

Preface

We are pleased to present a publication in English that concerns three areas and as a consequence is divided into three parts. However, the topics discussed in this publication will be particularly interesting for foreigners that would like to obtain more detailed information about Polish legal system.

In the first part, the specific nature of the legal system in Poland in the field of the existing dichotomy regarding professional associations of lawyers is explained. Both, an advocate (Polish: *adwokat*) and an attorney-at-law (Polish: *radca prawny*) are entitled to represent a client as his/her legal representative in a court. This is a unique situation at the European Union level. Therefore, in the first chapter the historical development of the profession of legal counsel and the current legislation concerning the functioning of the professional association of attorneys-at-law are presented. The editors assume that this publication aims to capture the specificity of the profession of attorney-at-law at the international level.

In addition, this publication is also a summary of the “Legal Innovation” conference held in Wrocław on 21st and 22nd of April, 2017. The conference was organized by the District Bar Association of Attorneys-at-Law in Wrocław (*Okręgowa Izba Radców Prawnych we Wrocławiu*) and the Research Center for Legal and Economic Issues of Electronic Communication (*Centrum Badań Problemów Prawnych i Ekonomicznych Komunikacji Elektronicznej, CBKE*) – a research institute at the Faculty of Law, Administration and Economics of the University of Wrocław – in cooperation with the European Bars Federation (*Fédération des Barreaux d’Europe*), the Court of Appeal in Wrocław and the District Bar Association in Wrocław (*Okręgowa Rada Adwokacka we Wrocławiu*). The aim of the conference was to discuss the latest achievements regarding the use of new technologies in law and their impact on the practice of legal professions at the international level, including selected aspects of informatization of the judiciary. The last chapter of the publication is devoted to these issues and the post-conference papers prepared by the speakers may be found therein. The scope of the topics that had been discussed during the “Legal Innovation” conference

convinced the editors to add a chapter on issues related to informatization in Polish law. One of the main themes of the conference was the use of modern IT solutions in court proceedings. The speeches of the invited speakers and the issues raised by them during their presentations stimulated reflection on the place of Poland on the international scene regarding development of the so-called e-government. Currently within the European Union we experience transformation of existing procedural institutions, changes of expectations of the proceedings' participants, as well as of the position and role of courts. A priority is to increase the quality of life of citizens by improving the social and economic aspects of justice organization with the use of IT tools. This idea is reflected in the e-government concept, which has been evolved from instruments that ensure the exchange of information between public authorities to emphasis on interaction between a public authority and natural persons. IT systems have been implemented in Poland to support electronic services in the justice system (e.g. Electronic Writ of Payment Proceedings [*Elektroniczne Postępowanie Upominawcze, EPU*], support land register, but also back-office-systems named *SAWA*, *Sędzia 2* and *Preator*) as well as public administration (*ePUAP-system*). The development of justice informatization in the recent few years resulted in efficient and effective IT systems that support work of legal representatives. Special attention deserves the electronic minutes that changed how the court rooms are equipped, as well as the Information Portal (*Portal Informacyjny*) and Portal of Judgments (*Portal Orzeczeń*) that provide wide access to information on the case or to public information, especially the common courts' judgments after anonymization.

It is also worth mentioning that the Electronic Writ of Payment Proceedings (*Elektroniczne Postępowanie Upominawcze, EPU*), the Electronic Acknowledgement of Receipt (*Elektroniczne Potwierdzenie Odbioru, EPO*), online access to information about entities entered into the National Court Register, criminal record and land register and the possibility to establish a company and handling cases in land registry proceedings through an online portal maintained by the Ministry of Justice were a great success. Legal practitioners adopted with great interest and hope the amendments of 2016 to the Civil Procedure Code (Act of July 10, 2015 Amending the Civil Code, the Civil Procedure Code and Some Other Acts¹) which allowed the electronic exchange of information with common courts².

Over the last years, we may observe visible changes in the legislation that focus on electronic communication means (first in administrative and tax proceedings, later in court proceedings before administrative and common courts). These activities will undoubtedly increase public trust in the justice system and strengthen information security and state stability by improving areas related to access to justice and accelerating the proceedings.

¹ Act of July 10, 2015 Amending the Civil Code, the Civil Procedure Code and Some Other Acts (Journal of Laws of 2015, item 1311, as amended).

² The Act entered into force on September 8, 2016. However, the legislator provided a period of three years to build an ICT system to support the bilateral communication with the court.

In the second chapter selected legal solutions adopted in the Polish legal system in the area of private and public law are discussed.

Therefore, the publication is directed to all foreign readers that are interested in Polish legal system, especially in the field of ICT law and the current state of legislation in this matter. Issues discussed in this publication may be useful for academics and practitioners dealing with ICT law in their research and professional activities.