption is at the basis of the purposive interpretation of the provisions governing the existence of the institution of an action to update the contents of the land and mortgage register with the actual legal state.

Chapter II analyzes the history of the institution of the action aiming to update the register itself. It describes the experience resulting from the functioning of German regulations on some Polish territories in the Second Republic, as well as the legislative work carried out during that period. The body of legislative work created at that time becomes the basis for the appearance of the institution analysed in the monograph in Article 23 of the Property Law Decree. The name adopted for it at the time, which is not very precise, continues to function in legal and jurisprudential language to this day. During the analysed period, the institution was finally formed. The legislator maintained its general shape, with little changes, when in the 1980s the Law on Land Registers and Mortgages was introduced, which is still in force today.

In Chapter III I characterize the institution itself, its purpose and objectives. The chapter describes the prerequisites for the legitimacy of an action to update the contents of the land and mortgage register with the actual legal state. It also defines the concept of legal status to be corrected on the

basis of an action under Article 10(1) of the Act on Land and Mortgage Register. The second part of the chapter provides the theoretical and legal foundation for further considerations. Numerous views are presented on the nature of the described action, from the most widely accepted classification as a type of action for determination, to the currently accepted in the jurisprudence of the Supreme Court recognition of the action under Article 10(1) of the Act on Land and Mortgage Register as an action for submission of a declaration of intent. Ultimately, the monograph adopts the formative nature of the action, referring to the view already present in the literature, but which has now been completely, and wrongly, abandoned. The choice of the view of the nature of the institution has important implications for a number of practical assumptions, e.g. the scope of the title to bring the action before court, or the nature of the violation of the law indicated in the cassation appeal made in the case for updating of the contents of the land and mortgage register with the current legal status.

Chapter IV contains considerations about the need to choose the appropriate path of legal protection, when the effect of removing the defective content of the land and mortgage register can also be achieved in other procedural, non-procedural, and administrative proceedings, or other proceedings of a material and technical nature. It was assumed that the division is dichotomous in nature, and in relation to some of the proceedings the process of updating the content of the land and mortgage register with the actual legal status will constitute *lex specialis*, while some of them, such as the land and mortgage register proceedings will establish this kind of regulation in relation to the described institution.

Chapter V was devoted to the technique of formulating the claim in a suit for updating the contents of the land register with the actual legal status. Even the most plaintiff-friendly approach to a case, that is also conducted by the plaintiff in the public interest, must not exceed the limits of the principle of disposition, and in this case it is necessary to include in the demand the inconsistency occurring in a particular case. The demand must also

correspond to the general principles of land registry and contain the scope of legal protection expected by the court, which will be consistent with the said principles. I attempt to determine the possible limits of the action of the court hearing the case, which, on the one hand, should favour updating of the land and mortgage register to a state consistent with reality, and on the other hand, must not lead to an infringement of the rights of the entity, acting as a defendant in the lawsuit.

The next Chapter, number VI, deals with the subject of active and passive legitimacy in the process described in the monograph. It is distinguished from typical civil proceedings by the much more frequent appearance of more than one entity acting as one of the parties to the legal action. The work adapts the view of the necessity of participation on the side of the defendant of co-owners of real estate other than the plaintiff, who do not show interest in the legal regulation of the state disclosed in the land and mortgage register. There, too, the results of research are presented about the activity of entities acting as a party in civil proceedings, which, according to some authors, are supposed to be responsible for the current contents of the land and mortgage register. It turns out that their activity is minimal. An important part is also made up of arguments about the course of the proceedings themselves, the degree to which the court is bound by the content of the documents submitted to it, the evidence admissible in the proceedings in question, and the security granted under Article 10(2) of the Code of Civil Procedure.

Chapter VII, on the other hand, deals with the final stage of the proceedings, i.e. the passing of a judgment and its disclosure in the Land and Mortgage Register. I take for granted the legal inadmissibility of a situation in which, despite the existence of a final judgment upholding a claim under Article 10(1) of the Act on Land and Mortgage Register, the content of the register would remain unchanged and there would be a sale of the property to a *bona fide* entity protected by the warranty of the principle of public credibility of land and mortgage registers. In general, it describes the contents

of the judgment itself, its enforcement, and the consequences for the land and mortgage register court.

