NATIONAL REPORTS QUESTIONNAIRE FOR THE GENERAL REPORT (ILAG COLOGNE 2025)

POLAND

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Country details

Name, Population, GDP, Poverty line / % of population deemed to be living in poverty, number of practicing lawyers in the

Name: Republic of Poland (Poland)

Population: 37,490,000 (as of the end of 2024).

Gross Domestic Product (GDP):

Nominal: \$980 billion (2025)

GDP per capita (nominal): \$26,805GDP per capita (PPP): \$55,190

GDP growth: 2.9% in 2024 (up from 0.1% in 2023).

Poverty line / % of population living in poverty:

11,8% (2022)

• 16.3% at risk of poverty or social exclusion (2023)

The Polish legal system distinguishes six classic legal professions. These are: attorneys, legal advisors, judges, notaries, bailiffs, and prosecutors. Lawyers and legal advisors provide legal assistance to individuals and legal entities, including representing clients in court proceedings. Since 2015, legal advisors have also been authorized to represent clients in criminal cases. The primary difference between a counselor and an advocate lies in the possibility of an employment relationship; legal advisors can be employed under an employment contract, whereas advocates do not have this option. Judges adjudicate in general, administrative, and military courts. Appointed by the President of the Republic of Poland, they are independent and subject only to the Polish Constitution and the laws of the Republic of Poland. Prosecutors conduct and supervise pre-trial proceedings and prosecute in criminal proceedings. They are part of the National Prosecutor's Office and subordinate units. They are independent in terms of their investigations. Notaries perform notarial activities, including drafting notarial deeds and certifications. They run notary offices and act as persons of public trust. Bailiffs perform court executions and other coercive actions. They are public officers operating at district courts, supervised by the Minister of Justice and the National Council of Bailiffs.

Number of legal professionals in Poland:

- a) Attorneys: about 20,000 (no detailed data available)
- b) Legal advisors: 52,772 (as of 28/08/2023).
- c) Judges: about 10,000 (no details available)
- d) Notaries: 4,218 (as of 2024).
- e) Court bailiffs: 2,451 (as of 11/04/2025).
- f) Prosecutors about 6,000 (no detailed data available)

Legal Aid Organization / Authority.

Name and Status of LAO (Independent, within Government, part of the Bar Association / Law Society, Public Defenders Office, etc). Number of board and staff members? Delivery method (salaried, private profession, paralegals, through NGOs, etc) Number of lawyers, advocates, and paralegals (separately) participating in the legal aid program? If mixed, please give the division of labor and balance of the mix.

Speaking of legal aid bodies in Poland, it is important to note three fundamental pillars:

- 1) Corporate bodies
- 2) Advocates for rights and freedoms
- 3) Associations, foundations, NGOs, universities (law clinics)

I. CORPORATE BODIES

1) Supreme Bar Council:

- a. The Highest body of the professional self-government of attorneys
- b. Lawyers are one of the two leading professional groups providing ex officio legal aid.
- c. The NRA gives its opinion on legislation regulating ex officio salaries,
- d. The Bar Association participates in the system of free legal assistance (NPP) (agreements with counties),
- e. Promotes pro bono activities, such as Crime Victims Assistance Week

2) National Chamber of Legal Advisors

- a. central body of the self-government of legal advisers
- b. Legal advisors, in addition to attorneys, provide assistance ex officio and under the NPP system
- c. KIRP participates in consultations on the legal aid system, including budgeting and rules for ex officio activities
- d. conducts pro bono and educational activities, such as "Blue Umbrella"

3) National Council of Bailiffs

- a. The highest body of the judicial officers' self-government
- b. Bailiffs do not provide legal aid in the strict sense, but perform enforcement activities
- c. They are often the recipients of questions and requests related to the understanding of enforcement law, which is educational
- d. The NCCC conducts information and education activities (e.g., open days for judicial officers)

4) National Chamber of Tax Advisors

- a. Nationwide self-government of tax advisors
- b. Tax advisors provide legal assistance on tax and customs law for a fee
- c. Do not participate in the system of ex officio assistance

d. KIDP organizes pro bono activities, e.g., "PIT for free," duty hours at offices

5) Polish Chamber of Patent Attorneys

- a. professional self-government of patent attorneys
- b. Patent attorneys provide specialized legal assistance in the field of intellectual property law (patents, trademarks)
- c. Please do not participate in the NPP system or ex officio assistance, although they may participate in pro bono activities, especially for the SME sector

6) National Notary Council

- a. central body of the notary public's self-government
- b. Notaries provide legal assistance by drafting notarial deeds, certifications, and draft contracts
- c. They are not part of the NPP system, nor do they act as ex officio agents
- d. The NCN is coordinating a nationwide "Open Notary Day" in which notaries provide free legal advice

7) National Prosecutor's Office

- a. The central prosecuting authority under the authority of the Prosecutor General
- b. Prosecutors do not offer legal aid in the sense of a citizen's advice
- c. However, they perform a protective function in criminal proceedings (among other things, by overseeing the compliance of the proceedings with human rights)
- d. The prosecutor may also act for the citizen in civil and administrative cases if the protection of the rule of law, civil rights, or the public interest requires it

II. OMBUDSMEN FOR RIGHTS AND FREEDOMS

1) Ombudsman: an independent constitutional body established to uphold human and civil liberties and rights. Its mandate is to regulate the activities of public authorities and institutions responsible for upholding the rights of citizens. The Ombudsman acts based on the provisions of the Constitution of the Republic of Poland, April 2, 1997 (OJ No. 78, item 483) and the Act of July 15, 1987 on the Ombudsman for Civil Rights (OJ No. 2024, item 1264)

Tasks that the ombudsman performs:

- Making interventions in individual cases,
- Monitoring of human rights (including detainees, children, seniors, minorities),
- Initiation of legal proceedings,
- Conducting investigations and providing opinions on legislation.
- 2) Ombudsman for Children: ensures that children's rights, as outlined in the Constitution, the Convention on the Rights of the Child, and national laws, are respected. It has the character of a specialized horizontal ombudsman. The

Ombudsman acts based on the provisions of the Law of January 6, 2000, on the Ombudsman for Children (OJ 2023, item 292)

Tasks that the Ombudsman performs and powers of the Ombudsman:

- Protection from violence, neglect, and exclusion,
- Monitoring education, health care, and equal opportunities,
- Intervention in children's cases before courts, authorities, and institutions,
- Can apply to courts, prosecutors, and administrative authorities,
- Has the right to inspect records and participate in proceedings.
- 3) Patient Ombudsman: ensures that patients' rights are respected in the health care system, both public and private. He can intervene in individual cases and act systemically. The Ombudsman acts based on the provisions of the Act of November 6, 2008, on Patients' Rights and Patients' Ombudsman (OJ 2024, item 581)

Tasks that the Ombudsman performs and powers of the Ombudsman:

- Receiving complaints from patients and their families,
- conducting investigations,
- Conducting investigations into violations of patients' collective rights,
- · monitoring the quality of health care,
- 4) Psychiatric Hospital Patient Ombudsman: This is a specialized function established to protect patients in psychiatric hospitals, where there is often a greater risk of human rights violations (e.g., restrictions on personal freedom, the right to self-determination, and dignity). The Ombudsman operates based on the provisions of the Act of November 6, 2008, on Patient Rights and Patient Ombudsman (OJ 2024, item 581) and the Act of August 19, 1994, on Mental Health Protection (OJ 2024, item 917)

Tasks that the ombudsman performs:

