



## AEQUITAS NEWSLETTER (Nr 6)

June 21, 2025

### THE COURT OF APPEAL IN GDANSK OVERWHELMED BY THE NUMBER OF CASES RELATED TO SO-CALLED FRANC LOANS

The FrankNews portal regularly reports on the state of the Swiss franc caseload in large courts in Poland. **On June 13, 2025, the portal provided data on the Court of Appeal in Gdańsk, one of the largest courts of appeal in the country. 25 judges in two civil divisions have 10,108 appeal cases to hear.** In addition, there are appeals and commercial appeal cases. Judges handle over 100 appeal cases per year in one division. **This means that citizens will currently wait for an appeal case to be heard (and this is the second instance after a long trial before a regional court !!!) for at least four years.** As the portal reported, the Ministry of Justice did not assign a single judicial or assistant position to the civil division of the Court of Appeal in Gdańsk in 2024 and 2025, in order to give citizens a chance to wait a little shorter for justice, despite the fact that the Ministry boasted about obtaining 1,000 assistant positions nationwide

<https://www.franknews.pl/frankowicze-totalnie-sparalizowali-gdansk-25-sedziow-nie-radzi-sobie-z-lawina-spraw/>

### GRANTS FROM THE MINISTRY OF NATIONAL EDUCATION FOR THE ASSOCIATION „IUSTITIA”

**The Association of Judges "Iustitia" has obtained further financial benefits, this time from the Ministry of National Education. The subsidy amounts to PLN 140,000 for the program "Hallo! Tu Konstytucja!" and PLN 115,000 for "100 lessons in court". Formally, the subsidies are the result of winning educational competitions of the Minister of National Education. What the competitions in which the association, whose former president is the head of the codification commission with a salary of PLN 10,000 per month, and a former board member is the director of human resources of the Ministry of Justice, may look like, we do not know....**

Trusting that the procedures were fully transparent, we would like to remind that education, especially of young people, is conducted by many judges in the country, always *pro publico bono*, and that **the understanding of the Constitution by the Association of Judges "Iustitia" is very controversial, and taking money from politicians is not appropriate for judges.** We will of course monitor the tourist activities of the association's management, which we have already written about, in order to determine whether public money will be spent as intended.

<https://www.gov.pl/attachment/65885526-c3c5-493b-878a-9a858c68e276>

### THE CONFERENCE "LAWYERS FOR CITIZEN EDUCATION"

On June 16, 2025, an event co-organized by the Ministry of Justice and the Ministry of National Education took place, attended by representatives of the legal professions, education boards, teachers, students and social organizations. As reported on the websites of both ministries, the aim of the conference was to present the assumptions of the new subject "civic education", which will be included in the curriculum



in secondary schools from September 2025, as well as to jointly develop ideas for its effective implementation - with particular emphasis on legal and constitutional education.

**Unfortunately, our Aequitas Association was not even informed about this event, much less invited to cooperate. In the meantime, due to the many years and very diverse experience of the members of our Association in adjudication, as well as scientific and teaching experience, we would be very happy to support these activities.** We are perfectly aware that only reliable legal education and knowledge of the foundations of the Constitution of the Republic of Poland can prevent errors and distortions in the application of the law and its interpretation in the future.

<https://www.gov.pl/web/sprawiedliwosc/edukacja-obywatelska--wspolpraca-przy-nowym-przedmiocie-szkolnym-srodowisk-prawniczych-i-edukacyjnych>

<https://www.gov.pl/web/edukacja/edukacja-obywatelska-w-centrum-uwagi--konferencja-z-udzialem-wiceminister-pauliny-piechny-wieckiewicz>

## REPORT OF THE MINISTER OF JUSTICE ADAM BODNAR FOR THE PERIOD OF 13.12.2023 - 13.6.2025

According to the report, the main goal of the actions taken by the Ministry of Justice was to gradually restore the rule of law and adapt the Polish justice system to European standards. Supposedly, the participation of the judicial self-government in the procedure for appointing court presidents and vice-presidents was restored, and a total of 359 new people were appointed to these positions, and the ministry also carried out the largest staff reinforcement of the courts in years, as new positions were created, most of which were judicial assistants and IT specialists. In the years 2024-2025, the pay rises covered all professional groups - from assistants, through clerks, to judges.

Meanwhile, **the truth is that after the changes in the positions of court presidents and vice-presidents made by the previous Minister of Justice, two complaints were filed with the ECtHR and Poland lost these cases. However, after the changes made by the current Minister of Justice, there are dozens of such complaints before the ECtHR and, considering the identical legal status, it should be expected that Poland will lose all of these cases.**

**The voice of the judicial community in the changes in the positions of presidents and vice-presidents was heard only when it was in line with the will of the Minister of Justice, and in the event of a "discord", the will of the Minister was decisive, even if it differed greatly from the position of the local judicial community, as was the case with the district courts in Słupsk and Łódź.**

**The HR situation is critical:**

**- almost 1,000 judicial positions have already not been filled - mainly in the regional courts and the courts of appeal, which are "drowning" under the pressure of the so-called Swiss franc cases, which means that each judge has to deal with as many as 800-1.000 cases,**

- due to the length of court proceedings, Poland regularly loses cases before the ECtHR, and in proceedings concerning complaints about excessive length, a total of PLN 6,924,110 was awarded in compensation in 2024 alone,

- there are problems with filling positions for court assistants, as there are no people willing to do this work,

- there are problems with the clerical staff due to too low wages, completely inadequate to the amount of work, which results in high turnover of court officials in the largest cities, where the cost of living is the highest,

- the promised and even agreed in February this year with trade unions pay rises for court officials in light of the regulation of the Minister of Justice of 4 June this year turned out to be just promises, as we wrote in issue 5 of the Newsletter,

- judges did not receive any pay rises, and only after the judgment of the Constitutional Tribunal of November 8, 2023, K 1/23 in the years 2024-2025, the statutory salary indexation of judges was not suspended,



- strengthening IT positions does not in any way translate into the number of cases heard by courts, unless the risky idea of payment orders in the summary judgment proceedings being "issued" by IT specialists is implemented, which we recently heard about in the proposals of the Ministry of Justice to improve the work of courts, which of course violates Article 177 of the Constitution of the Republic of Poland and can only be treated as a joke, because payment orders even in summary judgment proceedings are enforcement titles, and these can only be issued as a result of judicial actions by judges or court registrars.

<https://www.gov.pl/web/sprawiedliwosc/minister-adam-bodnar-podsumowal-15-roku-dzialan-ministerstwa-sprawiedliwosci>