Chapter VIII contains the results of a study of analogous institutions from other analysed jurisdictions. Most comments were devoted to German law, as the legal system from which the Polish legislator adopted the described institution. The Austrian and Swiss solutions, which are quite similar to the Polish ones, are also interesting. Also described are the examples of two countries in which the keeping of registers of rights and obligations relating to real estate is a prerogative of the executive authority, namely France and the Netherlands. Of interest is the Czech system, where, despite the administrative mode of keeping registers, cases concerning the removal of incompatibilities are handled by ordinary courts.

The monograph culminates with final conclusions and *de lege ferenda* postulates (with view to the future law), divided into two groups. One is related to the entire system of registration of rights and real estate in Poland, the other is limited solely to the analysed institution.

D. Conclusions of the analysis

The analysis of the legal regulation, the numerous and contradictory statements found in the judicial practice, the changing position of the doctrine, and the observation of judicial practice, allow me to conclude that the issues of the action for updating the contents of the land and mortgage register are extremely complex, difficult to describe doctrinally and to conduct them before the court, even by professional attorneys. The correct assumption, underlying the institution, of combining the public interest, which is expressed in the desire to keep up-to-date the data in the registers of rights and obligations relating to real estate of legal significance, with the interest of the plaintiff seeking to obtain by a favourable judgment the disclosure or removal of rights or obligations from the public register, as a result of changes in the shape of the civil process, in particular, the increased importance of the

adversarial principle, may now threaten the realization of the first of the described values.

An analysis of the action in its current form was also carried out. Four prerequisites for the legitimacy of the described action were distinguished, distinguishing it from other actions regulated by the Polish law. They are:

- 1) Inconsistency of the legal status in the land and mortgage register with reality;
- 2) Covering the elimination of defects with the demand included in a lawsuit in a specific case;
- 3) Requirement for the plaintiff to be fully entitled to bring the action before court, and by the defendant to have full passive legal standing, understood in the manner characteristic of the institution described;
- 4) There is no alternative legal possibility of changing the content of the register. Contrary to some of the authors, I adopt a dichotomous division of legal protection paths for entities whose legal interest is threatened by defective contents of the land and mortgage register.

It has been demonstrated that the subject matter of certain proceedings is distinct from lawsuits under Article 10(1) of the Act on Land and Mortgage Registers (KWiH), such as:

- a) Court actions initiated *ex officio* under Article 626(13) § 2 of the Code of Civil Procedure (Kpc);
- b) Proceedings regarding changes in the land and mortgage register under Article 27 of the KWiH;
- c) Land and mortgage register proceedings;
- d) Termination of co-ownership;
- e) Proceedings concerning the division of inheritance and the division of joint property;
- f) Proceedings concerning the confirmation of adverse possession;
- g) Other cases recognized in the trial, among others, actions under Article 189 of the Civil Procedure Code

- h) Administrative proceedings resulting in changes to the content of the land and mortgage register.

The distinction made allows for a dichotomous classification of the various institutions, aimed at ensuring the consistency of the content of land and mortgage registers with reality. This distinction is linked to the necessity for the party seeking such consistency to choose the correct legal protection procedure. An incorrect choice will generally result in the ineffectiveness of the actions taken.

In Chapter V of the monograph, a concept of a plaintiff-friendly interpretation of the claim in a case concerning the alignment of the content of the land and mortgage register with the actual legal state is presented. This concept represents a compromise between structuring the proceedings in a way that is favourable to the plaintiff, who is also acting in the public interest, and the fundamental consequence of the principle of party disposition in civil proceedings, which requires that the claim must address an objectively existing discrepancy.

Chapter VI, in addition to considerations regarding the parties involved, presents findings based on statistical research, indicating the negligible participation of entities having the rights of a party in proceedings aimed at updating the contents of the land and mortgage register. The scope of cases initiated by the public prosecutor, as well as those in which the prosecutor became involved during the course of ongoing proceedings, and the very limited engagement of the Ombudsman, allow for the conclusion that the actions of these entities have minimum significance in ensuring the accuracy of land and mortgage register content. This leads to the necessity of continuing the fundamental premise of this institution, namely the combination of the individual legal interest of the plaintiff with the general public interest in having land and mortgage registers reflect the actual legal status.