- Control of respect for the rights of patients residing in psychiatric hospitals,
- Conducting interviews with patients, receiving complaints and requests,
- Informing patients about their rights,
- Referral of cases requiring a response to the MPC.
- 5) Municipal and District Consumer Ombudsman: Works at the local level to protect the interests of consumers in their relationships with businesses. The Ombudsman operates under the provisions of the Act of February 16, 2007, on Competition and Consumer Protection (i.e., of Laws 2024, item 1616)

Tasks that advocates perform:

- Providing legal advice,
- Assistance in the preparation of complaints, withdrawal from the contract,
- · Representing consumers before the courts,
- Cooperation with the OCCP and consumer organizations
- 6) Financial Ombudsman: Protects the rights of customers in the financial market, including consumers and businesses. The Ombudsman acts based on the provisions of the Act of August 5, 2015, on the processing of complaints by

financial market entities, the Financial Ombudsman, and the Financial Education Fund (i.e., OJ 2024, item 1109)

Tasks that the ombudsman performs:

- Assistance in disputes with banks, insurers, and loan companies,
- Issuing opinions, conducting amicable proceedings,
- · Acting on class action and public interest lawsuits.
- 7) Ombudsman for Small and Medium-Sized Enterprises: Protects the interests of micro, small, and medium-sized entrepreneurs in their relations with the public administration. The Ombudsman operates under the provisions of Law No. 6, March 6, 2018. Entrepreneurs' Law (i.e., Journal of Laws of 2024, item 236) Tasks that the ombudsman performs:
 - Accepting complaints about the operation of offices,
 - Intervening in cases of violations of constitutional principles (e.g., proportionality, confidence in the law),
 - Submission of applications to administrative courts and the TC.
- 8) Rail Passenger Ombudsman: Handles passenger complaints about rail services (e.g., delays, train cancellations, and the rights of people with disabilities), working under the President of the Railway Transport Authority.
- 9) Ombudsman for Passenger Rights at the President of the Civil Aviation Authority: Functions under the President of the Civil Aviation Authority. Handles passenger complaints against airlines (e.g., denied boarding, cancelled flights, delays).
- **III. NGO:** Many non-governmental organizations, foundations, and associations in Poland provide legal aid, protect human rights, monitor compliance with the law, and support people at risk of exclusion. Some of them offer free legal assistance through the public system (NPP), while others conduct independent activities, offer legal education, engage in advocacy, or provide expert services.
 - 1) Helsinki Foundation for Human Rights (HFHR) www.hfhr.pl: Established in 1989 with headquarters in Warsaw. Tasks carried out by the Foundation include: monitoring the observance of human rights in Poland and abroad, conducting legal interventions (including before domestic courts and the ECtHR), providing legal assistance to victims of human rights violations, education and reporting (e.g., the right to a court of law, migrant rights, minority rights);
 - 2) Association for Legal Intervention (SIP) www.interwencjaprawna.pl: Founded in 2005 with headquarters in Warsaw. Tasks carried out by the Association: providing legal assistance to foreigners, applicants for international protection, and refugees, implementing litigation interventions, conducting legal education and advocacy activities
 - 3) Foundation for University Legal Clinics (FUPP) www.fupp.org.pl: Established in 2002 with headquarters in Warsaw. Tasks carried out by the Foundation: organizational and substantive support for university law clinics

- (there are currently 27 law clinics in Poland), conducting educational activities in the field of clinical education and development of student legal clinics, international cooperation, and pro bono promotion
- 4) Center for Women's Rights (CPK) www.cpk.org.pl: Headquarters in Warsaw, branches in several cities in Poland. Tasks carried out by the Center include providing legal and psychological assistance to women experiencing violence, organizing training sessions, undertaking legal interventions, offering crisis support, and initiating systemic measures for gender equality.
- 5) **Panoptykon Foundation** www.panoptykon.org. Tasks carried out by the Foundation: ensuring the protection of privacy and civil liberties in the context of surveillance, technology, and personal data, conducting legislative analysis, and implementing activities in the field of digital education.
- 6) **INPRIS Institute for Law and Society** www.inpris.pl. Tasks carried out by the Institute: conducting research and analysis on the judiciary, promoting access to the law, independence of the courts, and quality of legislation;
- 7) Civic Network Watchdog Poland www.siecobywatelska.pl. Tasks carried out by the Network: monitoring the implementation of the right to public information, verifying the transparency of institutions, monitoring public authorities and courts, providing legal support to citizens, and organizing local initiatives.
- 8) **LEX Super Omnia Network (SSO) Association:** An organization of independent prosecutors working to protect the rule of law and the independence of the judiciary. Conducts educational activities, publications, and monitoring of changes in the prosecutor's office.
- 9) Association of Polish Judges "lustitia". Tasks carried out by the Association include taking action to protect the independence of judges and courts, as well as active participation and formulation of positions on issues related to access to justice, the quality of jurisprudence, and the constitutional rights of citizens.

In addition, the Polish legislator has established the so-called Institution of the Poor Law, which comprises the institution of ex officio legal aid and the institution of exemption from court costs.

I. Ex officio legal aid

Referring to ex officio legal aid, first of all, it should be pointed out that it means the award by the court (or other body) of a professional representative - an attorney, a legal counsel (and in criminal proceedings also a defense attorney) primarily to a person who: is unable to bear the costs of legal aid without prejudice to himself or his family. In some cases, this assistance is mandatory by law. Legal aid ex officio is compulsory by law (that is, independent of the request and financial situation of the party) only in strictly defined cases, primarily in criminal proceedings. In civil and administrative court proceedings, there is no obligation to establish an ex officio attorney by operation of law in proceedings before ordinary courts. The appointment is always made at the request of a party, who must demonstrate their inability to bear the costs of professional legal assistance

independently and, in administrative proceedings, their failure to act independently. The attorney-client privilege, as a rule, applies in proceedings before the Supreme Court, the Supreme Administrative Court, and the Constitutional Court.

1) Criminal proceedings

In the context of criminal proceedings, legal aid typically takes the form of a public defender for the suspect or defendant, or an attorney ex officio for the victim (e.g., in the case of an assistant prosecutor), as stipulated in Article 78 of the Law of June 6, 1997. - Code of Criminal Procedure (i.e., Journal of Laws of 2025, item 46, hereinafter: the Code of Criminal Procedure), ex officio legal aid may be granted upon request if the accused demonstrates that he/she is unable to bear the costs of defense. In contrast, in the case of mandatory legal aid, according to Article 79 of the Code of Criminal Procedure, the Court must appoint a public defender if the accused:

- a) under the age of 18;
- b) Is deaf, mute, or blind;
- c) There is a reasonable doubt as to whether his ability to recognize the meaning of the act or to direct his conduct was not disabled or significantly impaired at the time the act was committed;
- d) There is a reasonable doubt as to whether his mental health allows him to participate in the proceedings or conduct his defense independently and reasonably.

In addition, according to Article 79 § 2 of the Code of Criminal Procedure and Article 80 of the Code of Criminal Procedure, a defendant must have a defense attorney when the court deems it necessary due to other circumstances hindering the defense, and also if the defendant has been charged with a crime (mandatory in this case applies to proceedings before the district court).

2) Civil proceedings

In the case of civil proceedings, legal aid includes exemption from court costs and the appointment of an ex officio lawyer (Articles 117-124 of the Act of November 17, 1964 - Code of Civil Procedure, i.e., Journal of Laws 2024, item 1568). An application for assistance is filed with the court before which the case is pending, and the applicant must demonstrate that he or she is unable to bear the cost of the attorney's fees. The request for an attorney shall be submitted by a party together with the application for exemption from court costs or separately, in writing or orally for the record, to the court in which the case is to be brought or is already pending. An individual who is not domiciled at the seat of this court may file an application for the appointment of an attorney or counselor at the district court having jurisdiction over his domicile, which shall promptly forward the application to the competent court.

