



INTERNSHIP REPORT AND SUMMARY

Identification of the participant

Name: Vačok

First name: Juraj

Nationality: Slovak

Country of exchange: Poland

Identification of the exchange

Hosting jurisdiction/institution: The Supreme Administrative Court of Poland

City: Warsaw

Country: Poland

Dates of the exchange: 15 May 2023 (start date) – 22 May 2023 (end date)



I. Programme of the exchange

The majority of the programme was designed to discover the work of the Supreme Administrative Court in Poland. I had meetings with judges including the president of the court and selected members of staff of the court. The representatives of all three divisions (judges) introduced me to their work, common types of cases and the particularities of their work. I also participated in the public hearings, which were held online. It was an important experience for me because we do not practise this form of hearings. I visited the library and selected members from judges. The particular staff introduced me to the additional functions of court including control of administrative courts, unification of jurisprudence, analytical works for judges, etc. I delivered a lecture to judges and staff on administrative justice in the Slovak Republic.

I enjoyed the very interesting meeting at the Voivodship Administrative Court in Warsaw with its president and vice-president. I also participated in two hearings in this court.

Very valuable was also my visit to the Commissioner's Office of Human Rights and my meeting with its representatives. I was also very happy to have the opportunity to visit the University of Warsaw and some of its scholars.

In general, the programme was designed to be very useful and give me the opportunity to get to know the functioning of the Supreme Administrative Court and administrative justice in Poland. I provide a copy of the programme.

II. The hosting institution

The hosting institution is the supreme court in matters of administrative jurisdiction. Its competence is very similar, but its functioning has significant differences. I mention two of them, which were the most interesting to me in comparison with the functioning of my court. The first is a deep specialisation. Its size is larger in comparison to our court. Therefore, the judges may specialize. The second is that the judges are not organised in stable panels, but they have ad hoc panels. In addition, the judges give the terms for hearing and deciding in the court. The cases are distributed to the judges before these terms, what is different in comparison to the Slovak Republic. The cases are registered with specific judges from the beginning. The presidents of the panels organise when these cases are decided.

III. The law of the host country

I was interested in the differences in work of judges, which has a basis in different procedural provisions. I mentioned the main of them. I was also impressed with on-line hearings which have not been used in the administrative justice in the Slovak Republic. On-line hearings were performed at a very high level, and it was a great inspiration for me for the future.

IV. The comparative law aspect in your exchange

I mentioned in the previous text that the organisation and system of work are different. Their advantage is that it is a considerably larger court in comparison to our supreme administrative court. This has led to specialisation, which allows faster and more grounded deciding. Judges are focused on deciding and do not have so many duties with work related to judicial files. It seems to me that they work is only to judge. It was also interesting that some departments of the court office were represented by professional judges. I also consider very good that some former judges participate in these departments. The former judges have many experiences and skills. It is good to join them to some activities if they are interested in it.

V. The European aspect of your exchange

Problems solving in Poland and the Slovak Republic are very similar in the field of administrative justice. The work with the European Act was standard and I did not recognise any problems. We also compare the use of preliminary questions, where the practise regarding different sizes of our states is similar too.

VI. “Good Practice” within the host jurisdiction

I appreciated that the Supreme Administrative Court of Poland also has control of Administrative Voivodship Courts. It seems good to me that there is no obligation to represent before administrative voivodship courts. I saw a sense in the regulation, according to which the tax advisors may represent the client before the Supreme Administrative Court in matters of taxes. The advantage of ad hoc panels is that the information goes better across the whole departments.

VII. The benefits of the exchange

I had the opportunity to compare the particular legal problems that judges in Poland and in the Slovak Republic encounter. Many of them are very similar. I also had the opportunity to see the court with many differences in the system of work, when I saw how some kinds of my work and the work of the whole court can be improved. I informed my colleagues. The system of work in Poland is different but effective.

VIII. Suggestions

I was very satisfied with this programme, and I do not have any suggestions for improvement. I am thankful for the opportunity to join this programme. I also thank to the members of the Supreme Administrative Court in Poland for very good custody and recommend this kind of visit to all my colleagues not only in Slovakia but also in Europe. Exchanging programmes may be useful not only for judges but also for other qualified workers of courts, for instance assistant of judges or members of analytical centres.