In the following Chapter VII, the search for a solution that guarantees the restoration of the correct contents of the land and mortgage register in accordance with a court ruling is addressed, particularly in situations where the plaintiff, whose claim for updating of the register's content has been granted, is inactive, at their fault or not. The

possibility is considered of the court for land and mortgage registers introducing the content of the ruling *ex officio*, or through a material and technical action. An expansive interpretation of the notice referred to in Article 36(1) of the KWiH allows for the preservation of system consistency, which operates essentially in the interest of third parties – potentially interested in information about the rights and obligations associated with a specific property.

The final conclusions are preceded by Chapter VIII, which describes the equivalents of claims for the updating of the land and mortgage register in other jurisdictions, taking their specificities into account. It is accepted that the conclusions from the German regulation cannot be directly transferred, despite the common origin of both institutions, due to the distinctive features of the German system for registering property-related rights and obligations.

The final analysis of all the issues leads to the conclusion that there is a need to update the articles of the law, governing the institution discussed in the monograph. The provision regulating it has not undergone a broad legislative review since it first came into force. For many years, it has been the subject of divergent rulings by common courts and the Supreme Court on various aspects. Despite resolutions, the divergence in practice has not been resolved. The proposal by some authors to move the institution to non-litigious proceedings is questioned, as a demand for a complete change of the institution's conditions, particularly since its potential for improvement within its current form remains unexploited. The final conclusions contain proposals concerning the entire system of registering rights and obligations related to real estate in Poland, such as the lack of significant motivation for certain entities, like the previous property owner, to verify inaccurate information in the land and mortgage register. Another issue is the absence of registered information on ongoing administrative proceedings related to properties with land and mortgage registers, which does not serve the system purposes well.

Among the proposals specifically regarding the institution described in the monograph, the necessity for a statutory distinction between the described procedure and other legal remedies, that result in changes to the content of the land and mortgage register, is highlighted. Numerous proposed simplifications for the conduct of the

procedure itself and for registering the resulting judgment in the land and mortgage register are also noteworthy. An interesting idea is the adoption, *mutatis mutandis*, of time limits from Austrian law for filing a claim to align the contents of the land and mortgage register, under the penalty of losing this right after a certain period. Implementing this proposal would encourage the entitled parties to act promptly and relieve courts from handling the most difficult cases, particularly those involving distant past events.

5. Other scientific and research achievements.

In my scientific work, one main area of research can be identified (civil proceedings in their broadest sense), as well as several additional ones, among which are administrative and constitutional law and human rights issues.

Within the main area of interest worth mentioning is the monograph *Zwolnienie od kosztów sądowych*, published by Lexis Nexis in 2010, ISBN No. 9788376203331, following my doctoral dissertation defence, and my next monograph *Skarga nadzwyczajna w postępowaniu cywilnym*, published by C.H. BECK in 2021 NR ISBN 978-83-8198-962-6, the only one in the legal literature devoted exclusively to the then newly introduced remedy.

Previous publications in the mentioned field are:

- 1) *Die Zustellungen im polnischen Zivilverfahren* in Kieler Ostrecht Notizen of 2001.
- 2) *Die Rechtsmittel im polnischen Zivilverfahren* in Jahrbuch für Ostrecht 2/2003 (written together with Monika Michalska-Marciniak, PhD, Prof. at UŁ)
- 3) *Wynagrodzenie adwokata za reprezentację strony w procesie cywilnym in Germany, Palestra* 2004 No. 11/12
- 4) *Die Neuregelung der Befreiung von Gerichtskosten in Polen in Osteuropa Recht*, 2007. (written together with Artur Fabisch, Ph.D., Professor at the University of Würzburg).