In addition, the public prosecutor shall, within 14 days from the date of the order on the presentation of charges of committing a crime against land transportation safety, resulting in the death of a person or severe damage to health, or charges of committing with the use of a motor vehicle in land traffic a crime of murder or intentional infliction of severe damage to health, apply for the appointment of an attorney who is a lawyer or legal counsel, to bring an action for an annuity by persons entitled to it, if the entitled person, due to his age, health or financial condition, is unable to pursue his claims on his own or the pursuit of such claims by him would be considerably hindered. He has not appointed an attorney of

choice who is a lawyer or legal counsel. There is no high probability of substantial contribution of the injured person or the entitled person to the event alleged. The prosecutor may make such a request in cases where exceptional circumstances, unrelated to the authorized person, justify the need to protect their interests.

An individual attaches a statement to the application for the appointment of a lawyer, including details of their family status, assets, income, and sources of revenue. The court evaluates whether the financial situation justifies the assistance. If the decision is favorable, the court directs the application for the appointment of an advocate or legal adviser to the relevant self-governing body, which is either the competent district bar council or the council of the district chamber of legal advisers. This body, in turn, appoints the attorney.

3) Administrative procedure

In the case of administrative proceedings, ex officio assistance does not exist in proceedings before a public administrative body. In the case of proceedings before administrative courts, the issue is regulated by the Law of August 30, 2002. - Law on Proceedings before Administrative Courts (i.e., Journal of Laws 2024, item 935, hereinafter: PPSA). It is possible to appoint an attorney ex officio (Article 253 of the PPSA) at the request of a party who was previously exempted from court costs. In the application, it must be demonstrated that the party is unable to conduct the case independently and that the appointment of an attorney is justified by the need to protect their rights. In such a situation, the administrative court requests that the competent district bar council, the council of the district chamber of legal advisers, the National Council of Tax Advisers, or the National Council of Patent Attorneys appoint an attorney ex officio.

II. Government Free Legal Aid System

Poland has a system of free legal aid, known as NPP. It was regulated by the Act of August 5, 2015, on free legal assistance, free civic counseling, and legal education (Journal of Laws 2024, item 1534). It is a decentralized system, managed at the district level, with no central institution responsible for the entire system. The system is coordinated by the Ministry of Justice, but implemented locally by counties, which establish and manage help desks.

- Services are provided by:
- Attorneys and legal advisors (delegated by professional chambers),
- non-governmental organizations (NGOs),
- Citizen advisors (after appropriate training and certification).

Law clinics have not been included in the government's system for providing free legal aid. Due to the centralized nature of the system, it should be pointed out that each district must operate:

- Free legal aid points (NPPs),
- Points of free citizen advice (NPO),
- legal education activities.

The system of free legal aid in Poland has been in place since 2016, aiming to ensure equal access to justice for all citizens, regardless of their financial situation. The law took effect on January 1, 2016. The last amendments to it came into effect on January 16, 2021. As of January 1, 2019, all citizens who submit a statement that they are unable to

bear the cost of paid legal aid can benefit from the assistance. No income documents need to be presented.

Compared to 2020 and 2021, 2022 saw an increase in the number of pieces of advice provided by 45.8% and 18.2%, respectively.4 In terms of free legal aid, the number of pieces of advice provided in 2022 compared to 2020 and 2021 increased by 39.8% and 18.2%, respectively, and in terms of free civic counseling, by 76.4% and 18.5%. The implementation of free civic counseling has resulted in a successive increase in the number of tips provided in this context: in 2019, free civic counseling accounted for 11.8% of the total tips, and in 2020. - 16.2%, in 2021. - 19.6%, while in 2022. - 19,7 %. Over the three years (2019-2022), the value of one piece of advice provided under the system of free legal aid and free civic counseling decreased by more than PLN 100, representing a decrease of over 31%.

Within the framework of the government's free support system, four basic forms of activities are implemented:

1) Free legal aid (NPP) includes (Article 3 of the NPP):

- Informing an individual about the applicable legal status and his/her rights or obligations, including in connection with pending preliminary, administrative, judicial, or court proceedings
- To indicate to the entitled person how to solve their legal problem
- Drafting a letter in cases excluding pleadings in pending pre-trial or judicial proceedings, and pleadings in pending administrative court proceedings
- free mediation
- Drafting a letter of exemption from court costs or the appointment of an ex
 officio attorney in court proceedings or the appointment of a lawyer, legal
 counsel, tax advisor or patent attorney in administrative court proceedings, as
 well as informing about the costs of the proceedings and the financial risks of
 taking the case to court.

2) Free citizen counseling (NPO) includes (Article 3a of the NPP):

- Activities tailored to the individual situation of the eligible person, aimed at raising the awareness of the person about their rights or obligations and supporting in solving the problem independently, including, if necessary, drawing up an action plan together with the eligible person and assisting in its implementation;
- In particular, advice for debtors, as well as guidance on housing and social security matters.
- Free mediation.

3) Legal education includes (Article 3b of the NPP):

- Educational activities aimed at increasing the legal awareness of the public, especially concerning the dissemination of knowledge about:
 - Civil rights and duties;
 - o The activities of national and international legal protection bodies;
 - Mediation and ways to resolve disputes amicably;
 - opportunities for citizen participation in public consultations and the lawmaking process;
 - Access to free legal aid and free civic counseling.

Tasks related to legal education may be carried out in various forms, including the development of guides and handbooks, the holding of open lectures and workshops, and

the dissemination of information through mass media and other customary forms of communication, such as public campaigns.

4) Free mediation includes (Article 4a of the NPP):

- Informing the entitled person about the possibilities of using amicable methods of dispute resolution, in particular mediation, and the benefits of doing so;
- Preparation of a draft mediation agreement or request for mediation;
- Preparation of a draft request for mediation in a criminal case;
- · conducting mediation;
- Assisting in drafting an application to the court for approval of a settlement reached before a mediator.

Free mediation does not apply to cases in which a court or other authority has issued an order to refer the case to mediation or mediation proceedings, or where there is a reasonable suspicion of violence in the parties' relationship. This is because the goal is to exclude situations in which mediation would be inappropriate or abused. In matters not regulated by the Law on Free Legal Aid, the provisions of the Code of Civil Procedure on mediation shall apply accordingly. Mediation is available only if both parties are willing to seek an amicable resolution of the dispute. The initiator must be a person entitled to free legal aid, i.e., one who has made a declaration of financial inability. A mediator conducts free mediation. The mediator may be a person included in the list of permanent mediators maintained by the president of the district court, as referred to in the Law of July 27, 2001.

- Law on the System of Common Courts (Journal of Laws of 2024, item 334), or included in the list of mediators maintained by a non-governmental organization within the scope of its statutory tasks or a university, referred to in the Code of Civil Procedure, information about which was provided to the president of the district court.

The mediation cannot be conducted by a person who has previously provided legal assistance or civil counseling to one of the parties, has been a witness, expert witness, therapist, or author of an opinion in the case, or has other connections that raise doubts about impartiality. If such a situation arises, the mediator is obliged to refuse and indicate an alternative person or point where mediation is possible. Persons who provide free legal aid or civic counseling may also conduct mediation. For example, a lawyer providing legal assistance may also conduct mediation, provided they have not previously handled that particular case.

Who provides free legal aid?

Free legal assistance is provided in person by an attorney or legal counselor. This assistance may also be provided by a tax advisor (in the field of tax law, excluding tax matters related to the conduct of business activities), a person who has completed higher legal studies and obtained a master's degree or foreign legal studies recognized in the Republic of Poland, has at least three years of experience in performing activities that require legal knowledge and are directly related to the provision of legal assistance, enjoys full public rights and has full legal capacity, has not been convicted of an intentional crime prosecuted by public indictment or a fiscal crime, as well as a mediator (in the field of free mediation).

In particularly justified cases, it can also be done by a trainee lawyer or trainee attorney, but only with their authorization. This ensures a professional legal service while allowing

trainees to gain experience under supervision. A lawyer or legal advisor may refuse to provide free legal assistance if there are valid reasons (e.g., conflict of interest, lack of competence in the case, inability to provide practical assistance). In such a case, the eligible person must be informed of other points in the county where they can receive help. The regulation ensures flexibility and quality of services, while not leaving the person in need without support.

The Polish legislator also stipulates that free civic counseling may be provided by a person who has a university degree, has completed training in the provision of civic counseling or has experience in delivering civic counseling and has obtained a certificate confirming knowledge and skills in this context issued by an entity authorized to conduct training and refresher courses, enjoys full public rights and has full legal capacity and has not been convicted of an intentional crime prosecuted by public indictment or a fiscal crime. The legislature refers to these persons as advisors.

In recent years, significant changes have been made to the operation of the government system. After 2019, the system was liberalized by removing the income criterion. Action plans were introduced for citizens' counseling, accessibility was made mandatory for people with disabilities, and provision was made for online services, which proved especially important during the COVID-19 pandemic.

Currently, there are about 1,500 points in Poland where free legal aid is provided. The number of tips offered was as follows: 315,391 in 2020, 388,891 in 2021, 459,779 in 2022, and approximately 290,000 in the first half of 2023. Average number of tips per point per day: 1.2 in 2022.

Assistance is available to anyone who subjectively assesses that they cannot afford paid legal assistance. The law does not require the presentation of income certificates - a statement is sufficient. The legislature is extending coverage to sole proprietors who have not been employed in the last 12 months and are financially unable to bear the cost of paid legal aid. This is a significant change from the original wording of the law, which initially excluded entrepreneurs. An eligible person, before receiving assistance, submits a written statement stating that they cannot afford paid legal assistance. The entrepreneur additionally declares that he has not employed any other people in the past year. Self-declaration is key; there is no obligation to provide evidence. The declaration is made to the person assisting, i.e., a lawyer, legal counsel, or civic advisor (e.g., an employee of an NGO). This arrangement makes the system more accessible, but also shifts responsibility for the veracity of the information to the beneficiary.

III. Law Clinics

Law clinics are units typically located at law faculties of universities, where law students, under the substantive supervision of academics and practitioners (attorneys, legal advisors), provide **free legal advice to indigent** or otherwise legally excluded **individuals**. The activities of the law clinics are based on the concept of teaching by doing (clinical legal education) and the university's assumption of social responsibility. An academic supervisor or legal practitioner supervises each case. The clinics operate by bylaws and internal procedures, including rules of professional ethics, confidentiality, and data protection. The Foundation for University Legal Clinics runs a system for monitoring the quality of advice and organizes training for supervisors and students.

As of December 31, 2024, there are 27 active law clinics in Poland, operating at both public and non-public universities. The clinics are grouped under the Foundation of University Legal Clinics (FUPP), an organization that coordinates their activities, conducts training, evaluations, and facilitates international cooperation. Some centers have specialized clinical sections, such as those for family law, administrative law, labor law, migration law, consumer law, and medical law.

Law clinics achieve their goals:

- Educational by developing students' practical skills: analyzing facts, interpreting regulations, drafting legal opinions and documents, teaching professional and ethical responsibility, preparing students to work with clients and fundamental legal problems.
- 2) Social through: increasing access to justice for the legally excluded (including the unemployed, people with disabilities, seniors, migrants), legal education of the public, including outreach and training activities (street legal education "Street Law"), promoting the idea of social justice and human rights. Law clinics prepare written legal opinions and explanations; as a rule, clinics do not represent clients in court. They also offer assistance in drafting pleadings and administrative letters, organize educational meetings, workshops, and training sessions for various social groups, and participate in research and social projects, law analysis, and monitoring.

Clinics often cooperate with public administration bodies (e.g., city halls, county family assistance centers), ombudsmen (e.g., the Ombudsman, the Patient Ombudsman), non-governmental organizations (e.g., the Court Watch Foundation, the Helsinki Foundation for Human Rights), courts and legal authorities - organizing simulated trials and promoting alternative methods of dispute resolution.

Law clinics in Poland are a vital tool for legal education and social support, complementing the legal aid system and contributing to the countering of legal exclusion. Their activities, although underestimated institutionally, are of vital importance to both law students and citizens in need of support. Although law clinics are not formally part of the free legal aid (NPP) system, their activities complement and expand it, as they reach people who do not always meet the statutory criteria for NPP (e.g., migrants, students, and people in crisis). They provide legal education, which is the third axis of the NPP system; they cooperate with legal aid centers and NGOs to redirect cases.

Paying providers of legal advice and services

What payment methods are used to recompense private lawyers or other providers in your system (e.g., contract, fixed fee, hourly rate, part pro bono, etc.)? Suppose your jurisdiction uses salaried lawyers or advice providers. Does the contract of employment have any requirements as to the quantity of work/cases required per month or year, or other targets to be met?

In Poland, the provision of free legal aid and ex officio representation is based on different mechanisms of remuneration, depending on the type of case, the form of cooperation, and the institution providing the service. The system includes both private lawyers and full-time lawyers employed by NGOs or public institutions.

I. Private lawyers (attorneys, legal advisors)

1) Remuneration when acting as an ex officio attorney:

Currently, there is no separate law in the Polish legal system that comprehensively regulates salaries for ex officio legal aid. Ordinances determine salaries:

- The Minister of Justice on attorney's fees of October 22, 2015. (OJ 2023, item 1964),
- Minister of Justice on fees for legal counsel's activities dated October 22, 2015. (OJ 2023, item 1935).

The ordinance specifies flat rates for specific activities, such as preparing a letter, attending a hearing, and drafting an appeal. These rates are the upper limit of remuneration, and courts can reduce them, for example, if the case is simple. In practice, compensation is paid based on a bill and a record of the activities performed, and reimbursement is made from the state budget. The rates depend on the value of the subject of the dispute, ranging from PLN 90 (approximately EUR 21.05) to PLN 25,000 (approximately EUR 5,847). It is worth noting that the highest rate applies when the value of the subject of the dispute exceeds PLN 5 million (approximately EUR 1,670,000). The rates set by the ordinance are usually lower than market rates, which results in a push by the legal self-government for a statutory increase in remuneration rates. Ex officio remuneration is intended to provide access to the law for low-income people.

2) Remuneration for the provision of free legal aid and legal advice under the government system

The primary source of funding for the free legal aid system is funds from the state budget. These funds are allocated to individual local government units, such as municipalities and counties, which organize and operate free legal aid points. The Ministry of Justice serves as the coordinator and often provides both financial and substantive support. Local governments are responsible for launching legal aid points in their areas. They finance part of the organizational and operational costs, such as the rent of premises and administrative services. Under grants from the state budget, local governments can hire lawyers and finance their salaries. The system is primarily financed by public funds, which are crucial for ensuring universality and free access to assistance. Funding is provided based on the annual budgets and plans of local governments, which can sometimes challenge continuity and stability. Sometimes, financial constraints can affect the scope and availability of assistance (e.g., fewer counseling hours, a limited number of points).

- Lawyers are paid by the county, with funds from the Ministry of Justice, based on a civil law contract, also known as a service contract.
- Remuneration is a fixed monthly amount, independent of the number of clients.