- 5) *Adwokat z urzędu w niemieckim postępowaniu cywilnym*, Palestra 2007 No. 11/12

More recent publications include:

- 1) *Skarga do sądu jako element kontroli zewnętrznej w sektorze zamówień publicznych na skargę nadzwyczajną*, *Finanse Komunalne* 2019 No. 7-8,
- 2) Notes to 18 regulations in *Komentarz do nowelizacji Kodeksu Postępowania Cywilnego, kosztów sądowych w sprawach cywilnych, dochodzeniu roszczeń w postępowaniu grupowym i przepisów przejściowych* (scientific ed. T. Zembrzusi, PhD, Prof. at UW). ISBN 978-83-8187-239-3, published by Wolters Kluwer
- 3) *Die außerordentliche Klage, das neue Anfechtungsmittel im polnischen Zivilverfahren* in *Jahrbuch für Ostrecht* 2020
- 4) *Kaucja aktoryczna a zasada równości w KPC* - a chapter in the memorial book *Symbolae Andreae Marciniak Dedicatae 2022*, edited by Józef Jagieła, PhD, Prof. at UŁ and Robert Kulski, PhD, Prof. at UŁ, ISBN no. 978-83-8291-246-3, published by Wolters Kluwer.
- 5) *Dodatkowe wymogi formalne pozwu i wniosku o wszczęcie postępowania nieprocesowego związane ze stanem zagrożenia epidemiologicznego*, *Iuridica Resoviensia* 2023 Vol. 43 No. 125.
- 6) *Zbywanie i oddawanie w użytkowanie wieczyste nieruchomości należących do podmiotów publiczno-prawnych- doświadczenia z czasów pandemii i ich aktualność po jej zakończeniu-* rozdział w monografii *Cyfryzacja - informatyzacja - cyberbezpieczeństwo. Perspektywy, szanse i zagrożenia dla administracji publicznej*, scientific ed. by D. Skoczylas, PhD, P. Śwital, PhD, Radom-Szczecin 2023. Publication scheduled for November 2024.

I have worked on innovative issues such as the institution of extraordinary complaints, introduced into Polish law in 2018, the relevance of civil procedure developments that emerged during the pandemic, and the current significance

of the institution of the plaintiff's deposit in social and legal conditions different from those previously described in the literature.

However, assuming that procedure plays a supportive role in relation to substantive law, which is realized through it, I have also explored topics within this field. There are also several publications related to broadly defined area of private law:

- 1) *Artykuł 15 § 1 KSH a poręczenie wekslowe*, Prawo Spółek 2005 No. 11
- 2) *Skutki cywilnoprawne uchwalenia planów zagospodarowania przestrzennego związanych z przebudową miasta*, a chapter in the monograph: *Miasto w budowie prawne problemy inwestycji komunalnych* scientific ed. Marlena Sakowska- Baryła, PhD, Prof. at UŁ and Marcin Górski, PhD, Prof. at UŁ, Municipium S.A. Warsaw 2016, ISBN 978-83-61980-72-8.
- 3) *Samodzielność gminy i konstytucyjne zasady ustrojowe a realizacja uprawnień wynikających z art. 36 ust. 1 Ustawy o planowaniu i zagospodarowaniu przestrzennym* (joint with Dr. Marlena Sakowska Barilla Prof. UŁ) *Przedsiębiorczość i Zarządzanie* 2017 Vol. XVIII z. 2 part 1.
- 4) *Problemy prawne dotyczące nieruchomości warstwowych na przykładzie Miasta Łodzi* (written together with Rafał Budzisz, PhD), a chapter in the monograph: *Prawo własności warstwowej – Zagadnienia wybrane* published by the Institute De Republika 2022, ISBN 978-83-67253-23-9.
- 5) *Dopalacze – legalne narkotyki – substancje zagrażające życiu i zdrowiu- Postawa Administracji Publicznej, zwalczanie czy kontrola?* (written together with Sebastian Matyjek, PhD) *Acta Universitatis Lodziensis, Folia Iuridica* 2023 – special issue
- 6) *Uzgodnienie księgi wieczystej prowadzonej dla lokalu*, a chapter in the monograph: *Nabywanie lokali teraźniejszość i perspektywy*, edited by Aneta Kaźmierczyk, PhD, Prof. at UEK, Ewelina Badura, PhD. C.H. BECK Warsaw 2024, ISBN no. 978-83-8356-431-9.