- The rate is determined by a decree of the Minister of Justice in 2025 the base amount is PLN 6,104 (about EUR 1,428) (the rate includes 5 days of work of 4 hours a day), as confirmed by the Decree of the Minister of Justice of August 30, 2024 on the base amount in 2025 (Journal of Laws of 2024, item 1324).
- The district can contract with a single lawyer, law firm, or NGO.

3) NGOs and law clinics

a) Contracts for running NPP/NPO points

- NGOs may receive remuneration based on an agreement concluded with the district through an open tender.
- The funds are provided as an earmarked **grant** for a public task.
- Under this agreement, the organization may employ:
 - Lawyers on commission or employment contracts,
 - o citizen advisors,
 - Person for the administrative support of the point.

b) Full-time lawyers in NGOs or law clinics

- In the case of full-time employment (less common in Poland), there may be internal ratios for the number of cases handled per month or a minimum number of working hours.
- There are no nationwide quantitative standards they are set by the organization's board of directors or at the project level (e.g., in the grant agreement).

4) Paralegals and citizen advisors

- Citizen advisors are paid from the same pool of funds as lawyers, as outlined in a contract with the county or NGO.
- Prior post-course certification is required, as mandated by the 2015 law.
- The salary of a civic advisor is determined individually by the employing entity, typically an NGO or district. It can be comparable to the rates of a lawyer, if the person possesses the necessary competence and experience.

5) Quantitative and qualitative requirements

- There is a requirement for legal aid centers to provide services 5 days a week for a minimum of 4 hours a day.
- The number of cases to be handled is not specified; however, the districts maintain records of cases and clients, which they submit to the Ministry of Justice.
- Contracts with NGOs or law firms may include additional provisions, such as the number of tips per month, timeliness, reporting of statistics, or confidentiality rules.

II. In the client-lawyer/private law firm relationship, remuneration can vary in nature:

• A contract for the provision of legal services (civil law) can be concluded based on the Civil Code as a contract for work or a contract of commission

(the most common being contracts for the provision of services). In the agreement, the parties set the terms and amount of remuneration. Forms of remuneration:

- Hourly rate (most common in practice); compensation is charged for each hour a lawyer works; rates may vary depending on experience, specialization, and reputation of the law firm.
- o Fixed fee:
- A predetermined amount for a specific range of services (e.g., preparation of a contract, handling of one case); gives the client predictability of costs, the lawyer bears the risk of any excess costs; there is often a combination of an hourly rate and a flat rate, e.g., a flat rate for the first form of a case and hours for additional activities.
- Success fee:

The amount of remuneration depends on the result obtained (e.g., a percentage of the amount won); in Poland, such remuneration is permissible, but it must be clearly stated in the contract and must not contradict professional ethics. The practice of partially providing *pro bono* legal assistance is also noticeable. Some law firms offer services partially free of charge (e.g., for non-profit organizations or as part of a corporate social responsibility policy); pro bono work in Poland is not yet widespread, but its importance is growing.

Summary:

The remuneration system for legal aid providers in Poland is mainly based on:

- monthly lump sum (for NPP points),
- official rates (for ex officio cases),
- NGO subsidies,
- Civil law or full-time contracts for lawyers and consultants.

While the system provides stable funding for basic services, its most significant challenges remain the low financial attractiveness to legal ex officio, the lack of systemic incentives to improve service quality, and regional differences in the implementation and supervision of service quality.

Budget and Spend

Please give the budget for Publicly Funded Legal Services / Legal Aid in your jurisdiction for the last two years. If possible, show the actual expenditure broken down by civil, criminal, administrative, children's, and asylum services. Expenditure on initial advice services. Please indicate the proportion of the legal aid budget that is funded by (a) Central / Federal Government, (b) Local or state government. Contribution paid by the client. Is your legal aid budget demand-led (uncapped), capped, or a mixture? (Please elaborate)

The available data do not allow an accurate determination of legal aid spending by civil law, criminal law, administrative law, children's cases, or asylum cases. There is also a lack of information on expenditures on counseling services at the preliminary stage.

Sources of funding

State budget

- The primary source of funding for the free legal aid system is the state budget.
- o These funds are allocated to individual local government units, such as municipalities and counties, that organize and operate free legal aid points.
- The Ministry of Justice plays a coordinating role and often provides financial and substantive support.

Budgets of local governments (municipalities, counties)

- Local governments are responsible for launching legal aid centers in their areas.
- They finance part of the organizational and operational costs, such as the rent of premises and administrative support.
- Under a grant from the state budget, local governments can hire lawyers and fund their salaries.

• EU funds and grant projects

- Sometimes, free legal aid is supported by projects co-financed by EU funds, such as those for the development of legal competence or specialized assistance (e.g., for vulnerable groups).
- Such projects are usually complementary, supporting local government activities.

Costs covered by the budget

- Salaries of lawyers providing ex officio or NPP assistance
- Salaries are paid according to the regulations of the Minister of Justice, which specify the rates for specific activities. These may be commission agreements with attorneys, legal advisors, or other individuals authorized to assist.
- Administrative and organizational costs (Rental of premises, point equipment, office support, educational materials).
- Training and supervision costs (Training for aid workers, coordination of system operations, quality audits).
- Salaries of lawyers providing ex officio or NPP assistance

Salaries are paid according to the regulations of the Minister of Justice, which specify the rates for specific activities. These may be commission agreements with attorneys, legal advisors, or other individuals authorized to assist.

Financing characteristics

- The system is primarily publicly funded, which is crucial for ensuring universality and free access to assistance.
- Funding is provided based on annual budgets and local government plans, which can sometimes pose challenges to continuity and stability.
- Sometimes, financial constraints can affect the scope and availability of assistance (e.g., fewer counseling hours, a limited number of points).

Sources of funding for legal aid

 State budget (central government): The primary source of funding for both NPP and ex officio legal aid.

- Budgets of local governments (municipalities, counties): They are responsible for organizing and running the free legal aid points in their areas, financing part of the organizational and operational costs.
- EU funds and grant projects: Occasionally, free legal aid is supported by projects co-financed by EU funds, such as those aimed at developing legal competence or providing specialized assistance to vulnerable groups.

Scope, Caseload, and Eligibility

What restrictions are there on the scope for civil and criminal administrative, children, and asylum cases? Legal aid and for initial advice in your jurisdiction? Total number of applications and grants for the last two years. Please break down by civil, criminal, administrative, children, and asylum. Additionally, initial advice is provided as well as yearly updates. Proportion of the population eligible for civil legal aid/ or initial Advice. Eligibility limits for criminal legal aid. Are means-tested contributions part of your (a) civil (b) criminal (c) initial advice eligibility requirements? In your jurisdiction, are legal aid litigants who lose their case liable to pay the other side's legal expenses/costs?

According to data from the Ministry of Justice, in 2023, 14,667,158 cases were received in ordinary courts, and 14,638,103 were handled, resulting in a handling rate of 99.8%. In contrast, in 2024, 14,855,026 cases were received, of which 11,766,589 were handled, resulting in a handling rate of 79.2% - a significant decrease from the previous year. Although the inflow of cases in 2024 increased slightly, the number of cases handled dropped significantly, which may indicate an increase in the backlog or overloading of the courts.

- 1) Criminal courts maintain a high level of case handling. In 2023, 2,201,795 cases were received, and 2,132,242 (96.8%) were settled. In 2024, 2,209,678 cases were received, and 2,094,299 (94.8%) were occupied.
- 2) Regarding civil cases, there is a noticeable decline in the number of cases handled in 2024, despite an increase in the number of receipts. This may indicate a growing backlog, especially in district courts, which handle the most significant number of civil cases, including those heard in electronic writ proceedings. In 2023, 9,246,646 were received, and 9,193,201 were handled (99.4%). In 2024, 9,419,756 were received, and 7,799,347 were handled (82.8%).
- 3) The rate of handling family cases in 2024 has dropped dramatically. This could be due to the introduction of new procedures, the overloading of family departments, or a shortage of adjudication staff. This is borne out by statistics: in 2023, 1,346,984 cases were received, and 1,318,141 (97.9%) were handled. In 2024, 1,337,310 cases were received, and only 583,029 (43.6%) were handled.
- 4) There was an increase in labor court activity in 2023. Still, a significant decrease in the number of cases handled is evident in 2024, which may indicate staffing constraints or a decline in the flow of labor law cases. In 2023, the labor courts received 67,221 cases and handled 109,436, suggesting a catch-up with previous years. By contrast, in 2024, the inflow of cases was 59,600, 37,586 (63.0%) were handled.
- 5) As in family and labor cases, a significant drop in court efficiency is evident in 2024, compared to 2023, with 139,395 received and 147,006 handled (105.5% efficiency, indicating a catch-up), and 2024, with 141,307 received and 86,366 handled (61.1% efficiency).

6) Commercial cases account for a significant portion of the courts' workload, especially in the context of writ-of-payment (EPU) proceedings. A substantial decrease in settled cases may result in longer deadlines in civil and commercial proceedings. In 2023, 1,665,317 cases were received, and 1,738,077 (104.4%) were decided. In 2024, 1,687,375 cases were received, and 1,165,962 (69.1%) were occupied.

In summary, 2024 is characterized by an increase in the number of cases received. Still, at the same time, there was a drastic decrease in the number of cases settled, especially in family, labor, and social security cases. District courts, which handle civil and family matters, continue to bear the most significant burden. Criminal cases are relatively stable, with high handling rates. The decline in efficiency may be due to staff shortages, procedural changes, or judicial reorganization.

Distribution of expenses by case category

There is a lack of publicly available data from official sources to break down legal aid expenses in detail by type of case. However, it is known that:

- In the NPP system:
 - Most cases involve civil law, family law, housing issues, debt, and other related matters.
 - Assistance does not include representation in court, as this is a separate system.
 - o There is also mediation, which is funded by this grant.
- In the system of ex officio assistance:
 - Criminal cases, which include mandatory defense and defense in serious crimes, account for the largest share, followed by civil cases (e.g., divorce, alimony), and administrative cases.

No separate statistics are kept for asylum cases or children, although they are covered under general categories.

Is the budget "demand-led" (unlimited), "capped" (limited), or mixed?

(a) NPP system (out-of-court advice) - capped budget (capped)

- A system based on a predetermined targeted subsidy.
- Each county receives funds for a certain number of hours of operation of the points (conversion rate: 5 days a week, 4 hours a day).
- It is not possible to exceed the allocated limit, for example, in the event of increased demand.
- In practice, this means that even if needs increase, the number of aid stations and hours cannot expand without a corresponding change in the state budget.

(b) Ex officio legal aid - mixed budget

- Financed from the courts' budget and the MS's earmarked reserves.
- In theory, access to it is guaranteed, but:
 - The amount of fees for ex officio cases is limited by regulations (2015 regulations for attorneys and legal advisors).

- There are cases of refusal to appoint an attorney ex officio, for example, due to financial reasons.
- The system is not fully "demand-led" there are budgetary and legal constraints.

Quality Assurance

System used - Complaints to LAO, Complaints to the Bar Association/ Law Society, Client Satisfaction questionnaires / interviews, Continuing Legal Education, Mentoring, Peer Review, Supervisor audit, Observation or video/audio tape, etc. What requirements are there (if any) for lawyers and others who wish to provide legal aid, other than membership of the Bar / professional association, e.g., registration, experience, special exams, interviews, upper or lower limits on several cases undertaken annually, etc.?

A. A system for standardizing the quality of legal aid

In Poland, there is no uniform, formalized system for standardizing the quality of legal assistance; however, various tools of supervision and control, including both institutional and local government measures, are employed.

1) Complaints and disciplinary procedures: In the case of legal aid provided ex officio by the court, the client may file a complaint with the President of the court that supervises the case, the District Bar Council, or the District Chamber of Legal Advisers, depending on the profession of the attorney. In the system of free legal aid (NPP), complaints are addressed to the district governor, who supervises the point or the person appointed to coordinate the system at the district level.

Lawyers and legal advisors are held to a professional standard of liability for improper performance, including in ex officio or non-prosecution proceedings (NPP) cases. Bodies of professional self-government may conduct disciplinary proceedings and impose sanctions.

- 2) Monitoring in the NPP system: Local governments (counties) monitor the quality of legal aid by, among other things, keeping records of advice provided, mandatory client satisfaction forms (completed anonymously), and submitting annual reports to the Ministry of Justice.
- 3) Continuing professional education: The obligation of continuing professional development applies to both attorneys and legal counselors. Attorneys and legal advisors are required to undergo continuing professional development, specifically through participation in training courses, conferences, seminars, e-learning programs, or scientific publications. Attorneys and legal counselors should earn a certain number of educational credits under a points system. The relevant district councils of attorneys and district chambers of legal advisers monitor the fulfillment of the obligation. Failure to implement may result in disciplinary action. Although not directly related to the right to provide legal aid ex officio, it indirectly affects the quality of services.

B. Requirements for legal aid providers

- 1) Ex officio legal aid (representation in court): Provided only by persons with full professional qualifications, i.e., attorneys or legal advisors (in exceptional situations, it may be provided by trainees of both professions). Among the requirements are membership in the relevant professional self-government and inclusion in the list of ex officio attorneys maintained by the district bar council or chamber of legal advisors (although cases can also be assigned to members of the professional self-government without this requirement). There is no requirement to pass additional examinations or to have a certain length of service. There are also no top-down limits set on the number of ex officio cases, but local governments can introduce internal rotation systems.
- 2) Free legal aid (NPP out-of-court): As indicated, services are provided by attorneys and legal advisors (or trainees of these professions), tax advisors, trained civic advisors (following training and passing the exam), and mediators (if they conduct mediation within the NPP points). Access to assisting requires a contract with the county. Citizen advisors must complete a certified training course, pass a state exam, and receive follow-up training as required by regulations. In the case of mediators, on the other hand, it is noticeable that there is no nationwide obligation to improve; instead, recommendations are provided by organizations that maintain lists of mediators (e.g., associations, academic centers).

Public Legal Education

Initiatives in the last two years to increase public awareness of the availability of Publicly Funded Legal Services/ legal aid in your jurisdiction and how to access it. (Include any particular approach for those in remote areas or those with special legal needs, e.g., older people or victims of domestic violence). Has there been a nationwide needs assessment study in your jurisdiction in recent years, examining the distribution of justiciable problems and how the public responds to them? Date of last needs assessment? Executed by?

A. Education and outreach initiatives (2023-2025)

Information campaigns and educational materials

The Ministry of Justice, in cooperation with county governments, regularly conducts information activities on the free legal aid (NPP) system. The official portal <u>nieodplatna-pomoc.gov.pl</u> provides news, brochures, and information on services. Additionally, a booklet titled "Youth in the System of Unpaid Assistance" was published in 2024, aimed at increasing the legal awareness of young people.

Webinars and online education

The <u>edukacja-prawna.info.pl</u> portal offers free webinars and educational materials on practical legal issues, including inheritance law, data protection, and conflict resolution. The initiative aims to reach a broad audience, including those with limited access to traditional forms of legal education.

Accessibility for people with disabilities

The NPP system ensures the availability of services at about 1,500 points throughout the country, including in every county unit. Persons with severe mobility disabilities who are unable to appear in person, as well as those experiencing communication difficulties, may be provided with free legal assistance or free civic counseling, both in-person and via distance communication.