My academic interests also encompass the area broadly understood as administrative procedural and substantive law. Within this group, the following publications should be mentioned:

1. *Możliwości reprezentowania przez wspólnotę mieszkaniową właścicieli lokali w postępowaniu administracyjnym – postulaty de lege ferenda*, a chapter in the monograph: *Własność lokali. Teraźniejszość i perspektywy*, scientific ed. Aneta Kaźmierczyk, PhD, Prof. at UEK, Ewelina Badura, PhD. C.H. BECK Warsaw 2020, ISBN no 978-83-8198-965-7.
2. *Czynności organu administracji publicznej podejmowane po otrzymaniu skargi do WSA* (written together with Paula Kowalczyk, MA.) *Studia Prawnoustrojowe* 2022, No. 58.
3. *Aktualna regulacja użytkowania dronów w prawie polskim – ocena i postulaty de lege ferenda* (written together with Weronika Stańczak, MA.) *Annales Universitatis Mariae Curie Skłodowska. Sectio G* 2023, Vol. LXX, 2.
4. *Problem niedofinansowania administracji lokalnej w zakresie zadań własnych oraz zleconych i możliwości jego rozwiązania*. *Zeszyty Prawnicze UKSW* 2024, Vol. 24 No. 1.

The last field of my research and publication is international law, in particular human rights. In my case it is an indispensable complement, allowing me to achieve coherence of statutory solutions from individual areas of law with constitutional and international law. The following publications should be mentioned:

- 1) *Skuteczność gwarancji szybkości postępowania cywilnego i administracyjnego w kontekście spełnienia przez Polskę wymogów art. 6 Europejskiej Konwencji Praw Człowieka*, a chapter in the monograph: *System ochrony praw człowieka pierwszej generacji wobec nowych wyzwań cywilizacyjnych* scientific ed. Prof. Jerzy Jaskiernia and Kamil Spryszak, PhD, Prof. at UJK. Wydawnictwo Adam Marszałek Toruń 2023, ISBN no. 978-83-8180-720-3.

- 2) *The Impact of Art. 25 of the European Social Charter on the Protection of Claims of Employees in the Event of the Insolvency of Their Employer in the Polish Law*, Eastern European Journal of Transnational Relations, 2023 vol. 7 no. 3
- 3) *Orzecznictwo ETPCz na podstawie art. 1 Protokołu nr 1 a zmiany w prawie polskim*. A chapter in the monograph: *Efektywność krajowych i międzynarodowych systemów ochrony praw człowieka drugiej generacji*, scientific ed. Prof. Dr. Jerzy Jaskiernia and Kamil Spryszak, PhD, Prof. at UJK. Wydawnictwo Adam Marszałek Toruń 2024, ISBN no. 978-83-8180-834-7.

In the coming year, my chapter will be published in another monograph edited by Prof. Jerzy Jaskiernia and Kamil Spryszak, PhD, Prof. at UJK, which will be a post-conference publication following the 16th International Scientific Conference on Human Rights, entitled *Wpływ orzecznictwa Europejskiego Trybunału Praw Człowieka powstałego na podstawie art. 6 ust. 1 Europejskiej Konwencji Praw Człowieka na zmiany w polskich procedurach*.

Additionally, a publication is planned in a monograph published by the Piotrków Academy Press titled *Kilka uwag w przedmiocie nowelizacji art. 156 § 2 KPA*, which is the result of my presentation at the First National Scientific Conference *Współczesne problemy administracji z perspektywy różnych nauk*, organized, among others, by myself at my home academic institution.

Among my other scientific and research achievements, I also count participation in international and national conferences, where I had numerous presentations.

I also remain an active member of the Society of Civil Proceduralists and the Association for the Education of Public Administration.

6. Information on demonstrating significant scientific or artistic activity carried out at more than one university, scientific institution, or cultural institution, particularly abroad.

During the preparation of the monograph *Pozew i powództwo o uzgodnienie treści księgi wieczystej* (Claim and Action for Updating of the Land and Mortgage Register), I completed two long-term research internships at universities other than my place of employment. From November 1, 2023, to January 31, 2024, I completed a research internship under the supervision of Dorota Wiśniewska, PhD, Prof. at UŁ, in the Department of State and Law Development Studies at the Faculty of Law and Administration of the University of Łódź, regularly participating in departmental meetings, presenting papers on my research interests, focusing on presenting issues from a historical and legal perspective. A presentation on the problems of reprivatization in Łódź and its specificity compared to Warsaw or the so-called ‘recovered territories’ (territories Poland reclaimed after WWII) garnered wide interest. Another result of the internship was my participation in the National Scientific Conference as part of the spring meetings of legal historians on April 11, 2024, where I delivered a paper titled *Prawo rejestracji nieruchomości – rozwój w Polsce i Europie*. This paper summarized the research I conducted during my internship at the University of Łódź, which formed the basis for the first chapter of the monograph *Pozew i powództwo o uzgodnienie treści księgi wieczystej* – the scientific achievement subject to evaluation in this proceeding.