Researching the legal needs of citizens

In recent years, no nationwide survey of citizens' legal needs has been commissioned by the government. However, a report entitled "Literature Review on the Availability and Use of Legal Aid," produced by the Institute for Law and Society (INPRIS), was published in 2012. The report examines existing research on access to legal aid, identifying barriers such as a lack of legal awareness, difficulties in identifying legal problems, and limited access to information on available services. Additionally, the 2021 report "Citizen Analysis of the Law - Experiences with the Legal Aid System" was published, presenting the results of research on the use of free legal aid and identifying citizens' needs and expectations in this context. C

Summary:

Between 2023 and 2025, Poland is taking steps to increase public awareness of the availability of publicly funded legal aid. These activities include public awareness campaigns, online education, and ensuring the availability of services to disadvantaged individuals and those living in rural areas. Although there has not been a nationwide survey of citizens' legal needs in recent years, existing reports and studies provide valuable insights into the barriers to accessing legal aid, offering a basis for further action in this context. This area is neglected from the perspective of the executive branch and the Ministry of Justice.

Alternative Sources of Legal Aid Services

Is your jurisdiction exploring link-ups between legal services providers and non-lawyer professionals, e.g., health/justice partnerships, social work/justice collaboration, or other forms of "one-stop shop"?

In Poland, one can observe the development of alternative forms of legal aid provision, which involve combining legal services with social, psychological, health, or administrative services - although these are not systemically institutionalized at the central level.

Alternative sources of legal aid provision - interdisciplinary cooperation

1) Points of free legal aid as a "one stop shop" (intersectoral cooperation): Within the free legal aid (NPP) system, many counties combine legal services with: civic counseling (e.g., debt issues, housing problems, social assistance), psychological counseling (e.g., for victims of violence), mediation - introduced into the NPP system

as a separate form of support. In some locations (e.g., larger cities), legal aid is integrated with community activity centers, social welfare centers (Municipal Welfare Centers/Social Assistance Centers), and NGO offices that also provide social and psychological support. This provides a "one-stop shop" effect, particularly for older individuals, those who are digitally excluded, and those facing a life crisis.

- 2) Law clinics and university counseling centers an integrative model: University law clinics in Poland are increasingly collaborating with local social organizations, family assistance centers, and institutions that support people with disabilities. This cooperation involves referring clients between institutions (e.g., legal aid and support from a probation officer, psychologist, or vocational counselor), as well as conducting joint projects in the fields of education and prevention (e.g., assisting individuals experiencing a debt crisis or violence).
- 3) **NGOs integrated with legal aid:** Some NGOs combine legal assistance with other forms of support:

Organization An example of interdisciplinary cooperation

Center for Women's Rights

Legal assistance + psychologist + shelter + reintegration

workshops

Legal Intervention Legal assistance for migrants + social support + cultural

Association assistants

Caritas, PCK, MONAR centers

Legal assistance + addiction therapy + housing assistance

4) Cross-sector cooperation (health-justice, social-justice partnerships): Although formal structures like health-justice partnerships, such as in the US or UK, are lacking, local and project-based partnerships are being undertaken in Poland, e.g., between mental health centers and organizations providing legal assistance (e.g., in supporting psychiatric patients, seniors, people experiencing violence), and projects combining the activities of a lawyer with a social worker or civic counselor are also being carried out. For example, it is possible to rotate services among a civic advisor, a lawyer, and a mediator at NPP points, which has the effect of a "holistic" approach to clients' problems. Poland does not have a central policy for creating "one-stop shops," but many local and organizational activities in practice correspond to this concept. The most advanced models of service integration are found in the activities of NGOs (CPK, SIP), law clinics, and some NPPs. The development of intersectoral cooperation could be strengthened by researching the needs of local communities and better integrating the activities of local governments.

UN SDG Standard 16.3

Please identify any steps being taken to articulate and elaborate Sustainable Development Goal 16.3 in your jurisdiction.

Objective 16.3 is to strengthen the rule of law and ensure real, equal, and non-discriminatory access to justice, both at the judicial level and at the level of access to legal aid, dispute resolution, and human rights protection.

I. Current activities

It is possible to define areas where the implementation of SDG target 16.3 is visible. However, these are not activities introduced in connection with the implementation of the Sustainable Development Goals (SDGs). Among the available forms that meet the requirements for achieving SDG 16.3 are:

- 1) Expansion of the system of free legal aid and civil guidance (NPP): As of 2019, the system has been expanded to include all citizens who declare their inability to afford paid legal assistance. It also provides mediation, legal education, and citizen counseling. In 2022, more than 459,000 pieces of advice were provided (source: MS/gov.pl). The system supports people in extraordinary situations: victims of violence, people with disabilities, and migrants. In this case, the link to SDG 16.3 is real support for access to justice, especially for those at risk of exclusion.
- 2) Ex officio legal aid (court representation): Those who cannot afford to hire a lawyer can apply for an ex officio attorney. This assistance applies to civil, criminal, family, and administrative cases, with funding provided through the state budget, the courts, and the Ministry of Justice. The professional bodies of attorneys and legal advisers also support it. In this case, the link to SDG 16.3 is to provide formal access to the court through free representation.
- 3) The right to public information and the openness of institutional operations: Poland has a constitutionally and statutorily established right to information, including access to public records. Organizations such as the Watchdog Poland Civic Network are actively working for public control over administration. In this case, the link to SDG 16.3 is that transparency and accountability of institutions are part of the functioning of the rule of law.
- 4) Protection of human rights activities of Ombudsmen: Among others, the Ombudsman, the Ombudsman for Children's Rights, and the Ombudsman for Patients' Rights carry out intervention and educational activities, as well as strategic litigation. Their activities focus on the accessibility of public services, equality before the law, and the protection of vulnerable groups, including seniors, children, people with disabilities, and prisoners. In this case, the link to SDG 16.3 confirms that these activities strengthen the mechanisms for monitoring the rule of law and ensuring equal treatment.
- 5) Legal education and civic awareness: This is the grassroots development of initiatives such as "Street Law" programs at universities, open days at courts and law firms, Ministry of Justice campaigns ("You have the right to know"), legal education projects for youth and seniors (e.g., by FUPP, INPRIS, Iustitia, local governments). In this case, the link to SDG 16.3 confirms that education enhances citizens' ability to exercise their rights and seek remedies.
- 6) The Strategy for People with Disabilities 2021-2030, adopted by Resolution of the Council of Ministers No. 27 of February 16, 2021, and published in the Polish Monitor (item 218), takes a comprehensive approach to supporting people with disabilities, taking into account their needs for independent living and social inclusion. The document aims to include people with various types of disabilities in social and professional life, thereby guaranteeing their rights as defined in the Convention on the Rights of Persons with Disabilities. The Strategy for Persons with Disabilities 2021-

2030 contributes to Sustainable Development Goal 16.3 by promoting equality before the law - by eliminating barriers to access to justice, strengthening institutions - by creating a coherent legal and organizational framework to support persons with disabilities, ensuring public participation - by involving persons with disabilities in decision-making processes, legal needs analysis (Needs Assessment)

Noteworthy is the fact that there is currently no nationwide study conducted by the government or the Ministry of Justice. Recent studies are scientific and social:

- o INPRIS Literature Review on Access to Legal Aid (2012),
- Research by the University Legal Clinics Foundation, for example, on the experiences of clients of the NPP system,
- o NIK reports on the functioning of the system of free legal aid (2019, 2021),
- Empirical research of academia and NGOs (2021-2023).

Conclusion: Needs are studied in a scattered way, but there is no centrally coordinated, cyclical study of the availability and effectiveness of legal aid.