In the summer semester of the 2023/2024 academic year, from March 1, 2024, to June 30, 2024, I completed a second research internship at the Faculty of Law and Administration of the Kazimierz Pułaski University of Radom, under the supervision of Joanna Smarż, PhD, Prof. at URad, and Paweł Śwital, PhD. As part of the internship, I participated in scientific meetings of the Department of Administrative Law and Administration Studies and faculty meetings of the Faculty of Law and Administration, where I presented the results of my research. I also prepared a scientific lecture on my ongoing research. Furthermore, I participated in the 23rd Annual SEAP Scientific Conference, co-organized by the aforementioned scientific institution, delivering a paper titled *Wywłaszczenie ‘estetyczne’ dopuszczalność w aktualnym stanie prawnym – postulaty de lege ferenda*, which was one of the results of the scientific and library research

conducted at the Radom University. The outcome of the conference participation and the internship will be a planned publication in the scientific journal *Studia Prawnoustrojowe*. I also reviewed the monograph *AKTUALNE PROBLEMY PRAWA I NAUK O BEZPIECZEŃSTWIE*, published during my internship by the University of Radom Publishing House. Thanks to the consideration of, among others, my review, the monograph significantly increased its scientific value.

7. Information on educational, organizational, and science or art dissemination achievements.

My involvement in the activity of the professional self-government of Attorneys-at-Law is worth mentioning. Apart from participating in the Human Rights Committee at the District Chamber of Attorneys-At-Law in Łódź, which involved popularizing legal knowledge among high school students and supporting initiatives fostering cooperation between the professional self-government and external communities, I also trained Attorneys-at-Law. The training meetings were regularly held both in Łódź, for members of the District Chamber of Attorneys-At-Law in Łódź, and in other cities, for other Attorneys-at-Law, as part of training organised by the National Council of Attorneys-at-Law. This year, I conducted two such training sessions – popularizing knowledge on land and mortgage registers and actions for updating of land and mortgage register contents, as well as the defence of local government units against underfunding by the State Treasury, particularly through claims under Article 49(6) of the Local Government Revenue Act.

The efforts of my team and myself have led to the creation and gradual development of a completely new research centre in the field of social sciences, particularly legal sciences – the Piotrków Academy. I participated in the scientific and organizational committee of the First National Scientific Conference „*Współczesne Problemy Administracji z perspektywy różnych nauk*” (Contemporary Problems of Administration from the Perspective of Various Disciplines). We are also planning further scientific events that will be crucial for the development of legal sciences in the Piotrków region. In addition to the already existing administration program, my work has contributed to the launch

of postgraduate studies in property management and internal auditing. In the future, we are also considering establishing Legal Faculty as the next step in the development of the university.

Throughout my academic career, I have supervised a total of around 60 bachelor's and master's theses. Now that the university staff is stabilizing, I primarily teach courses in civil procedure, judicial-administrative procedure, and broadly understood property law. In previous academic years, whenever I had the relevant academic knowledge or practical experience, I also taught courses in other branches of broadly understood private law (civil law, labour law, commercial law, and intellectual property law) and public law (administrative procedure, public economic law, crisis management), which was necessitated by staff vacancies or unforeseen events such as maternity or medical leaves. I taught not only within the Administration program, but also in most programs at the then-existing Branch, including History, Logistics, and Management.

8. Apart from the matters listed in points 1–6, the applicant may provide other information important from their perspective regarding their professional career.

I would also like to mention an important professional event, where my scientific knowledge was applied. Thanks to my innovative development of a legal concept for local government units' lawsuits seeking an injunction against property owners operating so-called 'designer drug' shops, this dangerous phenomenon threatening minors' lives and health was completely eradicated in Łódź. The judicial achievements positively referencing the developed concept were subsequently utilized in other centres, such as the city of Pabianice.

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(Signature of the Applicant)