II. Challenges for the implementation of SDG 16.3 in Poland

- No national strategy for access to justice (no comprehensive public policy),
- Uneven quality of services in the NPP system and lack of a systemic mechanism for quality evaluation,
- Inadequate funding for ex-officio assistance,
- Limited coordination of educational activities and lack of complete data on the extent of legal exclusion.
- No national plan for the implementation of SDG 16 in the justice system: The Polish Ministry of Justice has not yet published a strategic or operational document that refers explicitly to SDG 16.3 in the context of court functioning, legal aid, or criminal policy; the National Development Strategy (NDS) 2030 and government documents on Agenda 2030 (e.g., CSO reports on the SDGs) only mention access to justice, but in very general terms.

It is also noteworthy that government and CSO reports address SDG 16.3 "monitoring" but not in an operational sense. The Central Statistical Office (CSO) conducts monitoring of SDG indicators, including:

- o Indicator 16.3.1 the percentage of people who experienced legal disputes and formally settled them,
- o Indicator 16.3.2 the number of people in pretrial detention (as an element of procedural justice).

However, the CSO does not point to specific public policies to improve these indicators.

Summary:

Currently, there is no inter-ministerial mechanism in place for implementing SDG 16.3. The activities of the Ministry of Justice (e.g., NPP, digitization of courts, training) are fragmented. There is no formal coordination with the Ministry of Funds and Regional

Policy, which is responsible for nationwide coordination of the 2030 Agenda. Poland is implementing several elements of SDG 16.3 in practice, but lacks a coherent, named strategy or operational plan to implement this goal in the area of justice.

Other

Most innovative project 2023-24 Most disappointing trend 2023-24 Biggest challenge for 2025 Something about Covid-19 effects?

I. General information

Several legal aid activities were implemented in Poland. Still, they were dispersed, often initiated locally or by NGOs, and were partly reactive (e.g., modifications to existing systems), lacking strategic coordination at the national level.

Main pillars of action:

- 1. Maintain and moderately expand the system of free legal aid (NPP).
- 2. Sustainability of the system of ex officio assistance (court attorneys).
- 3. Advocacy and educational activities of selected NGOs and universities.
- 4. Gradual digitization of services (e-delivery, e-advice, Information Portals).

II. Most innovative project (2023-2024)

Integration of legal education with the free legal aid system. 2023. The Ministry of Justice and some districts have implemented a new model in which organizations providing legal aid are also required to conduct educational activities, such as organizing meetings with seniors, students, and people in a debt crisis. There have also been educational webinars available remotely, such as those on the edukacja-prawna.info.pl portal. The innovation of this solution is evident in its combination of classic legal assistance with prevention and awareness-building, which aligns with the long-term goals of SDG 16.3 and counters legal exclusion.

III. Most disappointing trend (2023-2024)

No real reform of the ex officio legal aid system has occurred. Ex officio fee rates continue to be regulated by 2015 ordinances, despite rising living costs and inflation. Lawyers are often reluctant to take on ex officio cases, which affects the availability of services, especially in smaller towns. There is also a perceived lack of a central registry for ex officio cases and a uniform rotation system, which leads to regional inequalities. The demands of the legal community (NRA, KIRP, NGOs) have had little effect.

This is a most disappointing situation, as the ex officio legal aid system is the last line of defense for those most in need in court, and is now increasingly unattractive to professionals and financially unstable.

IV. Biggest challenge for 2025

Create an access to justice strategy as public policy. Poland still **lacks a nationwide plan** for access to legal aid and justice, commonly referred to as an *Access to Justice* policy. A nationwide survey of citizens' legal needs, known as the *Justice Needs Assessment*, has not been conducted. There is no coordinating body for the activities of various ministries, local governments, and NGOs in this area. There is a lack of effective monitoring of service quality, including a system for evaluating NPPs and ex officio cases. This is important because without central coordination and data, even good local practices remain inconsistent and unreplicable.

V. Effects of the COVID-19 pandemic (to date)

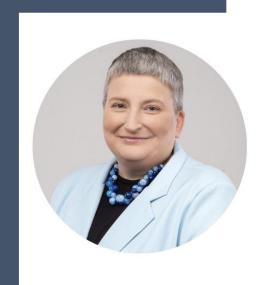
Despite Polish laws allowing remote trials for approximately 9 years, this has not been implemented in practice. Indeed, the pandemic has contributed to the growing popularity of e-trials. The development of the Information Portal and e-trials has made information and documents more accessible to citizens. However, shortcomings are perceptible, such as the lack of uniform procedures for remote advice. In this context, differences in quality and accessibility are noticeable, especially regarding the government's system of free legal aid. Indeed, the NPP system has opened up the possibility of obtaining legal aid by phone and online, a trend that is expected to continue after the pandemic.

However, the pandemic appears to have led to a permanent deepening of digital exclusion. Older people and those in rural areas have had and continue to have difficulty accessing online assistance. There is no doubt that the pandemic has increased the use of modern technological solutions in the court's daily communication with the parties or their attorneys. Among the solutions that were implemented during or as a result of the pandemic are:

- 1) **E-delivery (electronic delivery of letters)**: Legal basis: the Law of November 18, 2020, on electronic delivery (Journal of Laws of 2020, item 2320). Electronic delivery enables the transmission of official letters, including court documents, via a public electronic delivery service. In this system, each institution and entrepreneur is assigned an address for electronic delivery (ADE) that is integrated with the registry. For individuals, there is a Citizen Delivery Box (ePUAP/mObywatel). As of December 2023, ordinary courts are gradually implementing e-services, but the system is not yet fully mandatory for courts dealing with individuals. The obligation to use e-delivery applies to, among others: attorneys, legal advisors, notaries, bailiffs, court experts (as of December 2023 details below).
- 2) Service through the Information Portal of ordinary courts: Legal basis: Decree of the Minister of Justice of May 28, 2021, on how to make court documents available to participants in proceedings (Journal of Laws 2021, item 992). A professional attorney, such as a lawyer or legal counsel, is required to use the Court Information Portal (PIS). Deliveries are considered adequate 14 days after the letter is made available on the portal, even without confirmation of receipt. Practical problems: the portal does not always send email notifications of new documents, and not all letters are made available promptly. It is a formally effective tool, but the practice of its use raises concerns, especially regarding the transparency and certainty of delivery.

- 3) Obligation for court experts to have an account in the Information Portal: As of December 2023, court experts are required to have an account in the edocumentation system. Few experts have effectively implemented the system due to a lack of training, difficulty with registration, and inadequate technical support. In many cases, courts continue to operate traditionally, despite the formal obligation. In some appellate courts, digital delivery is being overlooked in practice because experts have not activated the e-delivery box. As a result, it should be considered that the legal regulation exists, but is not effectively enforced; this risks delays and procedural uncertainty.
- 4) Remote hearings (e-trials): In practice, civil and administrative courts have partially implemented remote hearings. The dedicated system for holding remote hearings is the Jitsi system; however, tools such as Microsoft Teams and Cisco Webex are also used in practice. In some departments, such as commercial and WSA, e-trials are regularly used. A participant in a remote hearing must have access to the necessary technical tools and suitable conditions. Among the defined problems, the following should be distinguished: discrepancies in the application of the rules (judges often prefer traditional hearings), technical difficulties (including issues with sound and connectivity), and challenges in conducting evidence remotely, such as witness hearings. Remote hearings should be considered a viable alternative in many cases, but require further standardization and technical support.

In response to the COVID-19 pandemic, measures have been implemented to ensure the safety of contractors and users of free legal advice and civic counseling services. As of March 13, 2020, the provision of NPP and NPO services throughout the epidemic and epidemic emergency was carried out via remote communication (i.e., via email, instant messenger, or telephone). Information was posted on the district offices' websites.



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